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1 where to put all the new people given the Lake Whatcom downzone. There are also
2 problems with the overcrowded jail. These problems are because the county has
3 grown too fast and too much. They have a lot of problems due to growth.
4

5 Last fall, the Convention and Visitor's Bureau was happy that it assisted in
6 Kiplinger's rating Bellingham as a top college town to retire in. There have been
7 dozens of articles nationwide about Bellingham being the best place to work and
8 live. They are not talking about tourism and visiting, but a place to move to. This
9 is outrageous. The hotel/motel tax provides a lot of funds to the Convention and
10 Visitor's Bureau. Bellingham gave \$285,000 to the Convention and Visitor's Bureau
11 last year for promotional efforts. The County Council approved a \$75,000 allocation
12 to the Convention and Visitor's Bureau this year. The Convention and Visitor's
13 Bureau is well-financed by the taxpayers. They need changes. Tourists are
14 welcome, but any kind of advertising to bring in new residents should be forbidden.
15 Someone over at the Convention and Visitor's Bureau is building an empire, and it's
16 not in the best interest of the community. Fix this problem.
17

18 Ray Tryzynka, Puget Sound Energy Government and Community Relations
19 Manager, stated there is an introduction item about power lines. Puget Sound
20 Energy is involved in the Utility Planning Advisory Committee. They look forward to
21 working in this process with the Planning Commission.
22

23 **PUBLIC HEARING**

24 **1. ORDINANCE REGARDING THE INSTALLATION OF STOP SIGNS ON** 25 **CERTAIN COUNTY ROADS (AB2003-255)**

26 Mike Donahue, Engineering Manager - Traffic/Development, gave a staff
27 report on this item and the next item. This is done once a year for new roads in
28 developments completed over the past year.
29

30 Crawford asked if there are any existing roads. Donahue stated Barr Road is
31 the only existing road. It's a gravel road south of Unick Road.
32

33 Brenner stated it would be helpful to have a map with the information so she
34 can see where in the county these are located.
35

36 Roy asked if there is a very structured process for getting neighborhood
37 input. Donahue stated these are new developments, and are designed in that
38 process. If there's a question, people can contact the County Council or
39 Engineering Division and the Engineering Division will do a speed analysis.
40

41 Brenner asked how people know to call the Engineering Division or County
42 Council. Donahue stated they have a pamphlet on that at the Engineering Division
43 that they used to hand out. It's kind of word-of-mouth.
44
45
46
47

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1 Nelson stated they are having the hearing right now. He would much rather
2 err on the side of safety. Put the stop signs up. If the public has concerns, the
3 Council can come back and have a hearing on removing the stop sign. Then the
4 neighborhood will tell them if there's a problem.
5

6 McShane opened the public hearing and, hearing no one, closed the public
7 hearing.
8

9 ***Nelson moved*** to adopt the ordinance.

10 ***Motion carried unanimously.***

11
12
13 **2. ORDINANCE REGARDING ESTABLISHMENT OF SPEED LIMITS ON**
14 **CERTAIN COUNTY ROADS (AB2003-256)**

15
16 Mike Donahue, Engineering Manager - Traffic/Development, gave a staff
17 report and stated the reason for this item is the same reason as what he stated for
18 the previous item. Most of these subdivisions are off the Britton Road.
19

20 McShane opened the public hearing and, hearing no one, closed the public
21 hearing.
22

23 Brenner stated there are several intersections around the county where they
24 can go 50 feet in any direction and there are different speed limits. She would like
25 it to be more uniform. It's a real problem. People will exceed the speed limit and
26 not know it.
27

28 ***Nelson moved*** to adopt the ordinance.

29
30 ***Motion carried unanimously.***
31
32

33 **CONSENT AGENDA**

34
35 ***Crawford*** reported for the Finance and Administrative Services Committee
36 and ***moved*** to approve Consent Agenda items one through thirteen.
37

38 ***Motion to approve Consent Agenda items one through thirteen***
39 ***carried unanimously.***
40

41 **1. REQUEST AUTHORIZATION FOR THE EXECUTIVE TO ENTER INTO A**
42 **RECREATIONAL TRAIL EASEMENT AGREEMENT BETWEEN WHATCOM**
43 **COUNTY PARKS AND RECREATION AND CRYPTICAL ENVELOPMENT,**
44 **MARK WEINBERG, PRESIDENT, TO GRANT A NON-EXCLUSIVE**
45 **RECREATIONAL TRAIL EASEMENT FOR PUBLIC RECREATIONAL**
46 **PURPOSES FOR A SECTION THAT LIES WITHIN WHATCOM COUNTY'S**
47 **PORTION OF THE INTERURBAN TRAIL (AB2003-261)**

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- 1
2 2. REQUEST AUTHORIZATION FOR THE EXECUTIVE TO ENTER INTO A
3 PROFESSIONAL SERVICES AGREEMENT BETWEEN WHATCOM COUNTY
4 HEALTH DEPARTMENT AND WESTCOAST COUNSELING & TREATMENT
5 CENTER FOR CONDUCTING SUBSTANCE ABUSE ASSESSMENTS FOR
6 CLIENTS WHO ARE ELIGIBLE FOR ADATSA FUNDING FROM DSHS, IN
7 THE AMOUNT OF \$139,874 (AB2003-262)
8
- 9 3. REQUEST AUTHORIZATION FOR THE EXECUTIVE TO ENTER INTO A
10 PROFESSIONAL SERVICES CONTRACT BETWEEN WHATCOM COUNTY
11 HEALTH DEPARTMENT AND BOYS AND GIRLS CLUBS OF WHATCOM
12 COUNTY TO CONDUCT THE "SMART MOVES" PROGRAM FOR
13 SUBSTANCE ABUSE PREVENTION, IN THE AMOUNT OF \$20,000
14 (AB2003-263)
15
- 16 4. REQUEST AUTHORIZATION FOR THE EXECUTIVE TO ENTER INTO A
17 PROFESSIONAL SERVICES CONTRACT BETWEEN WHATCOM COUNTY
18 HEALTH DEPARTMENT AND BIG BROTHERS BIG SISTERS OF
19 NORTHWEST WASHINGTON TO CONDUCT THE "SCHOOL BUDDIES"
20 PROGRAM FOR SUBSTANCE ABUSE PREVENTION, IN THE AMOUNT OF
21 \$20,000 (AB2003-264)
22
- 23 5. REQUEST AUTHORIZATION FOR THE EXECUTIVE TO ENTER INTO A
24 PROFESSIONAL SERVICES CONTRACT BETWEEN WHATCOM COUNTY
25 AND SHEARER DESIGN L.L.C. FOR THE STRUCTURAL DESIGN OF
26 SUNRISE ROAD BRIDGES #87 AND #88, IN THE AMOUNT OF \$44,675
27 (AB2003-265)
28
- 29 6. REQUEST AUTHORIZATION FOR THE EXECUTIVE TO ENTER INTO A
30 CONTRACT AGREEMENT BETWEEN WHATCOM COUNTY AND THE CITY
31 OF BELLINGHAM TO PROVIDE FINANCIAL ASSISTANCE FOR THE
32 OUTREACH TO HOMELESS PEOPLE WITH CO-OCCURRING DISORDERS
33 PROGRAM, IN THE AMOUNT OF \$29,607 (AB2003-266)
34
- 35 7. REQUEST AUTHORIZATION FOR THE EXECUTIVE TO ENTER INTO A
36 CONTRACT AGREEMENT BETWEEN WHATCOM COUNTY AND THE
37 DEPARTMENT OF SOCIAL & HEALTH SERVICES, DIVISION OF
38 ALCOHOL AND SUBSTANCE ABUSE, TO PROVIDE REVENUE FOR
39 OUTPATIENT SUBSTANCE ABUSE TREATMENT AND PREVENTION
40 SERVICES TO INDIGENT AND LOW-INCOME CLIENTS, IN THE
41 AMOUNT OF \$2,443,456 (AB2003-267)
42
- 43 8. REQUEST AUTHORIZATION FOR THE EXECUTIVE TO ENTER INTO A
44 CONTRACT AMENDMENT BETWEEN WHATCOM COUNTY AND THE
45 DEPARTMENT OF SOCIAL & HEALTH SERVICES TO PROVIDE
46 ADDITIONAL FUNDING TO EXTEND THE TERM OF AGREEMENT FOR
47 AN ADDITIONAL THREE MONTHS, TO PROVIDE FOR PUBLIC HEALTH

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1 **NURSING HOME VISIT SERVICES FOR FAMILIES WITH BABIES AND**
2 **YOUNG CHILDREN AT RISK FOR CHILD ABUSE AND NEGLECT THAT**
3 **ARE REFERRED BY CHILD PROTECTIVE SERVICES, IN THE AMENDED**
4 **AMOUNT OF \$11,717, FOR A TOTAL AMENDED CONTRACT AMOUNT**
5 **OF \$204,645 (AB2003-268)**
6

7 **9. REQUEST AUTHORIZATION FOR THE EXECUTIVE TO ENTER INTO A**
8 **CONTRACT AMENDMENT BETWEEN WHATCOM COUNTY AND THE**
9 **DEPARTMENT OF SOCIAL AND HEALTH SERVICES TO PROVIDE**
10 **ADDITIONAL FUNDING TO EXTEND THE TERM OF THE AGREEMENT**
11 **FOR AN ADDITIONAL THREE MONTHS, TO PROVIDE FOR PUBLIC**
12 **HEALTH SERVICES TO ASSESS HEALTH INFORMATION ON CHILDREN**
13 **IN FOSTER CARE TO ENSURE THEY RECEIVE REQUIRED HEALTH**
14 **CARE, IN THE AMENDED AMOUNT OF \$12,699, FOR A TOTAL**
15 **AMENDED CONTRACT AMOUNT OF \$211,947 (AB2003-269)**
16

17 **10. REQUEST AUTHORIZATION FOR THE EXECUTIVE TO ENTER INTO A**
18 **CONTRACT AMENDMENT BETWEEN WHATCOM COUNTY AND**
19 **WASHINGTON STATE DEPARTMENT OF HEALTH TO PROVIDE**
20 **ADDITIONAL FUNDING FOR PUBLIC HEALTH SERVICES TO SUPPORT**
21 **TOBACCO AND YOUTH TOBACCO PROGRAMS, IN THE AMENDED**
22 **AMOUNT OF \$111,800, FOR A TOTAL AMENDED CONTRACT AMOUNT**
23 **OF \$1,493,264 (AB2003-270)**
24

25 **11. REQUEST AUTHORIZATION FOR THE EXECUTIVE TO ENTER INTO A**
26 **CONTRACT AGREEMENT BETWEEN WHATCOM COUNTY AND**
27 **NOOKSACK INDIAN TRIBE TO DEVELOP A DRAFT WRIA 1 SALMON**
28 **RECOVERY PLAN, IN THE AMOUNT OF \$67,500 (AB2003-271)**
29

30 **12. REQUEST AUTHORIZATION FOR THE EXECUTIVE TO ENTER INTO A**
31 **CONTRACT AGREEMENT BETWEEN WHATCOM COUNTY AND**
32 **NOOKSACK SALMON ENHANCEMENT ASSOCIATION TO PROVIDE**
33 **STAKEHOLDER INVOLVEMENT AND PROCESS ASSISTANCE WITH THE**
34 **DEVELOPMENT OF A DRAFT WRIA 1 SALMON RECOVERY PLAN, IN**
35 **THE AMOUNT OF \$22,500 (AB2003-272)**
36

37 **13. RESOLUTION AUTHORIZATION APPLICATION FOR A COMMUNITY**
38 **DEVELOPMENT BLOCK GRANT, AND AUTHORIZING THE COUNTY**
39 **EXECUTIVE TO ENTER INTO A GRANT AWARD CONTRACT IN THE**
40 **AMOUNT OF \$27,850 FROM WASHINGTON STATE DEPARTMENT OF**
41 **COMMUNITY, TRADE AND ECONOMIC DEVELOPMENT (AB2003-273)**
42

43 *(Clerk's Note: The CDBG required handouts are included in the Council's*
44 *packet.)*
45

46
47 **OTHER ITEMS**

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1
2 **1. ORDINANCE AMENDING THE 2003 WHATCOM COUNTY BUDGET,**
3 **EIGHTH REQUEST (AB2003-243)**
4

5 **Crawford** reported for the Finance and Administrative Services Committee
6 and stated all agreed for the need for the new attorney in the Public Defenders
7 Office. He **moved** to adopt the ordinance.
8

9 McShane asked if there are three attorneys in District Court right now.
10

11 Jon Ostlund, Public Defender, stated that is correct. They used to have four
12 attorneys a long time ago. Because the felony caseload jumped up by 25 percent a
13 year and a half ago, he's had to shift District Court, but they fell behind on Superior
14 Court cases. His District Court attorneys thought they could handle it with two
15 attorneys, so he gave him that opportunity, but it didn't work. Their caseload
16 jumped to between 250 to 300 cases. He hired a temporary attorney in June, but
17 he only has funds to keep her to the end of this month. He's asking to extend her
18 funding to the end of this year. He's still working on what he will do next year.
19

20 **Motion carried unanimously.**
21
22

23 **INTRODUCTION**
24

25 **Nelson moved** to accept the Introduction Items.
26

27 **Motion carried unanimously.**
28

29 **1. RECEIPT OF REQUEST FOR PUBLIC HEARING REGARDING A**
30 **DEVELOPER RE-IMBURSEMENT APPLICATION SUBMITTED FOR**
31 **BEACON ROAD (AB2003-260) (HEARING TO BE SCHEDULED)**
32

33 **2. RESOLUTION INITIATING AN EMERGENCY AMENDMENT TO**
34 **WHATCOM COUNTY CODE 20.82.030 (AB2003-242)**
35
36

37 **OTHER BUSINESS**
38

39 **DISCUSSION REGARDING THE PURCHASE OF DEVELOPMENT RIGHTS**
40 **PROGRAM – FUNDING ROUND I APPLICATIONS (AB2003-198A)**
41

42 **Fleetwood** reported for the Planning and Development Committee and
43 **moved** to proceed with the appraisals on the Holz and Mow properties and go
44 ahead with the purchases of property development rights of all three Round I
45 properties. They have not yet agreed on the payment process.
46

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1 Nelson stated it is difficult to support a motion to expend \$800,000 without
2 knowing where the money will come from.

3
4 Fleetwood stated it will come from the Conservation Futures fund.

5
6 Nelson stated he's not sure there is enough money in the Conservation
7 Futures fund, given the other things they need to use those funds for, without
8 having full discussion of the use of those funds.

9
10 Fleetwood stated the total for these purchases is approximately \$817,000.
11 There is \$2.2 million in the fund presently.

12
13 Nelson stated this purchase would take away half the funds. He asked why
14 they aren't waiting until the second round for these purchases. They are not going
15 to go anywhere.

16
17 Fleetwood stated Kraig Olason should answer those questions.

18
19 McShane stated the amount of money is purely an estimate. They need to
20 have appraisals done. Scheduling those is an issue. The amount of money
21 available through the U.S. Department of Agriculture (USDA) program is not yet
22 entirely clear. If more money becomes available, then it will be used for those
23 purchases.

24
25 Brenner stated they don't have to spend all that money at once. The only
26 obligation they have is to the farm that gets that USDA money. The purchase using
27 USDA funds has to be a one-time payout. The other two farms can be purchased by
28 installments using Conservation Futures funds or bonding, so they won't deplete the
29 Conservation Futures fund. The interest rates are very low right now. Both of
30 those farmers would rather be paid with installments. This was just giving direction
31 to Kraig Olason that the Council is interested in going this direction. It is not
32 authorization for taking the money out of the Conservation Futures fund in one
33 lump sum.

34
35 Crawford asked if the Purchase of Development Rights Committee
36 recommended all these.

37
38 Fleetwood stated they were.

39
40 Crawford asked if they don't know yet whether they are going to make the
41 purchases in one payment or in installments, but they are agreeing to the
42 purchases.

43
44 Fleetwood stated that is correct.

45
46 McShane stated this might play a role in the County's debt policy.
47

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1 Brenner stated they are bringing in approximately \$750,000 per year into the
2 Conservation Futures fund, on top of the \$2.2 million that is in there. To date, they
3 have never spent any of that money on farmland. This is not out of line, given the
4 amount of money they've spent on other types of properties.
5

6 Caskey-Schreiber stated these people have been waiting for quite some time.
7 The property is already zoned at rural, one unit per five acres (R5A) for some time.
8 They've been patiently waiting. She doesn't want to make them wait any longer.
9 They have given Kraig Olason a clear indication that they support seeking additional
10 appraisals on the Holz and Mouw properties. They have not worked out the
11 particulars on how they are going to buy those properties. The total amount is
12 estimated at a high of \$1.7 million. Mr. Olason thinks they might obtain some
13 federal funding later.
14

15 Nelson stated he doesn't want to commit to purchasing the rights if the
16 appraisals haven't been done.
17

18 McShane stated they want to make a commitment to go ahead with the
19 purchases before getting the appraisal done.
20

21 Nelson stated that's why they need to use a designated amount.
22

23 Brenner stated there is an adequate amount in the Conservation Futures
24 fund. Some of the councilmembers have tried before to designate a portion of
25 those funds to purchase development rights on farmland. This request would not
26 bring them close to what they've already spent on other properties. Moving ahead
27 with this will not affect the appraisal amount. The farmer already agreed to work
28 with the appraisal. Negotiating a price is one thing, but they assume an appraisal is
29 more objective.
30

31 Caskey-Schreiber stated this would protect 210 acres of prime farmland that
32 is highly rated. They need to maintain a minimum of 100,000 acres of agricultural
33 land to have a viable farming industry, which currently brings in over \$200 million a
34 year. It's well worth the investment.
35

36 Nelson stated that supporting an industry isn't about buying up the land. It's
37 about providing access to processors, water resources, and making sure regulatory
38 practices are farmer-friendly.
39

40 Brenner stated they are not buying up the land. They are buying up the
41 development rights. The land is still on the tax roles.
42

43 Caskey-Schreiber stated the land is already zoned R5A. The farmer already
44 has the option to develop the land and has had many people approach him over the
45 years about purchasing five acres. If they don't protect it now, it's gone.
46

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1 McShane asked how many people are employed at Mayberry currently. He
2 heard there are 800 people there.

3
4 ***Motion carried 6-0 with Nelson abstaining.***

5
6 McShane stated that Pat Rowe from the Chamber of Commerce asked for a
7 councilmember to attend a ribbon-cutting ceremony for Cascade D.A.F.O. on
8 August 15 from 4 p.m. to 8 p.m.

9
10 Crawford stated this is a great business that makes prosthetics, and also
11 employs people who use the prosthetics.

12
13
14 **REPORTS AND OTHER ITEMS FROM COUNCILMEMBERS**

15
16 Caskey-Schreiber stated she attended the Northwest Air Pollution Authority
17 (NWAPA) board meeting where they talked about the fire marshal program.
18 Whatcom County has raised more revenue and is making a profit from burn
19 permits. Skagit and Island counties are operating at a loss. Warner Webb needs to
20 be congratulated.

21
22 ***McShane moved*** to go into executive session to last approximately 30
23 minutes for a **discussion with a representative from the Whatcom County**
24 **Prosecutor's Office (David Grant) regarding pending litigation (AB2003-**
25 **018)**. The regular Council meeting would be adjourned at the end of the executive
26 session.

27
28 *(Clerk's Note: The Council went in to executive session at 7:40 p.m.)*

29
30 ***Motion carried 6-0 with Nelson abstaining.***

31
32 McShane stated he would not participate in the executive session because
33 the item to be discussed deals with an Energy Facility Site Evaluation Council
34 (EFSEC) issue.

35
36
37 **ADJOURN**

38
39 The meeting adjourned at 8:10 p.m.

40
41
42
43 _____
44 Jill Nixon, Minutes Transcription

45 These minutes were approved by Council on August 5, 2003.

46
47 ATTEST:

WHATCOM COUNTY COUNCIL

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WHATCOM COUNTY, WASHINGTON

Dana Brown-Davis, Council Clerk

Dan McShane, Council Chair