

DISCLAIMER: This document contains the Whatcom County Council or Committee minutes, as approved. However, unless an attested signature page is attached, they are not the final approved minutes.

1 **OPEN SESSION**
2

3 The following people spoke:
4

5 Patrick Alesse, 4825 Alderson Road, Birch Bay, submitted information (*on*
6 *file*) about a variety of taxes on property owners.
7

8 Crawford stated Mr. Alesse's information shows that in eleven years, they've
9 gone from \$130 per person tax to \$260 per person. He asked if Mr. Alesse is
10 saying that the County has doubled the taxes in eleven years. Alesse stated it
11 looks like it. The County taxes are going up at a faster rate than the cities.
12

13 McShane stated the information includes all the junior taxing districts.
14
15

16 **CONSENT AGENDA**
17

18 ***Crawford*** reported for the Finance and Administrative Services Committee
19 and ***moved*** to approve Consent Agenda items one through five.
20

21 ***Motion to approve Consent Agenda items one through five carried***
22 ***unanimously.***
23

- 24 **1. REQUEST AUTHORIZATION FOR THE EXECUTIVE TO ENTER INTO A**
25 **CONTRACT AGREEMENT BETWEEN WHATCOM COUNTY HEALTH**
26 **DEPARTMENT AND THE DEPARTMENT OF SOCIAL AND HEALTH**
27 **SERVICES TO SUPPORT SERVICES FOR DEVELOPMENTAL DISABILITY**
28 **PROGRAMS TO PEOPLE REFERRED BY THE DEPT. OF DEVELOPMENTAL**
29 **DISABILITIES, IN THE AMOUNT OF \$3,008,636 (AB2003-356)**
30
- 31 **2. REQUEST AUTHORIZATION FOR THE EXECUTIVE TO APPROVE A**
32 **CONTRACT AMENDMENT BETWEEN WHATCOM COUNTY HEALTH**
33 **DEPARTMENT AND THE DEPARTMENT OF SOCIAL AND HEALTH**
34 **SERVICES TO PROVIDE ADDITIONAL FUNDING FOR OUTPATIENT**
35 **SUBSTANCE ABUSE SERVICES FOR PREGNANT WOMEN, CHILDREN,**
36 **ADULT DRUG COURT AND PREVENTION, IN THE AMOUNT OF**
37 **\$381,373, FOR A TOTAL AMENDED CONTRACT FOR A TOTAL**
38 **AMENDED CONTRACT AMOUNT OF \$2,824,829 (AB2003-357)**
39
- 40 **3. REQUEST AUTHORIZATION FOR THE EXECUTIVE TO APPROVE A**
41 **CONTRACT AMENDMENT BETWEEN WHATCOM COUNTY HEALTH**
42 **DEPARTMENT AND THE WASHINGTON STATE DEPARTMENT OF**
43 **HEALTH TO PROVIDE ADDITIONAL FUNDING FOR PUBLIC HEALTH**
44 **SERVICES IN WHATCOM COUNTY, SUPPORTING BIOTERRORISM**
45 **PREVENTION AND DRINKING WATER PROGRAMS, IN THE AMOUNT**
46 **OF \$138,950 FOR A TOTAL AMENDED CONTRACT AMOUNT OF**
47 **\$1,676,913 (AB2003-358)**

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1
2 **4. REQUEST AUTHORIZATION FOR THE EXECUTIVE TO ENTER INTO AN**
3 **ADMINISTRATIVE SERVICES AGREEMENT BETWEEN WHATCOM**
4 **COUNTY AND HEALTHCARE MANAGEMENT ADMINISTRATORS, INC.**
5 **FOR ADMINISTRATION AND CLAIMS PROCESSING FOR THE SELF-**
6 **INSURED EMPLOYEE MEDICAL BENEFIT PROGRAM, IN THE AMOUNT**
7 **OF \$15.80 PER MEMBER PER MONTH (AB2003-359)**
8

9 **5. REQUEST AUTHORIZATION FOR THE EXECUTIVE TO ENTER INTO A**
10 **COOPERATIVE AGREEMENT PROVIDING WHATCOM COUNTY WITH A**
11 **GRANT FROM THE U.S. DEPARTMENT OF JUSTICE TO IMPLEMENT THE**
12 **MULTI-JURISDICTIONAL CRIMINAL JUSTICE DATA INTEGRATION**
13 **PROJECT, IN THE AMOUNT OF \$993,500 (AB2003-360)**
14

15
16 **PUBLIC HEARING**
17

18 **1. PETITION REVIEW AND APPROVAL OF RESOLUTION ORDERING AN**
19 **ELECTION TO DETERMINE FORMATION OF AN IRRIGATION DISTRICT**
20 **TO BE KNOWN AS THE BERTRAND WATERSHED IMPROVEMENT**
21 **DISTRICT (AB2003-226C)**
22

23 Vern VandeGarde, 8837 Double Ditch Road, stated he is the head of the
24 Bertrand Watershed Improvement Committee. This is an excellent tool to
25 implement the WRIA 1 watershed plan and salmon recovery program plan. This is a
26 way to tie the entire community into a plan to help restore fish and wildlife and get
27 their habitat up to water quality standards.
28

29 McShane opened the public hearing and, hearing no one else closed the
30 public hearing.
31

32 Caskey-Schreiber stated there needs to be a water assessment before they
33 get into the issues of how they use that water. Through WRIA, they weren't able to
34 get a water quantity component to the plan. She thought the State would pay for
35 that assessment. A letter from the State Department of Ecology dated October 16,
36 2003 indicates that they are not responsible for that. She asked how that's going to
37 be done.
38

39 VandeGarde stated it is his understanding that water rights will be negotiated
40 with the Department of Ecology, not the cost of things like that. The Department of
41 Ecology has agreed to cover everyone who is irrigating now, even if they don't have
42 a water right. The Department of Ecology has to determine whether there is
43 enough water in the district to satisfy the existing water rights.
44

45 Nelson asked the reason for the concern.
46

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1 Caskey-Schreiber stated citizens are afraid this will affect their wells and their
2 water availability. They have large water rights they're not using now because they
3 are having a problem with access during the dry months. The big question is who is
4 going to assess how much water is available. Another question is who is going to
5 pay for that assessment in order for the district to be a success.
6

7 Dave Grant, Senior Civil Deputy Prosecutor, stated the district pays for it, if
8 it's formed. The State said they anticipated very little cost to do the assessment.
9

10 Caskey-Schreiber stated she didn't understand how the State could do the
11 assessment for \$15,000 when the County couldn't do it for \$6 million.
12

13 Brenner stated the County isn't doing the assessment because it got ripped
14 off by Utah State University (USU), not because it's too expensive. There's no way
15 that assessment could be done for \$15,000. She has the same concerns. She's
16 also concerned the citizen could be stuck in court or lose his water altogether.
17

18 Roy stated the letter from the State is very supportive of this district. The
19 letter says they need to determine whether there is enough water before the district
20 is created. She asked if they are assuming they already have that information.
21 Grant stated the Department of Ecology letter is describing a typical case, but this is
22 an atypical case. The following paragraph in the letter says otherwise.
23

24 Roy stated she understands.
25

26 ***Crawford moved*** to approve the resolution.
27

28 Brenner stated another citizen is concerned about personal liability if the
29 municipal corporation of the district runs into trouble and gets sued. Grant stated
30 he talked to the gentleman. He doesn't believe the man's concerns are justified.
31

32 VandeGarde stated he's also talked to the citizen, who is worried about being
33 held legally personally responsible. To do that, they'd have to have a vote of all
34 property owners in the district to approve taking on personal liability. No one would
35 vote to take on more personal liability.
36

37 Grant stated he doesn't agree that a vote of the district could impose
38 personal liability for all the folks in the district. It's not within the district's powers,
39 which are enumerated in the statute.
40

41 ***Motion to approve carried unanimously.***
42

43 **2. ORDINANCE AUTHORIZING THE LEVY OF TAXES FOR COUNTY AND**
44 **STATE PURPOSES IN WHATCOM COUNTY, WASHINGTON, FOR THE**
45 **YEAR OF 2004 PURSUANT TO HOME RULE CHARTER SECTION 6.10**
46 **(AB2003-347)**
47

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1 Dewey Desler, Deputy Administrator, gave a staff reported and stated this
2 covers the general fund.

3
4 Brenner stated this looks like a seven percent tax increase. Desler stated
5 that the County will replace the flood fee, which generates \$4.25 million, with this
6 increase, which will generate \$2.5 million to support the flood district. There is also
7 an increase in the general fund of \$1.4 million. The total is \$3.9 million, which is
8 still less revenue than last year. Last year, \$4.2 million would have been collected
9 under the flood fee.

10
11 Brenner stated the flood fee was voted down to 50 percent of what it is
12 today. The majority of the Council voted it back up, which she voted against.

13
14 Crawford stated they had talked about a five percent property tax increase.
15 He asked if the \$1.4 million base figure increase is what they have discussed all
16 along through the budget process. Desler stated it is. The total is \$3.9 million,
17 compared to the \$4.25 million that they could have collected from the flood fee
18 mechanism. He doesn't recall discussion of a five percent tax increase.

19
20 McShane opened the public hearing and, hearing no one, closed the public
21 hearing.

22
23 ***Fleetwood moved*** to adopt the ordinance.

24
25 Crawford stated the Council has not raised the property tax for the past
26 several years. The Council is shifting the burden of the tax from one fund to
27 another. The Council is actually reducing the tax burden to property owners in
28 Whatcom County. They need to be very clear about that. They knew there are
29 dedicated taxes out there for particular funds. They decided to shift that revenue to
30 other areas to cover shortfalls in the general fund, primarily resulting in funding
31 decreases from the State of Washington. It's important when discussing revenue to
32 be clear that the bottom line is that the administration and this Council produced a
33 budget that has no net tax increase. The proposed flood tax will have some varying
34 effect on a few property owners. They've crafted a budget that will be acceptable to
35 the people of Whatcom County.

36
37 Brenner stated the whole reason this switch from a flood fee to a flood tax is
38 happening is because the flood fee was not a legitimate fee to begin with. There
39 were many complaints about it. It would not have held up in court had it been
40 challenged. It was smart on the part of the administration to change it. However,
41 the change is to put it back to the level it was in the mid-1990's before it was raised
42 again. If they raise taxes enough, then lower and shift them around, they will look
43 like the good guys when they should never have been raised to begin with. She's
44 not supporting a huge property tax increase. Once they raise the property taxes,
45 they don't go back down.

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1 Nelson asked if this is essentially banked capacity from the years, or if they
2 are raising the levy. Desler stated it is bank capacity.
3

4 Nelson stated he concurred with Councilmember Crawford and understands
5 Councilmember Brenner. However, they have monumental issues. No one knows
6 what is enough. They are spending \$6 million on what the State and federal
7 governments have imposed upon the County. He hopes that in the future, they do
8 get the problems resolved. The people have elected the councilmembers to find the
9 means and resources to do that. The administration has taken a responsible role of
10 looking at the fee. No one is happy about paying for any service. However, they
11 have to solve these problems in the community, and they have to pay for it
12 somehow.
13

14 Brenner stated she agreed they have to pay for it somehow. She brought
15 forward proposed budget cuts, but the majority of the Council didn't vote for them.
16 No one has come up with any proposed cuts. There are plenty of nonessential
17 services they can cut. The public voted down the emergency medical service (EMS)
18 levy because people don't feel the Council should raise taxes.
19

20 McShane stated the County has funds he is concerned about. The budget
21 this year is good, but he worries about the future. This is a significant cut to the
22 flood fund. It's a huge fee cut. In his years on the County Council, he frequently
23 voted against spending that money. Other councilmembers frequently voted to
24 spend that money on a wide variety of projects. The option to pay for flood
25 projects will be reduced in the future because not as much money will be available.
26 It's important to concentrate on the issues that are of greater importance to the
27 community as a whole. The Council is better able to do that through the general
28 fund. He's grateful the administration put together a proposal that reflects the
29 desires of the community and the Council. He doesn't recall Councilmember
30 Brenner voting against any of the flood projects.
31

32 Brenner stated it's not about the projects. The original flood fee amount was
33 increased. It was an increase they didn't need and has been a surplus in the budget
34 ever since. She didn't support the increase. They do not have a decrease. It is a
35 decrease of the increase. It's a shell game.
36

37 ***Motion carried 6-1 with Brenner opposed.***
38

39 **3. ORDINANCE AUTHORIZING THE LEVY OF TAXES FOR COUNTY ROAD**
40 **PURPOSES IN WHATCOM COUNTY, WASHINGTON, FOR THE YEAR**
41 **2004 PURSUANT TO HOME RULE CHARTER SECTION 6.10 (AB2003-**
42 **348)**
43

44 McShane opened the public hearing and the following people spoke:
45

1 Patrick Alesse, 4825 Alderson Road, stated they should call it the
2 transportation fund. If they call it the road fund, they think they have to build a
3 road.
4

5 ***Brenner moved*** to adopt the ordinance. This percentage is a zero increase
6 from the previous year.
7

8 Hearing no one else, McShane closed the public hearing.
9

10 ***Motion to adopt carried unanimously.***
11

12 **4. ORDINANCE AUTHORIZING THE LEVY OF TAXES FOR COUNTY**
13 **CONSERVATION FUTURES PURPOSES IN WHATCOM COUNTY,**
14 **WASHINGTON, FOR THE YEAR 2004 PURSUANT TO HOME RULE**
15 **CHARTER SECTION 6.10 (AB2003-349)**
16

17 McShane opened the public hearing and, hearing no one, closed the public
18 hearing.
19

20 ***Fleetwood moved*** to adopt the ordinance.
21

22 Brenner stated this is also a zero percentage increase from last year.
23

24 ***Motion carried unanimously.***
25

26 **5. RESOLUTION MODIFYING THE WHATCOM COUNTY FLOOD CONTROL**
27 **ZONE DISTRICT (WCFCZD) FUNDING MECHANISM (AB2003-351)**
28 **(COUNCIL ACTING AS THE FCZDBS)**
29

30 McShane opened the public hearing and the following people spoke:
31

32 Nelda Sigurdson, 5171 Ferndale Road, stated no other county in Washington
33 has spent the kind of money that Whatcom County has on flood control. Kelli
34 Linville, who introduced this to the State legislature, wishes she hadn't done it. It
35 bothers her that no money has been spent on flood control on the Nooksack River.
36 Rip rap and good fertile soil floated down the river during the previous flood. The
37 people don't want new taxes. The County receives new revenue every year from
38 new construction. Stay within the County's limits rather than raise taxes. She
39 asked the Council to entertain a special audit to see where the \$6 million went. The
40 County hired a set of people for this project. She asked what the County would do
41 with those people. It bothers her they've hired a water manager for the County.
42

43 Cal Leenstra, 315 Lakeway Drive, stated this tax shifts substantial financial
44 burden to larger properties, including apartment buildings. The added expense is
45 transferred to the tenants, who are on the low end of the economic scale. There
46 appears to be no nexus between the person paying the tax and the recipient of the
47 benefit. It's an inverse relationship. The most probable flood victim is a single-

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1 family dwelling or farm in the flood area. Those people will receive a 50 percent
2 decrease in the amount they have to pay for this service.

3
4 *(Clerk's Note: End of tape one, side A.)*
5

6 Patrick McKee, Grant Street, Bellingham, stated he supports the new formula.
7 It's much more progressive. He doesn't like the idea of reducing the amount of
8 money that is collected. A lot of work can be done that isn't being done. Money
9 was wasted in studies that were done. This money can be used for storm and
10 surface water control in the Lake Whatcom reservoir watershed. This money could
11 be used to control surface water runoff into that lake. The Council could create a
12 special flood control district for just the Lake Whatcom watershed and City of
13 Bellingham, areas that have an interest in that water being clean. Keep the amount
14 of money collected currently. Don't reduce the amount of money collected and send
15 it to the general fund.

16
17 Hearing no one else, McShane closed the public hearing.
18

19 Dewey Desler, Deputy Administrator, stated the flood fee for property
20 owners with \$110,000 homes would be reduced. The administration proposes to
21 set aside \$2.5 million for flood control projects through the County's role as a flood
22 control district. The County will use reserves carefully to engage in high-priority
23 projects.
24

25 Nelson asked the impact of the 7.64 percent property tax increase to the
26 \$100,000 home. Desler stated the two taxes together would still be less than the
27 current flood fee. Ninety-eight percent of the parcels in the county will see a
28 reduction in the tax. Those properties valued over \$700,000 in assessed valuation
29 would have to pay more over time.
30

31 ***Nelson moved*** to approve the resolution.
32

33 Brenner stated she appreciated that the administration struggled to come up
34 with a more equitable formula. It's a tax. She believes in a flood fee. What the
35 County had was not a flood fee. It was an illegal flood tax. Now they are having a
36 tax. The way to deal with this is through a fee. The properties that benefit the
37 most should be the properties that pay the most into the flood fee. The flood fee
38 hasn't been equitable. This tax isn't equitable when it comes to flood issues. This
39 is based on assessed value of property, and has nothing to do with someone's
40 contribution or benefit from flood control activities.
41

42 ***Motion carried 6-1 with Brenner opposed.***
43

44 **6. RESOLUTION ADOPTING THE WHATCOM COUNTY 2004 PHYSICAL**
45 **PLANT AND FACILITIES CAPITAL PROGRAM (AB2003-352)**
46

47 Dewey Desler, Deputy Administrator, gave a staff report.

1
2 Roy stated they make adjustments throughout the year. She asked if some
3 things could be dropped and other things could be added. Desler stated they could.
4

5 Roy asked if there is a formal process for receiving input. Desler stated the
6 County is involved in a project to identify it's master facilities plan. Some of the
7 Council's decisions on that plan will be included in this document next year. The
8 administration will also focus on a master plan for parks and trails, which will also
9 be incorporated into this document.

10
11 McShane opened the public hearing and, hearing no one, closed the public
12 hearing.

13
14 ***Nelson moved*** to approve the resolution.
15

16 Caskey-Schreiber asked if the administration has given consideration to a
17 new animal control facility. It's been an issue in the past. The current contractor
18 has admitted space limitations. It also seems to be a problem with the Humane
19 Society. She asked if the minimum security facility would have any scope of work
20 for that function. Desler stated the administration just recently signed a new
21 three-year agreement with the contractor. They are not planning to build a new
22 facility. He anticipates that some of the choices they make in the future will allow
23 them to think about how to address it in the medium-term. The administration is
24 not prepared to make a recommendation today, but they can discuss the issue in
25 2004.

26
27 Caskey-Schreiber asked if it's ruled out for the next five years if the plan
28 doesn't have it listed. Desler stated the plan could be amended later.
29

30 Crawford stated they are planning to spend a lot of money on County
31 buildings for maintenance. He's surprised they are going to put another \$2 million
32 into the courthouse since the courthouse was recently remodeled. Desler stated he
33 wished they didn't have to spend so much money on capital assets, but they do.
34 The jail is over 20 years old and is deteriorating quickly. There are many buildings
35 that serve staff and the community, which have exceeded their useful life. They're
36 trying to make decisions in the context of the master facilities plan. Once the
37 Council makes its decisions for the master plan, the administration can secure the
38 buildings it wants to keep and demolish other buildings.
39

40 ***Motion carried unanimously.***

41
42 **7. ORDINANCE ADOPTING THE FINAL 2004 WHATCOM COUNTY BUDGET**
43 **(AB2003-228B)**

44
45 Dewey Desler, Deputy Administrator, gave a staff report.

46
47 McShane opened the public hearing and the following people spoke:

1
2 Steve Gatterman, 4152 Meridian, stated he is a sergeant with the Sheriff's
3 Office as a patrol supervisor. The Sheriff's Office still has a critical need for deputies
4 and personnel in the jail and on patrol. The problem has been studied and reported
5 very much, but they still are not where they need to be. As patrol supervisor, he
6 has to triage the calls that come in from 911. They have to decide which calls to
7 respond to. Sometimes they don't go to alarms or 911 hang up calls. The deputies
8 have to consider the history, the information provided, and their gut feelings.
9 That's uncomfortable. He and his peers got into this job to make this a better
10 community. It's uncomfortable for them to be in a position where they're not
11 providing the quality of law enforcement that they want to provide. Many people
12 are upset about the quality of investigations and response times. They need to
13 focus on getting more personnel to respond to all calls. Right now that's not
14 happening. He's tired of telling citizens that they need more staff and to talk to the
15 County's leadership.

16
17 Lou Piotrowski, Glacier, stated he supports hiring more Sheriff's Office staff,
18 including a resident deputy at Silver Lake Park, two added staff for investigation of
19 meth labs, Sheriff's Office clerical support, and the volunteer coordinator. He is a
20 board member of the Foothills Chamber and represents a lot of people in the east
21 county area.

22
23 Pete Guyer, 304 Park Drive, Everson, stated he has been with the Sheriff's
24 Office since 1980 as a corrections officer. Nineteen years ago they moved into the
25 new building. They had six officers per shift for a population of about 100 inmates
26 during a busy time. Ten years ago they increased the number of officers to six on
27 the graveyard shift and seven officers on the other two shifts. They've never
28 increased the number of floor officers. On his floor, they had 40 inmates 19 years
29 ago. Now, there is one officer in charge of 128 inmates instead of 40 inmates.
30 They need more officers in the jail. They also need to reduce the population.

31
32 Sherry Scalf, 6161 Ash Place, Paradise, stated she wants another deputy to
33 be placed at Silver Lake. Everyone in the area feels that a portion of the amount of
34 money being budgeted this year should go to this item.

35
36 Carol Sandvig, 8212 Birch Bay Drive, stated she supports extra officers for
37 the Sheriff's Office. Birch Bay is growing. It has a crime problem. The Sheriff's
38 Office doesn't have time to serve the Birch Bay area.

39
40 Dan Taylor, 2696 Donovan Avenue, Bellingham, stated he is the Chair of the
41 Whatcom County Parks and Recreation Commission. There has been discussion of
42 cutting the Outdoor Recreation Program and the Teen Adventure Program. They
43 can work toward self-sufficiency. Don't make a radical change until they've had a
44 chance to work with it.

45
46 George Astler, 4815 Alderson Road, Birch Bay, stated he is a Sheriff's Office
47 volunteer. Volunteers can't do it all. They've had great success controlling

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1 speeding in Birch Bay, but they still have some problem speeders. The County still
2 has major problems. The Sheriff and jail need the Council's support in Birch Bay
3 and the entire county.
4

5 Claudia Hollod, 927 Key Street, Bellingham, and 8240 Birch Bay Drive, Birch
6 Bay, stated they have not kept up with having enough sheriff deputies per capita.
7 They've studied this to death. Birch Bay had a high turnout for the Law and Justice
8 Citizen Committee. The State Auditor said Whatcom County is very understaffed in
9 the Prosecutor's Office and Assessor's Office. Another law and justice study said in
10 2000 that Whatcom County is understaffed by 25 officers. In 2000, the County
11 approved eight new officers. Only six have been hired because they are saving
12 money for overtime. That doesn't make sense. Get money through the Planning
13 and Development Services Department. It's not working for the Council to sit on its
14 hands, not raise property taxes, and wear a crown for doing that. The only other
15 place to get new money is from permits. New population coming in should pay for
16 deputies through fees. Growth needs to pay for itself. The deputy in Kendall should
17 not be there alone.
18

19 Doralee Booth, 8188 Birch Bay Drive, Birch Bay, stated she has worked on
20 the Traffic Committee in Birch Bay for the last four years. They've met regularly
21 with Sheriff Brandland and now Sheriff Elfo to prioritize the problems. She also
22 worked on the Birch Bay Steering Committee on the comprehensive plan for the
23 area. She read the first three goals of the public safety section for Birch Bay.
24 Public safety is a top priority for citizens in Birch Bay. Birch Bay is a rapidly growing
25 community with an increased population in the summer. They need a consistent
26 police presence. There are two deputies on duty who patrol the northwest corner of
27 the county, from the border to Slater Road, and from Birch Bay to Guide Meridian.
28 Response times are slow or nonexistent. Many times the residents let situations go
29 because they know the deputies won't be able to respond. In the winter, cabins are
30 often occupied by transients. They are seeing an increase in drug activity,
31 prostitution, theft, and sex offenders locating on the Cottonwood Reach
32 neighborhood. Sheriff Elfo told Cottonwood neighbors that the number of meth labs
33 are up 300 percent. This is not okay. She would like to see the County fund all the
34 deputies requested by Sheriff Elfo to work on the meth labs. The Law and Justice
35 Council said the County needs to provide 25 more deputies, but the County has only
36 provided eight.
37

38 Mary Dickinson, 4100 Legoe Bay Road, Lummi Island, stated she asked the
39 Council to look at additional security for the courthouse. Two years ago, she
40 represented a domestic violence client in Whatcom County Superior Court. She and
41 her client were almost punched. She's heard anecdotally from many people that
42 people would appreciate additional security methods. There is no bailiff system
43 because they can't afford it. To protect her client, she had to pull a deputy out of
44 the field to sit in court for two hours. Do that instead of spending \$2 million on the
45 courthouse.
46

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1 Joel Jaffe, 121 Chuckanut Heights Court, Bellingham, stated he served on the
2 Sheriff's Office Citizen Advisory Committee. He has become familiar with the
3 operations of the Sheriff's Office. Recent changes optimized the number of deputies
4 on the road. The Sheriff's Office makes the most efficient use of available funding.
5 However, merely optimizing efficiency is not enough to keep up with increasing law
6 enforcement needs in Whatcom County. That can only be done by providing
7 adequate funding. The budget proposal submitted by the Sheriff is not a padded
8 wish list. It is the bare minimum of what they need. It is all essential. The dubious
9 distinction as the meth lab capitol in Washington State will not go away on its own.
10 To meet national averages, there needs to be 20 or more additional deputies. One
11 of the items proposed is the volunteer services coordinator. That position may be
12 better titled as a reserve deputy program coordinator. That's what it is. In these
13 tight financial times, this is a \$50,000 expenditure that could put 20 or more
14 volunteer deputies within one year. There is no better benefit for the taxpayer's
15 money. Whatcom County deserves quality law enforcement services. The agency
16 is capable of providing those services, but is hindered by lack of sufficient funding.
17

18 Kathy Cleveland, 4961 Morgan Drive, Blaine, stated she is a member of the
19 Birch Bay Traffic Committee. This County has ordinances to protect the health,
20 safety, and welfare of its citizens. It doesn't do any good to have ordinances that
21 can't be enforced. It's imperative that there be sufficient numbers of deputies to
22 enforce the law. The Sheriff's request is very reasonable. The deputies still patrol
23 in their cars alone, which is a risk to their personal safety. The County is saving a
24 lot of money by having the ordinances inadequately enforced. Staff is seriously
25 understaffed. Two more deputies for the meth labs and one more deputy for the
26 Kendall area will not just benefit the citizens of those regions. They will benefit the
27 citizens throughout the county. The meth labs encourage undesirable people to
28 move into the county. It's irresponsible to allow increased growth without adequate
29 protection. Approve the Sheriff's request.
30

31 Patrick Alesse, 4825 Alderson Road, stated the Sheriff's Office is doing a good
32 job, but it needs more deputies.
33

34 Hearing no one else, McShane closed the public hearing.
35

36 **Crawford moved** to adopt the ordinance with the technical corrections.
37

38 Nelson asked the history of the Sheriff's Office.
39

40 Pete Kremen, County Executive, gave a history of the need for deputies. The
41 need is real. The County needs to do more. For the last eight year, the
42 administration has tried to enhance the entire criminal justice system. They have
43 made some significant gains. Eight years ago, there were 56 commissioned
44 deputies in Whatcom County. Today, there are 76, including the added deputies
45 proposed in the 2004 budget. That's an increase of 20 deputies in eight years.
46 That's not enough.
47

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1 *(Clerk's Note: End of tape one, side B.)*
2

3 Kremen continued to state that the jail had 39 corrections officers eight years
4 ago. Today, there are 51 corrections officers. The county has experienced growth,
5 but the County has decreased the per capital ratio from one deputy to 1,252 to
6 1,024. That's a significant decrease.
7

8 He's sympathetic to the needs, especially to the areas like Birch Bay and
9 Paradise Lakes/Peaceful Valley. There has been significant gains. This
10 administration has been able to realize enhancements to the Sheriff's Office over
11 the last eight years, but the County also has other needs. They have to balance the
12 needs as best they can.
13

14 In terms of the 2004 budget, the enhancements include seven full-time
15 equivalent (FTE) employees out of over 800 employees. Five of those FTE's are in
16 the Sheriff's Office. They need more, but they can't afford more today. Eighty-
17 seven percent of the new money in this budget is for the Sheriff's Office. He hears
18 the cries for help. They're real and valid. He's trying to do everything he can. The
19 Council is putting a lot of emphasis on the criminal justice system. The first priority
20 for the criminal justice system today has to be additional capacity for the jail. That
21 has to be the number one priority.
22

23 Crawford asked if the per capita ratio included the new or existing FTE's for
24 the Sheriff's Office. Kremen stated it includes the new deputies.
25

26 Crawford asked about the study that cites the County needs an additional 25
27 deputies. He asked how Whatcom County is doing relative to other jurisdictions.
28

29 Roy stated she knows the statistics on the staffing per thousand in the State
30 of Washington for sheriff offices, not municipalities. Whatcom County has seven or
31 eight counties below it, and however many counties there are above Whatcom
32 County. Whatcom County is at the bottom in per capital staffing.
33

34 **Roy moved** to amend the ordinance to increase additional services request
35 (ASR) 2004-2467 for the second drug task force deputy in the amount of \$69,135
36 for ongoing expenses, ASR 2004-2724 in the amount of \$34,500 for a second
37 vehicle, and ASR 2004-2729 in the amount of \$4,500 for other one-time costs for a
38 total additional amount of about \$108,000. She appreciates the fact that the
39 administration responded and included the resident deputy in Kendall and clerical
40 help. The study that everyone keeps referring to was part of the original Law and
41 Justice Report, commissioned by someone outside of Whatcom County. During the
42 summertime, where she lives in Birch Bay is like Railroad Avenue in Bellingham.
43 For three months out of the year, there are drugs, speeding, and other dangerous
44 activities. Any support to the Sheriff's Office will have a trickle effect to other parts
45 of the community. The County has set up these stand-alone urban growth areas.
46 Over 5,000 people live at Birch Bay. The County needs to support the health and
47 safety of the citizens who live there. A recent community survey was done on

1 citizen satisfaction of public services. The lowest ratings were for transportation
2 and law enforcement. It's a serious issue in these urban growth areas.

3
4 Caskey-Schreiber stated she supported the motion. She's heard extensive
5 testimony about the lawlessness in the Kendall area. The residential property
6 crimes are extremely high out there. People are robbed frequently and repetitively.
7 That is unacceptable. As public officials, their number one responsibility is to
8 ensure public safety. The Sheriff's Office is not designed to provide urban levels of
9 service. However, they have set up urban areas in very remote places.

10
11 She's concerned about the meth problem in the county. The labs are
12 growing 100 percent annually. They are associated with the increasing property
13 crimes. It can become invasive in the community. The administration has done a
14 good job trying to make this budget work. The Council's number one priority with
15 the budget was to focus on giving Sheriff Elfo the tools he needs to deal with
16 rampant problems.

17
18 They do have to find a way to pay for it. The real estate excise tax (REET)
19 could be increased to raise \$250,000. That would free up an equal amount in the
20 general fund that is now used for parks and repairs. The County could use this
21 money to alleviate problems in the criminal justice system. She is hoping to lobby
22 for federal funds to help out because the county is so near the border.

23
24 Brenner stated she would support the motion. She will propose cuts in
25 certain places in the budget. They have an obligation to cut some nonessential
26 services. Their number one priority is the health and safety of the community. It's
27 nice to have amenities, but they are in a crisis. The Council has to show the public
28 that it's serious about putting the money in the most critical areas. Fund those very
29 critical areas and make cuts, too.

30
31 Crawford stated he is also concerned that a budget is not a budget if they
32 just talk about expenditures. They have to figure out how to make this thing work.
33 The administration presented a long-term view of the budget during a previous
34 meeting. The picture is not rosy.

35
36 He asked the overall revenue reduction that is due to the switch from the
37 flood fee to a flood tax and increase in the property tax. Kremen stated the overall
38 revenue decrease is about \$350,000.

39
40 Crawford suggested a \$1.5 million levy increase instead of a \$1.4 million levy
41 increase. They have a \$100,000 capacity to add the extra deputy to deal with the
42 meth labs.

43
44 Roy stated new deputies to focus on that problem will free up the other
45 deputies to respond elsewhere.

46

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1 Desler stated that if the Council wants to do that now, it would need to go
2 back and amend the ordinance it just adopted. This is also a decision they can
3 make next year. Another option is to spend the fund balance down a little more
4 than what the Executive proposed. The third option is to find other reductions in
5 the budget.

6
7 Crawford stated that if they decide to do it next year, it won't look like a no
8 net increase. He asked if the timing is such that they should do it tonight, or get
9 the process started tonight.

10
11 Roy stated she liked the third option. Vote on the motion to find out if the
12 motion will even pass.

13
14 Nelson stated the problem isn't just with the Sheriff's Office. It's with the
15 entire criminal justice system that will be impacted by the increases. He'd rather
16 have a comprehensive plan and a funding source in place. These are not one-time
17 expenditures. They don't want to kill the County bond rating and capacity for
18 providing other services.

19
20 McShane stated this is a part-time Council, and only the second budget
21 process for three of the councilmembers. He's only just now getting an handle on
22 the budget, and this is his fourth budget process. The other day, the Council
23 received a projection on future expenses, revenues, and fund balances. They need
24 to look at funding options. The County needs more for the criminal justice system.
25 It would be great if the public was willing to raise their taxes. At the budget retreat,
26 the Council decided to keep things flat and stable. Either make the commitment to
27 raise taxes or come up with good, convincing cut proposals. The Council has to
28 commit to providing budget guidelines between now and May.

29
30 Roy stated she agreed philosophically with Councilmember McShane. They
31 need to find more revenue. There are few nonessential services provided by the
32 County. However, the law enforcement is in a crisis situation. Statistics, personal
33 testimony, and studies verify the crisis. They increased the number of deputies, but
34 the population continues to grow. There's a difference between adding services
35 because of a crisis situation or because it would be nice. They are at a crisis point,
36 and they need to act. She's willing to discuss increasing revenues. The county is
37 growing, the County government is not providing adequate services, and they need
38 to look at that.

39
40 Brenner stated there are over \$6 million in the administrative services fund.
41 She asked for more information on that fund, but didn't get it. Desler stated he's
42 still working on it.

43
44 Brenner stated they need to know what exactly they have to keep in that
45 fund for obligations, and what can be used. She agrees there's a bottleneck
46 everywhere. It's very dangerous to have only one deputy working on the meth
47 labs. That is a life and death issue.

1
2 Fleetwood stated he would like to support the motion, but he won't. If they
3 are going to increase levels of service in criminal justice, they have to do it to all
4 facets of the system. He's more inclined to support this if there were more parity.
5 There will be increases in the Sheriff's Office, and none in the Prosecutor's Office,
6 which will experience an increased workload.

7
8 Crawford stated he wants to be supportive. He asked if Councilmember
9 Nelson is still going to support the addition of the Cooperative Extension resource
10 education.

11
12 Nelson stated he's going to support the administration's proposal to use a
13 different fund for that position and to have a complete evaluation of how the
14 education is being done. A lot of people out there are providing information and
15 education.

16
17 Crawford stated he's looking for a reason on the revenue side to support the
18 motion.

19
20 Roy stated \$50,000 for the education staff person for Cooperative Extension
21 is one source. She looked at the proposed topics this staff person might address.
22 That may be one place to look at.

23
24 Brenner stated they can't do all the motions at the same time. She already
25 proposed to increase the Prosecutor's staff at the Council work session. She agrees
26 they have to make increases across the system. She also proposed to increase the
27 Public Defender's staff. She asked Councilmember Fleetwood to not throw this out
28 just because they haven't gotten to the other motions yet.

29
30 Caskey-Schreiber stated they could save \$140,000 by not replacing the
31 carpet in the juvenile detention center. Or, they can go with her real estate excise
32 tax (REET) idea.

33
34 Desler stated there are one-time expenses that the administration is
35 proposing. Replacing the carpet is necessary for the safety and health of the
36 children in the detention center.

37
38 Caskey-Schreiber stated she's not suggesting the carpet isn't needed, but
39 this deputy is more important.

40
41 Nelson stated the service has to have ongoing funding. They can look at tax
42 revenue support from the community, but the community is not going to support a
43 tax without a plan to fix the problem. Put more effort into this issue first.

44
45 Kremen stated this is a \$125 million budget, with a general fund budget of
46 approximately \$59 million. The Council is fine-tuning important issues. They are
47 talking about a couple hundred thousand dollars within a huge document of

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1 resources. He has been and will continue to work with the congressional delegation
2 to secure some ongoing funding in a fairly significant amount in the amount of \$4
3 million annually because of this county's proximity to an international border. There
4 is reason for optimism to get some, if not all, of that request.

5
6 ***Motion to amend carried 4-3 with McShane, Nelson, Fleetwood***
7 ***opposed.***

8
9 ***Brenner moved*** to eliminate the Outdoor Recreation Program from the
10 Parks and Recreation Department, including ASR2004-2714, for a total amount of
11 \$149,778. She has nothing against this position. There are times when they have
12 to make decisions. They can't have it all. She knows this is under review, but they
13 can reinstate the position when the economy turns around. They cannot afford it
14 right now.

15
16 Crawford stated the program generates revenue.

17
18 *(Clerk's Note: End of tape two, side A.)*

19
20 Nelson stated the outdoor coordinator deals with the activities people can do.
21 He asked how many people use the program.

22
23 Crawford stated there were 970 people in 160 classes this year. The actual
24 savings, after subtracting the revenue the program collects is about \$82,000.

25
26 Caskey-Schreiber stated the County has a new Parks Department director.
27 She wants to give him a chance to get familiar with what he has before the Council
28 cuts it away, and he doesn't have a chance to defend the program.

29
30 Brenner stated she appreciates the new Parks Director. They can reinstate
31 the program later. It's not fair to anyone to not deal with it because someone is
32 new. It's better to let him look at it, see what he thinks, and come back to the
33 Council.

34
35 Roy asked if the new director's evaluation includes consideration of dropping
36 the program.

37
38 McShane stated he understood that the administration would look at
39 revenues and fees to make the program self-sufficient.

40
41 Nelson stated he supported the motion. If they are going to increase certain
42 departments, they have to make cuts somewhere. The people who use the
43 programs can subsidize them.

44
45 ***Motion failed 3-4 with Brenner, Crawford, and Nelson in favor.***
46

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1 **Brenner moved** to cut the Teen Adventure Program from the Parks
2 Department. There is a similar program from the Boys and Girls Club. Eliminate
3 the full-time equivalent (FTE) employee position and use the \$17,000 used for
4 miscellaneous equipment as a grant to the Boys and Girls Club.
5

6 Crawford stated the cost for 2004 is \$77,629, with \$19,500 in revenue. This
7 is a cut of about \$58,000. He recalled that the program is grant funded.
8

9 McShane stated it is being paid by Alcoa.

10 Brenner stated Alcoa can fund other things.

11 Crawford asked if Alcoa has agreed to fund this program. Kremen stated
12 Alcoa is under the impression that it has.
13

14 Crawford stated he is against the motion. The County has a commitment
15 from the local private sector to fund this program. Those aren't the kinds of
16 programs they need to cut.
17

18 Nelson stated these are the types of programs needed to help with the
19 population that is at-risk for contributing to the criminal justice problems. These
20 kinds of programs help teens and others get involved in activities that raise self-
21 esteem and foster a desire to become a part of the community. Taking away these
22 programs will hurt the people who may put more impacts on the judicial system.
23

24 Brenner stated that's why they should work with a nonprofit group that
25 already has this kind of program in place, rather than duplicate efforts. She
26 understood that originally the Teen Adventure Program was supposed to be for kids
27 who are at-risk. It's turned into just another summer program. She doubts that at-
28 risk kids are taking advantage of the program. Give money to the Boys and Girls
29 Club. The County doesn't need to do it.
30

31 **Motion failed 1-6 with Brenner in favor.**
32

33 **Brenner moved** to reduce the number of FTEs in the Water Resources
34 Division of the Public Works Department from nine to 4.5 FTE's. In the last five
35 years the number of FTE's in the division has ballooned. One of the main reasons
36 was for the water resource inventory area (WRIA). Since they are supposed to wind
37 down the WRIA work, they should reduce positions. There's been a lot of waste.
38 They wouldn't have as big a problem with tighter reins and fewer employees. The
39 savings will be \$270,000.
40

41 Fleetwood stated he is against the motion. It's inappropriate to make those
42 reductions until they have a responsible discussion during a water resources work
43 session.
44
45
46

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1 McShane stated there would have to be policy guidelines on how that cut
2 would occur.
3

4 Roy stated it looks like some of those positions are in needed areas, such as
5 stormwater and shellfish. These positions will begin working on very specific tasks
6 that the County is required to do.
7

8 Brenner stated tasks are required to be done. They don't know that it takes
9 nine FTE's to do those tasks. She's going on the WRIA process track record. They
10 have an obligation to the public. There is little to show for the \$6 million to \$8
11 million the County has spent. There should be someone to prove that they need
12 these positions.
13

14 Caskey-Schreiber stated the comment that there is little to show for the
15 money spent misrepresents the truth. They've got a plan. There is some very good
16 science in there that is recognized and respected by people who know the field of
17 hydrology. This misperception could really harm the community, who has
18 participated in this process and put in a lot of hours of volunteer time into the
19 process. Think carefully before saying such things.
20

21 Brenner stated she and Councilmember Caskey-Schreiber have a difference
22 of opinion. She's not misrepresenting anything. She's saying it as she sees it.
23

24 ***Motion failed 1-6 with Brenner in favor.***
25

26 ***Brenner moved*** to approve ASR2004-2616 for one FTE in the Prosecutor's
27 Office in the amount of \$89,153.
28

29 Fleetwood stated the Prosecutor made a compelling case that there is a real
30 need. All the departments can make those kinds of arguments, but there is an
31 uncommon need in the Prosecutor's Office. Because of the lack of prosecutors,
32 there is an increasing caseload and enormous disparity between his attorneys and
33 the attorneys in the Public Defender's Office. The public defenders have a caseload
34 one-third that of the prosecutors. They can benefit from an additional attorney.
35 The Council did agree to and will approve increases in the Sheriff's Office. When
36 they increase levels of service on one end of the criminal justice system, they have
37 to have parity. Make similar increases on the other end.
38

39 Roy stated the whole law and justice system is stressed. He has trouble with
40 the argument that they have to add more staff for every deputy they add. The
41 Prosecutor's Office is overworked and their caseloads are too high. She asked for
42 information that said the Sheriff's Office is only one agency that impacts the number
43 of cases prosecuted in the County. Bellingham has 110 officers. The other cities
44 have officers. There's not a one-to-one ratio. However, she would like to see a
45 comparison between the Whatcom County prosecutors caseloads and the caseloads
46 in other counties.
47

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1 Fleetwood stated he didn't mean to suggest there is a one-to-one correlation.
2 There is still a demonstrated need right now for an additional prosecutor.
3

4 Crawford stated he won't support the motion, but he agrees there is a need.
5 He would like to look at this as a potential ASR this next year. They are going to
6 have to deal with the revenue side of it.
7

8 Brenner stated this has been a long-time coming. In the last several years,
9 former Sheriff Brandland had meetings in the Kendall area. One problem identified
10 was the bottleneck in the Prosecutor's Office. This isn't related to adding new
11 deputies to the Sheriff's Office. The bottleneck is already there.
12

13 Nelson asked the impact of reducing one public defender. Desler stated the
14 Public Defender's Office would not be able to meet its constitutional responsibilities
15 to provide adequate defense.
16

17 Nelson stated it's the same thing the Prosecutor's Office could say. He asked
18 the impact of an additional attorney to the courts.
19

20 Dave McEachran, Prosecuting Attorney, stated that if another prosecutor
21 were added, the caseload would be handled more easily. In District Court, they are
22 reaching a caseload of 1,000 cases per attorney in District Court. An additional
23 officer adds work to the entire system. Having one additional deputy prosecutor
24 won't require an additional judge. Adding one attorney will help them deal with the
25 cases they have now.
26

27 Nelson stated there is a decrease in juvenile court filings. McEachran stated
28 that's correct. He moved one attorney from juvenile court to felonies. He wants to
29 reduce caseloads for felonies to 180 cases per attorney. It is at 217 right now.
30 District Court has the greatest problem now.
31

32 The criminal justice system is a system. Additions have to be done
33 commensurately throughout the system. Otherwise, the system will grind to a halt.
34

35 Caskey-Schreiber stated she recognizes the need to adjust the system.
36 However, the emergency medical services (EMS) levy failed. She has to toss her
37 plan to upgrade the Prosecuting Attorney's Office, Public Defender's Office, and
38 courts. She hopes they will find funding this year.
39

40 ***Motion to amend failed 2-5 with Brenner and Fleetwood in favor.***
41

42 ***Crawford moved*** to increase the Council travel expense fund from \$10,500
43 to \$14,000. The \$993,500 the County received today for management information
44 systems (MIS) was a direct result of the Council's lobbying efforts in Washington
45 D.C. The County has unique situations in which it will appropriately rely on the
46 federal government to address issues that are affected at the federal level. The
47 Council has been successful in its efforts to participate with the National Association

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1 of Counties. There is a \$10,000 expense for Council expenses. Several other
2 councilmembers would like to participate in lobbying for particular funds. His eyes
3 are being opened up to the effectiveness of lobbying. He wants to ensure maximum
4 participation. With the level of participation they are going to have next year, there
5 isn't enough in the fund to cover expenses to go to Washington D.C. The additional
6 money would ensure more Council participation.
7

8 Brenner stated she would not support the motion. She always has money
9 left in her expense account, and has donated it to other councilmembers in the past.
10 The councilmembers need to stick within its budget. If they go over, they can ask
11 for a supplemental request.
12

13 McShane stated he would support the motion. He's gone twice, but not sure
14 he will go this year. He's never exceeded his budget, but he's also not submitted
15 expenses for certain efforts. He didn't realize when he joined the Council that the
16 councilmembers have an opportunity to play a significant role. It's a good idea, as
17 long as they stay well-focused.
18

19 Fleetwood stated there isn't demonstrated need. If there is a need that
20 makes the difference between whether or not councilmembers will go, then he will
21 support a supplemental request. Until that's demonstrated, he won't support the
22 motion.
23

24 Caskey-Schreiber asked if the Council exhausts its travel fund.
25

26 Dana Brown-Davis, Clerk of the Council, stated it does not. Individual
27 councilmembers might, but not the entire fund.
28

29 Crawford stated he expected that more councilmembers would go next year
30 and more benefit would be received. He's anticipating more councilmembers going.
31

32 Caskey-Schreiber stated she would support the motion. Bringing more
33 money into the County is a worthy mission. Anyone who wants to go should be
34 allowed to.
35

36 Brenner stated she doesn't want to prevent people from going. It's never
37 been a problem in the past. Wait and see if it's a problem.
38

39 ***Motion failed 3-4 with McShane, Caskey-Schreiber, and Crawford in***
40 ***favor.***
41

42 ***Brenner moved*** to hold this item to the next Council meeting on November
43 25. They don't have the information yet about the administrative services fund.
44 She wants to make more motions, but not until she has that information.
45

46 McShane asked the amount of revenue sent into the fund each year. Desler
47 stated the balance at the end of the year will be \$4 million. Of that \$4 million, the

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1 fund balance supports the requirements for health insurance, unemployment
2 compensation, L&I, and other similar requirements. In 2004, more money will go
3 out of the fund than come into the fund.
4

5 Brenner stated it's important to have this information. She won't support the
6 budget until she has the information. She made the request last week.
7

8 ***Motion failed 1-6 with Brenner in favor.***
9

10 Nelson asked about technical corrections.
11

12 Crawford stated the technical corrections were included in his motion to
13 adopt the ordinance.
14

15 ***Nelson moved*** to strike the Water Resources Educator for Cooperative
16 Extension on page one of the technical corrections and replace it with the water
17 resources education and information on the second page of the technical
18 corrections.
19

20 McShane stated the Council would spend some time evaluating where they
21 would direct that money.
22

23 Nelson stated they may direct that money to Cooperative Extension, Water
24 Resources Division, or a combination.
25

26 McShane stated it is a placeholder for the expense of water resource
27 education, but is not committed to any program at this time.
28

29 ***Motion carried 6-1 with Brenner opposed.***
30

31 Roy asked what the \$100,000 requested in ASR2004-2697 would be used
32 for.
33

34 Crawford asked the amount of the City of Bellingham's contribution. Desler
35 stated it has nothing to do with that. The Executive put forward a proposal to set
36 up a placeholder for the Council to consider active efforts to address a series of
37 concerns over the future of Lake Whatcom watershed issues. The ASR has a series
38 of proposed activities listed on ASR packet page 198. The activities include some
39 things related to education, sets aside money for contractual services, and is an
40 implementation effort for high-priority things the Council will decide on later in the
41 year. This item gives the administration flexibility to move forward with
42 management options.
43

44 Roy stated it looks like some of the same activities on the education item.
45 It's a placeholder. There are other funds like this. Desler stated the Executive's
46 memo to the Council dated today talks about a series of programs on public
47 education. He wants to see a better integrated product to present to the Council.

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1
2 Brenner stated the Public Works has \$100,000. There is another \$100,000 in
3 non-departmental. Desler stated the expense in non-departmental is a transfer to
4 the Public Works Department. It's a transfer. It's a general fund appropriation, not
5 a Water Resources Division appropriation.
6

7 Caskey-Schreiber stated it's important for the County to fund and participate
8 in the interjurisdictional coordinating committee with the Department of Natural
9 Resources regarding the Lake Whatcom Landscape Plan.
10

11 Nelson thanked the staff, administration, and Council Office.
12

13 ***Motion to adopt to ordinance as amended carried 6-1 with Brenner***
14 ***opposed.***
15

16 Kremen thanked the County Council for its deliberations and collaboration
17 with the administration. Overall, this is a budget they can be proud of.
18

19 *(Clerk's Note: End of tape two, side B.)*
20

21 Kremen continued to thank Dewey Desler for doing an excellent job. They
22 could not have put it together and have the communication and cooperation without
23 the Council and without Mr. Desler. He also thanked Finance Division staff Brad
24 Bennett and Marianne Caldwell.
25

26 Desler stated the administration works on the budget under Mr. Kremen's
27 leadership. They get tremendous cooperation from the department heads and
28 everyone who works on this. They all appreciate working with the County Council.
29
30

31 **OTHER ITEMS**

32

33 **1. REQUEST AUTHORIZATION FOR THE EXECUTIVE TO ENTER INTO AN**
34 **INTERLOCAL AGREEMENT BETWEEN WHATCOM COUNTY SHERIFF'S**
35 **OFFICE AND THE PORT OF BELLINGHAM TO PROVIDE LAW**
36 **ENFORCEMENT AND SCREENING SERVICES TO THE BELLINGHAM**
37 **AIRPORT FOR OUTGOING COMMERCIAL FLIGHTS, IN THE AMOUNT**
38 **OF \$267,450.84 (AB2003-344)**
39

40 Crawford stated the administration took care of this item without an
41 interlocal agreement. No Council action is needed.
42

43 **2. RESOLUTION ADOPTING RECOMMENDATIONS FOR OPEN SPACE**
44 **TIMBER APPLICATIONS (AB2003-361)**
45

46 ***Fleetwood*** reported for the Planning and Development Committee and
47 ***moved*** approval.

1
2 ***Motion carried unanimously.***
3

4 **3. REQUEST CONFIRMATION OF EXECUTIVE’S APPOINTMENT OF NINA**
5 **COX TO THE RURAL LIBRARY BOARD (AB2003-362)**
6

7 ***Nelson moved*** to confirm the appointment.
8

9 ***Motion carried unanimously.***
10

11
12 **COMPREHENSIVE PLAN AMENDMENTS**
13

14 **1. ORDINANCE ADOPTING AMENDMENTS TO THE ENVIRONMENT**
15 **CHAPTER OF THE WHATCOM COUNTY COMPREHENSIVE PLAN**
16 **(CHAPTER 11) (AB2003-075D)**
17

18 Roy reported for the Natural Resources Committee and stated this item has
19 been held in committee.
20

21 **2. ORDINANCE ADOPTING AMENDMENTS TO THE LAND USE CHAPTER**
22 **OF THE WHATCOM COUNTY COMPREHENSIVE PLAN (CHAPTER 2),**
23 **WHICH INCLUDES RURAL LANDS (AB2003-075E)**
24

25 Fleetwood reported for the Planning and Development Committee and stated
26 this item was held in committee.
27

28 **3. ORDINANCE AMENDING THE OFFICIAL WHATCOM COUNTY**
29 **COMPREHENSIVE PLAN MAP FOR 0.76 ACRES IN THE CROSSROADS**
30 **COMMERCIAL DESIGNATION OF HINOTE’S CORNER (AB2003-075F)**
31

32 Fleetwood reported for the Planning and Development Committee and stated
33 the committee recommended a change suggested by Councilmember McShane.
34

35 ***McShane*** stated his recommended a change is to amend the Planning
36 Commission’s recommended boundary by moving the proposed boundary back to
37 the current boundary 60 feet north of the existing building. The amendment would
38 require a public hearing on November 18. He ***moved*** to schedule a public hearing
39 on November 18 to consider the amendment as proposed by the committee.
40

41 Motion carried 6-0-1 with Caskey-Schreiber abstaining.
42

43 Caskey-Schreiber stated she would recuse herself from discussion and
44 voting because of a conflict of interest.
45

46
47 **INTRODUCTION ITEMS**

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1
2 ***Crawford moved*** to accept the Introduction Items, including the substitute
3 versions of items one, three, four, five, and six.

4
5 ***Motion carried unanimously.***

- 6
7 **1. ORDINANCE AMENDING THE 2003 WHATCOM COUNTY BUDGET,**
8 **TWELFTH REQUEST (AB2003-363)**
9
10 **2. ORDINANCE AMENDING THE MINERAL RESOURCE LAND DISCLOSURE**
11 **REQUIREMENTS AND NOTIFICATION REQUIREMENTS FOR MINING**
12 **PERMITS (AB2003-364)**
13
14 **3. RESOLUTION BY THE GOVERNING BODY OF THE COUNTY-WIDE**
15 **FLOOD CONTROL ZONE DISTRICT (WCFCZD) MODIFYING AND**
16 **EXTENDING THE CURRENT WCFCZD FUNDING MECHANISM AND**
17 **LEVELS FOR THE SUMAS/NOOKSACK/EVERSON SUBZONE (COUNCIL**
18 **ACTING AS THE FCZDBS) (AB2003-365)**
19
20 **4. RESOLUTION BY THE GOVERNING BODY OF THE COUNTY-WIDE**
21 **FLOOD CONTROL ZONE DISTRICT (WCFCZD) MODIFYING AND**
22 **EXTENDING THE CURRENT WCFCZD FUNDING MECHANISM AND**
23 **LEVELS FOR THE ACME/VAN ZANDT SUBZONE (COUNCIL ACTING AS**
24 **THE FCZDBS) (AB2003-366)**
25
26 **5. RESOLUTION BY THE GOVERNING BODY OF THE COUNTY-WIDE**
27 **FLOOD CONTROL ZONE DISTRICT (WCFCZD) MODIFYING AND**
28 **EXTENDING THE CURRENT WCFCZD FUNDING MECHANISM AND**
29 **LEVELS FOR THE LYNDEN/EVERSON SUBZONE (COUNCIL ACTING AS**
30 **THE FCZDBS) (AB2003-367)**
31
32 **6. ORDINANCE CONTINUING AN INTERIM ZONING MAP FOR THE LAKE**
33 **WHATCOM WATERSHED (AS ADOPTED BY ORDINANCE 2003-031)**
34 **(AB2003-181B)**
35
36 **7. ORDINANCE CONTINUING THE TEMPORARY EXEMPTION**
37 **PROVISIONS OF TITLE 21, LAND DIVISION REGULATIONS (AS**
38 **ADOPTED BY ORDINANCE 2003-033) (AB2003-175A)**
39
40 **8. ORDINANCE CONTINUING A MORATORIUM ON APPLICATIONS FOR**
41 **CONDITIONAL AND/OR LAND USE PERMITS FOR ELECTRICAL POWER**
42 **TRANSMISSION LINES OF 115,000 VOLTS OR LESS, DESIGNED TO**
43 **CARRY 100 MEGAWATTS OR GREATER LOADS, EXCEPT IN THOSE**
44 **DISTRICTS CLASSIFIED AS INDUSTRIAL (AS ADOPTED BY**
45 **ORDINANCE 2003-034) (AB2003-196A)**
46
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1 **OTHER BUSINESS**
2

3 McShane stated he is working on a draft letter he will distribute in the next
4 couple of days regarding water resources. He would like responses from the
5 councilmembers.
6

7
8 **REPORTS AND OTHER ITEMS FROM COUNCILMEMBERS**
9

10 There were no reports or other items.
11

12
13 **ADJOURN**
14

15 The meeting adjourned at 10:17 p.m.
16
17

18 _____
19 Jill Nixon, Minutes Transcription
20

21 These minutes were approved by Council on November 25, 2003.
22

23 ATTEST:

WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WASHINGTON

24
25
26
27 _____
28 Dana Brown-Davis, Council Clerk

_____ Dan McShane, Council Chair