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1 WHATCOM COUNTY COUNCIL
2 **Finance and Administrative Services Committee**
3

4 February 11, 2003
5

6 The meeting was called to order at 12:00 p.m. by Committee Chair Sam
7 Crawford in the Council Chambers, 311 Grand Avenue, Bellingham, Washington.
8

9 Present:

10 L. Ward Nelson

11 Sharon Roy
12

Absent:

None

13 Also Present:

14 Laurie Caskey-Schreiber

15 Barbara Brenner

16 Dan McShane

17 Seth Fleetwood
18

19 **COMMITTEE DISCUSSION AND RECOMMENDATION TO COUNCIL**
20

21 **1. REQUEST AUTHORIZATION FOR THE EXECUTIVE TO ENTER INTO AN**
22 **INTERLOCAL AGREEMENT BETWEEN WHATCOM COUNTY AND THE**
23 **CITY OF BELLINGHAM TO PROVIDE EMERGENCY MEDICAL SERVICE**
24 **THROUGH THE E.M.S. LEVY (AB2003-047)**
25

26 Dewey Desler, Deputy Administrator, stated the City and County need to
27 work out an interlocal agreement. There will need to be modifications in the
28 agreement to reflect the changes the County Council made at its previous meeting
29 regarding the election date and levy amount. It might be useful for the County
30 Council to approve a statement of intent to support this agreement. It would be
31 useful to have a discussion on the components of the agreement.
32

33 Nelson stated the language in the agreement seems to be the same as what
34 they had previously. Desler stated this is built to replace the existing joint powers
35 agreement. That joint powers agreement was approved 20 months ago.
36

37 ***Nelson moved*** to hold in committee with the intent of requesting the
38 administration to work with the City to further develop the interlocal agreement
39 given the previously stated criteria and concerns, and to bring back a finalized
40 proposal for an agreement. The City and County still have issues to work out.
41

42 Crawford asked if the final interlocal agreement would have a levy rate of
43 \$.385 per \$1,000 of assessed value. Desler stated it would.
44

45 Crawford referenced Council packet page 21, item F2. He asked what would
46 happen if the City and County hypothetically don't agree on a levy amount. He
47 asked if there is an assumption that the County Executive and City Mayor will

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1 always agree. Desler stated there is that assumption. If there is not an
2 agreement, the budget wouldn't be submitted to the Council.

3
4 Crawford asked if the Council is obligated to approve what the Executive
5 recommends. The Council is obligated to pay half of the difference if they don't set
6 a levy rate sufficient to fund the Executive's and Mayor's recommendation. Desler
7 stated that is correct.

8
9 Caskey-Schreiber asked why would Medic One enter into an agreement if
10 their funding needs won't be met. The Council should guarantee them that the
11 County will come up with the money in some way if it doesn't agree with the
12 master plan.

13
14 Crawford stated they've managed to negotiate the amount for 25 years. In
15 recent years, they've not agreed to what that amount would be.

16
17 Caskey-Schreiber stated that would take place first between the Mayor and
18 County Executive.

19
20 Brenner stated the language should be clarified so there is no
21 misunderstanding.

22
23 Nelson stated they are not getting away from the situation of the County
24 and City having to run an emergency management system, which includes the
25 rural fire districts. The rural fire districts need to take a more responsible role, but
26 that's not incorporated in the interlocal agreement. If the EMS levy were for six
27 years, they would set the amount for all the six years. Desler described what the
28 levy would pay for. The County Council, as the administrator of the funds, would
29 approve the amounts for all those items that the levy would pay for. The majority
30 of the money goes to Medic One.

31
32 Nelson asked if the appropriations could be done differently of the basic life
33 support (BLS) in the rural areas advances. Desler stated that is correct.

34
35 Nelson stated the Council's intent is to help the rural areas become more
36 autonomous and efficient. Nelson asked if they would ever ask for an increase in
37 the levy amount, for any number of reasons. Desler stated the levy won't go
38 above the \$.385 that the voters approve. The cost of emergency medical services
39 rise faster than the revenue that would come in from the levy. During the first
40 three years, more money would be collected than what is needed for expenditures
41 for the services. During the last three years, the expenditures for the services
42 would be more than the revenues collected. There would be a fund to pay for a
43 consistent level of service. After six years, the County has to ask the public for a
44 new levy.

45
46 Nelson asked if the language mentioned meant that the County would have
47 to come up with half of the difference in the funding if it approved a levy rate of

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1 \$.35 but the recommendation was for a rate of \$.385, for example. Desler stated
2 that is correct. Not everything in the agreement is the County's first choice. Some
3 things the City has insisted on. This is an important document that the County
4 Council should discuss and understand. If the County Council decides to set a levy
5 rate that would generate revenue less than the budget recommended by the
6 Executive and Mayor calls for, the County and City would split the money
7 necessary to make up the difference.

8
9 Nelson asked if the County would still have to make up the difference even if
10 there are adequate reserves. Desler stated that is correct.

11
12 Nelson stated they need to make it clear that the reserves are only to cover
13 the revenue shortfall needed during the last three years. It would be appropriate
14 to assign a percentage of the reserves for that use. It's not appropriate to tax
15 people to collect reserve funds for which they have no use. For example, if
16 Medicare reimbursement rates rise, then the levy will be collecting excess funds for
17 which they have no real need.

18
19 Roy suggested they call it something other than a reserve. The plan is for
20 the reserve to be gone at the end of the six years.

21
22 Crawford asked about claims in excess of policy limits. He asked if the
23 County would normally be liable if a contractor does damage that exceeds the
24 contractor's policy limit. Desler stated they normally ask the provider of the
25 service to take on the responsibility for the liability involved in providing that
26 service. They insure that the County has no liability, or the County is named in the
27 insurance policy. The City did not want to absolve the County of all liability. The
28 City would buy insurance to cover any event that might occur. The City would also
29 maintain the capacity to cover any other events. If something happened to exceed
30 their insurance limits and the capacity of the City self-insurance fund, the County
31 and City would equally share in that responsibility. He asked if this is a reasonable
32 liability for the County to take on given the fact that the County has virtually no
33 operational control over the training, hiring, staffing, and actions of the individuals
34 involved. Desler stated the City feels that the County should share in the
35 responsibility for liability. The County prefers that the liability would rest with the
36 City. The negotiation resulted in the City agreeing to acquire insurance and pay for
37 it with the levy. If anything exceeded that, the County would share jointly.

38
39 Crawford asked if the County has taken on that liability obligation in past
40 contracts. Desler stated the County does, through it's joint powers agreement.
41 They are trying to exclude it much more, and it puts the cost of the insurance onto
42 the emergency medical services fund source.

43
44 Nelson stated he would like to see a percentage identified for the reserves.
45 It would be appropriate what they are going to hold in the reserves for the entire
46 budgeted period. Desler stated they would end up with an amount equal to about
47 seven and a half percent, which is equal to one month's operating cost for the

1 program. How the reserves are spent will be contingent upon the decisions they
2 make on the type and size of service in future years.
3

4 Crawford asked about the need to have the interlocal agreement before the
5 election on the levy sooner. He asked if there is a point where the administration
6 would say that it has not reached an agreement on the interlocal agreement, and
7 leave it to the Council to negotiate the agreement in time for the election. Desler
8 stated the City Council is required to concur in an election. If the City
9 hypothetically does not agree with the interlocal agreement and, concurrently, the
10 election, then they would not have an election. The legal timeframe is 45 days in
11 advance of the election. That's when the notice has to go to the Auditor for
12 inclusion on the ballot.
13

14 Roy stated it is the Council's intent to work this through, get it resolved, and
15 end up with an interlocal agreement.
16

17 ***Motion carried unanimously.***
18

19 **2. ORDINANCE AMENDING THE 2003 WHATCOM COUNTY BUDGET,**
20 **FIRST REQUEST (AB2003-074)**
21

22 Dewey Desler, Deputy Administrator, stated this would appropriate \$51,000.
23 Some money is received from the flood fee to cover the jail crew project.
24

25 ***Nelson moved*** to recommend approval to the full Council.
26

27 Brenner stated she hoped that the councilmembers remember that they did
28 not approve the money for the staffing position for the Law and Justice Council.
29 Many citizen advisory committees have no staffing at all and work just as hard.
30 Recently, they have been funding staffing positions for advisory committees that
31 are top-heavy with government officials. That's not fair. The budget is tight. The
32 economy is not good right now. Don't approve the item.
33

34 Roy asked what the \$19,000 is for. Desler stated the money is for the
35 Northwest Regional Council (NWRC) to provide some clerical staff support. It goes
36 in the personnel and staff support category.
37

38 Foster Rose, Law and Justice Council Executive Committee Chair, stated the
39 Law and Justice Council tried to address the concerns with the product they've
40 produced over the last few years and with specific responses to their concerns.
41 This is a small request in light of the scope of the entire budget. This is how the
42 State has set them up. The State set counties up very poorly. They have a lot of
43 responsibility in the fields of incarceration, law enforcement, and law and justice.
44 They have not given the County much in the way of resources for revenue. This
45 Law and Justice Council takes advantage of professional recommendations that it
46 can make to the County Council. They are trying to figure out more cost-effective
47 ways to administer law and justice with reduced resources. Seven committees

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1 totaling 50 people cannot be coordinated without staff. They rely on the expertise
2 of the Law and Justice Council to provide informed decisions.
3

4 Dr. Bob Gibb, Law and Justice Council, stated in almost 40 years when he
5 worked as a medical examiner for the county, he worked with multiple
6 jurisdictions. There was a lot of un-coordination between the various agencies.
7 Coordinating the parties and making things happen will not be accomplished by
8 those citizens who sit on the committees. They don't have time. Make sure the
9 economies and coordination gets done. This request is from the citizen members
10 who are asking for coordination. Staff members have their own staff they can ask
11 to do work.
12

13 Brenner stated the County Prosecutor made the request, not just the citizen
14 members.
15

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

18 Brenner continued to state that the Law and Justice Council can get things
19 done without a staff person.
20

21 Nelson asked for an example of a recognized advisory group that doesn't
22 have a staff person.
23

24 Brenner stated no one has an appointed, full time staff position. Rose
25 stated it is not a full time position. The Northwest Regional Council provides
26 clerical staff support. The Law and Justice Council coordinator works part-time.
27

28 Nelson stated he can't think of one County advisory group that is not
29 provided some staff support. He has worked on advisory groups that started out
30 originally with one purpose, but have proved valuable enough to continue. There
31 are two ways to approach solving capital facilities and criminal justice system
32 problems. One way is to let the administration come up with a proposed plan and
33 then bring it to the public. Another way is to involve the citizens of the community
34 from the beginning like they are now. Either way, it will cost. They can do it up
35 front and have the full support of the community. Or, the government can do it
36 and try to get the public's support.
37

38 Roy stated public involvement is important. They need to encourage that.
39 There are staff people at all the committees she attends. The difference is that is a
40 County staff person, not a specially hired person, which is quite different. There is
41 a trade off of time. In most cases, someone comes from the appropriate
42 department, and a comp time thing is worked out with the staff person. With this,
43 it is different to hire someone separately to work specifically with the Law and
44 Justice Council. She questions having an extra person to do the coordination. The
45 Council recommended an enhanced Law and Justice Council in its 1993 ordinance.
46 The Council may need to rethink whether they need an enhanced Council. This
47 amount of money would buy a deputy.

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1
2 Nelson stated there is a \$50,000 commitment to the Community Access
3 Network for a part-time staff person and another facilitator.
4

5 Crawford suggested that Councilmember Nelson withdraw his motion so the
6 committee can consider the budget items separately.
7

8 ***Nelson withdrew his motion.***
9

10 ***Crawford moved*** to recommend approval to the full Council of the request
11 for funding for the Law and Justice Council Coordinator in the amount of \$38,000.
12

13 ***Motion carried 2-1 with Roy opposed.***
14

15 Rose stated that by voting against this without sending any other message,
16 the Law and Justice Council might lose the entire funding of the City of Bellingham
17 as well. He asked the Council to recommend another funding amount.
18

19 Crawford stated that the committee recommendation is for approval. If the
20 approval fails, then another amount can be negotiated.
21

22 Roy stated one of her concerns is that she has told people she would
23 support this, given the County's administrative support. She asked if the
24 administration is willing to give a statement in light of hearing the Council's
25 concerns. Desler stated the Executive made the request by initialing the item and
26 sending it to the Council.
27

28 Brenner asked where they are going to cut money if the Council approves
29 this. They are getting into their reserve funding now.
30

31 ***Nelson moved*** to recommend approval of the jail inmate crew funding.
32

33 Crawford asked how many are on a crew.
34

35 Wendy Jones, Chief of Corrections, stated between five and eight are on a
36 crew. This is a crew that will work with the Nooksack Salmon Enhancement
37 Agency. The money has already been allocated. It would be for a work crew
38 supervisor.
39

40 Crawford asked if Dr. Roll approved.
41

42 Dr. Bruce Roll, Water Resources Division Manager, stated this is a great
43 value and is very cost-effective.
44

45 McShane stated not doing the work might jeopardize some State and federal
46 grant funding. Maintaining the levee is also very important. If it is certified, the

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1 Army Corps of Engineers will contribute an amount to any repair that is necessary
2 if the dike breaks.

3
4 ***Motion carried unanimously.***

5
6 **3. REQUEST AUTHORIZATION TO RENEW THE COUNTY'S 2003/2004**
7 **PROPERTY INSURANCE POLICY (AB2003-081)**

8
9 ***Nelson moved*** to recommend approval.

10
11 Dewey Desler, Deputy Administrator, stated the recommendation is to
12 approve the County's boiler and machinery insurance policies for 2003. The County
13 has used The Unity Group as its agent for many years.

14
15 Crawford stated the increase is 21.22 percent. He asked if this is reflective
16 of increases occurring on property insurance.

17
18 Barry Hanson, The Unity Group, stated it is. The property and casualty
19 industry was in a 14-year price decline that started at the end of 1999. Many
20 events have occurred to lead to major increases. The stock market is a primary
21 driver. The average increase across the industry was 30 percent.

22
23 Desler stated administration is looking at various options. This company is
24 by far the best.

25
26 Crawford asked if terrorism insurance is mandated. Desler stated it was
27 excluded in the past, and they are seeking to include it again. Congress passed
28 some laws that make it more affordable.

29
30 Crawford asked about the coverage level of \$51 million. He asked the
31 estimated values of the facilities. The collective assets are spread out around the
32 county. Desler stated this facility, not including its contents or the jail, is valued at
33 \$32 million. This location, the jail, and the contents of both buildings are valued
34 close to \$50 million.

35
36 Nelson asked if the County could bond for a certain portion to be used for
37 insurance. Desler stated they would still pay a bonding amount of 3.5 percent.
38 They haven't looked at it as a way to replace or reduce insurance.

39
40 ***Motion carried unanimously.***

41
42
43 **COUNCIL "CONSENT AGENDA" ITEM**

44
45 **1. RESOLUTION CANCELING UNCOLLECTABLE PERSONAL PROPERTY**
46 **TAXES (AB2003-082)**

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1 ***Nelson moved*** to recommend approval.

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

4
5 **2. REQUEST AUTHORIZATION FOR THE EXECUTIVE TO ENTER INTO A**
6 **PROFESSIONAL SERVICES CONTRACT BETWEEN THE WHATCOM**
7 **COUNTY HEALTH DEPARTMENT AND DOMESTIC VIOLENCE & SEXUAL**
8 **ASSAULT SERVICES TO SUPPORT THE COMMISSION AGAINST**
9 **DOMESTIC VIOLENCE IN THE AMOUNT OF \$37,500 (AB2003-083)**

10
11 ***Roy moved*** to recommend approval to the full Council.

12
13 Nelson asked the services the County receives from the Commission.

14
15 Terry Hinz, Assistant Director, stated the Commission has an executive
16 director and clerical support. It is a joint commission between the City of
17 Bellingham and County Council.

18
19 Roy stated she would like to have a presentation about the Domestic
20 Violence Commission, especially near budget time.

21
22 Dewey Desler, Deputy Administrator, stated the amount requested in the
23 item should be \$82,000. The County's portion is \$37,500.

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

26
27 **3. REQUEST AUTHORIZATION FOR THE EXECUTIVE TO ENTER INTO A**
28 **CONTRACT AMENDMENT BETWEEN WHATCOM COUNTY PUBLIC**
29 **WORKS WATER RESOURCES DIVISION AND THE BUILDING**
30 **INDUSTRY ASSOCIATION OF WHATCOM COUNTY FOR CONTINUING**
31 **LAND DEVELOPMENT CAUCUS SUPPORT IN THE WRIA 1 WATERSHED**
32 **PROJECT IN THE AMOUNT OF \$10,000 (AB2003-084)**

33
34 ***Nelson moved*** to recommend approval.

35
36 Dr. Bruce Roll, Water Resources Division Manager, stated this is part of the
37 2003 budget. The guidelines are the same as the Council identified in 2001.

38
39 Caskey-Schreiber asked if all the caucuses would each ask for \$10,000 more
40 in 2003. Roll stated that depending on the caucus, he extended the contracts that
41 were completely spent. He's asking each caucus to use its 2002 carryover funds
42 before asking for more from the Council. The agriculture, diking and drainage,
43 non-municipal water supply, water district, land development, environmental, and
44 fisheries caucuses have support. The private well owner caucus is also entitled.
45 As they become more mobilized this year, he anticipates a request from that
46 caucus. This is approved on an annual basis. There is a line item in his budget for
47 this funding already, assuming that all who could make a request would do so.

1
2 Caskey-Schreiber stated she would like to see some of the public information
3 and education (PIE) materials that the caucuses are publishing. She thought they
4 were far enough along to start winding down this funding. Roll stated a draft of
5 the plan would be ready by the second quarter of 2003. Then the plan will go out
6 for public input and then come back to Council for formal adoption at the end of
7 2003.

8
9 Nelson stated the stakeholders are responsible for the final water resource
10 inventory area (WRIA) project. He would not want to impose his will on the
11 stakeholders. The intent is to get from the stakeholders' impressions of this
12 project. Don't use this as an opportunity to put political pressure on the
13 stakeholders.

14
15 Caskey-Schreiber stated she was only asking what they are getting here,
16 and thought that this was winding down toward the end. She asked when it ends.
17 She is not sending a political message. Roll stated they are getting into some very
18 tough questions right now. They are dealing with water rights and instream flows
19 for the entire WRIA. That task is to translate all the science into WRIA-wide
20 process. The next year or two is when the caucuses need most to be engaged in
21 this process. Many of the issues relating to water policy are very complex. These
22 groups will decide what the plan ultimately becomes. He hoped to close the
23 County's role with this draft role. The County will have a new role for
24 implementation. The Planning Unit and Joint Board know that this is a first draft of
25 a plan. Subsequent plans will be developed in two to four years.

26
27 Brenner stated she hasn't seen anything coming from the private well
28 owners. That will be the hardest group to organize because it is the most diverse.
29 It behooves the County to make sure they are notified. The small cities are saying
30 they are not happy with WRIA because they are not being represented. Roll stated
31 the County helped sponsor a forum for private well owners and there have been
32 mailers to those people. It's been difficult commandeering a representative for
33 that group.

34
35 Brenner stated she would like the County to take on representation of the
36 private well owners.

37
38 Caskey-Schreiber asked how many years they would support the caucuses.
39 Roll stated that is up to the Council.

40
41 Crawford asked that the issue of private well owner representation be
42 scheduled for a Water Resources work session.

43
44 ***Motion carried unanimously.***

45
46 **4. REQUEST AUTHORIZATION FOR THE EXECUTIVE TO ENTER INTO A**
47 **CONSULTANT AGREEMENT BETWEEN WHATCOM COUNTY PUBLIC**

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1 **WORKS ENGINEERING AND KPFF CONSULTING ENGINEERS FOR**
2 **PHASE I DESIGN TO REPLACE COUNTY BRIDGE NO. 115, CRP NO.**
3 **900902 IN THE AMOUNT OF \$138,900 (AB2003-085)**
4

5 ***Nelson moved*** to recommend approval to the full Council.
6

7 Nelson asked if there was any geo-technical data.
8

9 Jim Karcher, Engineering Manager – Design/Construction, stated there was
10 some in data 1999, when they had a large sandstone block in the canyon slip.
11 They did a preliminary scope to see if the bridge was in danger. They forwarded
12 that analysis to KPFF Consulting Engineers. They need more analysis to soundly
13 site the bridge location. Because the sandstone is slipping, it is dangerous
14 underneath the bridge. There are problems out there. They need to assess the
15 problems with fault mapping. The location is on Lake Whatcom Boulevard, two
16 miles north of the Cain Lake Road. The bridge was load-rated in the spring of
17 2000. It is structurally deficient. They forwarded information to the State
18 Department of Transportation, which agreed to replace the bridge. It is a federally
19 funded project, with an 80-20 split.
20

21 Crawford asked where the funding would come from.
22

23 Dewey Desler, Deputy Administrator, stated the funding source is from the
24 road fund.
25

26 McShane asked if debris impact would be addressed. Karcher stated he
27 would like to put that in phase II of the debris flow analysis. They are trying to
28 keep costs down. A hydraulic analysis is fairly pricey, and they didn't think they
29 need it. When they come up with the correct size and location, then they can
30 evaluate a debris flow analysis, which is extensive. It is an item they are actively
31 pursuing internally.
32

33 McShane stated Flood Division has two contracts on alluvial fan analysis for
34 debris flow events. Their approach is more in line with road design. This might be
35 something they can do.
36

37 ***Motion carried unanimously.***
38

39
40 **OTHER ITEMS**
41

42 Roy stated the administration requested more specific direction in the form
43 of a motion of what the Council wants to discuss regarding advisory committee
44 funding. This is going to be an ongoing item for discussion as they approach the
45 budget process. The Council is asked to indicate the kind of information it really
46 wants. She suggested a list of all boards and commissions, the authority under

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1 which they are created, and the cost to support and maintain the boards and
2 commissions.
3

4 Crawford stated he agreed on getting information on the cost of support. If
5 they took all the items in number three of the request from Council (*on file*) and
6 removed the mission, summary of work, and bylaws, it is all simple responses that
7 could be put into a matrix. He suggested handing out this document as a citizen
8 guide to boards and commissions.
9

10 (*Clerk's Note: End of tape one, side B.*)
11

12 Crawford stated it would be good to know the actual number of meetings
13 each has held.
14

15 Nelson stated he would also like to know the cost share source. Some have
16 a cost share from other sources. Know if the committees have any expiration date.
17

18 **Roy moved** to request an inventory from the administration of the county-
19 supported boards and commissions pursuant to her list of requested items, deleting
20 the mission, summary of work products, and bylaws in number three.
21

22 **Motion carried unanimously.**
23

24 Desler stated the administration is in the process of crafting an end-of-year
25 financial report. He would like 15 to 20 minutes to present the report to the
26 committee.
27

28
29 **ADJOURN**
30

31 The meeting adjourned at 1:43 p.m.
32
33
34

35 _____
36 Jill Nixon, Minutes Transcription
37

38 ATTEST:
39
40
41
42

WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WASHINGTON

43 _____
44 Dana Brown-Davis, Council Clerk

Sam Crawford, Committee Chair