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1 based on two studies, which the PFD considered. However, that is not a PFD
2 project. It is a recommendation from the Centennial project consortium. The PFD
3 has embraced many elements of it, but is not doing exactly that.
4

5 The PFD has commissioned a scope of work for expansion of the theater.
6 They have taken a professional, detailed body of information from the consortium,
7 and are now going further with it.
8

9 The PFD is required to begin construction by the end of the year. To that
10 end, they will decide what level of work to embark upon with the theater so they
11 can satisfy the requirements of the law. They will probably commission a full
12 design project for the theater, even if they don't do the whole thing immediately,
13 so they can get approval for the proposed changes.
14

15 The PFD held an open house on May 8 at City Hall. The PFD intent is to
16 spend the \$13 million to \$15 million in a way that it has a larger scale impact so
17 this becomes a point destination and new business will want to locate here. They
18 are hoping to draw an infusion of tourism and capital investment from the private
19 sector.
20

21 The PFD commissioned a fundraising feasibility study. They have hired a
22 professional national firm that will study the community, regional, and national
23 foundations and sources of revenue to determine the capacity of the projects they
24 can do. He will receive that report in the fall.
25

26 Recently, the PFD purchased units next to the theater.
27

28 Crawford stated the open house opened his eyes as to how this piece of the
29 puzzle fits into the bigger vision. The Centennial project is very impressive. He
30 asked how the parking ties into the plans for downtown. If some of those other
31 components don't move forward, he wants to come out of it with more than just a
32 nicer Mount Baker Theater. In the community group's presentation, it was
33 proposed that the County's south parking lot become an office building. In the
34 presentation, parking was proposed for underneath the library. He asked if they
35 are still keeping the parking issue a priority. Gooding stated the State law
36 authorized the creation of parking to serve the facilities that are created by the
37 PFD. The law does not allow the PFD to build parking for private industry, the City
38 of Bellingham employees, or County employees. Those employees could use the
39 parking structure when the patrons of the facilities they create are not using it.
40

41 Crawford stated that even when the Mount Baker theater has a sell out
42 show, the parkade does not attract a lot of the parking because there is so much
43 street parking. He asked if they would be able to justify a new parking structure
44 over here, which is still a few blocks away from the theater. Gooding stated they
45 don't have a plan for a parking structure at this point. The consortium, which made
46 that proposal, suggested parking under the new library. The PFD doesn't have a
47 plan for a parking garage. They are not allowed to do that anyway. If they are to

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1 create these facilities, they will need additional parking. It would be smart to
2 develop parking in a coordinated fashion, so it also serves the needs of the County
3 and the City. He doesn't know at this point where it would be located.
4

5 The PFD has begun to look at property acquisition. This is a process of
6 education. The area of the south parking lot is the County's block. The County can
7 do whatever it wants with it. That is out of the PFD's realm. However, the PFD will
8 work with the County to try and achieve similar goals and needs.
9

10 Crawford asked how they know that the County's PFD's dollars aren't
11 squandered on just the theater. Gooding stated they won't know what they can
12 build until they find out what they can gain from the private sector. The PFD will
13 probably get some money from many sources. They don't know yet. Each person
14 on the PFD board is committed to leveraging this money to make something much
15 greater than a \$13 million project. If all they do is spend \$13 million wisely, it
16 would be a missed opportunity. They intend to do much more than that.
17

18 Brenner asked what the PFD will do with businesses that are thriving and
19 don't want to move from locations the PFD wants to buy. She asked if the PFD
20 would consider using condemnation. Gooding stated the PFD doesn't have the
21 power to condemn property, but the City Council could do so. In the rare instances
22 where that option is used, governments work very hard to accommodate the needs
23 of the people who are being displaced.
24

25 Brenner stated she would not like to see that happen. Gooding stated no
26 one is in favor of condemnation, but it is done on occasion when the public good is
27 at stake. He has no plan to buy any particular property. If they do find key
28 property that would have a huge benefit for Whatcom County and the City of
29 Bellingham, the PFD would try to buy it. The PFD would also try to accommodate
30 the needs of the businesses without using condemnation. Those are the ethics with
31 which they work.
32

33 Brenner asked if the PFD would provide spaces for private businesses so they
34 could relocate into the new facilities. Gooding stated that is totally speculative.
35

36 Roy asked if the County Council has any control over the PFD. The PFD has
37 a signed interlocal agreement with the City of Bellingham. Gooding stated the
38 interlocal agreement between the County and City spells out the relationship. The
39 County has said that the City needs to oversee the PFD. The PFD can't do much
40 without the City's approval. Oversight is required by the City but not by the
41 County.
42

43 Crawford stated the County appoints the membership of the PFD Board.
44

45 Gooding stated the PFD is willing to talk to the County any time. The City
46 and County have gathered a cross-section of people to serve on the PFD Board who

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1 are very accomplished and experienced in the world of business. The PFD is open
2 to the County's suggestions and recommendations.
3

4 Crawford asked if the County Council could get the downtown presentation.
5 They should schedule it on the agenda. Gooding stated he could also provide tapes
6 of that meeting.
7

8 Therese Holmes, City of Bellingham Finance Director, stated that under the
9 terms of the interlocal agreement between the City of Bellingham and the County,
10 the City is responsible for accounting for the financial activity of the PFD. The City
11 receives the sales tax rebate from the State for the PFD. The City pays and tracks
12 all related expenses. The City is also responsible for the interim financing, as well
13 as securing long-term financing for the project elements. She is providing the
14 quarterly report for the PFD financial activity, for the first quarter of 2003. The
15 Council packet has an operating statement, which is a summary of the revenue and
16 expenses for the first three months of the year. The revenues received by the PFD
17 consist primarily of the sales tax rebate received from the State. She read the
18 revenue and expenses from the operating statement (*on file*). If the PFD approves
19 its capital project elements, which it intends to finance from the estimated \$13
20 million to \$15 million in total revenues, the City hopes to go out for a general
21 obligation bond in the spring of 2004. That depends on the timing of when those
22 project elements are approved. Interest rates are at a 40-year low, and they will
23 stay low. This is a good time to finance the projects. The PFD revenues would be
24 pledged to repayment of the bond.
25

26 **COMMITTEE DISCUSSION AND RECOMMENDATION TO COUNCIL**

27 **1. ORDINANCE AMENDING THE 2003 WHATCOM COUNTY BUDGET,** 28 **FIFTH REQUEST (AB2003-194)**

29 Dewey Desler, Deputy Administrator, stated the administration recommends
30 adoption. There are some grant funds and special efforts that have come into play
31 over the past few months on which they need to move.
32

33 Sam Ryan, Building and Codes Division Manager, stated the request for
34 temporary extra help is for an additional plans examiner to meet their commitment
35 in the building permits process. Currently, it takes four to five weeks to get an
36 appointment. That is not acceptable.
37

38 Brenner stated she would not support the request for the retroactive wage
39 increase for the elected officials, other than the Treasurer, Auditor, and Assessor.
40

41 Dave McEachran, Prosecuting Attorney, stated the grant would pay for one
42 half-time position for the child support enforcement section. They had budget
43 problems with the appeals. They are starting to get fined by the court because
44 they are late on appeals. He is asking for expanding a .4 position to a full-time
45
46
47

1 employee in that area. He submitted charts showing the comparisons of responses
2 filed (*on file*). The chart indicates that the caseload of appeals is very high. One
3 goal was to reduce the caseload, but it continues to increase. He's absorbed the 25
4 percent caseload increase, but they can't handle it on the appellate side. The
5 County's caseload is still the highest of any Prosecutor's Office in the State.
6

7 Roy stated she supports this request. They tend to hear about caseloads
8 going up, but they don't hear as much about caseloads going down and reducing
9 staffing. They might need to shift staffing from juvenile. McEachran stated they've
10 already done that. There are a smaller number of juveniles. The adult side is
11 increasing dramatically. When his budget was retracted last year, he thought they
12 could get away with one position in the appellate side, and contract some cases.
13 That can't be done. It didn't work.
14

15 Shirley Forlsof, Auditor, stated she is requesting a clerk III full-time position
16 to the end of the year. Recordings have increased 154 percent from 2000.
17 Funding is from the Auditor's operations and maintenance (O&M) fund, not the
18 general fund. The O&M fund is where revenues go when a customer pays for a
19 recorded document.
20

21 Barbara Cory, Treasurer, stated she and the Assessor had concerns about
22 the real property database. It is old. The Council suggested the administration,
23 Assessor, and Treasurer talk about the issue, which they did. They have identified
24 four specific items that are a high priority, which is today's request. There are still
25 more issues that she will need to discuss with the administration. This request will
26 maintain the system and use it into the future. A system like this costs about \$1.5
27 million to purchase.
28

29 Brenner asked if this request will address the issue brought up last year
30 about the Treasurer paying for technology services that it doesn't use. Cory stated
31 that is a different issue. They have not resolved with the administration an issue
32 regarding the maintenance of this system.
33

34 (*Clerk's Note: End of tape one, side A.*)
35

36 Brenner asked if the Assessor's Office would also use this equipment. Cory
37 stated the Assessor and Treasurer would share the database. Most of the savings
38 from this will mostly impact the Treasurer's Office. There is also a savings to the
39 Assessor's Office, which generates the work.
40

41 Keith Willnauer, Assessor, stated that the system is a joint system and this is
42 a joint proposal by the Treasurer and the Assessor. Many of the automated
43 benefits accrue to the Treasurer's Office, but that is a function of the shared
44 apparatus. In either case, supporting it gives the taxpayers a better functioning
45 system. It solves an issue of redundancy.
46

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1 Crawford stated he was concerned about CompuTech and moving into a
2 system that will limit the County's flexibility to try anything else. Willnauer stated
3 that is a generic concern in the software industry. In a feasibility study, they'd find
4 that this is a good technology, and CompuTech continues to be a bargain. He sees
5 what other officers are expending for these same kinds of capabilities.
6

7 Caskey-Schreiber asked if the County could charge fees. Willnauer stated
8 that the County is not allowed to do so for public records information.
9

10 Desler stated they need to move forward to sustain a system that they have
11 been using for 20 years, so they can keep it for many years. The Treasurer and
12 Auditor are concerned about getting the most effective capacity they can out of the
13 system, with the least cost. The Medic One program will pay for a portion of the
14 cost of the software updates, which is needed in advance of the November 4
15 election.
16

17 Crawford stated he is concerned about having a vendor that would develop
18 specific applications at the County's expense, and then sell that application to
19 someone else. They need to be aware if that is happening. If the County pays for
20 something, it should own it.
21

22 Brenner stated she would like the Assessor's and Treasurer's costs for
23 software and maintenance to reflect exactly what they are using, rather than the
24 formula used by everyone. They are being charged for services that they don't
25 use. Desler stated the administration is working on that.
26

27 Desler stated that the risk pool has reevaluated its loss and revenue. They
28 determined that the County could pay all of what it owes at once, or over a number
29 of years. The administration recommends that the County pay the balance all at
30 once. It proposes to use a fund balance in the administrative services fund.
31

32 Crawford asked how the risk pool calculates its credits and charges. Desler
33 stated there is a matrix that indicates each county's share of credits and charges.
34 The County's share is from 1988 to the current year.
35

36 Crawford asked if the County pays more by using the risk pool. Desler
37 stated that could happen. They are protected by the volume that exists with all
38 counties. If there were one tremendous single event, everyone would share.
39 Ultimately, the group would start to assess higher costs to Whatcom County, so
40 that over many years or decades, the County would have to pay for that
41 experience. That is what has happened.
42

43 Crawford asked how often the County has to pay a charge over \$100,000.
44 Desler stated he would find that information.
45

46 Crawford stated they get to deal with this every time the Council is
47 presented with issues in executive session. In a way, they are making those

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1 decisions all the time. Desler stated that is correct, so they don't see the full
2 impact of the resulting costs. This doesn't occur that often. The County tries to
3 budget for the annual projections.
4

5 The risk pool determined that the County needed a retro-assessment
6 because of losses that were occurring in the amount of \$587,000 for the period of
7 1993 to 1998. The risk pool also indicated that the County had a credit from the
8 period 1988 to 1993, in the amount of \$300,000.
9

10 Carol MacDonald, Mt. Baker Foothills Chamber of Commerce, stated
11 residents and business people in Glacier support the facility. John Cooper said to
12 her that the people in Glacier should pay for the facility. She did not agree. People
13 start out in the morning from Bellingham. By the time they arrive in Glacier, they
14 need to use the facilities. This is a public health hazard. It has nothing to do with
15 the business people in Glacier. Signage will be very important to educate people
16 about the restroom.
17

18 Crawford asked if the County could fund the operation of the facility that is
19 normally operated by the Forest Service, since the facility is not open all the time.
20 Desler stated he's been told that the reason is because they are the federal
21 government.
22

23 MacDonald stated people have tried to talk with the federal government
24 about it. The people living in the area never know when it will be open. It depends
25 on their funds. It has been impossible to negotiate with the federal government
26 about co-funding the year-round operation of the facility. She doesn't see an
27 alternative.
28

29 Fleetwood asked where the facility would be. MacDonald stated it is between
30 Graham's restaurant and the Post Office.
31

32 Lou Piotrowski, Mt. Baker Highway, stated the Forest Service facility closes
33 at 4:00 p.m., which is the same time the ski area closes. The ranger said the only
34 way it's been able to be open is through volunteers.
35

36 Roy asked about the ongoing maintenance. Desler stated the County would
37 seek regular donations to maintain this from people in the area. Ultimately, it is a
38 County government facility.
39

40 Roy stated vandalism is a concern. MacDonald stated the port-o-potty has
41 been in place for five or six years, and it has never been vandalized.
42

43 Crawford asked when it would be constructed. Desler stated it could be
44 done in two months.
45

46 Desler stated the County was requested to assist the efforts of the Point
47 Roberts community to develop the first health care clinic. The clinic will hire three

1 people through the Interfaith Coalition to staff the clinic. It has economic and
2 community health benefits. The community needs about \$25,000 to finish the
3 building. The administration recommends contributing funds from the rural sales
4 tax for that purpose.

5
6 Brian Canfield, Point Roberts Wellness Clinic President, stated there have
7 never been medical facilities in Point Roberts. A unique team has been put
8 together. It is a model that is recognized in Olympia, and is for small communities.
9 He asked for the Council's support.

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

12
13 **Motion carried unanimously.**

14
15 **2. REQUEST FOR AUTHORIZATION TO ENTER INTO A LAND**
16 **ACQUISITION – PURCHASE AND SALE AGREEMENT (AB2003-211)**

17
18 Jeff Monsen, Public Works Director, stated this is consistent with the
19 discussion they've had previously. It is the formal public action to complete the
20 acquisition.

21
22 Brenner stated she was told this land would be used for parking and the
23 Public Works Department. The documentation in the Council packet says they have
24 not determined the development of the site. She is not interested in buying more
25 land for no reason. Monsen stated the primary issue is completion of the master
26 facilities plan, to make sure they know the long-term needs. The area needs to be
27 rezoned. Those were examples of what the property could be used for. Those are
28 the more likely uses, but he doesn't know the result of the master facilities plan.

29
30 **Roy moved** to recommend approval to the full Council. She asked if there is
31 a timely reason to buy the property. Monsen stated that the intended closing date
32 is early- to mid-June. The County has indicated to the property owner that it is a
33 willing buyer.

34
35 Roy stated she gets the feeling that they've determined what this might be
36 used for. She's concerned that, when they talk about where to locate public
37 facilities, the administration will say this is the location something needs to go
38 because the County has the land there.

39
40 Dewey Desler, Deputy Administrator, stated the County has been at that
41 location for more than 20 years. He anticipates they will be there for another 20
42 years. The County had an opportunity to buy eight and a half acres immediately
43 adjacent to the County property. The Executive and Mr. Monsen agreed that it
44 would be appropriate to seek the Council's approval to purchase the property at a
45 fair price, for the long term use of the Public Works Department. There are many
46 other pressures occurring out there, including issues with the Sheriff and other

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1 County government operations. No decision has been made on building a
2 consolidated services building at that location.

3
4 Roy stated she is concerned about buying property before they approve the
5 plan, and being forced to approve the plan because they own the property. Desler
6 stated that won't be the case.

7
8 Monsen stated that part of the reason for acquisition is because they've
9 always looked to the developed area around the Northwest Annex, or the fields to
10 the west of the Central Shop compound. In this case, the acquisition being
11 proposed is a road fund expenditure. Clearly, there is a legal constraint that it can
12 only be for a road purpose, not a general facility.

13
14 Roy stated that reassures her.

15
16 Brenner stated the road fund could be used for anything. That area is a
17 great recreational area. She is concerned about making a major change at that
18 location. She wanted reassurance that this is partially the County's commitment to
19 the recreational fields at that location. Monsen stated he's not suggesting that this
20 acquisition will build parking for the soccer complex. A road fund expenditure
21 cannot be made to build parking for the soccer complex. He has said in the past
22 that, as the development for road purposes occurs there, the space available could
23 be used on the weekends. It is State law that they can only use road fund money
24 for parking spaces for Public Works facilities.

25
26 ***Motion carried unanimously.***

27
28
29 **COUNCIL "CONSENT AGENDA" ITEM**

30
31 **1. REQUEST AUTHORIZATION FOR THE EXECUTIVE TO ENTER INTO A**
32 **GRANT AGREEMENT BETWEEN WHATCOM COUNTY AND WHATCOM**
33 **COUNTY FIRE DISTRICT #5 AS MATCHING FUNDING FOR THE**
34 **COMPLETION OF THE POINT ROBERTS WELLNESS CLINIC, IN THE**
35 **AMOUNT OF \$25,000. APPROVAL IS CONTINGENT UPON PASSAGE**
36 **OF SUPPLEMENTAL BUDGET REQUEST #5 (AB2003-199)**

37
38 ***Roy moved*** to recommend approval to the full Council.

39
40 Dewey Desler, Deputy Administrator, stated there is a recommendation for a
41 modest change on Council packet page five of the contract. He submitted a
42 substitute contract (*on file*).

43
44 (*Clerk's Note: End of tape one, side B.*)

45
46 ***Motion carried unanimously.***

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1 **2. REQUEST AUTHORIZATION FOR THE EXECUTIVE TO ENTER INTO A**
2 **CONTRACT FOR ANIMAL CONTROL SERVICES WITH SSP-PREFERRED**
3 **ANIMAL CARE FOR THE TERM OF JULY 1, 2003 TO JUNE 30, 2006, IN**
4 **THE AMOUNT OF \$994,630 (AB2003-200)**
5

6 Dewey Desler, Deputy Administrator, stated the contract starts out at
7 \$325,000, and goes up each year by two percent. It is a three-year contract for
8 animal control services. The County received one proposal. The administration
9 worked with the Animal Control Advisory Committee. He tried to incorporate many
10 issues and concerns of both the Rustands and the Animal Control Advisory
11 Committee. Several things were added to the contract.
12

13 Bonnie Snyder, Animal Control Advisory Committee Member, stated the
14 committee supports the contract. Most of the recommended improvements were
15 added to the contract, including the requirements of an outside run and a volunteer
16 program. The committee recommends improving the language about the County's
17 right to inspect the quality of the facility. An independent, qualified, and objective
18 review of the quality of care is for the benefit of the facility and taxpayers. The
19 independent entity should work in conjunction with the facility in a positive manner.
20 The committee had no complaints with the past contract. The nature of the
21 complaints about SSP was regarding whether or not the terms of the contract were
22 carried out. That's why the committee recommends independent oversight. The
23 committee will work on a recommendation for how the oversight will occur.
24

25 Fleetwood asked if the terms of the oversight would be established after the
26 contract is entered into. Snyder stated the contract says there will be oversight,
27 including unannounced visits. She's hoping the independent oversight entity will
28 write a report for the County Executive and Advisory Committee. Depending on the
29 status of the report, the committee would work with SSP to maintain or improve
30 the quality.
31

32 Fleetwood stated there is a potential dispute down the road because there
33 are no specifics on what that oversight will be. Snyder stated the contractor agreed
34 to abide by the Human Society of the United States' guidelines. The oversight
35 person would be qualified to determine whether those guidelines are being met.
36

37 **Roy moved** to recommend approval to the full Council. She asked if a
38 shorter contract was discussed. She asked what happens if there is non-
39 compliance. Three years seems to be an extended period of time. Desler stated
40 the service has been in effect for six years already. The committee recommended
41 that the contract be for two years. The administration said a three-year contract
42 would be more appropriate. The provider submitted a proposal for five years.
43 During negotiations, they settled on three years.
44

45 Caskey-Schreiber complimented the efforts of the advisory committee.
46

47 **Motion carried unanimously.**

1
2 **3. REQUEST AUTHORIZATION FOR THE EXECUTIVE TO ENTER INTO A**
3 **CONTRACT RENEWAL FOR GOOSEBERRY POINT SECURITY WITH**
4 **SECURITY-SPECIALIST PLUS, INC.; CONTRACT TO BE EXTENDED**
5 **FROM JULY 31, 2003, THROUGH JULY 31, 2004, IN THE AMOUNT OF**
6 **\$55,692, FOR A TOTAL AMENDED CONTRACT AMOUNT OF \$160,832**
7 **(AB2003-201)**
8

9 Mary Green, Equipment Rental and Revolve Division Manager, stated this is a
10 renewal of an existing contract for full-time security. She added to the contract the
11 second security guard they put on during the two-week dry-dock period. The
12 security is from 7:00 p.m. to 5:00 a.m., seven days per week.
13

14 Brenner stated she's heard that the security makes a great difference.
15

16 **Roy moved** to recommend approval to the full Council.
17

18 **Motion carried unanimously.**
19

20 **4. REQUEST AUTHORIZATION FOR THE EXECUTIVE TO ENTER INTO A**
21 **RENTAL AGREEMENT BETWEEN WHATCOM COUNTY PARKS AND**
22 **RECREATION AND ANNA BETH LEE FOR REAL PROPERTY SITUATED**
23 **ON THE MAPLE FALLS TO GLACIER TRAIL, GLACIER, WASHINGTON**
24 **FOR A TERM OF TWENTY (20) YEARS BEGINNING JANUARY 1, 2003,**
25 **TO DECEMBER 31, 2023 (AB2003-202)**
26

27 Dewey Desler, Deputy Administrator, stated a couple of homes are located
28 on County Parks Department property acquired for the Maple Falls to Glacier trail.
29 It is very unusual. These homes have residents. The County has had a lease
30 arrangement for the placement of their house on this property. This continues that
31 arrangement for another 20 years. The County Property Management Committee
32 has reviewed and recommends approval.
33

34 **Roy moved** to recommend approval of Consent Agenda items four and five
35 to the full Council.
36

37 Crawford asked the status of the trail. Desler stated the trail property is
38 quite wide. Any trail that is constructed would avoid the location of these homes.
39

40 Lynn Givler, Parks Operation Supervisor, stated the trail does not exist right
41 now. The land was owned by the railroad. The homes were put there for railroad
42 employees to live in. When the County acquired the property, it got the buildings
43 with it.
44

45 **Motion carried unanimously.**
46

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1 **5. REQUEST AUTHORIZATION FOR THE EXECUTIVE TO ENTER INTO A**
2 **RENTAL AGREEMENT BETWEEN WHATCOM COUNTY AND LOU**
3 **PIOTROWSKI FOR REAL PROPERTY SITUATED ON THE MAPLE FALLS**
4 **TO GLACIER TRAIL, GLACIER, WASHINGTON FOR A TERM OF TWENTY**
5 **(20) YEARS BEGINNING JANUARY 1, 2002, TO DECEMBER 31, 2022**
6 **(AB2003-203)**

7
8 *(Clerk's Note: See Consent Agenda item four for discussion and approval.)*
9

10 **6. REQUEST AUTHORIZATION FOR THE EXECUTIVE TO ENTER INTO A**
11 **LEASE AGREEMENT BETWEEN WHATCOM COUNTY PARKS &**
12 **RECREATION AND KAREN L. MURPHY FOR THE OPERATION OF A**
13 **PUBLIC EQUESTRIAN FACILITY AT SUNSET FARM FOR A TERM OF**
14 **THREE (3) YEARS BEGINNING MAY 22, 2003, AND ENDING MAY 21,**
15 **2006 (AB2003-204)**

16
17 Lynn Givler, Parks Operation Supervisor, stated this is a facility the County
18 has had for some time. The County rents the home to someone who has been
19 helping out with volunteer groups and maintenance. However, the County was not
20 having the place very active. The County doesn't have the funding to operate an
21 equestrian facility. The County issued a request for proposals (RFP), received five
22 proposals, and selected this person.
23

24 **Roy moved** to recommend approval to the full Council.

25
26 **Motion carried unanimously.**
27

28 **7. REQUEST AUTHORIZATION FOR THE EXECUTIVE TO ENTER INTO AN**
29 **AMENDMENT TO CONTRACT FOR SERVICES AGREEMENT FOR**
30 **CLERICAL AND MEETING SUMMARIES SUPPORT FOR WRIA RELATED**
31 **MEETINGS BETWEEN ANVIL CORPORATION AND WHATCOM COUNTY**
32 **WATER RESOURCES IN THE AMOUNT OF \$42,450, FOR A TOTAL**
33 **AMENDED CONTRACT IN THE AMOUNT OF \$204,070 (AB2003-205)**
34

35 **Roy moved** to recommend approval.
36

37 Brenner stated the Council said it would have a budget it would stick to.
38 There have been several amendments now.
39

40 Bruce Roll, Water Resources Division Manager, stated the management plan
41 was supposed to be finalized and adopted in June. It is more likely going to extend
42 to the end of the year. He did not have contract capacity to run the services out to
43 the end of the year.
44

45 Caskey-Schreiber asked how many meetings they are talking about. Roll
46 stated they have seven or eight meetings a week. There are eight technical teams,
47 the staff team, the Joint Board, and frequent workshops. Early on, he didn't have

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1 enough staff. It's a pretty good contract. They are charging a flat rate of \$20 per
2 hour including copying. He can't provide the service with his staff that cheaply. He
3 explained the clerical work that will be done.
4

5 Brenner stated her concern is that the Council has been hearing from more
6 than one caucus that too much is happening. They need to slow down. She
7 doesn't know if they should have more meetings, or stop and allow the caucus
8 members to catch up. She is not comfortable with adopting the plan at this point.
9 They need to stop and reevaluate where they are, rather than keep pushing
10 forward. Roll stated they are reevaluating the timeline right now. The timeline has
11 been extended into the later part of the year. They are talking with the caucuses
12 next week. He encouraged all caucuses with issues to bring them forward.
13

14 Roy stated moving it forward to the full Council doesn't mean she doesn't
15 have reservations. Voting against the item implies that she doesn't want this to
16 happen. However, she wants to hear what the Council has to say.
17

18 Crawford stated the committee could move this forward to the Council with
19 no recommendation.
20

21 Roy agreed.
22

23 Crawford stated he supports the request to bring closure to the process.
24

25 Brenner stated she is concerned that they keep putting more money into it
26 because they want closure. She doesn't want closure. She wants a product that
27 works. There has been a lot of pressure on caucuses with concerns to not rock the
28 boat.
29

30 *(Clerk's Note: The motion was not voted on.)*
31

32 **8. REQUEST AUTHORIZATION FOR THE EXECUTIVE TO ENTER INTO A**
33 **CONTRACT AMENDMENT WITH RESOLUTION SERVICES, LLC, TO**
34 **PROVIDE FACILITATION SERVICES FOR PLANNING UNIT AND**
35 **STAKEHOLDER INVOLVEMENT, STAFF TEAM, AND GENERAL PROJECT**
36 **COORDINATION TO THE WRIA 1 WATERSHED MANAGEMENT**
37 **PROJECT FOR JULY 1, 2003, THROUGH DECEMBER 31, 2003, IN THE**
38 **AMOUNT OF \$34,750, FOR A TOTAL AMENDED CONTRACT IN THE**
39 **AMOUNT OF \$179,150 (AB2003-206)**
40

41 Roy stated she does not want to make a recommendation to the full Council
42 about this item.
43

44 Bruce Roll, Water Resources Division Manager, stated the Planning Unit
45 agreed to work through this process by consensus. That means that, of the 18
46 caucus members, they all have to agree. It is a monumental feat considering the
47 diversity of interests that are at the table. Their ability to move quickly and far is

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1 tied to having professional facilitators. This has been a vital piece and will continue
2 to be.

3
4 Roy stated these people may be needed more now than ever.

5
6 Crawford stated he doesn't disagree. However, he wants to be consistent
7 with the Council. The staff support and facilitators go hand in hand. This item will
8 go forward to the full Council without a recommendation.

9
10 Roy agreed.

11
12 Brenner stated she is concerned that the facilitators protect the ability of the
13 caucuses to feel that they can disagree if they have to. She's concerned about the
14 pressure she's getting from several caucuses.

15
16 Crawford stated the Council will probably not want to continue funding these
17 services in 2004.

18
19 **9. REQUEST AUTHORIZATION FOR THE EXECUTIVE TO ENTER INTO A**
20 **MITIGATION GRANT AGREEMENT BETWEEN WHATCOM COUNTY AND**
21 **WASHINGTON STATE MILITARY DEPARTMENT TO PROVIDE STATE**
22 **AND FEDERAL FUNDING ASSOCIATED WITH THE CANYON CREEK**
23 **ALLUVIAL FAN ACQUISITION PROJECT, IN THE AMOUNT OF \$999,100**
24 **(AB2003-207)**

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

27
28 Paul Cooper, River and Flood Division Manager, stated she also requested
29 additional pre-authorization of the implementation contract.

30
31 Crawford asked if the Flood Control Zone District Advisory Committee has
32 reviewed and approves this. Cooper stated the advisory committee hasn't seen the
33 grant agreement. It doesn't get into those details. They started this off with the
34 recommendation to go forward with a buyout program.

35
36 Crawford stated he hasn't heard any opposition to the buyout.

37
38 Brenner asked if they are going to try and move some of the buildings.
39 Cooper stated they leave it up to the contractor.

40
41 **Motion carried unanimously.**

42
43 **Roy moved** to recommend approval to the full Council for authorization to
44 the Executive to execute purchase agreements and construction contracts for
45 project implementation in accordance with the grant budget, as long as each
46 individual transaction is within 25% of the amount budgeted and the total
47 expenditures do not exceed the total project amount of \$999,100.

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

- 4 **10. REQUEST AUTHORIZATION FOR THE EXECUTIVE TO ENTER INTO AN**
5 **AGREEMENT BETWEEN WHATCOM COUNTY AND WHATCOM LAND**
6 **TRUST DEFINING THE TERMS OF THE PARTNERSHIP DEVELOPED TO**
7 **IMPLEMENT THE CANYON CREEK ALLUVIAL FAN ACQUISITION**
8 **PROJECT, AND PROVIDING FOR THE TRANSFER OF \$400,000 OF**
9 **GRANT AND COUNTY FUNDS TOWARDS ACQUISITION OF THE LOGS**
10 **RESORT (AB2003-207A)**

11
12 ***Roy moved*** to recommend approval to the full Council.
13

14 ***Motion carried unanimously.***
15

- 16 **11. REQUEST AUTHORIZATION FOR THE EXECUTIVE TO ENTER INTO A**
17 **CONTRACT FOR SERVICES AGREEMENT BETWEEN WHATCOM COUNTY**
18 **AND JESSICA PAIGE, DBA PAIGE CONSULTING, FOR PRIVATE WELL**
19 **OWNERS CAUCUS SUPPORT FOR THE WRIA 1 WATERSHED**
20 **MANAGEMENT PROJECT, IN THE AMOUNT OF \$4,000 (AB2003-208)**
21

22 ***Roy moved*** to recommend approval to the full Council.
23

24 Bruce Roll, Water Resources Division Manager, stated it has been a struggle
25 throughout the water resource inventory area (WRIA) process to get a
26 representative of the private well owners. He's pleased they have a good person to
27 work with them.
28

29 Brenner stated this doesn't do anything. She hasn't heard of anyone doing
30 anything. Roll stated there has been public outreach. The struggle is getting a
31 consistent person who can devote the energy to the private well owners. This
32 person will do outreach to the list of private well owners.
33

34 Brenner stated she wants to be reassured that live bodies are a part of the
35 so-called constituency, and lots of them will be part of the process. Roll stated that
36 is what this service is intended to do.
37

38 Brenner stated the way this contract is written doesn't do that. The charge
39 of the person is to contract every member on the list, not to just post notices. That
40 should be in the language of the contract. She would rather do that the right way,
41 even if it costs more money. She doesn't like the way this is written. She wants
42 more substance. Roll stated the Council approved a clear set of guidelines for the
43 expenses allowed for caucus support. If they want to, the Council can modify those
44 guidelines. He discussed the background of the caucus support and explained the
45 guidelines. To clarify the contract, he would have to meet and negotiate with the
46 contractor.
47

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

3 Roy stated this should move forward to the full Council for discussion. She
4 asked if recruitment is an allowable expense. Roll stated this contractor just had a
5 public meeting. The struggle is getting that constituency to understand the
6 relationship of their exempt wells to what is being drawn out in the plan. The plan
7 hasn't identified how they are going to manage those exempt wells. The plan
8 doesn't identify the issues and needs of this group.
9

10 ***Motion carried unanimously.***

11
12 **12. REQUEST AUTHORIZATION FOR THE EXECUTIVE TO ENTER INTO A**
13 **BID AWARD WITH THE BELLINGHAM HERALD TO BE DESIGNATED AS**
14 **WHATCOM COUNTY'S OFFICIAL NEWSPAPER AND AUTHORIZE THE**
15 **EXECUTIVE TO SIGN THE CONTRACT WITH THE BELLINGHAM HERALD**
16 **(AB2003-209)**
17

18 ***Roy moved*** to recommend approval to the full Council.
19

20 ***Motion carried unanimously.***

21
22 **13. RESOLUTION AMENDING WHATCOM COUNTY VANTAGECARE**
23 **RETIREMENT HEALTH SAVINGS (RHS) PLAN TO PROVIDE TO**
24 **BARGAINING UNIT EMPLOYEES WHEN SPECIFIED IN WHATCOM**
25 **COUNTY COLLECTIVE BARGAINING AGREEMENTS, AND REVISE**
26 **EXISTING NON-HEALTH DISTRIBUTION FEATURES OF THE RHS PLAN**
27 **IN ACCORDANCE WITH GUIDANCE ICMA-RC HAS RECEIVED FROM**
28 **THE INTERNAL REVENUE SERVICE (AB2003-210)**
29

30 This item was withdrawn.
31
32

33 **OTHER BUSINESS**

34 There was no other business.
35
36
37

38 **ADJOURN**

39 The meeting adjourned at 1:30 p.m.
40
41
42
43

44 _____
45 Jill Nixon, Minutes Transcription
46

47 ATTEST:

WHATCOM COUNTY COUNCIL

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WHATCOM COUNTY, WASHINGTON

Dana Brown-Davis, Council Clerk

Sam Crawford, Committee Chair