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

4 September 9, 2003  
5

6 The meeting was called to order at 11:00 a.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 Barbara Brenner

15 Laurie Caskey-Schreiber

16 Dan McShane  
17

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

20 **1. ORDINANCE AMENDING THE 2003 BUDGET, 9<sup>TH</sup> REQUEST (AB2003-**  
21 **287)**  
22

23 Crawford asked if the grants are fully funded.  
24

25 Dewey Desler, Deputy Administrator, stated there is no net effect to the  
26 general fund.  
27

28 Crawford asked that staff from the Sheriff's Office uses the County's  
29 standard budget request format, including funding source and background  
30 information, in the future.  
31

32 Roy stated the language in Section 2, Description of Activity, is confusing.  
33 The project is about decreasing education and looking at drinking and driving.  
34

35 Jeff Parks, Chief Criminal Deputy, stated these are the project descriptions  
36 that were carried forward from the State. The grant has been in place in the Health  
37 Department for the last few years. Most of these programs in the state are done  
38 through sheriffs offices. He was finally able to transfer the program to Whatcom  
39 County's Sheriff's Office.  
40

41 Roy asked if the money can go elsewhere, or is earmarked for this program.  
42 The statistics are confusing. The first sentence in the first section on page 12 is  
43 confusing.  
44

45 Nelson stated percentages, not actual numbers, were given. He asked for  
46 clarifications on what the percentages represent. He asked how they are supposed

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1 to measure the effectiveness of the program. He asked the budget amount they  
2 are approving.  
3

4 Parks stated the grant requires a three-to-one match. It is a two-year  
5 program for \$65,750. The position was increased to a .85 full-time equivalent  
6 (FTE). While at the Health Department, the position was about half that. The  
7 person was having trouble meeting the goals and putting in the time on the project.  
8 About \$5,000 had to be returned in the past. He wanted to expand this person's  
9 hours and bring the position into the Sheriff's Office to eliminate work redundancy  
10 with the traffic safety deputies. This grant proposal was already a work-in-progress  
11 when it was transferred from the Health Department to the Sheriff's Office. As a  
12 part of the process, he met with the State representative, who indicated the Traffic  
13 Safety Commission had an increase in funds, so Whatcom County could increase  
14 the position.  
15

16 Nelson asked if \$210,000 of the project cost is already in the budget. Parks  
17 stated it is.  
18

19 Nelson stated the outcomes are unclear. He can't measure anything. Parks  
20 stated this is a countywide program. It involves more than the Sheriff's Office,  
21 including multiple agencies in the county. The coordinator manages activities  
22 countywide and through multiple agencies. They have to go with the reporting and  
23 numbers that they've already been using. He can provide further clarification. It's  
24 boilerplate language from the State.  
25

26 Brenner stated the language is confusing. It's a good program and she'll  
27 support it. However, this is sloppily put together. Parks stated that when the State  
28 sends out the grant materials to the local coordinator, the coordinator jumps  
29 through the State's hoops to put out the program description, which has to be  
30 acceptable to the State.  
31

32 Brenner stated the paperwork doesn't tell the councilmembers anything.  
33 Parks stated he apologized. They took the grant over mid-stream. He had to take  
34 what was already done. He didn't have an opportunity to scrutinize the paperwork.  
35 He appreciated the Council's feedback. They can make the measurables more  
36 defined.  
37

38 Roy asked if this program works. She asked if the coordinator facilitates the  
39 agencies getting together. Parks stated this person acts as a coordinator and  
40 liaison amongst all the traffic safety projects. The bulk of the activities will be  
41 coordinated through the Sheriff's Office. The person sets up all activities for the  
42 Traffic Safety Team, writes six or seven grants, and provides services and  
43 activities. This position takes away some of the work of the Sheriff deputies. This  
44 person does not just facilitate meetings. There are actual activities and services  
45 being coordinated.  
46

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1 Nelson asked if there are people in the community who are not aware of the  
2 consequences of impaired driving, speeding, and reckless driving. Parks stated he  
3 thinks there is. People may not know overall the legal consequences. It is a  
4 message that constantly has to be put out there. Enforcement studies show that  
5 the minute they stop doing speed enforcement or de-prioritize drunk driving or  
6 seatbelt usage, the numbers of people complying start to fall.

7  
8 Nelson asked if the Sheriff's Office will be sure to comply with items four and  
9 ten regarding certification and assurance. Parks stated absolutely.

10  
11 Brenner asked to see statistics that show seatbelt usage goes down when  
12 they stop talking about it. Insurance companies won't cover people who aren't  
13 wearing seatbelts. Seatbelt use has more to do with being a habit. Parks stated  
14 that practice by insurance companies used to be illegal.

15  
16 Roy stated she would like to see as much money as possible in the Sheriff's  
17 Office spent on deputies in the field. The Council wants to be reassured that this  
18 program makes a difference. You have to educate to a point, before the hammer  
19 comes down.

20  
21 ***Nelson moved*** to recommend approval to the full Council, with the  
22 recommendation that these come forward in accordance with County's policies and  
23 procedures for format.

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

26  
27  
28 **COUNCIL "CONSENT AGENDA" ITEM**

29  
30 **1. REQUEST COUNCIL APPROVAL TO MAKE PAYMENT TO SKAGIT**  
31 **COUNTY FOR CHIP SEAL WORK PERFORMED ON BAKER LAKE ROAD**  
32 **WHICH EXCEEDED THE MAXIMUM ALLOWABLE DOLLAR VALUE**  
33 **UNDER COUNTY PURCHASING CODE, NOT TO EXCEED \$62,006.84**  
34 **(AB2003-292)**

35  
36 ***Nelson moved*** to recommend approval to the full Council.

37  
38 Crawford asked who gets the claim if chip sealing work creates damage to  
39 cars.

40  
41 Mike Roberts, Assistant County Road Engineer, stated he would have to  
42 defer that question to legal counsel.

43  
44 Crawford asked if Whatcom County has done this with Skagit County before.  
45 Roberts stated it has.

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1 Brenner stated that even though the cost went over what it was supposed  
2 to, the work still would have cost less than what it would have cost if the County  
3 did the work. She asked if the \$62,000 is how much over budget they went, or is  
4 the full cost. Roberts stated they thought it would cost \$62,000 altogether.  
5 Interlocal work is non-competitive.  
6

7 Brenner stated that if it is over \$35,000, it was supposed to come to the  
8 Council. Mr. Roberts was so apologetic that it made her feel better. She feels  
9 reassured that it won't happen again.  
10

11 Caskey-Schreiber asked if the recent increase in oil prices will bring the cost  
12 above the five percent mark. Roberts stated they have locked in the price.  
13

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

16 **2. REQUEST AUTHORIZATION FOR THE EXECUTIVE TO AWARD BID #03-**  
17 **57 TO THE LOWEST RESPONSIVE BIDDER, BOSMAN FUELS, FOR THE**  
18 **ANNUAL PURCHASE OF FUEL DELIVERED TO THE CENTRAL SHOP,**  
19 **WHATCOM CHIEF, AND PARKS & RECREATION IN THE APPROXIMATE**  
20 **ANNUAL AMOUNT OF \$241,031.30 (AB2003-293)**  
21

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

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

26 **3. REQUEST AUTHORIZATION FOR THE EXECUTIVE TO AWARD BID #03-**  
27 **59 TO THE LOWEST RESPONSIVE BIDDER, WESTERN POWER &**  
28 **EQUIPMENT CO., FOR THE PURCHASE OF A REPLACEMENT TRUCK**  
29 **MOUNTED DITCHING MACHINE IN THE AMOUNT OF \$217,449.90**  
30 **(AB2003-294)**  
31

32 ***Nelson moved*** to recommend approval to the full Council.  
33

34 Crawford asked if this is a budgeted item.  
35

36 Nelson stated it is.  
37

38 Brenner asked if there are private contractors who offer this service and how  
39 often they use this machine.  
40

41 Mike Roberts, Assistant County Road Engineer, stated the grade-alls are  
42 used for ditching and emergency response. It is one of the core programs at  
43 Maintenance and Operations (M&O). He doesn't have information on the hours that  
44 it is used. The County has a total of four grade-alls. This is a newer model with a  
45 thumb. The telescoping boom is a lot sturdier. It is about 15 years old.  
46

47 Nelson stated the number of hours it is used is more important.

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

4   **4.   REQUEST AUTHORIZATION FOR THE EXECUTIVE TO AWARD BID #03-**  
5   **61 TO THE LOWEST RESPONSIVE BIDDER, DIEHL FORD, FOR THE**  
6   **PURCHASE OF TWO REPLACEMENT TRUCKS IN THE AMOUNT OF**  
7   **\$41,703.06 (AB2003-295)**  
8

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

10  
11       Caskey-Schreiber stated this is an example of being able to buy locally  
12 because of Whatcom County's low sales tax rate. Keep that in mind.

13  
14       ***Motion carried unanimously.***  
15

16       McShane stated governments often desire to buy locally. He asked if they  
17 are allowed to take into consideration the impact of taxes on some purchases.

18  
19       Dewey Desler, Deputy Administrator, stated they can take it into  
20 consideration, but it still has to be the lowest bid.

21  
22       McShane asked if there is some kind of multiplier for the benefit of  
23 purchasing locally. Desler stated there isn't.

24  
25   **5.   REQUEST AUTHORIZATION FOR THE EXECUTIVE TO AWARD BID #03-**  
26   **65 TO THE LOWEST RESPONSIVE BIDDER, VALLEY FREIGHTLINER,**  
27   **FOR THE PURCHASE OF A REPLACEMENT DIESEL TRUCK IN THE**  
28   **AMOUNT OF \$81,358.22 (AB2003-296)**  
29

30       ***Nelson moved*** to recommend approval to the full Council.

31  
32       Brenner stated this truck only has 151,000 miles. It is a diesel and an  
33 International. That is low miles. Diesel dump trucks can go hundreds of thousands  
34 of miles. This request seems extravagant.

35  
36       Mary Green, Equipment Rental Division Manager, stated the truck has a lot  
37 of idle time. It moves slowly down the road from tree to tree. It is a chip truck.  
38 The new truck is more specialized with higher capacity. It also has a winch and a  
39 crane. The idle time has put more wear and tear on the old vehicle and costs more  
40 money than it should for this mileage.

41  
42       Brenner stated she has talked to contractors and was told that is how a lot of  
43 trucks operate. She asked what they are going to do with the truck. Green stated  
44 she would surplus the truck.

45  
46       Brenner stated she would not support the request. Most dump trucks go  
47 slow.

1  
2 Roy stated the new truck has improved technology. She asked if the new  
3 truck would carry more or make the employees work more efficiently.  
4

5 Mike Roberts, Assistant County Road Engineer, described how chipping  
6 works. There is a bigger box to carry more chips before going to the dump. It  
7 should save fuel and employee time. They want to wear out the cranes, not the  
8 employees.  
9

10 Nelson asked if this is fully funded from the Equipment Rental and Revolve  
11 (ER&R) fund. Green stated the funds are available. They have collected the funds  
12 through the ER&R fund.  
13

14 Brenner stated there's no need for the Council if they decide based on the  
15 funds being already there. Revenues are going down. At some point, the Council  
16 should show that they are being really frugal with County expenditures.  
17

18 ***Motion carried unanimously.***  
19

20 **6. REQUEST AUTHORIZATION FOR THE EXECUTIVE TO ENTER INTO A**  
21 **CONTRACT BETWEEN WHATCOM COUNTY AND BROWN AND**  
22 **CALDWELL, ONE OF TWO ON-CALL MODELING ASSISTANCE**  
23 **AGREEMENTS, TO PROVIDE ON-CALL ASSISTANCE TO RIVER AND**  
24 **FLOOD STAFF AS NEEDED IN REVISING AND RUNNING THE LOWER**  
25 **NOOKSACK RIVER HYDRAULIC MODEL TO EVALUATE ALTERNATIVE**  
26 **FLOOD CONTROL PROJECTS IN THE AMOUNT OF \$100,000 (AB2003-**  
27 **297)**  
28

29 Paula Cooper, River and Flood Division Manager, stated the next two items  
30 are for two on-call consulting agreements to perform the transition between  
31 creating the hydraulic model and begin applying to projects in the plan. It will  
32 consider the impacts of various options.  
33

34 ***Nelson moved*** to recommend approval to the full Council of this item and  
35 Consent Agenda item seven. He asked if they have done this upriver from Deming.  
36 Cooper stated they have not. The Flood District wants to focus on the area  
37 downriver from Deming.  
38

39 Brenner stated using the flood fund is illegal. Everyone knows it.  
40

41 Roy stated this is what the flood fund is for.  
42

43 Brenner stated the way the flood fee is set up is illegal. A fee is for a  
44 service.  
45

46 Caskey-Schreiber stated they should figure that out before they make  
47 statements about it publicly. She understood something else.

1  
2 Nelson stated that flood fee issue is not related to this item.  
3

4 Brenner stated the fee is illegal. If the fee was constructed right, so the  
5 people who contribute the most to the problem pay that share of the fee, they  
6 would prioritize differently. There is plenty of money in the account because of the  
7 way it was created, but that's not a fair way to create a fee.  
8

9 Roy stated there are issues about the fee, but it is in the hands of County  
10 attorneys and administration. It's a dangerous precedent for the councilmembers  
11 to determine and say it's illegal. She doesn't know that it is illegal. She has to  
12 take the departments and administration's word on the fact that they've worked it  
13 through the process. It's in the hands of other people.  
14

15 Brenner stated she appreciates that they shouldn't just say it, but she's been  
16 saying it for a long time. The Council shouldn't fund these programs until they  
17 create a genuine fee system.  
18

19 Nelson stated he understands that the fee is of a legal nature, and still  
20 recommends approval.  
21

22 ***Motion carried unanimously.***  
23

24 **7. REQUEST AUTHORIZATION FOR THE EXECUTIVE TO ENTER INTO A**  
25 **CONTRACT BETWEEN WHATCOM COUNTY AND NORTHWEST**  
26 **HYDRAULIC CONSULTANTS, ONE OF TWO ON-CALL MODELING**  
27 **ASSISTANCE AGREEMENTS, TO PROVIDE ON-CALL ASSISTANCE TO**  
28 **RIVER AND FLOOD STAFF AS NEEDED IN REVISING AND RUNNING**  
29 **THE LOWER NOOKSACK RIVER HYDRAULIC MODEL TO EVALUATE**  
30 **ALTERNATIVE FLOOD CONTROL PROJECTS IN THE AMOUNT OF**  
31 **\$100,000 (AB2003-298)**  
32

33 See item six, above.  
34

35 **8. REQUEST AUTHORIZATION FOR THE EXECUTIVE TO ENTER INTO A**  
36 **"MULTI-JURISDICTIONAL NARCOTICS TASK FORCE PROGRAM**  
37 **CONTRACT" BETWEEN WHATCOM COUNTY SHERIFF'S OFFICE AND**  
38 **THE WASHINGTON STATE DEPARTMENT OF COMMUNITY, TRADE AND**  
39 **ECONOMIC DEVELOPMENT FOR THE CONTINUING NARCOTICS**  
40 **EFFORTS AND PROSECUTION ASSISTANCE OF THE NORTHWEST**  
41 **REGIONAL DRUG TASK FORCE, IN THE AMOUNT OF \$118,056**  
42 **(AB2003-299)**  
43

44 Nelson stated he is concerned about the special conditions. It seems they  
45 are forcing the criminal justice side into manufacturing increased cases that are  
46 prosecutable and increase the value collected. He's not sure that's what the public  
47 wants them to do. He asked how they justify that type of condition.

1  
2 Steve DeFries, Lieutenant/Operations, stated those conditions come from the  
3 State, which approves the grant. One condition from the State Department of  
4 Community, Trade, and Economic Development (CTED) was to have two local  
5 agencies, in addition to the Sheriff's Office, which is the lead agency. That will be a  
6 condition to renew next year. This year they are good. They need to come up to  
7 speed on all the conditions over the year.

8  
9 Nelson stated a condition is that they have to significantly improve reported  
10 prosecutorial case outcomes to 85 percent. He asked what's going on with that,  
11 and who determines the 85 percent. DeFries stated the actual percentage is more  
12 like 89 percent. Their data collection is different from the Sheriff's Office.

13  
14 Nelson stated the Sheriff's Office is agreeing with the CTED numbers. He  
15 asked why they would want to do this. DeFries stated he has met with CTED to  
16 reconcile those numbers. The actual numbers are quite a bit higher than what  
17 CTED is reporting.

18  
19 Nelson stated the Council should not approve the request until the  
20 agreement on numbers is in writing. He asked about forfeiture action conditions.  
21 DeFries stated Whatcom County meets that requirement. CTED accepts the  
22 numbers the County presented at the meeting last week.

23  
24 Jeff Parks, Chief Criminal Deputy, stated the Sheriff's Office complies with  
25 the CTED requirements. The meeting last week with CTED was to agree on the  
26 numbers. There were errors on CTED's part and a misinterpretation of the  
27 statistics. The meeting was late last week, and a letter about agreement of the  
28 numbers is on its way. Whatcom County is in no way under the standards stated.

29  
30 Nelson stated the agreement sends the message to the public that they have  
31 to meet a quota. The quota is bothering him. He doesn't like the contract  
32 language at all. They should look at and evaluate how well this contract is working.  
33 That is how the language should be worded. The way the contract is worded now  
34 sounds like the deputies will knock on doors until they reach their quota. He asked  
35 if there is a way to change the language in the contract to eliminate the quota  
36 requirement. DeFries stated he interprets the language differently. The State is  
37 asking for the percentages of the cases to meet the State's levels. If the County  
38 deputies only arrest five people, the State expects that a percentage of those five  
39 people to be prosecuted.

40  
41 *(Clerk's Note: End of tape one, side A.)*

42  
43 Nelson stated he doesn't like the language saying they must meet the  
44 percentages. Parks stated the percentage is based on what they are already out  
45 there doing. Once they initiate an arrest, there needs to be a percentage on follow-  
46 through and conviction rate. It's more about outcomes and performance rates.

1 Crawford asked Lt. DeFries to request a letter of clarification from CTED.

2  
3 Roy stated the language about improving the upper-level violator arrest  
4 percentage. That sounds like it is asking the County to arrest more people of a  
5 certain level. That makes her uncomfortable. She asked if there would be pressure  
6 to move someone from a less serious offense to a more serious offense. DeFries  
7 stated the State views the mission of the Task Force being on mid- to upper-level  
8 drug dealers. He agrees with the mission statement, however a mid- to upper-level  
9 drug dealer in Whatcom County is different than a mid- to upper-level drug dealer  
10 in Seattle. Those Whatcom County levels don't meet the State's definition.

11  
12 Roy stated she doesn't want the County to ease up on the small dealers in  
13 favor of the bigger dealers. She asked if there is an educational and treatment  
14 component of the task force. DeFries stated this specific grant is for law  
15 enforcement. There are other grants and programs for those things.

16  
17 Brenner stated there are a lot of people who have small amounts for their  
18 personal use. She wants them treated, not prosecuted. She won't support this.  
19 They need to have treatment built into this program.

20  
21 Caskey-Schreiber stated those small users aren't counted in the numbers for  
22 this program. She's most concerned about the prosecutorial rate the State  
23 requires. That brings in another department that the Sheriff has no control over.  
24 She asked how that is guaranteed. DeFries stated the numbers the State is  
25 working with are not accurate. They have to get the data from the Prosecutor's  
26 Office about what was prosecuted and the results. Dave McEachran was part of  
27 that meeting with CTED and understands the importance of getting that data to the  
28 Sheriff's Office.

29  
30 Caskey-Schreiber stated she doesn't want the process to shift focus to totally  
31 achieve their desired outcomes. DeFries stated nothing will change in the way they  
32 do business. It is a matter of how they do the reporting and data collection.

33  
34 Caskey-Schreiber stated her biggest concern was that they wouldn't bring  
35 forward a case they didn't think they could win. DeFries stated they wouldn't even  
36 make the arrest.

37  
38 McShane asked if there was discussion about the differences in what is  
39 considered small dealers and mid- to upper-level dealers. He asked how they  
40 would achieve the change in percentage from eleven to 51 percent. DeFries stated  
41 it's an argument they've had with CTED and federal agencies for years. They have  
42 a very difficult time getting them to tailor those violator levels to the community  
43 rather than to a federal or statewide standards. They can extrapolate some of  
44 those numbers out. If they arrest a guy who is dealing small amounts  
45 continuously, they can upgrade his violator level class. CTED agreed to that.

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1           McShane stated the amount is \$118,000 this year. He asked if that amount  
2 has been level over the years. DeFries stated it has been fairly stable. It has  
3 dropped off minimally from year to year.  
4

5           McShane stated the County's match is \$614, 985. That is more than enough  
6 match for the grant. He asked if there are other grant monies in that match  
7 money. DeFries stated there is not.  
8

9           Dewey Desler, Deputy Administrator, stated the administration is talking  
10 about reducing the required match they have to document. The State or federal  
11 government is not correct about setting standards for Whatcom County. The  
12 Sheriff's Office has a better handle on what they need to do in Whatcom County  
13 than the people in Olympia and Washington D.C. While they like to see measurable  
14 performance standards that they agree. However, he objects to people in Olympia  
15 and Washington D.C. who think they know better than Whatcom County about  
16 what Whatcom County needs. The County's problems with methamphetamine are  
17 more significant than other parts of the nation. He supports the Sheriff's Office  
18 negotiating the standards that really respond to the problems in the local  
19 community. He wants to help do that. However, he also wants this grant.  
20

21           ***Nelson moved*** to hold in committee for two weeks to work on contract  
22 language changes.  
23

24           Desler stated the administration and Sheriff's Office will work on clarification  
25 and getting more information from the State.  
26

27           McShane stated that law enforcement focus on getting the bigger drug  
28 dealer can even be harmful to a community. That happened in this community.  
29 Outside law enforcement agencies allowed people to do things for a long time that  
30 they should not have been doing. There was no gain to the local community.  
31

32           ***Motion carried unanimously.***  
33

34 **9. REQUEST AUTHORIZATION FOR THE EXECUTIVE TO ENTER INTO A**  
35 **CONTRACT BETWEEN WHATCOM COUNTY AND ENTRANCO FOR**  
36 **COMPLETION OF THE STRUCTURAL DESIGN IN CONJUNCTION WITH**  
37 **THE LAKE WHATCOM BOULEVARD-AUSTIN CREEK BRIDGE NO. 116**  
38 **REPLACEMENT PROJECT IN THE AMOUNT OF \$81,898.53 (AB2003-**  
39 **300)**  
40

41           ***Nelson moved*** to recommend approval to the full Council. He asked if this  
42 includes modifications they talked about for pedestrians.  
43

44           Joe Rutan, County Road Engineer, stated it does.  
45

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1 Caskey-Schreiber stated the scope of work clearly says there are no  
2 sidewalks. Rutan stated they are not proposing sidewalks, but to widen the  
3 shoulder, which will match with the widened Lake Whatcom Boulevard.  
4

5 Caskey-Schreiber stated the community really demanded sidewalks. She  
6 asked for the reason they are not going to install sidewalks. Rutan stated this area  
7 does not warrant sidewalks, per design standards. The cost associated with  
8 widening is very expensive in that area. They looked at different options with the  
9 Council earlier. The Council chose the widened shoulder option.

10  
11 Brenner stated the lots in the Sudden Valley community are much smaller  
12 than the lots where sidewalks went in on another project in the county. The road  
13 standards clearly said that a lot size of one acre or denser, sidewalks can be  
14 appropriate. That is the condition in Sudden Valley. The roads are narrow and  
15 windy. Sidewalks are appropriate in Sudden Valley.  
16

17 Nelson stated the Sudden Valley community was concerned about the  
18 danger of walking on the roads. This is an improvement. As they look at other  
19 road construction projects, they can review those proposals for sidewalks.  
20

21 Roy asked if they are going to be like enhanced shoulders that are  
22 appropriate for bicyclers and pedestrians. Rutan stated they will be eight-foot wide  
23 paved shoulders on each side. This option was discussed with the Sudden Valley  
24 Community Association, and they support the design.  
25

26 McShane asked if this road was going to be widened anyway. Rutan stated it  
27 was. They are proposing to pull the bridge portion of the project from Rocky Road  
28 to Lake Louise Boulevard out of the total project and deal with it now. The rest of  
29 the project will be done in a couple of years. They would have widened the bridge  
30 anyway, during the regular project.  
31

32 Crawford stated the hourly rates for Entranco seem low.  
33

34 ***Motion carried unanimously.***  
35

36 **10. REQUEST AUTHORIZATION FOR THE EXECUTIVE TO ENTER INTO A**  
37 **CONTRACT RENEWAL OF THE HEALTHY CHOICES FOR GIRLS GRANT**  
38 **THROUGH THE GOVERNOR'S JUVENILE JUSTICE ADVISORY**  
39 **COMMITTEE, BETWEEN WHATCOM COUNTY AND THE WHATCOM**  
40 **DISPUTE RESOLUTION CENTER IN THE AMOUNT OF \$46,748 OF**  
41 **WHICH WHATCOM COUNTY WILL RECEIVE \$3,255 IN INDIRECT**  
42 **COSTS (AB2003-301)**  
43

44 ***Nelson moved*** to recommend approval to the full Council.  
45

46 ***Motion carried unanimously.***  
47

1 **11. REQUEST AUTHORIZATION FOR THE EXECUTIVE TO ENTER INTO A**  
2 **CONTRACT BETWEEN WHATCOM COUNTY AND ACCELA FOR**  
3 **IMPLEMENTATION OF SOFTWARE UPGRADE TO PLANNING AND**  
4 **DEVELOPMENT'S PERMIT PLAN TRACKING SYSTEM IN THE AMOUNT**  
5 **OF \$18,200 (AB2003-302)**  
6

7 *Nelson moved* to recommend approval to the full Council.  
8

9 *Motion carried unanimously.*  
10

11 **12. REQUEST AUTHORIZATION FOR THE EXECUTIVE TO ENTER INTO A**  
12 **LAND USE ALLIANCE AGREEMENT BETWEEN WHATCOM COUNTY AND**  
13 **CROWN PACIFIC GRANTING PARKS & RECREATION USE OF**  
14 **PROPERTY FOR A TRAIL (AB2003-303)**  
15

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

18 *Motion carried unanimously.*  
19

20 **13. REQUEST AUTHORIZATION FOR THE EXECUTIVE TO ENTER INTO A**  
21 **COOPERATIVE AGREEMENT WITH USDA/NATURAL RESOURCE**  
22 **CONSERVATION SERVICE FOR THE RECEIPT OF FUNDS FOR THE**  
23 **PURCHASE OF DEVELOPMENT RIGHTS PROGRAM IN THE AMOUNT OF**  
24 **\$73,500 (AB2003-304)**  
25

26 *Roy moved* to recommend approval to the full Council.  
27

28 Kraig Olason, Senior Planner, stated there is a correction of the amount from  
29 \$73,500 to \$271,792. The USDA notified him yesterday that there is more money  
30 available.  
31

32 *Roy amended* her motion to include the correct amount of \$271,792.  
33

34 Nelson asked if the landowners are made aware of the federal government's  
35 reserved rights. Olason stated the federal government reserves the rights to enter  
36 back into the agreement if Whatcom County fails to administer the agreement  
37 correctly. The landowners are aware of the rights. Also part to this is the Land  
38 Trust, which reviewed this and authorized it with a signature.  
39

40 Nelson asked if the federal government would be involved in any other  
41 changes according to the rights. Olason stated the County would have to  
42 coordinate with the federal government on any changes. The federal government  
43 is a party to this. He is continuing to negotiate with the federal government on the  
44 easement, which he will bring to the Council. Getting this appropriation doesn't  
45 mean they will spend the money yet. They are still obligated to get agreement  
46 from all parties to act on it.  
47

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1 Roy asked if there are issues about tailoring the agreement to Whatcom  
2 County, she would like the staff to come to the Council and administration for  
3 support. She doesn't want to end up with an agreement that is okay with the  
4 federal government, but not okay locally. Olason stated they do a lot of negotiation  
5 back and forth with the federal government, which is difficult. They consider  
6 whether or not the discrepancy is bad enough to give the money back.  
7

8 Caskey-Schreiber stated the funds shall not pay for more than 50 percent of  
9 the appraised fair market value. She asked if the excess funds will go to the next  
10 applicants. She asked if Holtz will have to agree to the federal requirements.  
11 Olason stated that is correct.  
12

13 ***Motion carried unanimously.***

14  
15 **14. RESOLUTION TO ELECT EXPENDITURES OF NATIONAL FOREST**  
16 **RELATED SAFETY-NET PAYMENTS UNDER P.L. 106-393 (AB2003-305)**  
17

18 Dewey Desler, Deputy Administrator, stated the administration recommends  
19 that 100 percent of the funds go to the Title II program. The County still has funds  
20 available in the Title III fund. The amount is about \$400,000.  
21

22 McShane stated they are spending some of the money on the jail work crew.  
23 He asked if there has been any effort to set aside some of the Title III funding for  
24 easement purchases. They have a new land acquisition position. Desler stated  
25 that function is one of the many things they can do with the Title III allocation. He  
26 will provide more information on the plans for the balance of the Title III money.  
27

28 ***Roy moved*** to recommend approval to the full Council.  
29

30 ***Motion carried unanimously.***  
31

32 **15. RESOLUTION AUTHORIZING APPLICATION FOR FUNDING**  
33 **ASSISTANCE FOR A FIREARMS AND ARCHERY RANGE RECREATION**  
34 **(FARR) PROGRAM PROJECT TO THE INTERAGENCY COMMITTEE FOR**  
35 **OUTDOOR RECREATION (IAC) AS PROVIDED IN CHAPTER 79A.25.210**  
36 **RCW (AB2003-306)**  
37

38 ***Nelson moved*** to recommend approval to the full Council. He asked why  
39 the money is coming out of the parks Department when the object is containment  
40 for the law enforcement training.  
41

42 Mike McFarlane, Parks and Recreation Director, stated he is also looking for  
43 some law enforcement funds. The range is also used by the public and operated by  
44 the Parks Department.  
45

46 Nelson stated the County bought a containment wall that was supposed to  
47 protect against all small arms fire. McFarlane stated that was for the indoor range.

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1 This is for the outdoor range. Before, there was a natural buffer around the range  
2 that was not developed. Now the area has been logged and there is some  
3 residential development occurring. This containment wall is on the side of the  
4 range. In some of the law enforcement training, it's possible to have a projectile  
5 leaving the site of the range. That can't occur with public use, but it could occur  
6 with specialized law enforcement training.  
7

8 Nelson stated the containment wall is primarily for law enforcement use. He  
9 asked if there is a contract that agrees to provide the wall. McFarlane stated there  
10 is a contract for use of the facility.  
11

12 Dewey Desler, Deputy Administrator, stated law enforcement agencies pay  
13 modest amounts. If the County raises the amount for the use of the facility, the  
14 County Sheriff's Office amount will also be raised.  
15

16 Roy stated she's concerned that the Parks Department is paying for  
17 something that should come out of the law enforcement funding, even though law  
18 enforcement funding is stretched right now.  
19

20 Nelson asked if they are required to have range officers. McFarlane stated  
21 there is supervised training, but if an accident occurs, the protection measure is not  
22 in place. This is to protect public safety.  
23

24 Roy asked how often the public uses this for recreation. She asked why this  
25 is coming out of the Parks Department. McFarlane stated he doesn't have that  
26 information, but will get it.  
27

28 Desler stated the Parks Department has gotten grant funds that requires a  
29 County match.  
30

31 McShane stated the Parks Department has spent money already on the  
32 design of the wall.  
33

34 ***Motion carried unanimously.***  
35

36 **16. RESOLUTION TO SET HEARING TO SELL TAX-TITLE PROPERTY BY**  
37 **PUBLIC AUCTION, REQUEST #06-03 (AB2003-307)**  
38

39 ***Nelson moved*** to recommend approval of Consent Agenda items 16, 17,  
40 and 18.  
41

42 ***Motion carried unanimously.***  
43

44 **17. RESOLUTION TO SET HEARING TO SELL TAX-TITLE PROPERTY BY**  
45 **PUBLIC AUCTION, REQUEST #07-03 (AB2003-308)**  
46

47 See Consent Agenda item 16.

1  
2 **18. RESOLUTION TO SET HEARING TO SELL TAX-TITLE PROPERTY BY**  
3 **PUBLIC AUCTION, REQUEST #08-03 (AB2003-310)**  
4

5 See Consent Agenda item 16.  
6  
7

8 **OTHER BUSINESS**  
9

10 Dewey Desler, Deputy Administrator, stated there is a Community  
11 Development Block Grant (CDBG) program for the Birch Bay area. Some of those  
12 grants are required to be on the Washington Community Economic Revitalization  
13 Team (WA-CERT) list. However, WA-CERT doesn't require advance review. There  
14 will be a proposal from the community group to have the County add it as an  
15 applicant. Whatcom County becomes the body that has to administer the program.  
16

17 There was a reason why the County decided not to be involved with the  
18 CDBG program. The administration has tried to be more assertive about using the  
19 funds recently, but they are the most onerous and bureaucratic in any government  
20 system he's ever experienced. The County is using CDBG funds in some programs.  
21 They may be able to overcome the concerns in the future. He asked the Council to  
22 consider the administrative response for a \$750,000 grant that the County is not  
23 geared for. It is not free money. There is a significant cost to the County.  
24

25 *(Clerk's Note: End of tape one, side B.)*  
26

27 Roy asked if they are looking at other options. She heard that this option  
28 keeps it from being an obligatory sign-up for the citizens. Desler stated he hasn't  
29 looked at other funding options so far. There are other potential areas of funding.  
30 Some options are low-interest loans. There are questions that deserve Council  
31 review. Other potential projects will come up. The Council will eventually have to  
32 decide which application it will put forward.  
33

34 Roy stated one issue is of priorities. Getting septic systems off of Birch Bay  
35 is a high priority. The process and how the grants go is another issue.  
36

37 Desler stated the administration has been working on elements of a County  
38 jail. There will be a memo about it soon. There are certain public properties that  
39 the County can acquire quite easily. Access to private property can take much  
40 longer. The City of Bellingham has property it was going to subsidize and provide  
41 to Walton Beverage, to keep that business in town. The administration talked with  
42 the City about using that site as a potential jail. The City administration was very  
43 cooperative. In the meantime, he found out that there is no location in the City of  
44 Bellingham that is zoned to allow a County jail. The City administration realized it  
45 needs to help the County. Given the State law, there is only one opportunity per  
46 year to change zoning.  
47

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1 Caskey-Schreiber stated they could change the zone as an emergency any  
2 time during the year.  
3

4 Desler stated that is correct. The City administration agreed to be an co-  
5 applicant for a zoning change and get into the current round of zoning changes if  
6 the County has the application in by the middle of September. He has been  
7 working on that application. He's had discussion with several City Councilmembers  
8 to build support. The County needs to go through a series of public hearing,  
9 beginning September 24, 2003. The administration will propose a minimum  
10 security jail that has room for up to 150 folks and consolidates all the alternative  
11 corrections, work release, and sentenced minimum security offenders. A portion of  
12 the facility will be used as a mental health and social detox triage center. He's  
13 been working with the jail, mental health community, and hospital to develop an  
14 appropriate site to bring people who generally end up in jail or the emergency  
15 room.  
16

17 Another building would be a consolidated storage facility and elections  
18 center. Due to the Help America Vote Act (HAVA) there are new requirements for  
19 equipment supplies and processing. The Auditor needs something designed to  
20 protect the election equipment. This storage facility would consolidate all the other  
21 rented storage sites in the community for County records and equipment. The  
22 administration is still looking at the potential size of something like that. It has to  
23 be consistent with the facilities master plan.  
24

25 If the County gets cooperation from the City of Bellingham for the zoning  
26 change, the County will also go through a process to select and engage an  
27 architectural and engineering firm to get the construction documents ready for  
28 bidding. That will take some weeks to complete. He anticipated financing that  
29 work with rural sales tax money, which is an appropriate source. He also  
30 anticipated that the administration would recommend this spring a tax proposal for  
31 the public to pay for construction and operation of a jail. A natural source would be  
32 a one-tenth of one percent corrections tax. The public voted it down in 1997. The  
33 operational costs of a jail are significant. The County's finances don't allow for it,  
34 unless it significantly restructures operations.  
35

36  
37 **ADJOURN**

38  
39 The meeting adjourned at 12:45 p.m.  
40  
41

42  
43 \_\_\_\_\_  
44 Jill Nixon, Minutes Transcription

45  
46 ATTEST:

WHATCOM COUNTY COUNCIL  
WHATCOM COUNTY, WASHINGTON

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\_\_\_\_\_  
Dana Brown-Davis, Council Clerk

\_\_\_\_\_  
Sam Crawford, Committee Chair