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1
2 Tonight's purpose is to express gratitude to Executive Kremen and Councilmember
3 Roy for the professional way they represented Whatcom County. A plaque was presented
4 to Councilmember Roy and Executive Kremen.
5

6
7 **MINUTES CONSENT**

8
9 **SPECIAL COUNTY COUNCIL (MASTER FACILITIES PLAN) FOR JULY**
10 **20, 2004**

11
12 *Fleetwood moved* to approve the minutes.

13
14 *Motion carried unanimously.*
15

16
17 **OPEN SESSION**

18
19 The following people spoke:
20

21 Dennis Jones, Sudden Valley, stated Water District ten has done a terrific
22 job. It is now time to get on with the other 20 goals in the Watershed Management
23 Plan. Sustain the watershed. It is time to get on with the plan.
24

25 Linda Franz, 6640 Trent Lane, Ferndale, submitted her testimony (*on file*)
26 and stated she and her neighbors are concerned about noise mitigation regarding
27 North Star mine. She is opposed to the **ordinance adopting amendments to**
28 **the Whatcom County Comprehensive Plan and Zoning Maps to create a**
29 **Mineral Resource Lands Designation near the corner of North Star and**
30 **Brown Roads (James Carr Application) (AB2004-082A)**. There are not
31 enough safeguards in place to protect water, air, environment, and noise. She read
32 from her written testimony. They can't monitor the activity enough to ensure
33 safety.
34

35 Wayne Larsen, 3096 Thornton Road, Ferndale, stated he supports the
36 **ordinance adopting amendments to the Whatcom County Comprehensive**
37 **Plan and Zoning Maps to create a Mineral Resource Lands Designation near**
38 **the corner of North Star and Brown Roads (James Carr Application)**
39 **(AB2004-082A)**. Most gravel today comes from the other side of the county. To
40 produce the same amount of gravel from this site would require three additional
41 truckloads. Over the last two years, three people have been killed by colliding
42 gravel trucks. It's a safety issue. There is a need and a market. If they don't use
43 that pit, they have to go across the county. The amount of pollution from all the
44 extra trucks is an ecological issue. The pit has operated well. The trucks are
45 managed well. Think of the environment, cost, extra fuel that would be required
46 otherwise, and safety.
47

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1 Marge Laidlaw, Everson, stated she and one other would speak on
2 courthouse security. Given the large caseload and volume of people who come to
3 the courthouse, the public and County employees are in serious harm from angry
4 citizens who are required to come to the courthouse for court appearances. Many
5 people who should be in jail are not in jail. When the courthouse was expanded
6 over ten years ago, metal detectors were to be installed at both main entrances.
7 Those have never been installed. Whatcom County may have the only courthouse
8 on the I-5 corridor that doesn't have a screening process. Consider this issue. No
9 one would argue government's role in providing security. Other counties have
10 received matching grants from Homeland Security and other places. Begin
11 addressing this issue.

12
13 Richard Manival, citizen, stated he is a Law and Justice Council member. He
14 agreed with the Marge Laidlaw's comments. Clark County put in a metal detector,
15 and have found a number of weapons around the courthouse. It's an issue they
16 need to begin addressing.

17
18 McShane asked if the Law and Justice Council will take up this issue. Manival
19 stated he will bring the issue forward to the Law and Justice Council.

20
21 Mike Kent, 821 Chehalis, Birch Bay, stated the Whatcom County Proposition
22 1 is a sales tax to fund the interim jail and permanent jail. The Committee for
23 People for a Safer Community supports the proposal. They are working to promote
24 the proposition in the community.

25
26 McShane announced that Barbara Brenner is absent and her absence is
27 excused.

28
29 Don Higginson, 7998 Blaine Road, stated he represents Mick Valentine at
30 6620 Trent Lane, which is adjacent to the site in the **ordinance adopting**
31 **amendments to the Whatcom County Comprehensive Plan and Zoning Maps**
32 **to create a Mineral Resource Lands Designation near the corner of North**
33 **Star and Brown Roads (James Carr Application) (AB2004-082A)**. He
34 submitted information on a real estate transaction that did not go through. He is
35 disturbed about the accepted wetlands report in which half the land was not
36 studied. Someone destroyed the existing vegetation needed for the study. The
37 acreage should not be included in the application because it was not included in the
38 evaluation. He knows the area well. There is a considerable amount of wetlands
39 on those properties. The properties are very valuable. He's appalled anyone would
40 destroy the area for sand. They don't need more sand in this county. Consider the
41 situation. Stall this project.

42
43 Lorna Monfour, 6547 North Star, stated she is opposed to the **ordinance**
44 **adopting amendments to the Whatcom County Comprehensive Plan and**
45 **Zoning Maps to create a Mineral Resource Lands Designation near the**
46 **corner of North Star and Brown Roads (James Carr Application) (AB2004-**
47 **082A)**. The neighborhood has not had enough notice. There is much opposition to

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1 this expansion. She is concerned about the impact on the water supply. There is
2 an aquifer that serves 60 to 70 homes. This pit operators have not adhered to
3 regulations. They are in constant violation. When an aquifer is contaminated, it is
4 contaminated forever. The land without water doesn't have any value. The total
5 property damage would be about \$30 million. That is a large liability for a small
6 amount of sand and gravel. The County geologist stated that all the planning
7 cannot predict whether there will be a problem with the water. The County has a
8 backlog of violators. The County cannot enforce the situation. However, once
9 contaminated, it is too late.

10
11 Lesa Starkenburg-Kroontje, 115 Front Street, stated she supports the
12 **ordinance adopting amendments to the Whatcom County Comprehensive**
13 **Plan and Zoning Maps to create a Mineral Resource Lands Designation near**
14 **the corner of North Star and Brown Roads (James Carr Application)**
15 **(AB2004-082A)**. The Council must prevent future use in strategic areas in
16 Western Whatcom County. Several studies conclude they need more mineral
17 reserves for future use. The Planning staff reviewed and concluded that the
18 proposal is consistent with the requirements of the Comprehensive Plan and zoning
19 text. The Planning Commission heard hours of testimony from neighbors and
20 others, and recommended approval of the request. Neighbors are concerned, but
21 no mining will be done in the expanded area until several permits are issued.
22 These permits require specific review of the site and specific studies. Property
23 owners will be involved and can appeal a decision. Noise, dust, traffic, and water
24 quality concerns will be addressed through that process. Regardless of this
25 decision, the current mine will continue. Several people are expressing concerns
26 with the current mine, which will not go away. Planning Commissioner Hunter
27 stated that many neighboring concerns may be addressed by making this site an
28 MRL so the operator will have to meet requirements.

29
30 The average pit floor is 80 feet below the surface. The permit allows
31 extraction to 100 feet. Borings were completed to 109 feet, and no water was
32 encountered. The water table is not at 109 feet. The geologists estimate that the
33 water level is 220 feet under the surface. The quality was addressed through a
34 report from Geo-Test. Whatcom County geologist determine that it means the
35 requirement for construction aggregate, as required by Whatcom County. They
36 don't have enough mineral resources and need more. They need to plan for these
37 things before additional parcelization takes place. This site meets the criteria.
38 Move forward consistently with the Planning Commission, which heard all the
39 testimony. She submitted information (*on file*).

40
41 Randy Arestad, 6675 North Star Road, stated he is the current pit owner
42 related to the **ordinance adopting amendments to the Whatcom County**
43 **Comprehensive Plan and Zoning Maps to create a Mineral Resource Lands**
44 **Designation near the corner of North Star and Brown Roads (James Carr**
45 **Application) (AB2004-082A)**. The pit has been there for 30 years. People
46 complaining moved in recently and knew the pit was there when they moved in.
47 Now they've chosen to raise a fuss. There are complaints about water quality. The

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1 pit has been there for 30 years. There have been no quality or quantity problems.
2 They coexists with the neighbors and do anything to make them possible. They
3 clean the roads in the area.
4

5 Travis Thomas, 6685 North Star Road, stated he is a neighbor to the pit in
6 the **ordinance adopting amendments to the Whatcom County**
7 **Comprehensive Plan and Zoning Maps to create a Mineral Resource Lands**
8 **Designation near the corner of North Star and Brown Roads (James Carr**
9 **Application) (AB2004-082A)**. He does not oppose the pit or the proposed
10 expansion. The Arestad's run an excellent business. They are safe. The
11 complaints have nothing to do with the pit itself. They have to do with issues such
12 as safety and road that have to do with the County, not the mining operation.
13 Trucks will travel on the road no matter what. Expanding the pit will cut down on
14 the traffic.
15

16 Jim Carr, applicant in the **ordinance adopting amendments to the**
17 **Whatcom County Comprehensive Plan and Zoning Maps to create a Mineral**
18 **Resource Lands Designation near the corner of North Star and Brown**
19 **Roads (James Carr Application) (AB2004-082A)**, submitted and read from his
20 written testimony (*on file*). The wetlands were studies 100 percent.
21
22

23 CONSENT AGENDA

24
25 *Crawford* reported for the Finance and Administrative Services Committee
26 and *moved* to approve Consent Agenda items one through six.
27

28 Crawford withdrew item four.
29

30 *Motion to approve Consent Agenda items one through three, five, and*
31 *six carried unanimously.*
32

- 33 1. REQUEST AUTHORIZATION FOR THE EXECUTIVE TO ENTER INTO A
34 CONTRACT AGREEMENT BETWEEN WHATCOM COUNTY AND KERR
35 WOOD LEIDAL FOR THE NOOKSACK RIVER SEDIMENT MANAGEMENT
36 PLAN, IN THE AMOUNT OF \$39,865 (AB2004-328)
37
- 38 2. REQUEST AUTHORIZATION FOR THE EXECUTIVE TO ENTER INTO A
39 CONTRACT AGREEMENT BETWEEN WHATCOM COUNTY AND TOAD
40 MOUNTAIN COFFEE COMPANY TO PROVIDE MANAGEMENT AND
41 OPERATIONS OF THE RESTAURANT/DELI ON THE 2ND FLOOR OF THE
42 COURTHOUSE (AB2004-329)
43
- 44 3. REQUEST AUTHORIZATION FOR THE EXECUTIVE TO ENTER INTO AN
45 ADMINISTRATIVE SERVICES AGREEMENT BETWEEN WHATCOM
46 COUNTY AND EBERLE VIVIAN FOR ADMINISTRATION AND CLAIMS
47 PROCESSING FOR THE SELF-INSURED WORKERS' COMPENSATION

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1 **PROGRAM, IN THE AMOUNT OF \$33,480 FOR 2005 AND 2006, AND**
2 **\$35,154 FOR 2007 (AB2004-330)**
3

4 **4. REQUEST AUTHORIZATION FOR THE EXECUTIVE TO ENTER INTO AN**
5 **INTERLOCAL AGREEMENT BETWEEN WHATCOM COUNTY AND THE**
6 **CITY OF BELLINGHAM TO PRODUCE A GROWTH STRATEGY REPORT,**
7 **IN THE AMOUNT OF \$25,000 (AB2004-331)**
8

9 *Crawford moved* to approve on behalf of the Finance Committee. However,
10 he is against the motion. Whatcom County has fulfilled its obligation to plan for a
11 review and implementation of the urban growth area around the City of Bellingham.
12 Whatcom County has done the population projections. It is years behind in the
13 process it originally intended. He respects the City's desire to participate in the
14 process and knows it is important. However, he is not in favor of spending \$25,000
15 so they can conduct the growth forum process.
16

17 Nelson stated he is sensitive to the concern. He understands that the
18 interlocal agreement with the City is to work in a coordinated fashion on developing
19 land use decisions for urban growth areas (UGA's). He asked if this is part of that
20 process.
21

22 *(Clerk's Note: End of tape one, side A.)*
23

24 Hal Hart, Planning and Development Services Director, stated this is part of
25 the larger process that they've entered into. They are taking this as the first phase
26 of looking at the urban growth area. The second phase will be later on this fall.
27 Implementation will be years in the making.
28

29 Nelson asked if this task was not implemented by a specific jurisdiction, but
30 by a process that has been used under the interlocal agreement for years. Hart
31 stated this is a new process that the seven year review brought about. As they
32 look at the issues, there is a need to coordinate the County, the City, and the
33 Whatcom Transportation Authority (WTA) for implementation.
34

35 Nelson asked if this task was brought about by changes and requirements of
36 growth management. Hart stated the task was brought about by their need to plan
37 jointly to do a better job with the urban growth area. The City, County, and WTA
38 staffs found that they have to start from a common place and must work together.
39

40 Nelson asked why Councilmember Crawford is opposed to a process of
41 working in a coordinated fashion rather than a separate process that doesn't
42 include joint problem solving.
43

44 Crawford stated that's not his statement. He wants to work with the City.
45 The ultimate decision for the urban growth area is made by the County Council.
46 However, inherent in that decision making process is a cooperative working
47 relationship with the City. If the County moves forward with adopting an urban

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1 growth area the City disagrees with, the City would simply appeal it to the Growth
2 Management Hearings Board and ultimately take the County to court. The Gateway
3 industrial area at Bakerview was a good example of that. In this case, the County
4 doesn't need to spend \$25,000 on these forums. This is a City effort that the City
5 thought up and wants to do. He was content with moving forward a year ago on a
6 process to get a proposal, based on the options presented in the environmental
7 impact statement. Instead, nothing has happened. In the meantime, there is a
8 dramatic shortage of buildable land in the inventory. This community growth forum
9 process will drag things out a lot longer. If the City chooses to go that route, and
10 they don't move forward, they will go along with the City. He's against giving the
11 City \$25,000 for a process that will delay that process. That doesn't mean he
12 doesn't want to work with the City.

13
14 Fleetwood stated he's complicit with where they are at right now. This came
15 forward initially from conversations that City Council Member Ryan and he had over
16 a year ago. They talked about the benefit of getting the two councils together for
17 conversations about growth issues that affect both jurisdictions. The idea grew
18 from that conversation. They talked about having a neighborhood process. They
19 also talked about representatives from the cities and the County having a big
20 conversation about growth. A meeting was held in December that included
21 representatives from the County, WTA, and other agencies. During the meeting,
22 they recognized the need to have this additional process. After another meeting or
23 two, it was proposed that they pool their money to hire a consultant who is trained
24 in urban design and can help them come up with tools and mechanisms to pose
25 ways to grow better and densify in a way where they can have some consensus on
26 the big issues. One assumption was that what is good for the City is good for the
27 County. The ways that the cities figure out how to densify has a direct bearing on
28 the County's capacity to remain rural. They are entirely interconnected. If the
29 County's \$25,000 contribution results in ideas that would not have otherwise come
30 forward, that causes the cities to grow better and more densely, then it's worth
31 every penny. This expenditure is worth it. Adopt this Consent Agenda item.

32
33 Caskey-Schreiber stated she supports the item. When she researches any
34 kind of issue surrounding the Growth Management Act (GMA), she finds many
35 lawsuits where counties and cities are suing each other because they aren't
36 communicating about accommodating growth. This is a good investment for the
37 County and City. They will be able to come up with a mutual plan to facilitate the
38 growth that will come. There isn't a rush to provide land so they can relieve the
39 pressure. The plan has to make sense. They can't just relieve the pressure
40 reactively. They have to be proactive and plan for it. This is a good step in that
41 direction. The alternative is ending up in court. One lawsuit would cost taxpayers
42 twice this amount.

43
44 Nelson stated it's commendable they're trying to work with the City. He's
45 concerned about leading the consultant to a certain area. Many neighborhoods are
46 concerned about increased densities. He's not sure of what the consultant's job will

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1 be. This information allows for putting forward a request for proposals (RFP). He
2 asked if the City will be the consultant.

3
4 Fleetwood stated the consultant, Studio Cascade, has already been hired by
5 the City of Bellingham. There were some initial expectations from participants that
6 there would be contributions from the County, the City and WTA. The County is the
7 last to approve its contribution. The consultant will complete his work, whether or
8 not the County participates. There were representations made that the County
9 would share in the cost.

10
11 Nelson stated he doesn't know the scope of work for the consultant.

12
13 Fleetwood stated they do know the scope.

14
15 McShane asked if this was budgeted in November. Hart stated it wasn't. It
16 came forward in a supplemental budget request. The supplemental budget request
17 was approved some time ago.

18
19 Crawford stated it was approved in August, at a meeting he wasn't at.

20
21 Hart stated they are entering into long term relationships on a level they
22 didn't have before. One example is the transfer of development rights (TDR)
23 program. They are buying development rights to protect the watershed, and trying
24 to apply them in urban growth areas and other locations in the city. That is one
25 method for densification. This coordination becomes complex. They have to
26 continue to communicate and work together.

27
28 Nelson asked for specifics on the consultant's roles and responsibilities. Hart
29 stated the consultant's roles and responsibilities are to run the outreach sessions
30 that they've been having for the last four months. They have a walk-in center
31 downtown where people can comment on urban growth, urban growth areas, or
32 protecting natural resources in the county. County staff has been involved in these
33 growth meetings, which are broadcast on channel 10. There is a large sense today
34 that there is a connection between the City and County. The County's role is to
35 protect natural resources. The City's role is to compact urban development.
36 Having amenities in the city is the negotiating process that's taking place.

37
38 Nelson stated he would support the item. He shares some concerns with
39 Councilmember Crawford. In the future, it would be helpful to have a discussion of
40 the specific roles, responsibilities, goals, and objectives of the consultants so they
41 know what is going out to the public. An expenditure of taxpayer dollars on fluff is
42 not a benefit. Have that discussion before approval so the Council can make
43 informed decisions.

44
45 McShane stated that even though they don't have district-only voting in the
46 county, the councilmembers live in very diverse areas of the county. He lives in a
47 central urban neighborhood in Bellingham, in Whatcom County. This is an

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1 important discussion. The connection between the City and County is sometimes
2 really bad. The city neighborhoods need to understand the importance of City
3 planning being related to County planning. That's starting to happen as a result
4 from some of those efforts. The County must recognize that planning countywide,
5 including in the city, must be done. As a citizen, he's been trying to get the City
6 Council Members to understand that the urban neighborhoods in Bellingham are no
7 different than the urban neighborhoods in Lynnwood or Everett. However,
8 Bellingham has a connection with the County that those other areas don't have. He
9 supports the request for that reason. The efforts being made and the expenditures
10 done already are making an impact in the city. It's making a difference in the
11 dialog of city residences.

12
13 Roy stated a role is to formulate a growth strategy report. She asked if the
14 report will include action items and direction.

15
16 Fleetwood stated the report will include recommendations.

17
18 Roy stated recommendations for action items is more than fluff. Also,
19 sometimes having an outside person facilitate meetings is helpful. It is sometimes
20 easier for people to be objective if ideas come from someone who isn't a member of
21 the Whatcom County or Bellingham planning staffs. According to the Bellingham
22 Herald, it seems the biggest issue for people in Whatcom County is growth. The
23 general populace really sees this as an issue. That's good. She will support the
24 item.

25
26 *Motion carried 5-1 with Crawford opposed.*

- 27
28 **5. REQUEST AUTHORIZATION FOR THE EXECUTIVE TO ENTER INTO AN**
29 **AMENDMENT TO CONTRACT NO. 200311018 BETWEEN WHATCOM**
30 **COUNTY AND BURLINGTON ENVIRONMENTAL INC. FOR THE**
31 **MODERATE RISK WASTE FACILITY OPERATION, IN THE AMOUNT OF**
32 **\$125,770 FOR A TOTAL AMENDED CONTRACT IN THE AMOUNT OF**
33 **\$989,758 (AB2004-332)**
34
35 **6. REQUEST AUTHORIZATION FOR THE EXECUTIVE TO ENTER INTO A**
36 **RESIDENTIAL LEASE AGREEMENT BETWEEN WHATCOM COUNTY AND**
37 **PHIL O'CONNOR TO LEASE THE HOUSE LOCATED AT 311 E. LAKE**
38 **SAMISH DRIVE, IN THE AMOUNT OF \$795.00 PER MONTH (AB2004-**
39 **333)**

40
41
42 **PUBLIC HEARINGS**

- 43
44 **1. ORDINANCE AMENDING ORDINANCE 2000-085, ESTABLISHING**
45 **SERVICE FEES AND SETTING A FEE SCHEDULE RELATED TO**
46 **AMBULANCE SERVICE CHARGES (AB2004-324)**
47

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1 Dewey Desler, Deputy Administrator, gave a staff report and stated the fees
2 were last adjusted in the year 2000. The City Council adopted this fee schedule
3 about a month ago. Approval is also required of the County Council. The fees
4 generated will be about \$76,000 more than the current fee schedule. The schedule
5 will compensate for a \$50,000 loss in Medicare revenue. That loss will increase to
6 \$133,000 in 2006.

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

10
11 *Caskey-Schreiber moved* approval.

12
13 *Motion carried unanimously.*

14
15 **2. DEVELOPER REIMBURSEMENT APPLICATION FOR KELLOGG ROAD**
16 **(AB2004-303)**

17
18 Joe Rutan, County Road Engineer, gave a staff report and stated the Revised
19 Code of Washington (RCW) and Whatcom County Code (WCC) allow this procedure
20 in order to recover a share of the costs from other property owners. Kellogg Road
21 was constructed by Ralph Black for the Spring Creek Development. King Mountain
22 Church officials agree that they should pay some cost of the improvements, but
23 disagree with the amount. The Engineering Division reviewed the costs to make
24 sure they are applicable and reasonable. The staff does not decide whether those
25 costs are the costs to be charged through a latecomer's agreement. The Council
26 may reject, accept, or modify the proposal.

27
28 Fleetwood asked if this comes forward with a staff recommendation. Rutan
29 stated staff doesn't make a recommendation. Staff makes sure the assessment
30 area is appropriate, which it is in this case. Staff makes sure the assessed costs
31 meet the requirements of State law and County code in terms of applicability and
32 reasonableness. Upon review, staff determined that the costs are not out of line
33 with what the County would pay for a road construction project.

34
35 Caskey-Schreiber stated the average cost for a rural roadway is \$110 per
36 linear foot. This came in at a cost of \$167 per linear foot. Rutan stated it was a
37 little more expensive because of the amount of fill required to achieve construction
38 of the road.

39
40 Caskey-Schreiber asked if the cost would have been different if the Church
41 had constructed the road. Rutan stated there would have been a different
42 contractor. He can't say if the cost would have been more or less, but the cost is
43 within a reasonable range.

44
45 Fleetwood asked if it comes down to the Council relying on the costs that are
46 presented and staff's advice. The Council is not in a position to make an
47 independent decision.

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1
2 McShane stated they should have the public hearing.
3

4 Crawford stated the standard of construction was the same regardless of who
5 built it. Rutan stated that is correct.
6

7 Crawford asked if more road was built than was needed. Rutan stated there
8 was not. Staff made sure that the costs associated with this latecomer's agreement
9 were for costs that would have been required by the latecomer party. The amount
10 being charged to the latecomer is the amount of road construction to the standard
11 the Church would have built.
12

13 McShane opened the public hearing and the following people spoke:
14

15 Ralph Black, 3519 Sweet Road, stated this project is an urban growth area
16 (UGA) project. This particular piece of road had City construction requirements for
17 the church when it did its next phase. The church was required to build a full
18 standard road when it built its additional phase. The full standard road was to
19 match up with the standard he had to build to across his property. Unfortunately,
20 there was no timeline for when the church had to build it's second phase. When he
21 came forward with his proposal, the City and County engineering departments
22 agreed that a minimum standard road would be constructed so he could get water
23 and sewer, which was at the church's property. The actual road standard will have
24 to be taken to the full standard when the church does it's second phase.
25

26 The cost in the latecomers are extracted directly from the contractor, Rand
27 Construction. He does his bidding through a lump sum bid process. The
28 subcontractor gets the full set of drawings. The engineer-of-record provides
29 estimates. He gets three different bids on a lump sum basis. Part of the lump sum
30 bid was construction of this particular road. There was additional confusion and
31 difficulty with deriving the amount because the City requirement for the church's
32 second phase was to construct the sewer line, but not the water line, road,
33 stormwater, or clearing. The church elected to use his contractor to construct the
34 sewer line component, which it paid for. He constructed the other road components
35 to get the road across the church's property to his property. When it came to the
36 latecomer's, he also had to split out the cost for the City for the water and sewer
37 component and for the County for the road and temporary storm component. The
38 contractor extracted the quantities and costs associated with those components,
39 which is what he provided in his request.
40

41 Mark Robinson, King Mountain Church Senior Pastor, stated the basis of his
42 appeal is the overall cost of the completed work, as reviewed by his engineer,
43 which is Taylor Engineering and Consultants, of Issaquah. According to Taylor
44 Engineering, the costs associated with a minimum standards rural road were about
45 \$100 to \$120 per linear foot. The original cost statement for this road was \$270
46 per linear foot. A second statement, requested by County Engineering Division,
47 came it at \$167 per linear foot. He submitted written information on the concerns

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1 of Taylor Engineering (*on file*). He's concerned that the process of a latecomer's
2 agreement contains elements that make it seem arbitrary and suspicious. It's been
3 impossible for him to confirm that the revised cost statement reflects the costs
4 associated with the project. There are no actual receipts, since the developer used
5 a lump sum bid process. Unless there are mitigating issues of which he's not been
6 informed, it appears the project was completed without regard to normal cost and
7 construction management procedures. If that's true, the Council is responsible for
8 protecting property owners subject to future latecomer's agreements.
9

10 Hearing no one else, McShane closed the public hearing.

11
12 **Nelson moved** to approve. He asked if there is a difference of opinion in
13 the amount of roadway that was constructed. Robinson stated it is close enough.
14

15 Nelson asked if there is a concern over the amount of fill brought in.
16 Robinson stated he didn't see an itemized invoice. He only saw the lump sum bid
17 process. He doesn't have any records to audit.
18

19 Nelson asked if there has been any agreement between King Mountain
20 Church and Mr. Black. Robinson stated the church used the same contractor to
21 construct the sewer. The church paid that cost separately.
22

23 Nelson asked the Council's responsibility. He's not a contractor. No one on
24 the Council is a contractor. The only way the Council could change the agreement
25 is if there is information from a nonpartisan group or unbiased person. Rutan
26 stated the difficulty is the lump sum bid process that produces documentation on
27 the materials and costs. Breaking out certain items become difficult. The staff
28 looked at the amounts the engineer said they used, the unit prices, and compared
29 that information with the prices the County would see for it's work. The unit prices
30 are in the range the County would receive. There is no way to look at receipts.
31

32 Nelson asked if the church paid for the sewer construction through a lump
33 sum bid process. Robinson stated they sent the project out to bid to three different
34 contractors. This contractor happened to be the lowest. For feasibility of
35 construction in the same location, it worked well to have them do the work. It was
36 a lump sum bid process.
37

38 Fleetwood asked if Mr. Rutan analyzed the letter from Taylor Engineering.
39 Rutan stated he has not. He received the letter just before this hearing.
40

41 Fleetwood asked if Mr. Rutan's review of that letter would have any bearing
42 on whether it is reasonable. Rutan stated the letter said stripping should be \$5 per
43 cubic yard. He receives bids for that work in the range from \$5 to \$7.75. One
44 person is saying is that the cost should be on the low end, and another person is
45 saying it should be on the high end. The goal is to provide information without
46 arguing on behalf of one party or the other.
47

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1 Crawford stated he would support the motion. There is no construction job
2 that is easy. No one can say after the project is done that things should have been
3 different. The church folks have a point that the latecomer's agreement process is
4 difficult. The process is better than it was before.
5

6 This is the best estimate that could be provided for this project. There is a
7 rationalization on why the per linear foot charge was higher, due to the amount of
8 fill. He's satisfied with the numbers.
9

10 McShane stated the big difference has to do with the total cost on clearing
11 and grubbing, and the unit price for stripping and disposal. The biggest difference
12 is the volume of fill. One estimate is 2,750 cubic yards, and the other estimate is
13 6,900 cubic yards. He asked if the higher volume is accurate. Rutan stated staff
14 could look into the plan set for an answer.
15

16 McShane stated the costs for stripping and disposal are higher in this area.
17 If the volume of fill can be confirmed, he could support the motion. Rutan stated
18 they rely on licensed engineers. Now, two are in disagreement.
19

20 Roy asked the documentation they've seen.
21

22 *(Clerk's Note: End of tape one, side B.)*
23

24 Roy continued to ask what verification they have that this is really what it
25 costs. Rutan stated there is a lump sum amount for all the road work. Now, Mr.
26 Black is backing out the cost of this, without having unit items paid for.
27

28 Roy asked if the Public Works Department is comfortable with the lump sum
29 amount for all the roads. Rutan stated it is.
30

31 Roy asked if the process to back out this particular piece is reasonable.
32 Rutan stated they looked at that. Originally, the amount submitted was \$294,000.
33 The department staff questioned some of the items. The amount was resubmitted
34 at \$263,000. The staff is relying upon the licensed engineer certifying that these
35 are the quantities calculated for the roadway plan as shown to be constructed.
36

37 McShane stated the letter talks about the amount of cubic yards for typical
38 road construction. There was a hill slope where they had to do more stripping for
39 the hill. They probably had significantly more fill material than the amount
40 suggested by Taylor Engineering. He doesn't see any evidence that questions the
41 volume, other than using estimates for a typical road. This wasn't a typical road.
42 He is in favor of the motion.
43

44 ***Motion carried unanimously.***
45

46 **3. ORDINANCE ADOPTING THE BIRCH BAY COMMUNITY PLAN (AB2004-**
47 **121)**

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1
2 Sylvia Goodwin, Planning Division Manager, gave a staff report and stated
3 this is the end of a five-year process. She recommended adoption without any
4 further amendments.

5
6 McShane opened the public hearing and the following people spoke:

7
8 Claudia Hollod, 8240 Birch Bay Drive, stated she hopes the changes are
9 sufficient to protect the bay. Hire enough inspection and enforcement officers. A
10 month ago, there were 2,000 unresolved complaints about land use enforcement
11 issues. There are only two enforcement officers. That is not okay. One complaint
12 is two years old. Another claim from 1999 was just resolved.

13
14 Bob Wiesen, 3314 Douglas Road, Ferndale, stated he does not approve of the
15 plan. Adjusting density to remove Birch Point and Point Whitehorn out of
16 development areas is a problem. The people who would have chosen to live at
17 Birch Point and Point Whitehorn are not the same as the people who would choose
18 to live in densely populated areas. Instead, they will go to rural areas in Whatcom
19 County.

20
21 The current residents who support the downzone say only the new residents
22 will have an environmental impact.

23
24 Rosa Rempel, 26463 Cableview Crescent, North Delta, stated she represents
25 several citizens who recently bought property in an area that is being rezoned.
26 There are water problems in the area. Property owners want to build a water tower
27 in the area. Downsize to a rural residential, two units per acre (RR2) zone.

28
29 Hearing no one else, McShane closed the public hearing.

30
31 ***Roy moved*** to adopt the ordinance.

32
33 Crawford stated he doesn't support removing urban growth areas,
34 particularly at Birch Point, and also at Point Whitehorn. However, he is supportive
35 of the plan. A lot of work has gone into it by the community. There is broad
36 support from developers, landowners, environmental concerns, and folks from all
37 perspectives. It's a great plan. He will vote against the plan because of the one
38 issue, which is a big issue. The community did a great job coming up with
39 something that works for everyone.

40
41 Nelson stated he agreed with Councilmember Crawford. Point Whitehorn will
42 come up again in the future as being impacted environmentally, even with the
43 development that is there. He prefers to see something within the urban growth
44 area process.

45
46 McShane stated the zoning at Birch Point isn't appropriate at a level of four
47 units per acre (UR-4). He's not sure it should be rural, either. Perhaps it can be

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1 rezoned in the future when all the issues and concerns are dealt with. The major
2 property owners should develop a plan for that area that would provide assurance
3 to the community as a whole.

4
5 Caskey-Schreiber stated she would support the plan. They worked hard on it
6 for a year. The community's identity will be strong. She supports the community
7 and looks forward to working with it in the future.

8
9 ***Motion to adopt carried 4-2 with Crawford and Nelson opposed.***

10
11 **4. ORDINANCE AMENDING THE WHATCOM COUNTY COMPREHENSIVE**
12 **PLAN TEXT AND MAP REGARDING THE BIRCH BAY URBAN GROWTH**
13 **AREA (AB2004-122)**

14
15 McShane opened the public hearing and, hearing no one, closed the public
16 hearing.

17
18 ***McShane moved*** to include Rosa Rempel's written comments in to the
19 record (*on file*).

20
21 ***Motion carried unanimously.***

22
23 ***Caskey-Schreiber moved*** to adopt the ordinance.

24
25 Roy stated she hoped the Council would support this item. The community
26 felt strongly that, once all the drama of working through the plan is done, the
27 Council should adopt the zoning to support the plan. These last ordinance
28 specifically addresses issues the community has in terms of plan implementation.
29 Vote for these items to put teeth into the County regulations.

30
31 Crawford stated he will vote against the ordinance because of the urban
32 growth area (UGA) designation. He supports the item otherwise, but questions the
33 urban residential, mixed use, 24 units per acre (URM-24) zone. He hopes folks
34 realize what that density really looks like. There were comments from the City of
35 Blaine regarding the commercial zoning on Shintaffer Road. He struggles with that.
36 The County just provided funding to Blaine for the boardwalk. The County has an
37 interest in seeing Blaine develop its commercial sector. There are relatively small
38 areas with commercial zoning. They have a large development in the Semiahmoo
39 area. The comments from Blaine make sense. The people who will naturally
40 gravitate to Blaine for commercial reasons, other than Semiahmoo and Birch Point
41 folks, will not gravitate to this area instead. He doesn't believe this will inhibit
42 Blaine's commercial opportunities.

43
44 ***Motion to adopt carried 4-2 with Crawford and Nelson opposed.***

45
46 **5. ORDINANCE AMENDING THE WHATCOM COUNTY ZONING MAP TO**
47 **IMPLEMENT THE BIRCH BAY PLAN (AB2004-326)**

1
2 McShane opened the public hearing and, hearing no one, closed the public
3 hearing.

4
5 **McShane moved** to include Rosa Rempel's written comments in to the
6 record (*on file*).

7
8 **Caskey-Schreiber moved** to adopt the ordinance.

9
10 **Motion to adopt carried 5-1 with Crawford opposed and Brenner**
11 **absent.**

12
13 **6. INTERIM ORDINANCE AMENDING WCC, TITLE 16, CHAPTER 16,**
14 **CRITICAL AREAS, TO PROVIDE ADDITIONAL REGULATORY**
15 **PROTECTION FOR WETLANDS AND GEOLOGICAL HAZARD AREAS**
16 **(AB2004-288)**

17
18 Sylvia Goodwin, Planning Division Manager, gave a staff report and stated
19 this amendment deals with extra protection for shorelines and wetlands. Shoreline
20 buffers were increased. There must be onsite mitigation for wetland development.
21 This ordinance is interim, until the critical areas ordinance update is adopted.

22
23 McShane opened the public hearing and, hearing no one, closed the public
24 hearing.

25
26 **Caskey-Schreiber moved** to adopt the ordinance.

27
28 Nelson stated they looked at the critical areas ordinances many years ago.
29 He is concerned that they're moving further away from working with landowners
30 and toward regulations. He asked how they are going to work with landowners to
31 do the right thing rather than impose regulations to achieve the goal of watershed
32 protection. The criteria may or may not provide watershed protection. Goodwin
33 stated this ordinance doesn't go closer to that direction. It increases the setback,
34 and doesn't leave a lot of latitude for mitigation or flexibility. One could apply for a
35 variance under certain circumstances. The current regulation for onsite mitigation
36 allows mitigation on another site. However, this ordinance has interim protection
37 that requires mitigation on the same site. It is more restrictive. The community
38 was concerned that the shellfish beds be protected until the County can get the
39 critical areas ordinance updated so more creative solutions will be applicable.
40 Hopefully, they'll get the new ordinance done soon, so there are more creative
41 solutions.

42
43 They are doing a lot of public education, including wetland forums, to provide
44 more awareness and gather creative ideas.

45
46 Nelson asked if the critical areas ordinance would consider best management
47 practices, working with the public to allow alternative methods and solutions, and

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1 looking at specific goals and objectives. Goodwin stated it would. They want to
2 allow more low-impact development and alternative methods to achieve the same
3 water quality results. Staff hopes to finish the update by December, but it may be
4 January or February.

5
6 ***Crawford moved to amend*** the ordinance by removing Whatcom County
7 Code (WCC) section 16.16.245(B)(5) on Council packet page 381. the Council
8 received an email from Mr. Cantrell, a well-known wetland specialist. He is
9 concerned this eliminates the possibility of banking and other offsite and other
10 mitigation methods. He read the email (*on file*).

11
12 Caskey-Schreiber stated she is against the amendment. This is an interim
13 ordinance. It will be refined once they update the critical areas ordinance. There is
14 another perspective that it's impossible to mitigate for loss of wetlands. They
15 cannot duplicate what nature has done. Err on the side of caution. They can make
16 revisions if they need to later.

17
18 Roy stated this person is overstating his case. There is a lot of science that
19 says they cannot engineer something that duplicates a wetland. In a critical
20 shellfish area, which is the largest shellfish bed for harvesting in Puget Sound, the
21 shellfish are threatened. Take a cautious approach. Allow the water in the bay to
22 go through the most natural process it can. She is against the amendment.

23
24 Nelson stated he agreed that they can't engineer better than Mother Nature,
25 but they can engineer to improve upon it. That's what mitigation is about. There is
26 evidence to support it. If they take away or change a wetland, it can do harm.
27 However, they can enhance an existing wetland. That's the point here.

28
29 McShane stated he is against the motion. In general, he agrees with the
30 email. He hopes they can get to a point in time when those email statements are
31 part of the future critical areas ordinance. In the meantime, it is not. This
32 ordinance is interim to buy them time in an environmentally sensitive area that is
33 growing rapidly. It reflects what the Birch Bay plan called for. People are very
34 worried about protecting that bay. This ordinance goes overboard, but on an
35 interim basis to allow time to come up with appropriate protection. In the
36 geologically hazard areas, the buffers are probably too large, but he doesn't know
37 at this time what they should be. He is sure they will also improve that issue
38 substantially. They've learned a lot since 1997, scientifically and governmentally.
39 There are issues that aren't clear. The code is not clear on some things.

40
41 ***Motion to amend failed 2-4 with Nelson and Crawford in favor.***

42
43 ***Motion to adopt carried 4-2 with Nelson and Crawford opposed.***

44
45 **7. INTERIM ORDINANCE AMENDING WCC, TITLE 20, CHAPTER 20.80 –**
46 **SUPPLEMENTARY REQUIREMENTS, TO INCLUDE THE BIRCH BAY**
47 **WATERSHED UNDER SECTIONS 20.80.635 – STORMWATER SPECIAL**

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1 **DISTRICTS AND 20.80.735 – WATER RESOURCE SPECIAL**
2 **MANAGEMENT AREAS TO PROVIDE ADDITIONAL REGULATORY**
3 **PROTECTION FOR THE BIRCH BAY WATERSHED (AB2004-287)**
4

5 Sylvia Goodwin, Planning Division Manager, gave a staff report and stated
6 this provides protection for the whole Birch Bay watershed. The ordinance makes
7 the area a stormwater special district and a water resource special management
8 area. It only applies to some of the regulations that pertain to Lake Whatcom and
9 Lake Samish, including onsite stormwater treatment, better erosion control, and
10 tighter standards on land clearing. It does apply standards to seasonal land
11 clearing, impervious surfaces, and tree retention.

12
13 McShane opened the public hearing and the following people spoke:

14
15 Dennis Jones, 1487 Sudden Valley, stated these ordinances deal with public
16 property more than private property, which they need to protect. Support the
17 ordinance. He supports education for the watershed. Err on the side of caution.

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

20
21 **Roy moved** approval.

22
23 **Nelson** stated he is against the ordinance. If an area needs protection, then
24 they should do the same types of protection as in Lake Whatcom and Lake Samish.
25 He **moved to amend** to include the same regulations that apply to Lake Samish
26 and Lake Whatcom regarding tree canopy protection and impervious surface
27 requirements. If they are going to have regulations, they should be consistent.

28
29 *(Clerk's Note: End of tape two, side A.)*

30
31 Caskey-Schreiber stated she's not ready for that yet. They might get there.
32 These watersheds have very different characteristics. The watersheds with the
33 extra regulations are freshwater drinking water watersheds. Drayton Harbor and
34 Birch Bay are saltwater with different characteristics and issues. Some of the
35 regulations might need to apply, but that should be decided after committee
36 discussion with review of the science. They haven't addressed the saltwater
37 estuary environment.

38
39 Fleetwood asked if there is a rational basis for treating the watersheds
40 differently. Goodwin stated there is a difference between freshwater drinking water
41 sources and saltwater areas. The plan includes a review of those regulations.
42 Putting the tree retention and impervious surface requirements in the Birch Bay
43 watershed would require several fulltime staff to implement. The seasonal land
44 clearing and tree canopy issues had a lot of public opposition. They have to put
45 development in the county somewhere. This is an urban growth area.

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1 Nelson stated it's unbelievable they would increase critical area buffers with
2 no question that it is necessary, but not add the other regulations. These areas still
3 are salmon rearing areas. They are trying to protect the shellfish areas. These are
4 the minimal steps they've accepted in Lake Whatcom, where there is not a drinking
5 water problem. All development there is what is causing the problem, not future
6 development.

7
8 Roy stated the plan does address low impact development standards, which
9 encompass reduction of impervious surfaces and increases in tree canopy. The
10 community talked a lot about this. They talked with experts. They felt this is
11 something they need to work through methodically and carefully. This is a big
12 watershed that goes all the way to Lynden. The Council needs to be surgical in its
13 approach. That's why low impact development standards are built into the plan.

14
15 ***Motion to amend failed 1-5 with Nelson in favor.***

16
17 ***Motion to adopt carried 5-1 with Nelson opposed.***

18
19 *(Clerk's Note: the Council took a five-minute break.)*

20
21
22 **OTHER ITEMS**

23
24 **1. ORDINANCE ADOPTING AMENDMENTS TO THE WHATCOM COUNTY**
25 **COMPREHENSIVE PLAN AND ZONING MAPS TO CREATE A MINERAL**
26 **RESOURCE LANDS DESIGNATION NEAR THE CORNER OF NORTH STAR**
27 **AND BROWN ROADS (JAMES CARR APPLICATION) (AB2004-082A)**

28
29 **Roy** reported for the Natural Resources Committee and stated the motion
30 from committee to forward for concurrency failed. She will move to forward it to
31 the concurrency meeting to get the item on the table. She **moved** to forward to
32 the concurrency meeting. She is against the motion.

33
34 Nelson asked if the Comprehensive Plan still requires mineral resource lands
35 to have access to all-weather roads.

36
37 McShane stated the staff report recommends approval because the item
38 meets the minimum criteria for approval. That doesn't mean the Council has to
39 approve the area as a mineral resource land (MRL).

40
41 Nelson asked if they are meeting the goals and objectives for resource lands
42 outlined in the Comprehensive Plan. He asked if this is located near an all-weather
43 road.

44
45 Sylvia Goodwin, Planning Division Manager, stated she could research that
46 question.

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1 Nelson stated one goal of resource lands was that it not interfere with the
2 predominant use of the land. He asked if staff evaluated that concern. Goodwin
3 stated the staff evaluated all issues of the Comprehensive Plan and addressed them
4 in the staff report. The request meets all the criteria according to the staff
5 recommendation. The road is a short way from Grandview Road, which is built to
6 industrial standards.

7
8 Roy stated she is concerned about a statement in the staff report, which says
9 that abutting parcel size density must not exceed one unit per nominal five acres
10 for more than 25 percent of the perimeter of the site. However, there are four
11 small parcels north of the existing mine, which total 16 percent of the perimeter of
12 the site. When driving through that area, it feels like a community. There are a lot
13 of homes there. They are meeting the criteria, but barely. The opinion of the
14 surveyor from the Public Works Department is based on the concept of gross
15 density, regardless of minor discrepancies in actual acreage. She asked what that
16 means for the people who live in the houses around the area. The concept of gross
17 density is abstract. The intent of establishing MRL's is to avoid these kinds of
18 conflicts with the community. Keep these operations in rural areas.

19
20 Goodwin stated the policy about all-weather road was removed from the
21 Comprehensive Plan prior to this application.

22
23 Caskey-Schreiber stated she is against the motion for the reasons she stated
24 earlier in committee. They cannot guarantee that neighboring wells won't be
25 affected. The roads are local access roads only. They are very narrow. There is a
26 significant amount of density around this pit. There is no way they are going to
27 mine this area without affecting everyone who lives near it. The neighbors' quality
28 of life will be significantly reduced. She's frustrated they can't provide predictability
29 for the citizens in the rural area. This mine has been inactive for the last few years.
30 It wasn't an MRL on the county map. This pit is predominantly sand. The staff
31 memo says there is an abundance of sand in the county's gravel pits and MRL's.
32 It's not worth sacrificing a neighborhood's well-being for more sand.

33
34 ***Motion carried 4-2 with Roy and Caskey-Schreiber opposed.***

35
36 **2. ORDINANCE AMENDING THE 2004 WHATCOM COUNTY BUDGET, 12TH**
37 **REQUEST (AB2004-325)**

38
39 ***Crawford*** reported for the Finance and Administrative Services Committee
40 and ***moved*** to adopt the ordinance.

41
42 Nelson stated the State has formulary uses for Medicaid eligible patients.

43
44 Dewey Desler, Deputy Administrator, stated these patients are not Medicaid
45 eligible.

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1 Nelson stated the County is responsible. Even the military has restricted
2 formulary usage. Desler stated they are using a formulary, but he doesn't have the
3 details. It's not the Medicaid formulary.

4
5 Nelson asked if the State requires them to provide the same medication.
6 Desler stated a federal law requires the County to provide necessary medications.
7 The County is liable if it doesn't. Furthermore, the County must provide an inmate
8 a 14-day supply of medications when the inmate leaves jail.

9
10 Nelson stated there will be a tremendous expense for anyone who is HIV
11 positive.

12
13 Desler stated the County spends \$2,500 per month on one inmate with
14 Multiple Sclerosis (MS). The County health care budget will rise to almost \$1.1
15 million this year.

16
17 Crawford stated there is some hope on the part of the jail management to
18 pool resources to get discounted purchases.

19
20 Roy stated the County can lobby the federal delegation in Washington D.C.

21
22 ***Motion carried unanimously.***

23
24 **3. ORDINANCE ADOPTING AMENDMENTS TO THE WHATCOM COUNTY**
25 **COMPREHENSIVE PLAN AND THE WHATCOM COUNTY CODE**
26 **RELATING TO AIRPORT/LAND USE COMPATIBILITY PLANNING**
27 **(AB2004-082B)**

28
29 ***Fleetwood*** reported for the Planning and Development Committee and
30 ***moved*** to forward to the concurrency meeting.

31
32 Caskey-Schreiber stated the citizen committee did a very thorough job.

33
34 ***Motion carried unanimously.***

35
36 **4. REQUEST AUTHORIZATION FOR THE EXECUTIVE TO APPROVE A NEW**
37 **APPLICATION FOR A LIQUOR LICENSE FOR THE GUIDE HILLTOP**
38 **RESTAURANT, 5645 GUIDE MERIDIAN RD., BELLINGHAM (AB2004-**
39 **336)**

40
41 ***McShane moved*** to approve the request.

42
43 Roy asked the criteria for being approved for a liquor license.

44
45 Nelson stated this is just a recommendation to the liquor board.

46

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1 Pete Kremen, County Executive, stated the County runs a background check
2 and checks with the Building and Codes Division. The County has turned down
3 some requests.

4
5 *Motion carried unanimously.*
6

7
8 **INTRODUCTION ITEMS**
9

10 *McShane moved* to accept the Introduction Items.

11
12 *Motion carried unanimously.*
13

- 14 1. **ORDINANCE CONTINUING AND AMENDING THE INTERIM**
15 **CONDITIONAL USE CRITERIA ADOPTED BY ORDINANCE 2004-027**
16 **FOR THE SITING OF MUSHROOM COMPOSTING AS A CONDITIONAL**
17 **USE WITHIN THE AGRICULTURAL ZONING DISTRICT (AB2004-150A)**
18
- 19 2. **ORDINANCE ADOPTING THE SIX-YEAR CAPITAL IMPROVEMENT**
20 **PROGRAM 2005-2010 (APPENDIX F OF THE WHATCOM COUNTY**
21 **COMPREHENSIVE PLAN) (AB2004-337)**
22
- 23 3. **ORDINANCE ADOPTING AMENDMENTS TO THE CAPITAL FACILITIES**
24 **CHAPTER AND TRANSPORTATION CHAPTER OF THE WHATCOM**
25 **COUNTY COMPREHENSIVE PLAN (AB2004-338)**
26
- 27 4. **ORDINANCE ADOPTING AMENDMENTS TO THE /WHATCOM COUNTY**
28 **COMPREHENSIVE PLAN, CHAPTER 2 – SUDDEN VALLEY PROVISIONAL**
29 **URBAN GROWTH AREA (AB2004-339)**
30
- 31 5. **ORDINANCE ADOPTING AMENDMENTS TO THE WHATCOM COUNTY**
32 **COMPREHENSIVE PLAN, CHAPTER 2 – COLUMBIA VALLEY/KENDALL**
33 **URBAN GROWTH AREA (AB2004-340)**
34
- 35 6. **ORDINANCE ADOPTING AMENDMENTS TO THE WHATCOM COUNTY**
36 **COMPREHENSIVE PLAN, CHAPTER 2 – LAND USE, CITY OF**
37 **BELLINGHAM URBAN GROWTH AREA (AB2004-341)**
38
- 39 7. **ORDINANCE ADOPTING AMENDMENTS TO THE WHATCOM COUNTY**
40 **COMPREHENSIVE PLAN, CHAPTER 2 – LAND USE, CITY OF BLAINE**
41 **URBAN GROWTH AREA (AB2004-342)**
42
- 43 8. **ORDINANCE ADOPTING AMENDMENTS TO THE WHATCOM COUNTY**
44 **COMPREHENSIVE PLAN, CHAPTER 2 – LAND USE, CITY OF EVERSON**
45 **URBAN GROWTH AREA (AB2004-343)**
46

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- 1 9. ORDINANCE ADOPTING AMENDMENTS TO THE WHATCOM COUNTY
2 COMPREHENSIVE PLAN, CHAPTER 2 – LAND USE, CITY OF FERNDALE
3 URBAN GROWTH AREA (AB2004-344)
4
- 5 10. ORDINANCE ADOPTING AMENDMENTS TO THE WHATCOM COUNTY
6 COMPREHENSIVE PLAN, CHAPTER 2 – LAND USE, CITY OF LYNDEN
7 URBAN GROWTH AREA (AB2004-345)
8
- 9 11. ORDINANCE ADOPTING AMENDMENTS TO THE WHATCOM COUNTY
10 COMPREHENSIVE PLAN, CHAPTER 2 – LAND USE, CITY OF NOOKSACK
11 URBAN GROWTH AREA (AB2004-346)
12
- 13 12. ORDINANCE ADOPTING AMENDMENTS TO THE WHATCOM COUNTY
14 COMPREHENSIVE PLAN, CHAPTER 2 – LAND USE, CITY OF SUMAS
15 URBAN GROWTH AREA (AB2004-347)
16

17
18 **OTHER BUSINESS**

19 There was no other business.
20
21
22

23 **REPORTS AND OTHER ITEMS FROM COUNCILMEMBERS**

24
25 Crawford asked that people keep Blaine Mayor Deiter Schugt in their
26 thoughts as his health fails.
27

28 Nelson stated he will be absent from the meeting in two weeks because of
29 his military duty.
30
31

32 **ADJOURN**

33
34 The meeting adjourned at 10:08 p.m.
35
36
37

38 _____
39 Jill Nixon, Minutes Transcription

40 The Council approved these minutes on October 12, 2004.
41

42 ATTEST: WHATCOM COUNTY COUNCIL
43 WHATCOM COUNTY, WASHINGTON
44
45
46
47 _____

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1 Dana Brown-Davis, Council Clerk

Dan McShane, Council Chair