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1 Recreation Department Director Mike McFarland will give a presentation about the
2 Parks Department visioning session on Friday, May 13, at 7 p.m. at the Adult
3 Center in Sudden Valley. There will be geographic information system (GIS)
4 overlay maps available to view.

5
6 Sudden Valley is a little behind in the work done in the watershed. The
7 County/Washington State University Extension Program has a great impact in the
8 community. People are working as hard as they can to do the best they can.

9
10
11 **PUBLIC HEARINGS**

12
13 **1. ORDINANCE GRANTING A NON-EXCLUSIVE FRANCHISE TO BIRCH**
14 **BAY WATER AND SEWER DISTRICT (AB2005-183)**

15
16 Caskey-Schreiber opened the public hearing and, hearing no one, closed the
17 public hearing.

18
19 ***Fleetwood moved*** to adopt the ordinance.

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

22
23 **2. ORDINANCE ADDRESSING PARKING RESTRICTIONS ON THE BEACH**
24 **SIDE OF BIRCH BAY DRIVE (AB2005-199)**

25
26 Caskey-Schreiber opened the public hearing and the following person spoke:

27
28 Doralee Booth, 8188 Birch Bay Drive, Birch Bay, stated she is in favor of the
29 ordinance. They've been trying to get this done for the last five years. The public
30 beach areas should be consistent all along Birch Bay Drive. The parking and public
31 road access will be consistent. Sheriff Elfo feels the area will be easier to enforce
32 because of the consistency. Infractions will be only complaint-driven unless
33 deputies are patrolling the bay. Nothing very positive happens after 10 p.m. on the
34 public beaches. Residents have had to call the Sheriff on numerous occasions.
35 Some residents complained about this because they like to use the beach for a
36 campfire. In previous years, patrol officers check out what is going on, but they
37 don't kick out anyone who is having a quiet beach fire after 10 p.m. The park
38 ranger has had to patrol the park reach area. When the park is full, people decide
39 they can camp there overnight. Residents are extremely upset about it. It will be
40 nice for the Park Ranger to not have to do that patrol.

41
42 Hearing no one else, Caskey-Schreiber closed the public hearing.

43
44 ***Brenner moved*** to adopt the ordinance.

45
46 McShane stated the 7 a.m. parking restriction seems to attack early risers.

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1 Roy stated there is little chance of having a deputy out there that early in
2 the morning. Enforcement is complaint-driven. This restriction is to address the
3 people who are partying in the parking lot at 2 a.m. Even when there are deputies
4 out there, the deputies don't stop anyone who is not creating a problem. Before
5 the ordinance, the deputies would always say there was nothing they could do to
6 stop the activity. This ordinance gives the deputies something to enforce. She
7 asked if Councilmember McShane is really uncomfortable with the time.

8
9 McShane stated he is. It's a big birding area. Some people like to get up
10 early to see the birds. The timeframe seems arbitrary.

11
12 Caskey-Schreiber stated the Council can change the time if there are any
13 complaints.

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

16
17
18 **CONSENT AGENDA**

19
20 ***Nelson*** reported for the Finance and Administrative Services Committee
21 and ***moved*** to approve Consent Agenda items one through eight.

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

- 24
25 **1. REQUEST AUTHORIZATION FOR THE EXECUTIVE TO ENTER INTO A**
26 **PROFESSIONAL SERVICES CONTRACT BETWEEN WHATCOM COUNTY**
27 **AND WILSON ENGINEERING, LLC FOR A PORTION OF THE 2005**
28 **SURVEY MONUMENTATION PROJECT, IN THE AMOUNT OF \$35,000**
29 **(AB2005-203)**
30
31 **2. REQUEST AUTHORIZATION FOR THE EXECUTIVE TO ENTER INTO A**
32 **PROFESSIONAL SERVICES CONTRACT BETWEEN WHATCOM COUNTY**
33 **AND NORTHWEST SURVEYING AND GPS, INC. FOR A PORTION OF**
34 **THE 2005 SURVEY MONUMENTATION PROJECT, IN THE AMOUNT OF**
35 **\$65,000 (AB2005-204)**
36
37 **3. REQUEST AUTHORIZATION FOR THE EXECUTIVE TO ENTER INTO A**
38 **GRANT AGREEMENT BETWEEN WHATCOM COUNTY AND**
39 **WASHINGTON STATE DEPARTMENT OF ECOLOGY FOR THE**
40 **EDUCATIONAL, ADOPT-A-ROAD/TRAIL, AND JUVENILE OFFENDER**
41 **LITTER CLEANUP PROGRAMS, IN THE AMOUNT OF \$64,000 (AB2005-**
42 **205)**
43
44 **4. REQUEST AUTHORIZATION FOR THE EXECUTIVE TO ENTER INTO AN**
45 **INTERAGENCY AGREEMENT BETWEEN WHATCOM COUNTY AND**
46 **WASHINGTON STATE PATROL FOR DOMESTIC HIGHWAY**

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1 INTERDICTION PROGRAM SUPPORT, IN THE AMOUNT OF \$7,500
2 (AB2005-206)
3

4 5. REQUEST AUTHORIZATION FOR THE EXECUTIVE TO ENTER INTO A
5 GRANT AGREEMENT BETWEEN WHATCOM COUNTY AND THE OFFICE
6 OF NATIONAL DRUG CONTROL POLICY TO SUPPORT NORTHWEST
7 HIDTA BORDER TASK FORCE, IN THE AMOUNT OF \$147,770 (AB2005-
8 207)
9

10 6. REQUEST AUTHORIZATION FOR THE EXECUTIVE TO ENTER INTO A
11 CONTRACT AGREEMENT BETWEEN WHATCOM COUNTY AND NEW
12 WORLD SYSTEMS FOR MAINTENANCE ON THE AEGIS ® PUBLIC
13 SAFETY INTERFACE SOFTWARE, IN THE AMOUNT OF \$22,500
14 (AB2005-208)
15

16 7. REQUEST AUTHORIZATION FOR THE EXECUTIVE TO ENTER INTO A
17 BID AWARD WITH THE BELLINGHAM HERALD TO BE DESIGNATED AS
18 WHATCOM COUNTY'S OFFICIAL NEWSPAPER AND AUTHORIZE THE
19 EXECUTIVE TO SIGN THE CONTRACT WITH THE BELLINGHAM HERALD
20 (AB2005-209)
21

22 8. REQUEST AUTHORIZATION FOR THE EXECUTIVE TO AWARD BID #05-
23 33 FOR THE ANNUAL SUPPLY OF ASPHALTIC MIXES FOR COUNTY
24 ROAD PROJECTS TO THE APPROPRIATE LOW BIDDER, BASED ON JOB
25 LOCATION AND DISTANCE FROM PLANT, AND PRODUCT
26 AVAILABILITY, FOR A TOTAL EXPENDITURE OF APPROXIMATELY
27 \$400,000 (AB2005-210)
28
29

30 REPORTS AND OTHER ITEMS FROM COUNCILMEMBERS

31

32 Brenner reported for the Public Works and Safety Committee about the
33 presentation by the Bellingham-Whatcom County Convention and Visitors
34 Bureau, Sustainable Connections, and Farm Friends regarding placement of
35 directional and educational agricultural signs on county roads (AB2005-
36 191).
37
38

39 OTHER ITEMS

40

41 1. RESOLUTION APPROVING BIRCH BAY WATER AND SEWER
42 DISTRICT'S COMPREHENSIVE SEWER SYSTEM PLAN, AMENDMENT
43 NO. 2 (AB2005-198)
44

45 *Fleetwood* reported for the Planning and Development Committee and
46 *moved* to approve the resolution.
47

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1 Brenner stated this is a plan where everyone wins. The lines go in, and
2 people are not forced to pay for them until they hook up to the line. They are not
3 forced to hook up as long as the septic system works. The residents sign an
4 agreement that they will hook up to the line when their septic system fails. No
5 other place has an agreement that does not force people into paying for what
6 they're not getting. She thanked the district.

7
8 McShane stated a block grant led to this project. It took some effort from
9 the County administration to bring forward this block grant. It's different from
10 what they typically do. The County and district administrations were willing to work
11 on it. The end result is a benefit to people who would not otherwise be able to
12 afford sewer service. One could say this is a boost to affordable housing.

13
14 Caskey-Schreiber stated the Council rated this project high on the
15 Washington Community Economic Revitalization Team (WA-CERT) priority list.

16
17 ***Motion carried unanimously.***

18
19
20 **INTRODUCTION ITEMS**

21
22 ***Brenner moved*** to accept the Introduction Items, including the substitute
23 versions of the **mushroom ordinance (AB2005-105)** and the **budget**
24 **ordinance (AB2005-211)**.

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

- 27
28 **1. ORDINANCE AMENDING TEXT OF THE OFFICIAL WHATCOM COUNTY**
29 **ZONING ORDINANCE, SPECIFICALLY THE ADDITION OF CHAPTER**
30 **20.15 – MUSHROOM SUBSTRATE PRODUCTION FACILITIES SITING**
31 **REQUIREMENTS, ESTABLISHING LOCATIONAL CRITERIA AND**
32 **ZONING DISTRICTS IN WHICH SUCH FACILITIES WILL BE ALLOWED**
33 **(AB2005-105)**
34
35 **2. ORDINANCE AMENDING THE OFFICIAL WHATCOM COUNTY ZONING**
36 **ORDINANCE, TITLE 20, CHAPTERS 20.37 – POINT ROBERTS**
37 **TRANSITIONAL ZONE (TZ) DISTRICT, 20.71 – WATER RESOURCE**
38 **PROTECTION OVERLAY DISTRICT, AND 20.97 – DEFINITIONS TO**
39 **CLARIFY REQUIREMENTS AND STANDARDS FOR CLUSTER**
40 **SUBDIVISIONS (AB2005-149)**
41
42 **3. ORDINANCE AMENDING 2005 WHATCOM COUNTY BUDGET, REQUEST**
43 **#5 (AB2005-211)**
44
45 **4. ORDINANCE DESIGNATING ALL VOTE BY MAIL ELECTIONS IN**
46 **WHATCOM COUNTY (AB2005-212)**
47

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1 **5. RESOLUTION DECLARING INTENT TO VACATE A PORTION OF**
2 **MOSQUITO LAKE ROAD (AB2005-213)**

3
4
5 **OTHER BUSINESS**

6
7 **Roy moved** to send a letter to Governor Gregoire, which was written as a
8 joint project with many contributors, but George Boggs was the main driving force.
9 The Agricultural department asked for inspectors for feed lots and contained feed
10 lots. That was not put in the budget. People in Olympia believe the Conservation
11 District money for developing farm plans may be line-item vetoed from the State
12 budget. The Portage Bay Shellfish Protection District thinks they've taken hits from
13 every direction. Water quality is going down. Coincidentally, the number of
14 inspectors has been cut. Funding is drying up for the technical assistance for water
15 quality testing. Now, it would be devastating to have farm plan development
16 funding eliminated from the State.

17
18 Crawford stated the letter is fine. The wording of the last paragraph is
19 almost unintelligible. He asked Councilmember Roy to rewrite the last paragraph,
20 which he doesn't understand. User plainer language. He supports the idea.

21
22 Roy stated she would re-write the last paragraph.

23
24 Nelson stated he strongly supports the letter. Many cuts are coming from
25 the State this session. Next year will be very difficult.

26
27 Caskey-Schreiber stated she strongly supports the letter. If farmers have a
28 farm plan, they will be exempt from some of the critical areas ordinance (CAO)
29 requirements. That's very important to get people to buy into the new, draft CAO.

30
31 **Motion carried unanimously.**

32
33 **Brenner moved** to send a letter to Crystal Saunders, Substance Abuse and
34 Mental Health Services Administration Director of Grant Review, supporting the
35 targeted capacity expansion grant application/jail diversion program CFDA No.
36 93.243. It's a federal grant available to help communities that are working on jail
37 diversion programs. No community is working harder on jail diversion than
38 Whatcom County. The mental health and criminal justice communities will come
39 together for collaboration. If the County doesn't get this funding, there are other
40 opportunities for funding from federal and State governments. Gary Williams is
41 doing an excellent job writing the proposal. Executive Kremen will submit the
42 proposal when it's ready. The County has a good shot at the grant.

43
44 Nelson stated this is an important grant. There will be problems in the
45 future with funding diversion efforts and the mental health arena. Mr. Williams has
46 done a tremendous amount of work on this grant. Many other communities are
47 submitting grant applications.

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1
2 Brenner stated no other community in the state is doing what Whatcom
3 County is doing.

4
5 ***Motion to send the letter carried unanimously.***
6

7 Caskey-Schreiber stated the Kulshan Community Land Trust is having a
8 presentation about walking communities on Wednesday, May 11 at 1:30 p.m. and 7
9 p.m. at the ferry terminal.

10
11 Nelson stated this region is losing \$4 million for mental health services,
12 especially crisis services. He's concerned about the closure of Compass Health, a
13 service center. All those clients will end up in the emergency room, the only place
14 they can go.

15
16 Brenner stated the Council won't know until June or July what the region will
17 get. The North Sound mental health region has 15 percent of the population, but
18 gets only six percent of the State funding. Other communities get more than their
19 fair share.

20
21 Crawford stated there seem to be more folks on the streets in the last year.
22 The community needs these services.

23
24
25 **REPORTS AND OTHER ITEMS FROM COUNCILMEMBERS**

26
27 There were no reports and other comments.

28
29
30 **ADJOURN**

31
32 The meeting adjourned at 7:29 p.m.

33
34
35 _____
36 Jill Nixon, Minutes Transcription

37
38 The Council approved these minutes on May 24, 2005.

39
40 ATTEST:

WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WASHINGTON

41
42
43
44
45 _____
46 Dana Brown-Davis, Council Clerk

Laurie Caskey-Schreiber, Council Chair