

DISCLAIMER: This document contains the Whatcom County Council or Committee minutes, as approved. However, unless an attested signature page is attached, they are not the final approved minutes.

1 **3. REGULAR COUNTY COUNCIL FOR JUNE 7, 2005**

2
3 **4. SPECIAL COUNTY COUNCIL FOR MAY 31, 2005 (WA-CERT**
4 **PRESENTATIONS)**

5
6 **OPEN SESSION**

7
8 The following people spoke:

9
10 Dennis Jones 1487 Sudden Valley, stated a ban is sought on riding inner
11 tubes on the South Fork of the Nooksack River. Chinook runs are down on the
12 Nooksack River. The Lummi Nation is doing a wonderful job. He thanked the
13 County for putting in a trail at Skookum Creek.

14
15 The number of Coho is up. It spends time in the more brackish water.
16 Working together on stewardship works. Don't have a blanket ban on riding inner
17 tubes. There may be an area on the South Fork that people can see. Leave an
18 exception open. The Northwest Ecosystem Alliance, Building Industry Association,
19 Sudden Valley, and all are working together.

20
21 Doug Ravel, 817 - 25th Street, Apt. A1, Bellingham, stated the Council should
22 approve a resolution supporting the establishment of a Department of Peace at the
23 federal level. He proposed a resolution.

24
25 Ban the sale of tobacco in Whatcom County. The tobacco industry is a
26 criminal enterprise. It kills about 400,000 each year in the United States and adds
27 misery to all citizens. Take a stand against the industry.

28
29 Last, vigorously prosecute people who litter. When he walks, he picks up as
30 much litter as he can. By removing litter, it helps prevent the next person from
31 thinking the area is a garbage can.

32
33 **CONSENT AGENDA**

34
35 **Nelson** reported for the Finance and Administrative Services Committee and
36 **moved** to approve Consent Agenda items one through nine.

37
38 **Motion to approve Consent Agenda items one through nine carried**
39 **unanimously.**

40
41 *(Discussion continued, below.)*

42
43 **1. REQUEST AUTHORIZATION FOR THE EXECUTIVE TO AWARD BID #05-**
44 **47 TO THE ONLY BIDDER, MILLER'S PAINTING, FOR MISCELLANEOUS**
45 **INTERIOR AND EXTERIOR PAINTING OF COUNTY BUILDINGS, IN THE**
46 **AMOUNT OF NOT TO EXCEED \$60,000 (AB2005-255)**

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- 1 **2. REQUEST AUTHORIZATION FOR THE EXECUTIVE TO ENTER INTO A**
2 **GRANT AGREEMENT BETWEEN WHATCOM COUNTY AND THE STATE**
3 **OF WASHINGTON DEPARTMENT OF ECOLOGY, TO EXPAND EXISTING**
4 **AND SUCCESSFUL LAKE-FRIENDLY GARDENING EDUCATION**
5 **PROGRAM TO RESIDENTS OF THE LAKE WHATCOM AND LAKE SAMISH**
6 **WATERSHEDS, IN THE AMOUNT OF \$130,404 (AB2005-256)**
7
- 8 **3. REQUEST AUTHORIZATION FOR THE EXECUTIVE TO ENTER INTO A**
9 **CONTRACT AGREEMENT BETWEEN WHATCOM COUNTY AND**
10 **COLUMBIA VALUATION GROUP, INC. FOR APPRAISAL SERVICES FOR**
11 **FIVE FARMS APPLYING FOR THE PURCHASE OF DEVELOPMENT**
12 **RIGHTS PROGRAM, IN THE AMOUNT OF \$16,500 (AB2005-257)**
13
- 14 **4. REQUEST AUTHORIZATION FOR THE EXECUTIVE TO ENTER INTO A**
15 **CONTRACT AGREEMENT BETWEEN WHATCOM COUNTY AND**
16 **WASHINGTON TRAFFIC SAFETY COMMISSION, TO CONTINUE THE**
17 **FUNDING OF OUR TRAFFIC SAFETY COORDINATOR, IN THE AMOUNT**
18 **OF \$65,750 (AB2005-258)**
19
- 20 **5. REQUEST AUTHORIZATION FOR THE EXECUTIVE TO ENTER INTO A**
21 **CONTRACT AGREEMENT BETWEEN WHATCOM COUNTY AND PUGET**
22 **SOUND ENERGY, TO PROVIDE LAW ENFORCEMENT COVERAGE ON**
23 **HOLIDAY WEEKENDS AT PUGET SOUND ENERGY'S UPPER BAKER**
24 **LAKE SITE, IN THE AMOUNT OF \$52.00 AN HOUR (AB2005-259)**
25
- 26 **6. REQUEST AUTHORIZATION FOR THE EXECUTIVE TO ENTER INTO A**
27 **LEASE AGREEMENT BETWEEN WHATCOM COUNTY AND BLACK ROCK**
28 **CABLE, FOR FIBER OPTIC CONNECTIVITY BETWEEN THE**
29 **COURTHOUSE AND THE CASCADE BUSINESS PARK SHERIFF'S OFFICE**
30 **FOR INTERNET SERVICE, IN THE AMOUNT OF \$275 MONTHLY PLUS**
31 **APPLICABLE FEES AND TAXES (AB2005-260)**
32
- 33 **7. REQUEST AUTHORIZATION FOR THE EXECUTIVE TO ENTER INTO A**
34 **CONTRACT AGREEMENT BETWEEN WHATCOM COUNTY SHERIFF**
35 **DIVISION OF EMERGENCY MANAGEMENT AND ENVIRONMENTAL**
36 **SUPPORT SOLUTIONS, TO PROVIDE A SERIES OF PLANS, PLAN**
37 **ENHANCEMENTS, EXERCISES AND RISK ASSESSMENTS, IN THE**
38 **AMOUNT OF \$95,000 (AB2005-261)**
39
- 40 **8. REQUEST AUTHORIZATION FOR THE EXECUTIVE TO ENTER INTO A**
41 **CONTRACT AGREEMENT BETWEEN WHATCOM COUNTY SHERIFF'S**
42 **OFFICE AND USDA MT. BAKER-SNOQUALMIE NATIONAL FOREST, FOR**
43 **THE PROVISION OF PATROL SERVICES ON NATIONAL FOREST LAND**
44 **WITHIN WHATCOM COUNTY, IN THE AMOUNT OF \$60,000 (AB2005-**
45 **262)**
46

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- 1 **9. REQUEST AUTHORIZATION FOR THE EXECUTIVE TO ENTER INTO AN**
2 **AMENDMENT TO A LEASE AGREEMENT BETWEEN WHATCOM COUNTY**
3 **AND FRIESEN ELECTRIC INTERNATIONAL, INC., FOR ELECTION**
4 **WAREHOUSE SPACE EXTENDING THE CURRENT LEASE THROUGH**
5 **AUGUST 2, 2006, IN THE AMOUNT OF \$11,700, FOR A TOTAL**
6 **AMENDED LEASE AMOUNT OF \$46,800 (AB2005-263)**

7
8 **OTHER ITEMS**

- 9
10 **1. ORDINANCE AMENDING 2005 WHATCOM COUNTY BUDGET, SIXTH**
11 **REQUEST (AB2005-248)**

12
13 *Nelson* reported for the Finance and Administrative Services Committee and
14 *moved* to adopt the ordinance.

15
16 *Motion carried unanimously.*

- 17
18 **2. ORDINANCE REPLACING WHATCOM COUNTY CODE 1.14 (IN ITS**
19 **ENTIRETY), DESIGNATING ELECTION PRECINCT NAMES AND THEIR**
20 **LEGAL DESCRIPTIONS (AB2005-252)**

21
22 *Nelson* reported for the Finance and Administrative Services Committee and
23 *moved* to adopt the ordinance.

24
25 *Motion carried unanimously.*

- 26
27 **3. REQUEST CONFIRMATION OF THE EXECUTIVE'S APPOINTMENT OF**
28 **ANARA THOMAS TO THE ANIMAL CONTROL ADVISORY COMMITTEE**
29 **(AB2005-264)**

30
31 *Fleetwood moved* to confirm the appointment.

32
33 *Motion carried unanimously.*

- 34
35 **4. REQUEST CONFIRMATION OF THE EXECUTIVE'S REAPPOINTMENT OF**
36 **GIL THURSTON, BILL KEOWN, AND ALAN FRIEDLOB TO THE**
37 **NORTHWEST SENIOR SERVICES BOARD (AB2005-265)**

38
39 *Roy moved* to confirm the reappointments.

40
41 *Motion carried unanimously.*

- 42
43 **5. APPOINTMENT TO ACME WATER DISTRICT BOARD OF**
44 **COMMISSIONERS, APPLICANTS: EUGENE ROBERTS, JACKLYN**
45 **ROSSING (AB2005-214)**

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1 Crawford voted for Eugene Roberts. He has concerns about a conflict of
2 interest with Jacklyn Rossing. They need to avoid an appearance of a conflict.

3
4 McShane voted for Jacklyn Rossing. He is very concerned about the water
5 district.

6
7 Fleetwood voted for Roberts.

8
9 Caskey-Schreiber voted for Rossing. The rules according to legal counsel are
10 clear. If elected, Ms. Rossing will have to recuse herself from any employment
11 decisions regarding her husband. However, since Ms. Rossing was secretary for a
12 long time, she has a better understanding of this district than most people.

13
14 Brenner voted for Rossing. She spoke with quite a few people in the area.
15 They are very impressed with Ms. Rossing. The resumes of both applicants look
16 fine. Also, this position won't be any different from councilmembers who have jobs
17 that put them in the same conflict. The issue won't come up very often.

18
19 Nelson voted for Roberts. They have two fine candidates to choose from.
20 The community is very supportive of its water association.

21
22 Roy voted for Rossing.

23
24 Jacklyn Rossing was appointed 4-3.

25
26 Brenner stated they should send a letter to Mr. Roberts thanking him for
27 applying and asking him to please apply again. She will write the letter.

28 **INTRODUCTION ITEMS**

29
30
31 ***Brenner*** reported for the Public Works and Safety Committee on
32 Introduction Item one. The Council received a substitute version based on changes
33 made in the Public Works Committee. Lincoln Road is bumped up in priority. Also,
34 the six year road plan leads people to believe that projects listed will be done in six
35 years, but that's not the case. They need to make sure people don't have that
36 misunderstanding. With Mr. Rutan's assistance, the committee recommends
37 putting into the six-year road plan only those projects that will have some
38 significant work done on them in the next six years. The project list is much
39 smaller. She ***moved*** to accept the Introduction Items, including the substitute for
40 Introduction Item one, the six-year transportation improvement program.

41
42 ***Motion carried unanimously.***

- 43
44 **1. RESOLUTION APPROVING THE WHATCOM COUNTY SIX-YEAR**
45 **TRANSPORTATION IMPROVEMENT PROGRAM FOR THE YEARS 2006**
46 **THROUGH 2011 AND THE 14-YEAR FERRY PLAN 2006 – 2019**
47 **(AB2005-246)**

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- 1
- 2 **2. ORDINANCE AMENDING WCC TITLE 24, HEALTH CODE, TO CREATE**
- 3 **WCC 24.13, DECONTAMINATION OF ILLEGAL DRUG MANUFACTURING**
- 4 **AND STORAGE SITES, AND TO AMEND WCC 24.07, ADMINISTRATIVE**
- 5 **NOTICE PROCEEDINGS, CIVIL PENALTIES AND ABATEMENT (AB2005-**
- 6 **266) (COUNCIL ACTING AS THE HEALTH BOARD)**
- 7
- 8 **3. ORDINANCE CREATING A FUND TITLED "REAL ESTATE EXCISE TAX**
- 9 **ELECTRONIC TECHNOLOGY FUND" (AB2005-267)**
- 10
- 11 **4. ORDINANCE REGARDING THE CLOSURE OF A PORTION OF YORK**
- 12 **STREET (AB2005-268)**
- 13
- 14 **5. RESOLUTION TO AMEND RESOLUTION 2003-041: WASHINGTON**
- 15 **COMMUNITY ECONOMIC REVITALIZATION TEAM (WA-CERT) TO**
- 16 **PROVIDE ANNUAL PRIORITIZATION OF WA-CERT PROJECTS**
- 17 **(AB2005-269)**
- 18

CONSENT AGENDA

- 19
- 20
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- 24 **WAREHOUSE SPACE EXTENDING THE CURRENT LEASE THROUGH**
- 25 **AUGUST 2, 2006, IN THE AMOUNT OF \$11,700, FOR A TOTAL**
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- 27

(Discussion continued from above.)

Nelson stated approval of this item included the substitute version.

OTHER BUSINESS

Roy stated she thanked the Public Works Department for putting double yellow lines along Birch Bay Drive.

REPORTS AND OTHER ITEMS FROM COUNCILMEMBERS

Caskey-Schreiber stated she will ask all the councilmembers to comment on the possibility of the Economic Development Council to take out a significant loan for a feasibility study. Councilmember Crawford has the proposal right now.

Roy stated the **inner tubing issue (AB2005-173)** has gotten a lot of attention. The Natural Resources Committee decided a ban is an option to look at. With the help of legal counsel who is working up an ordinance, they are looking at floatation devices where peoples' arms and legs hang out. Kicking around causes a disruption. This is not a done deal. When a draft ordinance is complete, everyone

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1 will have an opportunity to see it and comment on it. The ordinance will be
2 introduced and there will be a public hearing. It's premature for people to assume
3 a ban will be adopted. They are opening up a discussion on the issue.

4
5 Nelson stated the inner tubing issue has been brought before the Council
6 before, about ten years ago.

7
8 McShane stated he had a conversation with personnel from the State
9 Department Natural Resources (DNR), Aquatic Lands Division. That person
10 suggested identifying areas along the rivers. DNR has ownership of aquatic lands.
11 DNR is interested in allowing access to the river. There may still be swimming
12 opportunities in areas where endangered Chinook don't frequent. People would still
13 be able to go to the river and enjoy the warm water.

14
15 Brenner asked who the committee heard from on the inner tubing issue.

16
17 Roy stated the committee has heard from the State Department of Fish and
18 Wildlife, Lummi Nation, Nooksack Tribe, Nooksack Salmon Enhancement
19 Association, National Oceanic and Atmospheric Administration (NOAA), and the
20 Federal Forest Service. Thanks to Dr. Roll, almost every agency was involved at
21 the meeting.

22
23 Brenner asked if any other rivers that are habitat for endangered species
24 have had people ride inner tubes.

25
26 Caskey-Schreiber stated that is information to discuss at the next meeting.

27
28 Caskey-Schreiber stated the Council will have the **Washington Community**
29 **Economic Revitalization Team (WA-CERT) list (AB2005-269)** on its agenda at
30 the next meeting.

31
32 **ADJOURN**

33
34 The meeting adjourned at 7:40 p.m.

35
36
37
38 _____
39 Jill Nixon, Minutes Transcription

40 The Council approved these minutes on July 12, 2005.

41
42 ATTEST:

WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WASHINGTON

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1 Dana Brown-Davis, Council Clerk

Laurie Caskey-Schreiber, Council Chair