

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  
2  
3 WHATCOM COUNTY COUNCIL  
4 **Regular County Council**  
5

6 November 22, 2005  
7

8  
9 Council Chair Laurie Caskey-Schreiber called the meeting to order at 7:00  
10 p.m. in the Council Chambers, 311 Grand Avenue, Bellingham, Washington.  
11

12 Present:

13 Barbara Brenner  
14 Dan McShane  
15 Sam Crawford  
16 Seth Fleetwood  
17 Sharon Roy  
18 L. Ward Nelson  
19

Absent:

None  
20  
21

22 **FLAG SALUTE**  
23

24  
25 **ANNOUNCEMENTS**  
26

27 Caskey-Schreiber announced there was **discussion and negotiations**  
28 **update on collective bargaining agreements (AB2005-062)** in executive  
29 session during Committee of the Whole meeting.  
30

31 Caskey-Schreiber announced there was discussion of a **resolution**  
32 **amending resolution No. 2004-067, the 2005 unrepresented resolution**  
33 **(AB2004-387A)** in executive session during the Committee of the Whole meeting.  
34

35 *Fleetwood moved* to approve the resolution.  
36

37 *Motion carried unanimously.*  
38

39 Caskey-Schreiber announced there was discussion of a **resolution**  
40 **approving a salary schedule and policies for unrepresented Whatcom**  
41 **County employees for the year 2006 (AB2005-441)** in executive session  
42 during the Committee of the Whole meeting.  
43

44 *Brenner moved* to approve the resolution.  
45

46 *Motion carried unanimously.*  
47

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  
2 **SPECIAL PRESENTATION**  
3

4 **1. PRESENTATION BY PUBLIC WORKS ASSISTANT DIRECTOR JOE**  
5 **RUTAN OF THE 2005 OUTSTANDING BICYCLE AND PEDESTRIAN**  
6 **PROJECT AWARD (AB2005-017)**  
7

8 Joe Rutan, Assistant Director, introduced Todd Carlson from the Washington  
9 State Department of Transportation, who will present the award to the County.  
10

11 Todd Carlson, Washington State Department of Transportation Operations  
12 and Planning Manager, stated he has awarded the Outstanding Bicycling and  
13 Pedestrian Award to Whatcom County. With the new partnership account, it looks  
14 like they will have funds to do a lot more construction in Whatcom County. There  
15 are now provisions for people to walk and bike in areas where they couldn't before.  
16 He thanked Executive Kremen, Mr. Andy Kamkoff from the Lummi Nation, and Gary  
17 Goodall from the Public Works Department. He presented the award to Executive  
18 Kremen.  
19

20 Pete Kremen, County Executive, stated he accepts the award on behalf of the  
21 County with great honor and pride. This community places a high value on hiking  
22 and bicycling as alternatives to traditional modes of transportation. Over the past  
23 several years, the County has tried to enhance those opportunities. He recognized  
24 the partnership with the State and the Lummi Nation. The effort has been  
25 collaborative. This community is better for it.  
26

27 Brenner stated she would like to also recognize the Bicycle and Pedestrian  
28 Committee for all their hard work.  
29

30 Kremen stated the committee's work has been the driver for most or all of  
31 these accomplishments.  
32

33 Andy Kamkoff, Lummi Nation, stated the Lummi Nation appreciates the  
34 opportunity to work on these projects, which have really helped the people who use  
35 Kwina Road.  
36

37 **MINUTES CONSENT**  
38

39 ***McShane moved*** to approve the Minutes Consent items.  
40

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

- 43 **1. SURFACE WATER WORK SESSION FOR OCTOBER 18, 2005**  
44  
45 **2. COMMITTEE OF THE WHOLE FOR NOVEMBER 9, 2005**  
46  
47 **3. REGULAR COUNTY COUNCIL FOR OCTOBER 25, 2005**

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  
2 **4. REGULAR COUNTY COUNCIL FOR NOVEMBER 9, 2005**  
3

4  
5 **OPEN SESSION**  
6

7 The following people spoke:  
8

9 Rosalinda Guillen, 1800 - 20<sup>th</sup> Street, Bellingham, stated the Council  
10 approved a **resolution supporting professionally trained public policing**  
11 **agencies and opposing armed militia enforcing against border and other**  
12 **crimes (AB2005-431)**. The Coalition for Professional Law and Border  
13 Enforcement and people who have done a lot of work on the Minutemen project and  
14 border vigilantes are very unhappy with this resolution. Pass the resolution that  
15 people requested the Council to pass. The Minutemen are not mentioned in the  
16 resolution that the Council passed. The Minutemen project said it would be done at  
17 the end of October, but they met over Veteran's Day and said they would be back  
18 in the Spring. The Minutemen believe they have the approval of the County  
19 Council, Border Patrol, and County Sheriff to continue their operations. She asked  
20 if this is true. Their continued operations show it is true. The movement is going  
21 to grow. They are not going to go away. They continue to organize and recruit.  
22 Representatives have said their job is to intimidate law enforcement. This month,  
23 they are videotaping employers across the country to intimidate the employers and  
24 people of color, by insinuating the people of color are illegal and by calling the  
25 Immigration and Naturalization Service (INS). This kind of immigrant intimidation  
26 is continuing. It is racist activity. She continues to insist this is a racist group.  
27 Many national organizations call the Minutemen project a vigilante hate group. She  
28 submitted information on community education about the Minutemen project,  
29 border vigilantes, and racist activities (*on file*).  
30

31 Jeff Margolis, 5465 Potter Road, Deming, stated he has spoken with some  
32 County councilmembers privately about the issue of the Minutemen. Everyone is  
33 entitled to express themselves. He had hoped Councilmember Brenner would  
34 speak to Bellingham City Council Member Barbara Ryan about what happened after  
35 Ms. Ryan sponsored the City's resolution on this measure. Subsequent to the City's  
36 resolution, it was reported that Ms. Ryan wound up on hate lists. The very good  
37 intentions of the people of this community might have been taken advantage of.  
38 Their good intentions should not be considered an endorsement of some nefarious  
39 activity. Follow this up to find out the truth of the matter, and consider that when  
40 deciding on this issue of the **resolution supporting professionally trained**  
41 **public policing agencies and opposing armed militia enforcing against**  
42 **border and other crimes (AB2005-431)**.  
43

44 Larry Hildes, 4026 Fir Street, stated he is speaking on behalf of the  
45 Bellingham Chapter of the National Lawyers Guild. He is extremely concerned  
46 about the **resolution supporting professionally trained public policing**  
47 **agencies and opposing armed militia enforcing against border and other**

**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 **crimes (AB2005-431)**. He is glad the Council passed the resolution at the last  
2 meeting about vigilante groups. The resolution doesn't mention the Minutemen.  
3 Also, some of the wording implies that the Minutemen have a legitimate concern on  
4 which they are acting. That is a very dangerous premise. The Minutemen are  
5 engaging in acts of intimidation and violence against a group of people whose jobs  
6 are not there, who are not terrorists or a threat to national security, and who are  
7 trying to build lives for themselves. The language implies that the Minutemen are  
8 trying to protect the United States against terrorism. However, the Minutemen are  
9 acting in a manner that is racist. It existed before 9/11 and would exist if 9/11 had  
10 not happened. These people were doing these things 20 years ago. The group  
11 needs to be named and people need to speak against the Minutemen. This is not  
12 an opportunity to wave the flag and say they are against terrorism. Everyone is  
13 against terrorism. That doesn't have anything to do with what is really going on.  
14 He asked the Council to pass a resolution that condemns a particular group that is  
15 committing particular acts on the southern and northern borders. Address the  
16 issue of terrorism and national security in a different resolution.  
17

18 Margolis stated he thanks the Council for its deliberations and considerations  
19 about the **ordinance amending Whatcom County Code Title 11, Boating and**  
20 **Swimming, to limit the use of limb-propelled flotation devices on the South**  
21 **Fork of the Nooksack River from June 1 through October 31 (AB2005-**  
22 **173A)**. He hopes they will work out the technicality of access to the river.  
23  
24

## 25 **PUBLIC HEARINGS**

26  
27 **1. ORDINANCE AUTHORIZING THE LEVY OF TAXES FOR COUNTY AND**  
28 **STATE PURPOSES IN WHATCOM COUNTY, WASHINGTON, FOR THE**  
29 **YEAR OF 2006 PURSUANT TO HOME RULE CHARTER SECTION 6.10**  
30 **(AB2005-426)**  
31

32 Caskey-Schreiber opened the public hearing and, hearing no one, closed the  
33 public hearing.  
34

35 ***Brenner moved*** to adopt the ordinance. They are not raising taxes this  
36 year. This is the status quo.  
37

38 ***Motion carried unanimously.***  
39

40 **2. ORDINANCE AUTHORIZING THE LEVY OF TAXES FOR COUNTY**  
41 **CONSERVATION FUTURES PURPOSES IN WHATCOM COUNTY,**  
42 **WASHINGTON, FOR THE YEAR OF 2006 PURSUANT TO HOME RULE**  
43 **CHARTER SECTION 6.10 (AB2005-427)**  
44

45 Caskey-Schreiber opened the public hearing and, hearing no one, closed the  
46 public hearing.  
47

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            *Nelson moved* to adopt the ordinance.  
2

3            *Motion carried unanimously.*  
4

5    3.    **ORDINANCE AUTHORIZING THE LEVY OF TAXES FOR COUNTY ROAD**  
6    **PURPOSES IN WHATCOM COUNTY, WASHINGTON, FOR THE YEAR OF**  
7    **2006 PURSUANT TO HOME RULE CHARTER SECTION 6.10 (AB2005-**  
8    **428)**  
9

10           Caskey-Schreiber opened the public hearing and, hearing no one, closed the  
11    public hearing.  
12

13           *Brenner moved* to adopt the ordinance.  
14

15           *Motion carried unanimously.*  
16

17    4.    **RESOLUTION AUTHORIZING THE LEVY OF TAXES FOR THE WHATCOM**  
18    **COUNTY FLOOD CONTROL ZONE DISTRICT FOR THE YEAR OF 2006**  
19    **(AB2005-429) (COUNCIL ACTING AS THE GOVERNING BODY OF THE**  
20    **WHATCOM COUNTY FLOOD CONTROL ZONE DISTRICT)**  
21

22           Caskey-Schreiber opened the public hearing and, hearing no one, closed the  
23    public hearing.  
24

25           *Nelson moved* to adopt the ordinance.  
26

27           *Motion carried unanimously.*  
28

29           Nelson thanked the administration and Council on the two-year budget. He  
30    appreciates the administrations budget control, constraint, and planning.  
31  
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    1.    **REQUEST AUTHORIZATION FOR THE EXECUTIVE TO APPROVE THE**  
42    **PURCHASE OF AN ANNUAL SUPPLY OF EQUIPMENT LUBRICANTS**  
43    **USING THE WASHINGTON STATE CONTRACT, IN AN AMOUNT TO**  
44    **EXCEED \$35,000 (AB2005-433)**  
45

46    2.    **REQUEST AUTHORIZATION FOR THE EXECUTIVE TO ENTER INTO**  
47    **CONTRACT AMENDMENT #1 BETWEEN WHATCOM COUNTY AND**

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           **COMPU-WORKS PACIFIC FOR THE WENET DATA INTEGRATION**  
2           **PROJECT TO PROVIDE FURTHER PROJECT DEVELOPMENT AND**  
3           **IMPLEMENTATION, IN THE AMOUNT OF \$95,807, FOR A TOTAL**  
4           **CONTRACT AMOUNT OF \$287,957 (AB2005-434)**  
5
- 6   **3.    REQUEST AUTHORIZATION FOR THE EXECUTIVE TO ENTER INTO A**  
7           **CONTRACT BETWEEN WHATCOM COUNTY AND COMPU-TECH, INC.**  
8           **FOR THE DEVELOPMENT AND IMPLEMENTATION OF A NEW AND**  
9           **ENHANCED AS/400 BASED CIVIL PAPER TRACKING SYSTEM FOR THE**  
10           **WHATCOM COUNTY SHERIFF USING BORDER PROSECUTION GRANT**  
11           **FUNDS, IN THE AMOUNT OF \$39,000 (AB2005-435)**  
12
- 13   **4.    REQUEST AUTHORIZATION FOR THE EXECUTIVE TO ENTER INTO A**  
14           **CONTRACT BETWEEN WHATCOM COUNTY AND WILSON**  
15           **ENGINEERING, LLC TO PROVIDE PLANS, SPECIFICATIONS AND**  
16           **ESTIMATES FOR GENEVA AREA STORMWATER RETROFITS AND CABLE**  
17           **STREET RECONSTRUCTION, IN THE AMOUNT OF \$247,220 (AB2005-**  
18           **436)**  
19
- 20   **5.    REQUEST AUTHORIZATION FOR THE EXECUTIVE TO ENTER INTO A**  
21           **CONTRACT BETWEEN WHATCOM COUNTY AND J. A. BRENNAN**  
22           **ASSOCIATES, PLLC TO PROVIDE SERVICES NECESSARY TO DESIGN**  
23           **AND INSTALL LANDSCAPE DEMONSTRATING WATERSHED-FRIENDLY**  
24           **GARDENING PRACTICES AT BLOEDEL-DONOVAN PARK, IN THE**  
25           **AMOUNT OF \$19,930 (AB2005-437)**  
26
- 27   **6.    REQUEST AUTHORIZATION FOR THE EXECUTIVE TO ENTER INTO A**  
28           **CONTRACT BETWEEN WHATCOM COUNTY AND RE SOURCES TO**  
29           **PROVIDE FOR CONTINUATION OF A WASTE REDUCTION/RECYCLING**  
30           **AND HOUSEHOLD HAZARDOUS WASTE HOTLINE TO WHATCOM**  
31           **COUNTY RESIDENTS AND BUSINESSES, IN THE AMOUNT OF \$24,000**  
32           **(AB2005-438)**  
33
- 34   **7.    REQUEST AUTHORIZATION FOR THE EXECUTIVE TO ENTER INTO A**  
35           **CONTRACT BETWEEN WHATCOM COUNTY AND RE SOURCES TO**  
36           **COORDINATE AGRICULTURAL PLASTICS COLLECTION AND**  
37           **RECYCLING OPPORTUNITIES IN WHATCOM COUNTY, IN THE AMOUNT**  
38           **OF \$18,065 (AB2005-439)**  
39
- 40   **8.    REQUEST AUTHORIZATION FOR THE EXECUTIVE TO ENTER INTO A**  
41           **CONTRACT BETWEEN WHATCOM COUNTY AND THOMSON WEST**  
42           **PUBLISHING COMPANY FOR A THREE-YEAR SUBSCRIPTION FOR**  
43           **ONLINE AND HARDBOUND LEGAL RESEARCH TOOLS FOR THE**  
44           **WHATCOM COUNTY LAW LIBRARY, IN THE AMOUNT OF \$13,492.92**  
45           **ANNUALLY (\$40,478.76 OVER THREE YEARS) (AB2005-440)**  
46

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     **9.     RESOLUTION TO SET HEARING TO SELL SURPLUS PROPERTY BY**  
2           **AUCTION, REQ. #03-05 (AB2005-390B)**

3  
4  
5  
6  
7  
8     **OTHER ITEMS**

9  
10    **3.     ORDINANCE AMENDING THE 2005 WHATCOM COUNTY BUDGET,**  
11        **REQUEST #12, IN THE AMOUNT OF \$923,766 (AB2005-430)**

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    **1.     ORDINANCE AMENDING WHATCOM COUNTY CODE TITLE 11,**  
19        **BOATING AND SWIMMING, TO LIMIT THE USE OF LIMB-PROPELLED**  
20        **FLOTATION DEVICES ON THE SOUTH FORK OF THE NOOKSACK RIVER**  
21        **FROM JUNE 1 THROUGH OCTOBER 31 (AB2005-173A)**

22  
23        McShane reported for the Natural Resources Committee and stated a  
24 substitute ordinance will be introduced and discussed at the December 6, 2005  
25 Council meeting.

26  
27        Brenner stated that at some point, access 250 feet north of the Acme Bridge  
28 was removed. That was a logical request. It's appropriate for people to enter the  
29 river right around the bridge. That 250 feet gave people space to enter the river  
30 around the bridge.

31  
32        Roy stated Councilmember McShane made the motion to remove it. Staff  
33 also said it wasn't a good idea.

34  
35        McShane stated he was convinced it was not a good idea to leave the  
36 language in. The committee agreed to withdraw it.

37  
38        Nelson stated he thought staff was concerned about access.

39  
40        Crawford stated there is no access there.

41  
42        Brenner stated the access issue was why they needed to allow 250 feet north  
43 of the bridge. Someone told her today that a staff person wanted it that way. She  
44 would like that language back in the ordinance.

**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 Fleetwood stated he recommends voting on the change now. If the Council  
2 decides to remove it at the next meeting, the Council can still vote on the ordinance  
3 because it won't be a substantial change.

4  
5 McShane stated he will not support it now.

6  
7 Brenner stated she agreed with Councilmember Fleetwood. Put it in now.  
8 After the hearing, they can remove it if they want to. This is not unreasonable to  
9 request.

10  
11 ***Brenner moved*** to amend the ordinance to include the access 250 feet  
12 north of the bridge.

13  
14 McShane stated they don't want to go north of the bridge. They want to go  
15 south of the bridge.

16  
17 Bruce Roll, Assistant Director, stated this has to do with the issue of access  
18 at the Betty Lou Close place. They need to consider whether they want access at  
19 that location. It's not zoned for a lot of parking. There is limited parking now.  
20 Also, there is an application for the location to be a conservation reserve  
21 enhancement program (CREP) area.

22  
23 Brenner stated she was extremely involved in the purchase of the Betty Lou  
24 Close property. All the public wanted to make sure there was public access to the  
25 river and doing picnicking. CREP projects are great, but that property must have  
26 public access. It's a beautiful piece of property when it's not flooding.

27  
28 Roy asked about the parking limitation, which is a huge issue now. Roll  
29 stated he believes it is zoned agricultural. If they were going to increase the  
30 parking, they could expand to 20 or 30 cars. It's not designed for it. This doesn't  
31 prevent the use for other beneficial uses, such as access for fishing. There is no  
32 intent to close it off. People do use the property. Now, the question is whether it  
33 would be an access point for the activities they are talking about.

34  
35 McShane stated read from the minutes of the meeting where this language  
36 was removed (*on file*). The County needs to figure out how to manage that  
37 property in the future.

38  
39 Brenner asked if the area is north of the bridge. Roll stated the Betty Lou  
40 Close property is south of the bridge. They are talking about an area south of the  
41 bridge that doesn't have good access within that 200 foot mark. The sandbar is  
42 farther down the property. There is an old channel that goes through there. One  
43 concern is whether that access will be eliminated because of water moving down  
44 there.

45

**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 Brenner stated that the CREP is a wonderful program. However, if there was  
2 ever a place that was perfect for public access and other uses, it would be this  
3 property. The Betty Lou Close property is perfect for all kinds of public use.  
4

5 Roy stated she will not support the amendment. They should provide public  
6 access. However, she's concerned the area will be taken over with the inner-tubing  
7 activity. There is no way that parking lot can hold the number of cars that use the  
8 river. They might actually end up decreasing some of the softer recreational  
9 activities such as picnicking. If there are hundreds or a thousand people going  
10 down on the river from that one place in one day, the area will no longer be  
11 attractiveness for other casual recreational users.  
12

13 Caskey-Schreiber stated she will also not support the amendment. She  
14 supports the Parks Department and Paula Cooper's efforts to do restoration at that  
15 location. The worst thing they could do is channel the access through that area.  
16

17 ***Motion to amend failed 1-6 with Brenner in favor.***

18  
19 Caskey-Schreiber stated the ordinance will have a public hearing on  
20 December 6, 2005.  
21

22 **2. RESOLUTION AUTHORIZING THE WHATCOM COUNTY EXECUTIVE TO**  
23 **PURCHASE DEVELOPMENT RIGHTS ON PAUL DAIRY PROPERTY**  
24 **(AB2005-432)**  
25

26 ***McShane*** reported for the Natural Resources Committee and ***moved*** to  
27 approve the resolution.  
28

29 Caskey-Schreiber stated she was thrilled to see this project. It's in an area  
30 likely to experience a lot of growth pressures. The purchase of development rights  
31 (PDR) acquisitions will be key in the future in creating a border for rural areas, so  
32 they can keep the agricultural industry viable. She thanked Planning Director Hal  
33 Hart for giving Senior Planner Kraig Olason the freedom to pursue the highly  
34 complicated acquisitions.  
35

36 ***Motion carried unanimously.***  
37

38 **4. ORDINANCE AMENDING THE OFFICIAL WHATCOM COUNTY ZONING**  
39 **ORDINANCE, WCC TITLE 20, CHAPTER 20.71 – WATER RESOURCE**  
40 **PROTECTION OVERLAY DISTRICT AND CHAPTER 20.97 –**  
41 **DEFINITIONS TO PROVIDE ADDITIONAL REGULATORY PROTECTION**  
42 **FOR THE LAKE WHATCOM AND LAKE SAMISH WATER RESOURCE**  
43 **PROTECTION OVERLAY DISTRICTS (AB2005-425)**  
44

45 ***Fleetwood*** reported for the Planning and Development Committee and  
46 ***moved*** to adopt the ordinance with one amendment recommended by the

**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 committee to Whatcom County Code (WCC) section 20.71.200, "...are prohibited  
2 **except as per WCC Chapter 20.83.**"  
3

4 Brenner stated the amendment is to make it clear that already existing uses  
5 are nonconforming uses that would be allowed to continue.  
6

7 Crawford asked if a certain citizen in the watershed would have to give up  
8 her horses.  
9

10 Brenner stated she would not. It is allowed if it already exists.  
11

12 Crawford stated horses come and go.  
13

14 Brenner stated that's what the property is being used for.  
15

16 Crawford asked if another person with the same size property could not have  
17 horses. Someone indicated that is correct.  
18

19 Brenner stated the County does this all over the county when the rules  
20 change. There are all kinds of things that are grandfathered in because they  
21 already exist.  
22

23 ***Motion carried unanimously.***  
24  
25  
26

27 **APPROVAL OF THE 2005 COMPREHENSIVE PLAN AMENDMENTS**  
28

- 29 **1. ORDINANCE AMENDING THE OFFICIAL WHATCOM COUNTY**  
30 **COMPREHENSIVE PLAN MAP AND THE WHATCOM COUNTY ZONING**  
31 **MAP FROM SUBURBAN ENCLAVE/RR2 TO PUBLIC RECREATION/ROS**  
32 **FOR APPROXIMATELY 47 ACRES WITHIN THE CHUCKANUT-LAKE**  
33 **SAMISH SUBAREA (AB2005-084A)**  
34

35 ***Fleetwood moved*** to adopt the ordinance.  
36

37 ***Motion carried unanimously.***  
38

- 39 **2. ORDINANCE AMENDING THE WHATCOM COUNTY COMPREHENSIVE**  
40 **PLAN RELATING TO TRANSPORTATION IMPACT FEE BACKGROUND**  
41 **INFORMATION (AB2005-084C)**  
42

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

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

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.    ORDINANCE    AMENDING    THE    OFFICIAL    WHATCOM    COUNTY**  
2    **COMPREHENSIVE    PLAN    MAP    AND    THE    WHATCOM    COUNTY    ZONING**  
3    **MAP    FOR    APPROXIMATELY    TWO    ACRES    WITHIN    THE    SOUTHERN    UGA**  
4    **BOUNDARY    FOR    LYNDEN    (AB2005-084D)**

5  
6    McShane moved to adopt the ordinance.

7  
8    Nelson asked if this is based on the recommendation of the City of Lynden.

9  
10   Crawford stated the City of Lynden opposed this. The landowner applied for  
11   it.

12  
13   Caskey-Schreiber stated there was a modification.

14  
15   McShane stated the City, applicant, and County all agreed on this ordinance.

16  
17   Troy Holbrook, Senior Planner, stated all parties agreed to this ordinance.

18  
19   *(Clerk's Note: End of tape one, side A.)*

20  
21   Brenner stated she recalled that this application was rejected as a  
22   Comprehensive Plan amendment and approved as a rezone. Holbrook stated that  
23   was part of it. There were two amendments. One amendment was to take it out of  
24   the UGA. The other amendment was to rezone it. It was left in the UGA, and part  
25   of the rezone went through. It was part of the Comprehensive Plan docket.

26  
27   Crawford stated the City of Lynden recommended that the County deny  
28   removal from the UGA for five reasons.

29  
30   McShane stated it is still in the UGA.

31  
32    ***Brenner moved*** to adopt the ordinance.

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

35  
36    ***McShane moved*** to approve all three ordinances concurrently

37  
38    ***Motion carried unanimously.***

39  
40  
41  
42    **INTRODUCTION ITEMS**

43  
44    ***Brenner moved*** to accept the Introduction Items, including the addenda  
45    and the substitute page for Introduction Item six.

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

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
- 2 1. ORDINANCE ESTABLISHING A NEW WHATCOM COUNTY FERRY
- 3 SYSTEM FUND (AB2005-442)
- 4
- 5 2. ORDINANCE AMENDING WCC 10.34, FERRY RATES ADDING
- 6 DEFINITIONS RELATED TO THE FERRY SYSTEM (AB2005-443)
- 7
- 8 3. ORDINANCE ADOPTING THE 2006 WHATCOM COUNTY UNIFIED FEE
- 9 SCHEDULE (AB2005-444)
- 10
- 11 4. ORDINANCE AMENDING THE 2005 WHATCOM COUNTY BUDGET,
- 12 REQUEST NO. 13, IN THE AMOUNT OF \$189,631 (AB2005-445)
- 13
- 14 5. ORDINANCE AMENDING THE 2006 WHATCOM COUNTY BUDGET,
- 15 REQUEST NO. 1, IN THE AMOUNT OF \$11,832,558 (AB2005-446)
- 16
- 17 6. RESOLUTION ADOPTING THE WHATCOM COUNTY 2006 ANNUAL
- 18 ROAD CONSTRUCTION PROGRAM (AB2005-447)
- 19
- 20 7. RESOLUTION TO SELL SURPLUS PROPERTY BY AUCTION, REQ. #03-
- 21 05 (AB2005-390C)
- 22

23 **ADDENDUM:**

- 24 8. ORDINANCE AMENDING WHATCOM COUNTY CODE TITLE 11,
- 25 BOATING AND SWIMMING, TO LIMIT THE USE OF LIMB-PROPELLED
- 26 FLOTATION DEVICES ON THE SOUTH FORK OF THE NOOKSACK RIVER
- 27 FROM JUNE 1 THROUGH OCTOBER 31 (AB2005-173A)
- 28
- 29
- 30

31 **OTHER BUSINESS**

32  
33 There was no other business.

34  
35  
36  
37 **REPORTS AND OTHER ITEMS FROM COUNCILMEMBERS**

38  
39 Brenner stated Sustainable Connections recently held a workshop on solar  
40 energy. In this area, people who collect solar energy can sell it back to Puget  
41 Sound Energy. The County should look into that program.

42  
43 There was a Pro-Whatcom meeting last night with a presentation by John  
44 McLaughlin. She would like to get that presentation and a workshop on how to do  
45 this new method on population projections and growth management.

**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 Nelson stated he just got back from a conference in Portland on 100 percent  
2 access to health care. He will work on new ideas with the Whatcom Alliance for  
3 Healthcare Access.

4  
5 Roy stated the County funds the Nooksack Salmon Enhancement work crews,  
6 it's nice to see their work pay off. Salmon are returning in good numbers to Terrell  
7 Creek for the first time in years.

8  
9 Brenner stated that she and Councilmember Caskey-Schreiber also attended  
10 the Salmon Summit this year. It was extremely interesting and educational.

11  
12 She asked Councilmember Nelson about a letter of support on mental health.  
13 The Council needs to write this letter as soon as possible, or the whole program  
14 could be eliminated.

15  
16 Nelson stated the State Department of Social and Health Services (DSHS)  
17 has made a determination on how to interpret legislative action. He is still waiting  
18 for information on what the impacts will be.

19  
20  
21 **ADJOURN**

22  
23 The meeting adjourned at 7:55 p.m.

24  
25  
26 \_\_\_\_\_  
27 Jill Nixon, Minutes Transcription

28  
29 The Council approved these minutes on December 6, 2005.

30  
31 ATTEST:

WHATCOM COUNTY COUNCIL  
WHATCOM COUNTY, WASHINGTON

32  
33  
34  
35  
36 \_\_\_\_\_  
37 Dana Brown-Davis, Council Clerk

\_\_\_\_\_  
Laurie Caskey-Schreiber, Council Chair