

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

4 September 27, 2005
5

6 Committee Chair L. Ward Nelson called the meeting to order at 11:00 a.m. in
7 the Council Chambers, 311 Grand Avenue, Bellingham, Washington.
8

9 Present:

10 Sam Crawford

11 Sharon Roy
12

Absent:

None

13 Also Present:

14 Laurie Caskey-Schreiber

15 Sam Crawford
16
17

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

20 **1. ORDINANCE AMENDING THE 2005 WHATCOM COUNTY BUDGET,**
21 **NINTH REQUEST, IN THE AMOUNT OF \$393,883 (AB2005-358)**
22

23 ***Nelson*** stated there is a substitute ordinance. He ***moved*** to recommend
24 approval to the full Council.
25

26 Crawford asked the difference with the substitute ordinance.
27

28 Dewey Desler, Deputy Administrator, stated the County is engaged in a
29 lawsuit. The Council staff requested funding for legal counsel.
30

31 Nelson stated the Council would discuss the lawsuit that evening.
32

33 Caskey-Schreiber stated the County hasn't spent this amount. It's being
34 budgeted just in case.
35

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

39 **COUNCIL "CONSENT AGENDA" ITEM**
40

41 **1. REQUEST AUTHORIZATION FOR THE EXECUTIVE TO ENTER INTO A**
42 **STANDARD CONSULTANT AGREEMENT BETWEEN WHATCOM COUNTY**
43 **AND REICHHARDT & EBE ENGINEERING, INC. FOR THE PHASE 2**
44 **FINAL DESIGN FOR THE SIGNALIZATION OF THE HANNEGAN ROAD**
45 **AND SR 544 INTERSECTION, IN THE AMOUNT OF \$205,860 (AB2005-**
46 **366)**
47

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1 Joe Rutan, County Road Engineer, stated phase one was to analyze a series
2 of options for the intersection. The best option was a two-lane roundabout, but it
3 would seriously impact businesses. A single-lane roundabout didn't operate as well
4 as a signal because of the turning movements. The State Department of
5 Transportation (DOT) concurred that a signal is the best option. He proposes a
6 standard, channelized signal at this location. They need to have this intersection
7 signalized and operating before the Guide Meridian work by the DOT.

8
9 Caskey-Schreiber stated she is glad to have this area fixed. The construction
10 timeline is June 20, 2006 through August 28, 2006. That encompasses fair week.
11 Rutan stated they would work that week into the project. There will be a lot of
12 construction on Hannegan next summer.

13
14 Crawford asked if Kelley Road gets a left turn lane. Rutan stated it does, to
15 help with capacity.

16
17 Nelson asked the cost of the signalization. Rutan stated there are still right-
18 of-way, engineering, and construction costs to pay for.

19
20 ***Roy moved*** to recommend approval to the full Council.

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

23
24 **2. REQUEST AUTHORIZATION FOR THE EXECUTIVE TO ENTER INTO A**
25 **JOINT FUNDING AGREEMENT WITH THE US GEOLOGICAL SURVEY**
26 **FOR ANNUAL OPERATION AND MAINTENANCE OF THE COUNTY'S**
27 **STREAM GAGE NETWORK, IN THE AMOUNT OF \$63,245, OF WHICH**
28 **\$51,245 IS REQUESTED BE FUNDED BY THE COUNTY AND \$12,000**
29 **WILL BE FUNDED BY THE USGS (AB2005-367)**

30
31 Nelson asked about the change to the Deming gauge. He was doing his
32 rafting based on the Deming gauge.

33
34 Paula Cooper, River and Flood Division Manager, stated he will have to look
35 at the Cedarville gauge.

36
37 Nelson asked how to gauge the North Fork. Cooper stated the North Fork
38 has a gauge. That information is on the internet through the U.S. Geological
39 Survey website.

40
41 ***Nelson moved*** to recommend approval to the full Council.

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

44
45 **3. REQUEST AUTHORIZATION FOR THE EXECUTIVE TO ENTER INTO A**
46 **PROFESSIONAL SERVICES AGREEMENT BETWEEN WHATCOM COUNTY**
47 **AND PHILIP WILLIAMS & ASSOCIATES, LTD. FOR A SHORELINE**

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1 **ASSESSMENT IN THE AREA OF THE LEGOE BAY ROAD SEAWALL, IN**
2 **THE AMOUNT OF \$44,778.58 (AB2005-368)**

3
4 *Crawford moved* to recommend approval to the full Council.

5
6 *Motion carried unanimously.*

- 7
8 **4. REQUEST AUTHORIZATION FOR THE EXECUTIVE TO ENTER INTO AN**
9 **AGREEMENT BETWEEN WHATCOM COUNTY AND WHATCOM ALLIANCE**
10 **FOR HEALTHCARE ACCESS TO PROVIDE IMPROVED ACCESS TO**
11 **HEALTH CARE SERVICES FOR LOW INCOME AND UNINSURED PEOPLE**
12 **IN WHATCOM COUNTY, IN THE AMOUNT OF \$125,000, OF WHICH**
13 **\$50,000 IS REQUESTED BE FUNDED BY THE COUNTY AND \$75,000**
14 **WILL BE FUNDED BY DSHS MEDICAID ADMINISTRATIVE MATCH**
15 **FUNDS (AB2005-369)**

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

18
19 *Motion carried unanimously.*

- 20
21 **5. REQUEST AUTHORIZATION FOR THE EXECUTIVE TO ENTER INTO AN**
22 **AGREEMENT BETWEEN WHATCOM COUNTY, WHATCOM COUNTY**
23 **SHERIFF'S OFFICE DIVISION OF EMERGENCY MANAGEMENT AND**
24 **SPECIALIZED EMERGENCY RESPONSE PROGRAM (SERP) HAZARDOUS**
25 **MATERIALS UNIT FOR EQUIPMENT DISTRIBUTION IN ORDER TO**
26 **ENHANCE OUR COMMUNITY PREPAREDNESS TO COMBAT**
27 **TERRORISM, IN THE AMOUNT OF \$44,703.38 FUNDED FROM THE**
28 **SNOHOMISH COUNTY DEPARTMENT OF EMERGENCY MANAGEMENT,**
29 **WASHINGTON STATE MILITARY DEPARTMENT AND US DEPARTMENT**
30 **OF HOMELAND SECURITY (AB2005-370)**

31
32 *Nelson moved* to recommend approval to the full Council. He asked how
33 this equipment helps the County respond to terrorism.

34
35 Don Boyd, Interim Emergency Management Division Manager, stated this
36 equipment would gather samples at the scene of an incident. The machine will
37 determine the material so staff can respond appropriately.

38
39 Nelson stated they have quite a bit of equipment that is coming in. He asked
40 how to use this to combat terrorism. Boyd stated this is to respond to an incident.

41
42 Nelson asked if staff is working on a strategic plan to prepare for terrorism or
43 a natural disaster. Boyd stated they have a terrorism strategy in the County's
44 emergency management plan.

45
46 Nelson asked if there are training exercises. Boyd stated there are, locally
47 and in the tri-county region.

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1
2 Nelson stated the County needs to be able to answer the questions and
3 concerns of the citizens given recent events. Boyd stated the Council approved this
4 purchase on September 13, 2005.

5
6 *Motion carried unanimously.*

- 7
8 **6. REQUEST AUTHORIZATION FOR THE EXECUTIVE TO ENTER INTO A**
9 **CONTRACT AMENDMENT TO WHATCOM COUNTY CONTRACT**
10 **200411025 BETWEEN WHATCOM COUNTY AND COMPU-TECH, INC.,**
11 **WHICH EXTENDS THE AGREEMENT THROUGH JUNE 30, 2006,**
12 **INCREASING THE MAXIMUM CONSIDERATION BY \$92,400, FOR A**
13 **TOTAL AMENDED CONTRACT AMOUNT OF \$372,000 (AB2005-371)**

14
15 *Roy moved* to recommend approval to the full Council.

16
17 *Motion carried unanimously.*

- 18
19 **7. REQUEST AUTHORIZATION FOR THE EXECUTIVE TO ENTER INTO AN**
20 **INTERLOCAL AGREEMENT BETWEEN WHATCOM COUNTY AND THE**
21 **CITY OF SUMAS CONCERNING ANNEXATION (AB2005-372)**

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

24
25 *Motion carried unanimously.*

- 26
27 **8. REQUEST AUTHORIZATION FOR THE EXECUTIVE TO ENTER INTO AN**
28 **AGREEMENT BETWEEN WHATCOM COUNTY AND CH2M HILL TO**
29 **PREPARE A COMPREHENSIVE STORMWATER PLAN FOR THE**
30 **WATERSHEDS OF BIRCH BAY, IN THE AMOUNT OF \$153,000**
31 **(AB2005-373)**

32
33 Nelson asked how community stormwater plans affect the County's ability to
34 regulate and provide resources to monitor the plans. He asked how they develop
35 uniformity.

36
37 Roland Middleton, Special Projects Manager, stated this plan will do that very
38 thing. National Pollution Discharge and Elimination System (NPDES) phase two
39 requirements are coming into play in the City of Bellingham. If Blaine comes into
40 the phase two program, this is a requirement. This plan is to identify problems,
41 figure out how to fix them, and figure out how to pay for them. Nothing has been
42 decided or proposed yet. That is what the plan is for.

43
44 Nelson stated other areas would have to do the same thing. He asked if the
45 plan is general enough to be adaptable by other areas. Middleton stated the plan
46 itself is very specific to Birch Bay, but other areas in the county can easily adapt the
47 process.

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1
2 Roy stated a Blaine representative at a Drayton Harbor Shellfish Protection
3 District Advisory Committee meeting said the City of Blaine is pushing to be a part
4 of the phase two stormwater program. The City wants to be one of the designated
5 areas. Middleton stated he wasn't aware the City was actively pushing for it, but
6 he's not surprised.

7
8 Nelson stated there may be grant money available to areas that are
9 designated.

10
11 Bruce Roll, Assistant Director, stated there potentially may be funding, but
12 there is not money for implementation. There is also not sufficient funding for the
13 State Department of Ecology to adequately respond to permits and enforcement.

14
15 Nelson asked if they don't want too many areas in the permit area, and if the
16 areas need to be specific. Roll stated the primary focus in the Birch Bay area are
17 the shellfish issues. They are using a lot of the water resource inventory area
18 (WRIA) data, watershed characterization, and land use to identify the land based
19 activities that are affecting stormwater. That can be consistent throughout and
20 used to solve localized problems. How they identify these areas will have a
21 profound influence on the public's expectations for decades. With any stormwater
22 plan, there will be an expectation that someone will be available to maintain and
23 update the systems over time. Until that is clearly defined, they will look to the
24 County. The Council will have to decide how the stormwater regulations expand in
25 the context of the County's role as a government versus a city's established
26 stormwater utility. All the agencies will have to discuss who implements what.

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

29
30 ***Motion carried unanimously.***

- 31
32 **9. REQUEST AUTHORIZATION FOR THE EXECUTIVE TO RENEW**
33 **INSURANCE FOR THE WHATCOM CHIEF FERRY FOR POLICY YEAR**
34 **9/30/2005 THROUGH 9/30/2006, IN THE AMOUNT OF \$33,801**
35 **(AB2005-374)**

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

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

- 40
41 **10. RESOLUTION TO SET HEARING TO SELL SURPLUS PROPERTY BY**
42 **AUCTION, REQ. #02-05 (AB2005-375)**

43
44 ***Roy moved*** to recommend approval to the full Council.

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

1 **11. RESOLUTION TO SET HEARING TO SELL TAX-TITLE PROPERTY BY**
2 **NEGOTIATION, REQ. #2005-01 (AB2005-376)**

3
4 *Nelson moved* to recommend approval to the full Council.

5
6 *Motion carried unanimously.*

7
8 Nelson asked if the location is in Deming.

9
10 Barbara Cory, Treasurer, stated agenda item 10 was brought forward by the
11 Property Management Committee. They are former gravel pits.

12
13 Nelson asked if the Parks Department is interested at all. Cory stated
14 they've all been reviewed by all the departments.

15
16 **12. RESOLUTION TO SET HEARING TO SELL TAX-TITLE PROPERTY BY**
17 **NEGOTIATION, REQ. #2005-02 (AB2005-377)**

18
19 *Roy moved* to recommend approval to the full Council.

20
21 *Motion carried unanimously.*

22
23 **13. RESOLUTION TO SET HEARING TO SELL TAX-TITLE PROPERTY BY**
24 **PUBLIC AUCTION, REQ. #2005-03 (AB2005-378)**

25
26 Barbara Cory, County Treasurer, stated the applicant wants to build on this
27 property. However, the Property Management Committee determined the property
28 is not a buildable piece of property. They don't believe the applicant can build on it.
29 The committee recommends that it be sold as a non-buildable piece of property at
30 public auction. However, the applicant isn't interested if he can't build on it.

31
32 Crawford asked if this is a situation of caveat emptor, the buyer beware.
33 Cory stated the committee is concerned if the County is held liable in some way.

34
35 Nelson stated the committee is also providing a customer service by letting
36 the applicant know.

37
38 Dewey Desler, Deputy Administrator, stated this is going forward to a public
39 hearing. At the hearing, it may be useful to have legal counsel present to answer
40 questions and concerns.

41
42 Cory stated the Prosecutor's Office brought up the concern of liability.

43
44 Roy asked if the Council should move this forward to a hearing. Cory stated
45 they can always offer properties for sale, but there may not be a bidder. If there is
46 no bid, the County would have to pay for advertising costs. If the applicant is not

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1 interested if the property is non-buildable, then the County should not charge the
2 applicant the application fee. She would want to refund this money.

3
4 Nelson stated the best recommendation of this committee would be to
5 withdraw this item.

6
7 Crawford stated he disagreed. The Council is not in the business of telling
8 people what is buildable and what is not until they come up with a proposal for the
9 Planning Department. The applicant can talk to the Planning Department and talk
10 about the attributes of that lot. The Council isn't inferring that the property is
11 buildable by selling it.

12
13 Cory stated that if the Council designates it as non-buildable, the County can
14 sell it by negotiation, which is the only reason they make that determination. In
15 this case, the Prosecutor brought up the issue of liability. Her staff always tell
16 people buyer beware. They can't make any guarantees when they sell these
17 properties.

18
19 Crawford asked if they should go forward with the hearing and make the
20 decision then. Desler stated they should. This is new information. If the applicant
21 indicated before that he may not be interested, the committee may not have
22 recommended it.

23
24 Crawford stated he preferred to recommend approval to the full Council.
25 Find out if there is a legal issue.

26
27 Nelson stated he would rather get that question resolved before it comes to
28 the Council. Cory stated she would ask Randy Watts to put something in writing.

29
30 Caskey-Schreiber stated that if the County knows something is not buildable,
31 it's good policy to let people know.

32
33 Crawford stated they don't know that the property is not buildable.

34
35 Caskey-Schreiber stated the ground is covered with water part of the year.

36
37 Nelson stated this would go forward with no recommendation.

38
39 **14. RESOLUTION TO SET HEARING TO SELL TAX-TITLE PROPERTY BY**
40 **PUBLIC AUCTION, REQ. #2005-04 (AB2005-379)**

41
42 *Nelson moved* to recommend approval to the full Council.

43
44 *Motion carried unanimously.*

45
46 **15. RESOLUTION TO SET HEARING TO SELL TAX-TITLE PROPERTY BY**
47 **PUBLIC AUCTION, REQ. #2005-05 (AB2005-380)**

1
2 *Crawford moved* to recommend approval to the full Council.

3
4 *Motion carried unanimously.*

5
6 Crawford asked if there are cleanup issues.

7
8 Barbara Cory, County Treasurer, stated she is not aware of any issues.

9
10 **16. RESOLUTION TO SET HEARING TO SELL TAX-TITLE PROPERTY BY**
11 **PUBLIC AUCTION, REQ. #2005-06 (AB2005-381)**

12
13 *Nelson moved* to recommend approval to the full Council.

14
15 *Motion carried unanimously.*

16
17 **17. RESOLUTION TO SET HEARING TO SURPLUS COUNTY-OWNED**
18 **PROPERTY FOR REVERSION TO NORTH WEST INDUSTRIES (NWI),**
19 **REQ. #2005-07 (AB2005-382)**

20
21 Nelson asked if the company would like this property back in their ownership.

22
23 Dewey Desler, Deputy Administrator, stated the company indicated it in a
24 letter. Twenty-three years ago, the County did a business arrangement to generate
25 grant money to support the County's developmental disabilities program. The
26 County took possession of property and agreed to give the property back to this
27 non-profit organization. Over the last four or five years, they tried to figure out
28 their obligations. The company is financially on the ropes right now. At one point,
29 one of their buildings burned. Another building was built. The County was the
30 owner of the property. After looking into it, they could have just returned the
31 property to the company in 1987. The attorneys recommend that the County do
32 that now.

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

35
36 Roy stated these kinds of developmentally disabled institutions are
37 disappearing fast. She asked if this transaction would enable North West Industries
38 to sell the property and continue funding its work programs. Desler stated that is
39 possible.

40
41 *Motion carried unanimously.*

42
43 **OTHER BUSINESS**

44
45
46 Dewey Desler, Deputy Administrator, stated the administration has been
47 working on strategic plan for information technology. He would like to present the

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1 plan to the Council. He asked if it would be appropriate to give his presentation to
2 this committee or before Council of the Whole. The plan will guide a lot of
3 investments for the next five years.

4
5 Caskey-Schreiber stated the presentation should be to this committee. The
6 Committee of the Whole agenda is booked up.

7
8 Nelson asked the administration to not make a lengthy agenda if scheduled
9 in the Finance Committee.

10
11
12 **ADJOURN**

13
14 The meeting adjourned at 11:40 a.m.

15
16
17 _____
18 Jill Nixon, Minutes Transcription

19
20
21 ATTEST:

WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WASHINGTON

22
23
24
25
26 _____
27 Dana Brown-Davis, Council Clerk

L. Ward Nelson, Committee Chair