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WHATCOM COUNTY COUNCIL
Regular County Council

March 14, 2006

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

Present:

Barbara Brenner
Dan McShane
Sam Crawford
Seth Fleetwood
Carl Weimer
L. Ward Nelson

Absent:

None

FLAG SALUTE

ANNOUNCEMENTS

There were no announcements.

MINUTES CONSENT

McShane moved to approve the Minutes Consent items.

Motion carried unanimously.

1. SURFACE WATER WORK SESSION FOR FEBRUARY 21, 2006

2. COMMITTEE OF THE WHOLE FOR FEBRUARY 28, 2006

OPEN SESSION

The following people spoke:

Dennis Jones, Sudden Valley, stated there is a Lake Whatcom Management Meeting on April 5th. He hopes they will discuss how they are going to fund the 21-goal project. Sudden Valley citizens invite the County Council, Bellingham City Council, and Water District 10 Board members to a social on April 7 to discuss municipal options for Sudden Valley.

Kris Ungern, 2095 Northshore Road, asked why they continue to make housing unaffordable with unnecessary land use laws. Keeping new people out of the community by restricting development will transfer crowding and traffic congestion elsewhere. This is not desirable. He asked why development is considered bad when it depends on private enterprise to build what people are willing to buy. He asked why redevelopment is considered good when it involves ill-considered government projects that fail in the real world. The revised moratorium has nothing to do with the Comprehensive Plan goal of preserving agricultural land. Work on real issues instead of wasting time and energy on divisive moratoria.

1
2 Find a way to get information out to the public. Have public forums in addition to
3 regularly scheduled Council meetings. This would be more productive and informative to
4 the public than talking to a few individual citizens on the telephone.
5

6 Compare the agricultural protection overlays (APO) in the Comprehensive Plan to the
7 soil maps in the 1992 Whatcom County soil survey. The APO covers large areas in the
8 north county without consideration of the 192 soil types, many of which aren't suitable for
9 agriculture. The APO map appears to be more political, and is not a useful planning tool. It
10 applies to parcels over 20 acres zoned rural, one unit per five acres (R5A) and rural, one
11 unit per ten acres (R10A). Rural zoning designations cannot be equated to agricultural soil
12 types.
13

14 Norma Otto, 8519 Bluebell Court, Maple Falls, stated the North Fork Community
15 Resource Center project stalled during site selection. There is some disagreement among
16 the people who are working on the project. While that disagreement has stalled the
17 project, the folks in the community are still at risk. The families in need of the services are
18 doing without. It is a great project. She is not in favor of any particular site. Do what they
19 can to move the project forward. The kids need this resource. The kids need more summer
20 programs.
21

22 Larry Quinlivan, 2327 Northshore Road, stated his property assessment went up 63
23 percent. His taxes went up 45 percent. His income went up eight percent. Taxes are
24 increasing faster than wages.
25

26 Brenner stated the State mandates how taxes happen. The amount paid is from the
27 formula from the State. The County has no voice in how that happens.
28

29 Quinlivan stated there should be money to cover certain things that are taxed, given
30 that type of increase in property tax value.
31

32 Brenner stated the County only keeps a small portion of the taxes. Most goes to the
33 State, and some goes out to other districts.
34

35 Crawford stated the County only keeps 16 percent of the property taxes paid.
36

37 Paul Isaacson, 3940 Isaacson Road, stated that he filed a lawsuit against Whatcom
38 County today regarding the moratorium imposed at the last meeting, the **ordinance**
39 **imposing an interim moratorium on the acceptance of short plat applications for**
40 **subdivisions in the rural zones within Agricultural Protection Overlay areas, Rural**
41 **Forestry zones, Suburban Enclaves, and Transportation Corridors (AB2006-110).**
42 When the ordinance was adopted, the County Council did not follow the County Charter, the
43 constitution of this community. His lawsuit demands that County Charter Section 1.11 be
44 respected and given the full force of law for which it was intended. This lawsuit is about the
45 need for legislators to abide by the laws of this county. They can't continue to ignore the
46 laws and get away with it. Property owners shouldn't have to sue the government to get it
47 to comply with the constitutions that protect the people from the government. This Council
48 must either change its thinking or change in structure. Several people have been harmed.
49 The Council is not listening to the citizens. This is the first action, not the last, until the
50 Council is fair with the landowners. If the councilmembers are willing, he will continue to
51 collaborate with the Council.
52

53 J. D. Merris, 512 Darby Drive, #210, Bellingham, stated he is against
54 Comprehensive Plan amendment docket item 2006-AA in the **resolution initiating**

1 **Comprehensive Plan and zoning amendments for 2006 (AB2006-082).** He is
2 opposed to one mile buffers around the city urban growth areas. This is not a realistic goal.
3 Currently, there are people with homes and businesses within a one-mile radius of any city
4 boundary. The Guide Meridian is an example. This proposal may have the unintended
5 consequence of causing additional sprawl. Also, it infringes upon the rights to own
6 property, which is protected by the Comprehensive Plan, County Charter, Growth
7 Management Act, Washington Constitution, and U.S. Constitution.

8
9 Brenner stated the committee recommends a change to that item to require
10 adequate buffers.

11
12 Dana Quam, Whatcom County Association of Realtors Governmental Affairs Director,
13 stated her organization supports Paul Isaacson's lawsuit against the County regarding the
14 **ordinance imposing an interim moratorium on the acceptance of short plat**
15 **applications for subdivisions in the rural zones within Agricultural Protection**
16 **Overlay areas, Rural Forestry zones, Suburban Enclaves, and Transportation**
17 **Corridors (AB2006-110).** Citizens testified to the Council about how the moratorium
18 would negatively affect them. Respect the limits imposed on government by the laws of the
19 land. Citizens shouldn't have to sue the government.

20
21 David Lobdell, 4200 Arnie Road, stated he is dissatisfied with the Whatcom County
22 government, specifically the Planning Department. He has been attempting to establish a
23 business. He has been baited, lied to, and misled by some of the employees. They are
24 taking liberties with the interpretation of the regulations. He is in favor of the management
25 of growth of government. His income is reduced because he has to deal with the County's
26 excessive regulations. Vote against all of the docket items in the **resolution initiating**
27 **Comprehensive Plan and zoning amendments for 2006 (AB2006-082).**

28
29 Randy Elmore, 2185 Squalicum Mountain Road, stated the Council voted to adopt
30 the **ordinance imposing an interim moratorium on the acceptance of short plat**
31 **applications for subdivisions in the rural zones within Agricultural Protection**
32 **Overlay areas, Rural Forestry zones, Suburban Enclaves, and Transportation**
33 **Corridors (AB2006-110),** which is illegal. It was done without public process. It calls
34 something an emergency that is not an emergency. The councilmembers each spoke about
35 their reasons for voting the way they did. He's sorry that Pete Kremen signed the
36 ordinance. The ordinance doesn't make sense. He supports Paul Isaacson.

37
38 Valerie McAloon, North Fort Community Resource Center Association Board
39 Secretary, stated that the Board appreciates the County's support of its project. She agrees
40 with Norma Otto's comments about site selection.

41
42 Johnnie Grames, 4478 Northwest Drive, this week is Sunshine in Government Week,
43 meaning there must be open government so people can access what goes on inside
44 government. However, the recent purchase of the Bellingham Herald and other newspapers
45 is politically motivated. People must have enough information in the election process to
46 change government. Everything becomes politicized. Also, the law library hours for the
47 public are too restrictive.

48
49 Lesa Starkenburg-Kroontje, 115 Front Street, Lynden, stated she is in favor of
50 Comprehensive Plan amendment docket item 2006-R in the **resolution initiating**
51 **Comprehensive Plan and zoning amendments for 2006 (AB2006-082).** The
52 committee recommends docketing. Comprehensive Plan goal 8P says that the County
53 should seek to designate a 50-year supply of mineral resources. This goal promotes the

1 Growth Management Act mandate to classify, designate, and protect mineral resources for
2 future needs.

3
4 This proposal would add 25 acres to an already-existing mineral resource land
5 (MRL). It is an area that has been used for mineral extraction historically. The area is
6 proven to have the resource. The amendment will designate and protect the remaining
7 deposit.

8
9 The Geo-Engineers study indicated that the County has a 12- to 15-year supply of
10 quality aggregate. That study is three years old now, so there is a 9- to 12-year supply of
11 construction aggregate.

12
13 This site has been tested to confirm that the deposit extends into this area. This is
14 one of the few areas identified in the study that is not located in an agriculture zone.

15
16 Docketing means the Council is interested in hearing more about this proposal. MRL
17 status will protect this area that is zoned as rural, one unit per five acres (R5A). Notice will
18 be sent to people in the area. The MRL designation only means the owners can seek a
19 permit for mining and cannot divide the property below a size of 20 acres. Docket this
20 item.

21
22 Mark Aamot, 3225 Arnie Road, Custer, stated there are good people in Whatcom
23 County. They look at the law to protect them. Be aware of the burden of regulation. It
24 falls most heavily on the working class of this county. In the future, the Council will be
25 faced with hard choices on these issues. Remember the citizens.

26
27 Bob Wiesen, 3314 Douglas Road, Ferndale, stated they have a very dysfunctional
28 Planning Commission. He agrees with the Bellingham City Council and Bellingham Planning
29 Commission about their urban growth areas. The Council needs to lighten the burden of the
30 Whatcom County Planning Commission. Leave out that step. It will be a mess. The
31 purpose of these Comprehensive Plan amendments is to tweak the plan, not make
32 wholesale changes that undo the work of many people. The Council is trying to do too
33 many things through the **resolution initiating Comprehensive Plan and zoning**
34 **amendments for 2006 (AB2006-082).**

35
36 He asked why the Council would give \$40,000 to the Whatcom County Coalition for
37 Healthy Communities, as requested in the **request authorization for the Executive to**
38 **enter into a contract between Whatcom County and Whatcom Coalition for Healthy**
39 **Communities to support the development and implementation of the Whatcom**
40 **County community health improvement initiatives as delegated to the local health**
41 **districts through the Washington State Public Health Improvement Plan, in the**
42 **amount of \$40,000 (AB2006-137).**

43
44 Consider very seriously Paul Isaacson's lawsuit regarding the **ordinance imposing**
45 **an interim moratorium on the acceptance of short plat applications for**
46 **subdivisions in the rural zones within Agricultural Protection Overlay areas, Rural**
47 **Forestry zones, Suburban Enclaves, and Transportation Corridors (AB2006-110).**
48 Many in this county feel the same way.

49
50 Comprehensive Plan amendment docket item 2006-R in the **resolution initiating**
51 **Comprehensive Plan and zoning amendments for 2006 (AB2006-082)** should be an
52 easy decision. The County is short in its designated supply of gravel.

1 Mauri Ingram, Trillium Corporation, stated she is in favor of Comprehensive Plan
2 amendment docket item 2006-S in the **resolution initiating Comprehensive Plan and**
3 **zoning amendments for 2006 (AB2006-082)**. Docket this item. Many proposals are
4 being put forward. It's important that the county be considered as a whole. This significant
5 amount of property should be considered for community discussion. This approval merely
6 opens the discussion about the future land use of the property.
7

8
9 **PUBLIC HEARINGS**

10
11 **1. RESOLUTION TO SELL TAX TITLE PROPERTY BY PUBLIC AUCTION, REQ.**
12 **#TR2006-03 (AB2006-122A)**
13

14 Barbara Cory, Treasurer, gave a staff report and stated the Property Management
15 Committee voted 4-3 to recommend selling this property. The applicant wants to add this
16 parcel to his property, which will allow him to divide his property so his son can build a
17 home there.

18
19 *(Clerk's Note: End of tape one, side A.)*
20

21 Cory continued to state that the committee could not find a public purpose for this
22 parcel. The committee decided it is up to the Council to decide.
23

24 Caskey-Schreiber opened the public hearing and, hearing no one, closed the public
25 hearing.
26

27 Cory stated the County can only sell the parcel by negotiation under certain
28 conditions set by State statute. This parcel does not meet any of those conditions to sell by
29 negotiation, so it must be sold by public auction.
30

31 Crawford asked the reason for the 4-3 vote of the Property Management Committee.
32 Cory stated the argument was about the moratorium and dividing property. The applicant
33 was very upfront and honest about what he wants to do.
34

35 Crawford stated the moratorium does not affect this parcel.
36

37 ***Crawford moved*** to approve the resolution.
38

39 ***Motion carried unanimously.***
40

41 **2. RESOLUTION TO SELL TAX TITLE PROPERTY BY NEGOTIATION, REQ.**
42 **#TR2006-04 (AB2006-123A)**
43

44 Barbara Cory, Treasurer, gave a staff report and stated the Property Management
45 Committee recommendation is to sell by negotiation to the Lummi Nation for salmon habitat
46 restoration.
47

48 Caskey-Schreiber opened the public hearing and, hearing no one, closed the public
49 hearing.
50

51 ***Nelson moved*** to approve the resolution.
52

53 Brenner asked why this parcel would be negotiated. Cory stated the sale is to
54 another governmental agency.

1
2 Brenner asked if it is sold at market value. Cory stated the Council can set the
3 minimum price. This sale is authorized by State statute.
4

5 Caskey-Schreiber stated the Tribe is very excited about this property. The Tribe will
6 put the property into conservancy for salmon habitat. It will pay all the money owed on the
7 property.
8

9 ***Motion carried unanimously.***

10
11 **3. RESOLUTION TO SELL TAX TITLE PROPERTY BY PUBLIC AUCTION, REQ.**
12 **#TR2006-05 (AB2006-124A)**
13

14 Barbara Cory, Treasurer, gave a staff report and stated this is a one-week timeshare
15 at Birch Bay.
16

17 Caskey-Schreiber opened the public hearing and, hearing no one, closed the public
18 hearing.
19

20 ***Brenner moved*** to approve the resolution.
21

22 McShane asked how it's taxed. Cory stated each week of a timeshare property is
23 taxed separately.
24

25 McShane asked how that is managed. Cory stated they are often in the foreclosure
26 sales. They can be exchanged for other timeshares throughout the world.
27

28 McShane asked the amount of tax dollars. Cory stated the amount owing is
29 \$980.89. The annual property tax is much less. The amount owing includes handling costs
30 and interest.
31

32 ***Motion carried unanimously.***
33

34 **4. RESOLUTION TO SELL TAX TITLE PROPERTY BY PUBLIC AUCTION, REQ.**
35 **#TR2006-06 (AB2006-125A)**
36

37 See the above item for the staff report.
38

39 Caskey-Schreiber opened the public hearing and, hearing no one, closed the public
40 hearing.
41

42 ***Nelson moved*** to approve the resolution.
43

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

46 **5. RESOLUTION TO SELL TAX TITLE PROPERTY BY PUBLIC AUCTION, REQ.**
47 **#TR2006-07 (AB2006-126A)**
48

49 Barbara Cory, Treasurer, gave a staff report and stated this is a regular request for a
50 parcel on the tax title list. The committee recommends that the parcel be sold.
51

52 Caskey-Schreiber opened the public hearing and, hearing no one, closed the public
53 hearing.
54

1 **Brenner moved** to approve the resolution.
2

3 Nelson asked about the road right-of-way, and if the Public Works Department is
4 aware of the sale. Cory stated the Public Works Department is a committee member. The
5 department is aware of the sale.
6

7 **Motion carried unanimously.**
8

9 **6. RESOLUTION TO SELL TAX TITLE PROPERTY BY NEGOTIATION, REQ.**
10 **#TR2006-08 (AB2006-127A)**
11

12 Barbara Cory, Treasurer, gave a staff report and stated the legal description of this
13 parcel, which the County received in the early 1900's and is only 16 inches wide, is now
14 encompassed within the legal description of another parcel. The request is a negotiated
15 sale with the person who has this property currently.
16

17 Caskey-Schreiber opened the public hearing and, hearing no one, closed the public
18 hearing.
19

20 **Weimer moved** to approve the resolution.
21

22 **Motion carried unanimously.**
23

24 **7. CONSIDERATION OF OPEN SPACE/OPEN SPACE APPLICATION FILED BY**
25 **LOIS VAN WINKLE (AB2006-130A)**
26

27 Elizabeth Olsen, Planner II, gave a staff report and stated there is a large area of
28 conservation land. She recommended approval, but the public access rules were strict. The
29 Planning Commission recommended denial and sent it to the County Council.
30

31 Brenner stated the Council recommended approval once the access rules were
32 negotiated.
33

34 McShane stated the parking issue was resolved. The Planning Committee
35 recommended approval to the full Council. However, because the Planning Commission
36 recommended that it be denied, the Council was required to have a public hearing.
37

38 Caskey-Schreiber opened the public hearing and, hearing no one, closed the public
39 hearing.
40

41 **Brenner moved** to approve the application.
42

43 Crawford stated he would like the Council's action to involve reassessing the points
44 given to the application. He questions the real public benefit. He will vote against the
45 motion. The point system is a very subjective evaluation and points are subject to
46 adjustment. In this case, adjust the points to resolve the record of why they would deny
47 this parcel.
48

49 Fleetwood stated the committee asked if this project would still meet the public
50 benefit threshold if it didn't include parking or access. The answer was that the property
51 still met the public benefit threshold by a lot. Olsen stated even if the points are up to 100,
52 the application would still get the full range of benefits.
53

1 Crawford stated the values are subjective. The method of arriving at the points is
2 not objective. Adjust the point system to maintain its integrity. In his opinion, the
3 applicant is looking for a tax break and has little intention of providing some benefit.
4

5 Caskey-Schreiber stated the benefit is its conservation near California Creek.
6

7 McShane stated he had concern about public access, but it was resolved. He
8 understands questioning of the scoring method, but won't hold it against this application.
9

10 Nelson stated the Council has allowed open space/open space designations without
11 public access in the past. Olsen stated it has, generally when there is a high priority species
12 on the land. There is not in this case.
13

14 Brenner stated she recalled that the owner was not interested in providing public
15 access and wanted ten days' notice for use. She can understand why the Planning
16 Commission objected. That's taken care of now. People do stop there for the scenic view.
17 Olsen stated people stop on the road to access the area, which the State Department of
18 Transportation doesn't like.
19

20 Nelson asked how the permit process works. Olsen stated people seeking permits go
21 to the property owner.
22

23 Brenner stated she thought regular access was taken care of because a permit
24 process was too burdensome.
25

26 ***Brenner moved*** to hold in Planning and Development Committee. She would like to
27 make sure there is complete public access to the property.
28

29 ***Motion carried 5-2 with Fleetwood and Crawford oppose.***
30

31 **CONSENT AGENDA** 32

33 ***Crawford*** reported for the Finance and Administrative Services Committee and
34 ***moved*** to approve Consent Agenda items one and three through eleven.
35
36

37 ***Nelson withdrew item eleven.***
38

39 ***Motion to approve Consent Agenda items one and three through ten carried***
40 ***unanimously.***
41

- 42 **1. REQUEST AUTHORIZATION FOR THE EXECUTIVE TO ENTER INTO A LEASE**
43 **AGREEMENT BETWEEN WHATCOM COUNTY AND CASCADE BUSINESS PARK**
44 **FOR OFFICE SPACE UTILIZED AS THE WHATCOM COUNTY SHERIFF'S OFFICE**
45 **NEIGHBORHOOD PATROL OFFICE LOCATED AT 5373 GUIDE MERIDIAN FOR**
46 **A PERIOD OF THREE YEARS, IN THE AMOUNT OF \$775/MONTH FOR 2006,**
47 **\$798.25/MONTH FOR 2007, AND \$822.20 PER MONTH FOR 2008 (AB2006-**
48 **136)**
49
- 50 **2. REQUEST AUTHORIZATION FOR THE EXECUTIVE TO ENTER INTO A**
51 **CONTRACT BETWEEN WHATCOM COUNTY AND WHATCOM COALITION FOR**
52 **HEALTHY COMMUNITIES TO SUPPORT THE DEVELOPMENT AND**
53 **IMPLEMENTATION OF THE WHATCOM COUNTY COMMUNITY HEALTH**
54 **IMPROVEMENT INITIATIVES AS DELEGATED TO THE LOCAL HEALTH**

1 **DISTRICTS THROUGH THE WASHINGTON STATE PUBLIC HEALTH**
2 **IMPROVEMENT PLAN, IN THE AMOUNT OF \$40,000 (AB2006-137)**
3

4 **Crawford** reported for the Finance and Administrative Services Committee. The
5 committee removed item four. He **moved** to approve the request as amended, without
6 item four.
7

8 McShane moved to amend the motion to approve the request as presented, with
9 item four.
10

11 Regina Delahunt, Health Department Director, stated item four is a leadership
12 training class. It provides individuals with leadership skills. The individuals choose projects
13 to work on through the year and collaborate with the community.
14

15 Brenner asked about the Leadership Whatcom program.
16

17 Sue Anderson, Whatcom Coalition Executive Director, stated the program is in its
18 first year. Many stakeholder meetings over the years have talked about having a leadership
19 program. Stakeholders from many areas of the community developed the program. The
20 Coalition structured the content of the sessions around the Healthy Community topic areas.
21

22 Brenner asked the obligation of the course participants. Anderson stated there is no
23 obligation. The participants pay tuition for the program. The program generates revenue.
24 The contract supports a very tiny portion of the program. The County money may only go
25 to support the Healthy Community indicator work.
26

27 Brenner asked who gets the tuition. Anderson stated the tuition goes toward the
28 cost of the program.
29

30 Brenner asked if all the money the County spends on the program comes back to the
31 County. Anderson stated the money goes to the Coalition. The contract amount only
32 supports a bit of the administration for the program.
33

34 Delahunt stated the program generates about \$60,000 in tuition, but it doesn't pay
35 for the program.
36

37 Brenner asked why the County would support it. Delahunt stated the County is only
38 incurring some of Ms. Anderson's time to coordinate the program.
39

40 Anderson stated the participants are engaged in Healthy Community issues.
41 However, the leadership training program does not need to be in the scope of the contract.
42 The money can be focused on the community health indicator work.
43

44 Nelson stated he appreciates the offer to remove the program from the scope of
45 work. It is easier for him to approve the request. County money should go toward the
46 specific projects that put services into the community. It would be hard to evaluate the
47 outcomes of this program. It's important to evaluate outcomes of programs that the
48 County supports. He hopes he'll hear about those outcomes during the budget process.
49

50 Crawford stated he is against the motion to amend. The Health Department is
51 required to perform community health assessments to identify county health problems and
52 threats. The Leadership Whatcom Program is so far outside the purpose of these dollars.
53 He doesn't have a problem using the money in the scope of performing community health

1 assessments and identifying threats. The purpose of the money is to help sick people, but
2 not through a leadership identification program.

3
4 McShane stated health issues are complicated. Providing assistance and skill sets to
5 those leaders is important. He would like to do this with many County advisory committees.
6 The County would get better products. Not everyone is well-versed in monitoring and
7 measuring success. These leaders will measure the success and how they succeed in
8 addressing these community issues. The Whatcom Coalition of Healthy Communities
9 identified this as a need to help them with their work. He won't second guess their scope.

10
11 Brenner stated the program only includes 20 participants per year. There is no
12 requirement for the participants to do any volunteering. She likes the concept of training
13 people on these issues.

14
15 Caskey-Schreiber stated the participants have to do a community project. Anderson
16 stated the people who apply for the program are already existing or emerging leaders.
17 They are looking to improve their skills.

18
19 Brenner asked if potential participants are refused participation. Anderson stated
20 participation is competitive. The program handles only 20 people in the class.

21
22 Caskey-Schreiber stated the program provides skills to people who have already
23 stepped up and who might need more tools to help facilitate health in the community.
24 There are many types of health, including economic health. The community must
25 participate in decision-making. This program will help the community get things going. It
26 will only help the health of Whatcom County.

27
28 Anderson stated leadership programs happen all over the country and State. It is
29 not unusual.

30
31 Brenner stated she would support the motion, but she has a problem with some
32 people getting picked and others not getting picked. She can understand first come, first
33 served until the class is full. Some people shouldn't have to prove they have years of
34 experience.

35
36 Caskey-Schreiber stated the program will get to that point, but it is in its first year.
37 Anderson stated there is a wide range of ages and sectors included in the program.

38
39 Nelson stated he appreciates the course, but the dollars should be spent on
40 healthcare. Dollars are scarce. Leaders already step forward, get educated themselves and
41 provide help in the community.

42
43 Caskey-Schreiber stated this program can be removed from the scope of work.

44
45 ***Motion to amend carried 5-2 with Nelson and Crawford opposed.***

46
47 ***Motion to approve as presented in the Council packet carried unanimously.***

- 48
49 **3. REQUEST AUTHORIZATION FOR THE EXECUTIVE TO ENTER INTO A**
50 **CONTRACT BETWEEN WHATCOM COUNTY AND LYDIA PLACE PROVIDING**
51 **FUNDING FROM COUNTY 2060 OPERATIONS FUNDS FOR AVAILABILITY OF**
52 **18 TRANSITIONAL HOUSING BEDS FOR WOMEN WITH CHILDREN AT LYDIA**
53 **PLACE, IN THE AMOUNT OF \$20,000 (AB2006-138)**
54

- 1 4. REQUEST AUTHORIZATION FOR THE EXECUTIVE TO ENTER INTO A
2 CONTRACT BETWEEN WHATCOM COUNTY AND NORTHWEST YOUTH
3 SERVICES PROVIDING FUNDING FROM COUNTY 2060 OPERATIONS FUNDS
4 FOR A 4-BED LICENSED FOSTER HOME, IN THE AMOUNT OF \$25,000
5 (AB2006-139)
6
7 5. REQUEST AUTHORIZATION FOR THE EXECUTIVE TO ENTER INTO A
8 CONTRACT BETWEEN WHATCOM COUNTY AND SUN COMMUNITY SERVICES
9 PROVIDING FUNDING FROM COUNTY 2060 OPERATIONS FUNDS FOR 4
10 EMERGENCY SHELTER BEDS, IN THE AMOUNT OF \$52,500 (AB2006-140)
11
12
13 6. REQUEST AUTHORIZATION FOR THE EXECUTIVE TO ENTER INTO A
14 CONTRACT BETWEEN WHATCOM COUNTY AND WILSON ENGINEERING, LLC
15 TO CONDUCT A HYDROGRAPHIC SURVEY ON THE LOWER NOOKSACK RIVER,
16 IN THE AMOUNT OF \$246,125 (AB2006-141)
17
18
19 7. REQUEST AUTHORIZATION FOR THE EXECUTIVE TO ENTER INTO A
20 CONTRACT BETWEEN WHATCOM COUNTY AND EXIGENT COMPUTER GROUP,
21 INC. (WITH SOLE SOURCE DESIGNATION) FOR THE SOFTWARE
22 TECHNOLOGY TO AUGMENT THE AUDITOR'S OFFICE RECORDING SYSTEM TO
23 PERFORM INITIAL AUTOMATIC REDACTION AND AUTOMATIC INDEXING OF
24 THE DOCUMENTS RECORDED IN THE AUDITOR'S OFFICE, IN THE AMOUNT
25 OF \$134,072 FOR SOFTWARE AND ESTIMATED SUPPORT (AB2006-142)
26
27
28 8. REQUEST AUTHORIZATION FOR THE EXECUTIVE TO ENTER INTO CONTRACT
29 ADDENDUM 4 BETWEEN WHATCOM COUNTY AND RICH ULLSMITH, DDS,
30 INCREASING HOURS AT THE COUNTY JAIL FOR DENTAL SERVICES FROM 24
31 DAYS PER YEAR TO 42 DAYS PER YEAR, IN THE AMOUNT OF \$15,320, FOR A
32 TOTAL AMENDED CONTRACT AMOUNT OF \$34,320 (AB2006-143)
33
34
35 9. RESOLUTION IN SUPPORT OF WHATCOM COUNTY RAPID BORDER
36 PROSECUTION INITIATIVE (AB2006-149)
37
38
39 10. RESOLUTION IN SUPPORT OF WHATCOM COUNTY MULTI-JURISDICTIONAL
40 DATA INTEGRATION PROJECT (AB2006-148)
41
42
43 11. RESOLUTION IN SUPPORT OF PROTECTING LAKE WHATCOM (AB2006-147)

44 *Crawford moved* to approve the resolution.

45
46
47 *McShane* stated there is an attachment to be sent to provide background
48 information of the actions the County has taken, so the legislators realize that the County
49 has taken many significant actions to protect the water quality in Lake Whatcom. He
50 *moved* to amend the resolution to attach his information.

51
52 *Motion to amend carried unanimously.*
53

1 Crawford stated some councilmembers went to Washington D.C. recently. There
2 were three narrowly focused issues that will be of great benefit to Whatcom County in terms
3 of gaining the support and assistance of federal legislators, including dollars. Executive
4 Kremen and Administrator Desler deserve their appreciation. A caveat from Representative
5 Larson and Senators Murray and Cantwell was that the Council pass three resolutions,
6 including these last three Consent Agenda items. These items will be sent to Washington
7 D.C.

8
9 (Clerk's Note: End of tape one, side B.)

10
11 **Motion to approve as amended carried unanimously.**

12
13
14 **OTHER ITEMS**

15
16 **1. ORDINANCE ADOPTING A SHORT TERM PLANNING AREA ZONING OVERLAY**
17 **DESIGNATION IN THE FERNDALE UGA NORTH OF THORNTON ROAD**
18 **(AB2006-129)**

19
20 **Fleetwood** reported for the Planning and Development Committee and **moved** to
21 adopt the ordinance as presented. The ordinance includes a condition that it be developed
22 at a minimum density of six dwelling units per net developable acre.

23
24 Crawford asked the applicant's response to the condition.

25
26 Fleetwood stated there was some objection from the Planning staff, City of Ferndale,
27 and some citizens that the County would impose its preferred density. They didn't think
28 that density is required by the Growth Management Act, and the County is imposing that
29 density without authority. The applicant did not take a position on the density condition.

30
31 Crawford asked if the density requirement is a minimum or maximum density.

32
33 Fleetwood stated the density is a minimum.

34
35 McShane stated an interlocal agreement signed in 1999 between the County and City
36 supports the density mentioned above. The City may have a difference of opinion now. The
37 City accurately pointed out that the existing short-term planning area is significantly
38 encumbered by wetlands in the southern portion. It will probably never have that density.
39 This proposal is actually a compromise. This is the minimum for this particular short-term
40 planning area as it is added. The applicant has to work with the City of Ferndale. The
41 applicant's proposal will go for that density anyway because it makes financial sense. The
42 applicant is obligated to a local improvement district. More hookups is to their advantage.
43 However, the applicant chose not to take a position on density because they have to work
44 with the City.

45
46 Brenner stated she is against the amendment. The City of Ferndale was never privy
47 to the decision about the density of six to eight units per acre. The City does not support
48 that density. Other small cities have minimum densities of four units per acre. The City
49 doesn't agree with a net density. It prefers calculation on gross density. The applicant
50 doesn't have a problem meeting that density threshold. This will set a precedent. When
51 the County approved the interlocal agreement, it didn't hear from the City. Everyone
52 assumed it was okay with the City. The County must be more accommodating to what the
53 City wants in its urban growth area, especially if that's how the other small cities are
54 treated. The County isn't treating everyone equitably.

1
2 **Crawford** stated Councilmember Brenner and Councilmember McShane are both
3 right. Those density levels were adopted two or three years ago, not in 1999. This
4 agreement just says that the County will go along. Some cities objected to the density the
5 County established. It appears there are some practical patterns of development that need
6 to occur. He always attempts to defer to the judgment of the small cities. He **moved** to
7 change the density minimum to three dwelling units per acre.

8
9 Nelson asked if the committee discussed whether or not services were available.

10
11 Brenner stated it did.

12
13 Nelson asked how this reconciles with other discussions the County has had with
14 cities. In the past, there was a concern about allowing too much density in urban growth
15 areas. It would create future problems with annexation, resulting in development patterns
16 that don't work for the community. One proposed Comprehensive Plan amendment is to
17 lower densities in the urban growth areas below the densities in the cities. The question is
18 whether the County should increase or reduce densities in the urban growth areas.

19
20 Caskey-Schreiber stated this proposal will match density in an existing development
21 in the same location. The City plans to annex that existing development. Mayor Landcastle
22 didn't speak to the issue of annexation being a problem for services. The small cities object
23 to the County mandating their densities. The Mayor didn't speak against anything regarding
24 this density. The issue is more of the County's role in dictating density. She will support
25 the current density. This is the only way to fight sprawl. She would like the City to use
26 higher densities in some locations to make room for green spaces.

27
28 Fleetwood stated the attorney for the applicant stated the applicant plans to build at
29 a density of six units per acre.

30
31 **Crawford** stated the applicant's density plans hadn't been clear to him before. He
32 **withdrew his motion** to amend the ordinance.

33
34 **Brenner moved** to eliminate Exhibit B. The applicant has already agreed to a
35 density of six units per acre. The issue is the County encouraging versus requiring
36 minimum density. The County needs to revisit the density requirement with the City of
37 Ferndale. The condition is not an encouragement.

38
39 McShane stated the findings of the ordinance discuss nearby development levels.
40 The lot size at Pacific Highlands is 6,036 square feet, which is smaller and more dense than
41 the condition in Exhibit B, which is 7,000 square feet. The condition is consistent with
42 existing nearby development. Another nearby development within the city limits is even
43 denser.

44
45 Nelson asked if there was discussion on urban growth area densities, in terms of
46 adjoining areas and how developments would look when annexed.

47
48 McShane stated it's part of the interlocal agreement, which includes minimum urban
49 densities.

50
51 Jerry Landcastle, Mayor of Ferndale, stated the City creates developer agreements
52 with the developers once a property is in the short-term planning area and the proposal
53 comes forward. Now, this issue is to change the property from a long-term to short-term
54 planning area, so the property can be considered for annexation.

1
2 The density issue for the City is that no one in the current City administration was
3 with the City at the time the interlocal agreement was signed. He doesn't know there was
4 an agreement in 1999 to accept a density of six units per acre. The density at that time
5 was three to four units per acre in the rural, one unit per five acre (R5A) areas. This
6 particular piece of property was involved in an agreement to participate in improvements for
7 water service. The discussion about that issue went on for years, and has been solved. The
8 City is not interested in a six unit density requirement. It was a requirement that came
9 later on. It was considered a recommendation, not a requirement. It was not something
10 the County Council would dictate. Lately, that has changed to a requirement. The City of
11 Ferndale does not want that.

12
13 Brenner stated the City, the proponent, and the committee all agree that this item
14 should be approved. They just disagree on Exhibit B. The Council can approve the request
15 without Exhibit B. The applicant already said they will develop at a density of six units per
16 acre.

17
18 Brenner stated the density is in the Comprehensive Plan. The requirement follows
19 the Comprehensive Plan.

20
21 McShane stated he is against the motion to amend. Whether or not the City agrees,
22 there is a signed interlocal agreement, even though the current City administrators were not
23 around during that agreement. The density level is in the Comprehensive Plan. This land is
24 in the County's jurisdiction. It is not in Ferndale. The argument of authority could be
25 reversed, and the question would become whether the County should be dictated to about
26 taking all the growth to deal with affordable housing, when the County believes affordable
27 housing should be targeted for the cities. This amendment sets the precedent for the
28 Council to ignore its own growth policies. The policy was set to reduce the tax burden to
29 the County. Sprawling development is less likely to become a part of the cities. If the
30 County ignores its interlocal agreement, the City may ignore annexing these areas. Create
31 affordable housing, which is a part of building lots of homes in the cities where jobs are
32 available. The City has agreed to this policy. Some day, there could be a different
33 interlocal agreement.

34
35 Brenner stated the ordinance doesn't change anything in the Comprehensive Plan.
36 The County needs to renegotiate the agreement because it offers less density to other
37 cities. Removing Exhibit B will not violate the Comprehensive Plan. It shows good faith
38 toward the City. They've been talking a long time about whether or not they should dump
39 density in urban growth areas. She doesn't support dumping density in urban growth
40 areas. She supports overall densities being high in the cities and low in the county. Also,
41 they are still talking about averages.

42
43 Nelson asked if the area is vacant now.

44
45 McShane stated it mostly is.

46
47 Nelson stated many areas are already incorporated in the urban growth areas that
48 aren't designed to accept that density level. The County has to work with cities to achieve
49 those densities. He doesn't have a problem with this area having this density.
50 Unfortunately, encouraging someone doesn't have any force of law. The County must set
51 criteria and work with the cities to achieve those criteria. In this instance, they are
52 complying with the Comprehensive Plan. The applicants are already working on this
53 density. A concern is that some other areas near the city may not be able to annex because
54 they can't support a density of six units per acre.

1
2 Crawford asked if this ordinance amends the interlocal agreement for all short-term
3 urban growth areas around Ferndale or just this one area.
4

5 McShane stated this ordinance applies to just this area in changing the area from a
6 long-term to short-term planning area.
7

8 Crawford stated he is against the amendment because this ordinance applies only to
9 a parcel in which the developer intends to develop at that density anyway. He is
10 sympathetic to the Mayor's concern. It is something worth addressing as new
11 Comprehensive Plan amendments are development.
12

13 Nelson stated the language in the Exhibit should match the language in the
14 Comprehensive Plan.
15

16 Brenner stated the Comprehensive Plan says the County will "encourage."
17

18 Doug Robertson, attorney for the applicant, read Goal 2P from the Comprehensive
19 Plan. The language says the County will encourage densities at net residential acre. This
20 goal is the only reference in the Comprehensive Plan to net residential acres.
21

22 **Nelson moved** to amend the amendment, to include Exhibit B and amend Exhibit B,
23 "The City of Ferndale will require the subject properties to be developed is encouraged to
24 develop at a minimum...."
25

26 **Brenner accepted** the motion as a friendly amendment to her motion.
27

28 Caskey-Schreiber stated the Council must get serious about mandating higher
29 densities in areas that will be converted for growth, or they will facilitate more land
30 consumption and sprawl. The rationale to include this area is the rapid increase of housing
31 prices in Ferndale, which establishes a need for additional developable land. This could go
32 on forever if the County doesn't mandate a higher density. Councilmember Brenner is
33 fanatic about the City of Ferndale not growing eastward, yet is fighting higher densities in
34 the other direction. The question is where to put people who are coming to the area. Use
35 the land they have now in urban growth areas.
36

37 Brenner stated not wanting this doesn't mean the opposite is true to punish anyone.
38 The County has treated the cities differently. She doesn't believe they will have to keep
39 expanding. She doesn't believe they have to decide to develop forever up or forever out.
40 They have turned cities and counties into enemies. Some of these places can grow to a
41 certain level and don't have to grow any more if no more land is available. If State law is
42 turning counties and cities against each other, there is something wrong with State law.
43

44 Crawford stated he now supports this amendment because he is concerned about the
45 average lot size. Now, this follows the Comprehensive Plan regulation that the City signed
46 in the interlocal agreement.
47

48 Nelson stated that if Councilmember Caskey-Schreiber doesn't believe they are
49 meeting densities, she should vote to remove this from the Comprehensive Plan
50 amendment docket.
51

52 McShane stated that not requiring this condition is a formula for sprawl. The
53 Council's obligation is to the areas outside of the cities. When infrastructure and services
54 are in place, density that low doesn't make sense. If the City doesn't want to pursue that

1 kind of zoning, it shouldn't be growing in that area. If the City doesn't want urban zoning
2 outside it's city limits, it shouldn't annex non-urban areas. That's why they have suburban
3 enclaves, for which the County must provide services.
4

5 Brenner stated the applicant is already going to develop at six units per acre. The
6 County shouldn't require it.
7

8 Caskey-Schreiber stated it's still the County's jurisdiction.
9

10 Nelson stated that if density is the issue, then work with the City and with the
11 applicant to increase densities. If this land is not wet and is developable, then increase the
12 density even more. If the Council is serious, then this is an opportunity to start creating
13 communities within urban areas.
14

15 McShane stated this is an appropriate compromise at this point in time. It probably
16 doesn't meet what the short-term planning area is. There are some short-term planning
17 areas around Ferndale that won't develop. Let the land speak for itself. Identify the areas
18 where urban growth should occur. The growth should be at urban levels.
19

20 ***Motion to amend failed 3-4 with Crawford, Nelson, and Brenner in favor.***

21 ***Fleetwood moved*** to adopt the ordinance.
22
23

24 Tom Black, City of Ferndale Planning Director, stated this decision seems to be based
25 on the interlocal agreement the City signed in 1999. When the interlocal agreement was
26 signed in 1999, the only goals and policies in the Comprehensive Plan at that time was a
27 goal to establish interlocal agreements with each city, which sets out general guidelines to
28 address revenue sharing, the provision of services, management of growth, annexation,
29 delivery of services, protection of critical areas, and designation of open space urban growth
30 areas. The only policy that dealt with density in Ferndale at that time was policy 2V-2,
31 which said to support the City of Ferndale's planning efforts for infill development within the
32 existing city limits, and development of it's urban growth area, which will result in average
33 densities of over three units per residential zoned acre. That was what the 1999 interlocal
34 agreement agreed to. The City was to establish densities at over three units per acre.
35

36 The six to eight units per acres that was established for Ferndale in the newest
37 version of the Comprehensive Plan was discussed by the Growth Management Oversight
38 Committee for about a year and a half. He participated in those meetings. He sat with the
39 directors of the other small cities. The small cities agreed to let this proposal go forward as
40 written because it was specifically written to encourage, not require, the cities to grow at
41 that density. If that density were required at the time, every planning director in the county
42 would have objected to that sort of imposition. The City of Ferndale did not object to the
43 numbers because they considered it in the context of establishing their own zoning in these
44 areas. When they look at the City's zoning categories in these areas, they result in a net
45 density, which removes about 25 to 30 percent of the land, of six, 7.3, and 9.5 units per net
46 acre. He can't guarantee that any development will develop at that density. They talked at
47 the time about whether the zones comply with the density of six to eight units per net acre.
48

49 ***Motion carried 6-1 with Nelson opposed.***
50

51 **2. RESOLUTION FOR REVIEW OF THE RURAL ZONES, AGRICULTURAL ZONES,**
52 **APO AREAS, AND RURAL FORESTRY ZONES (AB2006-133)**
53

1 Fleetwood reported for the Planning and Development Committee and stated Kraig
2 Olason gave the committee a work plan outline. He encouraged other councilmembers to
3 get a copy. This item was held in committee for two weeks.
4

5 **3. REQUEST CONFIRMATION OF THE EXECUTIVE'S REAPPOINTMENT OF DAVID**
6 **DAVIDSON TO THE WHATCOM COUNTY PUBLIC HEALTH ADVISORY BOARD**
7 **(AB2006-144)**
8

9 *Nelson moved* to confirm the appointment.

10 *Motion carried unanimously.*
11

12
13 **4. RESOLUTION INITIATING COMPREHENSIVE PLAN AND ZONING**
14 **AMENDMENTS FOR 2006 (AB2006-082)**
15

16 *(Clerk's Note: End of tape two, side A.)*
17

18 *McShane* reported for the Natural Resources Committee and *moved* to docket items
19 B, J, L, M, N, O, P, Q, and R.
20

21 2006-B
22

23 *Motion to docket carried unanimously.*
24

25 2006-C
26

27 *Motion to docket failed 2-5 with Nelson and Crawford in favor.*
28

29 2006-J
30

31 *Motion to docket carried unanimously.*
32

33 2006-L
34

35 *Motion carried 6-1 with Crawford opposed.*
36

37 2006-M
38

39 *Motion carried 4-3 with Crawford, Nelson, and Brenner opposed.*
40

41 2006-O and 2006-P
42

43 *Motion carried 5-2 with Nelson and Crawford opposed.*
44

45 2006-Q
46

47 *Motion carried 5-2 with Crawford and Nelson opposed.*
48

49 2006-R
50

51 *Motion to docket carried unanimously.*
52

53 2006-S
54

1 Fleetwood stated he is divided on this item. It warrants being in a long-term study
2 area. The future will ensure that this will be studied at some point. He is interested in
3 securing permanent public ownership on Galbraith Mountain in some areas for trails and
4 scenic viewpoints. Currently, the land is private. Many people believe it is a fantastic
5 mountain biking and hiking mecca. Because public use of the land can be revoked, he is
6 interested in trying to secure public dedications.
7

8 His support at this time was based on a belief that the City of Bellingham did not
9 regard it as a distraction to their present planning efforts. However, he spoke today to
10 some planning officials who said it would be a distraction this year. They hoped the County
11 would consider it at a later time or put it in the seven-year review process. Knowing how
12 busy the City and County are right now, he will vote against docketing the item.
13

14 McShane stated he is very comfortable bringing this up during the urban growth area
15 boundary decisions that will come to the Council. He would like to know why the City is
16 choosing to grow the direction it is.
17

18 This is not in the Bellingham subarea plan, which it should be. This is an opportunity
19 to develop win-win relationships in the context of growth gaining something for the
20 community. That opportunity has not been discussed when discussing the expansion of
21 urban growth areas. He will be asking the question of how this benefits the community and
22 why other areas weren't considered.
23

24 Nelson stated this is an inappropriate area to look at right now. They may want to
25 look at this area for outright purchase or preservation. Infrastructure would be very
26 difficult. There won't be high density development in this area.
27

28 Caskey-Schreiber stated it is premature to consider this area right now. She hopes
29 the County has a strong concurrency ordinance by the end of the year, as well as a
30 mitigation program for loss of farmlands and rural forestry lands. This land is all rural
31 forestry land. This change would be a huge hit to their natural resource base for rural
32 forestry. Have a good strategy so the public can get a lot for what it is giving up.
33

34 McShane stated the applicant indicated it would be acceptable to remove the zoning
35 request and just include it in the study area. Look at this area in the future.
36

37 ***Motion to docket failed 1-6 with McShane in favor.***
38

39 2006-T
40

41 ***Motion failed 1-6 with Nelson in favor.***
42

43 2006-G
44

45 Caskey-Schreiber stated the Public Works and Safety Committee recommendation is
46 to docket.
47

48 ***Motion to docket carried unanimously.***
49

50 2006-H
51

52 Caskey-Schreiber stated the Public Works and Safety Committee recommendation is
53 to docket.
54

1 **Motion to docket carried unanimously.**

2
3 2006-DD

4
5 Brenner stated the Public Works Committee recommends docketing with an
6 amendment.

7
8 Troy Holbrook, Assistant Director, stated the language was amended, "Establish
9 levels of service for governmental services, and adopt policies to implement a concurrency
10 program."

11
12 Crawford stated he would support this reluctantly. Executive Kremen and his staff
13 support this as part of the concurrency ordinance and acknowledge that this is the method
14 by which the concurrency ordinance is formally docketed within the Planning Department's
15 policies.

16
17 **Motion to docket as amended carried 6-1 with McShane opposed.**

18
19 2006-A

20
21 Caskey-Schreiber stated the Planning and Development Committee recommends
22 docketing.

23
24 **Motion carried unanimously.**

25
26 2006-E

27
28 Caskey-Schreiber stated the Planning and Development Committee recommends
29 docketing.

30
31 **Motion carried unanimously.**

32
33 2006-F

34
35 Caskey-Schreiber stated the Planning and Development Committee recommends not
36 docketing.

37
38 **Motion to docket failed unanimously.**

39
40 2006-I

41
42 Caskey-Schreiber stated the Planning and Development Committee recommends
43 docketing.

44
45 **Motion carried 6-1 with Crawford opposed.**

46
47 2006-U

48
49 Caskey-Schreiber stated the Planning and Development Committee recommends not
50 docketing.

51
52 **Motion to docket failed 1-6 with Fleetwood in favor.**

53
54 2006-V

1
2 Caskey-Schreiber stated the Planning and Development Committee recommends not
3 docketing.

4
5 **Motion to docket failed 2-5 with Fleetwood and Weimer in favor.**

6
7 2006-W

8
9 Caskey-Schreiber stated the Planning and Development Committee recommends not
10 docketing.

11
12 **Motion to docket failed 2-5 with Fleetwood and Weimer in favor.**

13
14 2006-X

15
16 Caskey-Schreiber stated the Planning and Development Committee recommends not
17 docketing.

18
19 **Motion to docket failed unanimously.**

20
21 2006-AA

22
23 Caskey-Schreiber stated the Planning and Development Committee recommends
24 docketing.

25
26 Brenner stated the committee recommends an amendment, "regarding adequate
27 buffers around cities." According to staff, the Growth Management Act requires buffers
28 where possible.

29
30 Crawford asked if that is currently in the Comprehensive Plan and why the Council
31 would docket it.

32
33 Brenner stated it sounded good.

34
35 **Motion to docket as amended, with adequate buffers, failed 1-6 with**
36 **Fleetwood in favor.**

37
38 2006-BB

39
40 Caskey-Schreiber stated the Planning and Development Committee recommends not
41 docketing.

42
43 Nelson asked if the best process for this would be through the subarea plans.

44
45 Caskey-Schreiber stated it would be.

46
47 **Motion to docket failed unanimously.**

48
49 **Caskey-Schreiber moved** to forward the approved docket items.

50
51 **Motion carried 6-1 with Crawford opposed.**

52
53
54 **INTRODUCTION ITEMS**

1
2 **Nelson moved** to accept the Introduction Items.

3
4 **Motion carried unanimously.**

- 5
6 1. **ORDINANCE GRANTING PUGET SOUND ENERGY, INC., A WASHINGTON**
7 **CORPORATION, ITS SUCCESSORS AND ASSIGNS, A NON-EXCLUSIVE**
8 **FRANCHISE AND THE RIGHT, PRIVILEGE, AND AUTHORITY THEREUNDER TO**
9 **CONSTRUCT, ALTER, IMPROVE, RENEW, REPLACE, REPAIR, OPERATE, AND**
10 **MAINTAIN WATER AND WASTEWATER LINES UPON, UNDER, ACROSS, AND**
11 **ALONG CERTAIN ROADS AND RIGHTS-OF-WAY IN WHATCOM COUNTY,**
12 **WASHINGTON (AB2006-146) (HEARING TO BE SCHEDULED)**
13
14
15 2. **ORDINANCE AMENDING THE 2006 WHATCOM COUNTY BUDGET, FIFTH**
16 **REQUEST, IN THE AMOUNT OF \$1,184,371 (AB2006-145)**
17
18

19 **OTHER BUSINESS AND COUNCILMEMBER REPORTS**

20
21 Weimer stated he is going to Washington D.C. to testify before Congress on pipeline
22 safety. This community is still a leader on this issue.

23
24 Nelson stated they just got back from Washington D.C. He participated with
25 Congressional leaders on healthcare access.

26
27 Brenner stated she attended the Birch Bay Steering Committee meeting. Their
28 biggest concern is transportation concurrency. She would like an interim transportation
29 concurrency ordinance for Birch Bay.

30
31 She is starting her master composter recycling sessions this week.

32
33 Caskey-Schreiber thanked Fire Marshal Warner Webb for grant funds he obtained.

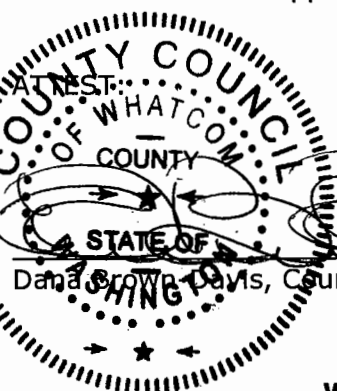
34
35
36 **ADJOURN**

37
38 The meeting adjourned at 9:48 p.m.

39
40 

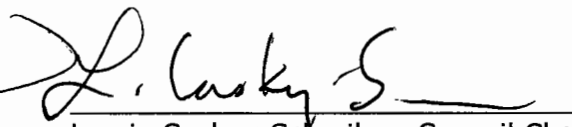
41
42 Jill Nixon, Minutes Transcription

43
44
45 The Council approved these minutes on April 11, 2006.



Dana Brown Davis, Council Clerk

WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WASHINGTON



Laurie Caskey-Schreiber, Council Chair