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WHATCOM COUNTY COUNCIL  
**Regular County Council**

May 9, 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**

Caskey-Schreiber announced there was **discussion regarding a possible land acquisition (AB2006-018)** and **discussion of potential easement acquisition (AB2006-018)** in executive session during the Committee of the Whole meeting.

***Nelson moved*** to ask the administration to bring forward an agreement to accept the gifted property of the six-acre site in the Kendall area and to request the administration pursue grant applications affiliated with the East County regional center.

***Motion carried unanimously.***

**OPEN SESSION**

The following people spoke:

Kris Ungern, 2095 Northshore Road, submitted and read from his testimony (*on file*). Regarding the Transfer of Development Rights (TDR) Program, people who would give up their property rights willingly are in the minority. It is likely to be an unequal transaction between landowners. Receiving area landowners would not be willing to reduce the profit on their developments by paying adequate compensation for lost land use to the buyers. The program favors large landowners in sending areas who can buy out small landowners who are unable to build because of land use restrictions or moratoria. It is a misguided policy solution that violates the laws of economics.

Jeffrey Banks, 435 West Alder Drive, Glenhaven, submitted and read from his testimony (*on file*). He requests a dual speed traffic counter in the Glenhaven Lakes area. Pedestrian safety continues to be an issue.

McShane asked if the roads in the association are public or private. Banks stated they are public County roads.

1  
2 Brenner stated she will schedule the issue in her Public Works and Safety  
3 Committee.  
4

5 Banks stated his purpose for addressing the Council tonight is to establish a  
6 collaboration between the Public Works Department, the Council, the Sheriff's Office and the  
7 Glenhaven community.  
8

9 Karen Reich, citizen, asked for clarification of the Council's decision on the  
10 **discussion regarding a possible land acquisition (AB2006-018)** held in executive  
11 session during the Committee of the Whole meeting, with action taken earlier, during  
12 Announcements.  
13

14 Caskey-Schreiber stated Council directed the administration to accept the gifted  
15 parcel and intend to locate the East County Regional Center on that parcel. It is the parcel  
16 in the proposed Balfour Village.  
17

18 Johnnie Grames, 4478 Northwest Drive, stated he can't afford to buy an ad to warn  
19 the public just what kind of judge Matthew Elich is. Judge Elich claims not to know who Mr.  
20 Grames is. He has appeared before the Judge three times, including an appearance to the  
21 Judicial Conduct Commission. Four years ago, he made the statement that Matthew Elich is  
22 adversarial, injudicious, and ignorant of court conduct in issuing a permanent protection  
23 order, based on one-sided evidence. There was an arbitrary abuse of governmental powers  
24 in violation of rules of court and fundamental rights granted all United States citizens. He  
25 fears more dirty tricks, given the devious planting of derogatory statements pre-trial in  
26 court and in school records, without service. These lies are made reference to him  
27 throughout this hearing. He asked the affects on a young man growing up in a police state.  
28 His son has psychological and drinking problems. Judge Elich threw out many drinking  
29 under the influence (DUI) cases, which will get him a lot of campaign money from the  
30 lawyers.  
31

32 Mike Betz, 2630 Franklin Street, stated he attended the last Council meeting. A  
33 group of people were concerned about the presence of the Minutemen on the border. He  
34 was surprised to hear at the Human Rights Commission that many people would have been  
35 upset with their resolution. The resolution does not mention the Minutemen. The City  
36 Council had no trouble with their resolution. The resolution is not strong enough.  
37

38 People who testified to the Council two weeks ago reported being harassed, and  
39 were told they should report to the police. The problem is that they don't trust the police.  
40

41 Lou Piotrowski, 9999 Mt. Baker Highway, stated the Foothills area needs the Kendall  
42 Community Center. He thanked the Council for its commitment and support. He also  
43 thanked Executive Kremen and Deputy Administrator Desler. Now that the site has been  
44 identified, it is important that the Foothills community come together and move forward  
45 with this site. Get it constructed and operating as soon as possible. He will work  
46 cooperatively with the County and others to move it forward.  
47

48 Alex Ramel, 2308 Woburn, Bellingham, stated he will talk about global climate  
49 disruption and what government can do about it. Humans are affecting the global warming  
50 mainly by burning fossil fuels. The 12 hottest years ever recorded have occurred in the last  
51 14 years. There is a legitimate scientific debate about how these changes will impact the  
52 weather, ocean currents, and ice caps. The scientific community agrees that increasing  
53 concentrations of greenhouses can be expected to cause an increase in the average surface

1 temperature of the earth; human activity, predominately from burning fossil fuels, increases  
2 the concentration of these gasses, and; the average global surface temperature is rising at  
3 a rate that cannot be explained by any other factor.  
4

5 The relevant question is what local government can do. There is a resolution on the  
6 Council's agenda tonight that will commit the County to working on the climate protection  
7 program. He has been working with the City to implement that program since last August.  
8 An organization has agreed to fund the initial phases of the Climate Protection Program in  
9 up to ten local governments in this region. The resolution would allow the County to take  
10 advantage of that offer. A similar climate protection program has been implemented in 650  
11 local governments worldwide, including Seattle, King County, Tacoma, Spokane, Spokane  
12 County, and other governments in Washington State. More than eight percent of the  
13 world's population is living in areas governed by governments that participate in this  
14 program. They can make a global difference.  
15

16 David Lobdell, 4200 Arnie Road, Blaine, stated he is still angry. The Planning  
17 Department issued him an order to correct, which is a very unnecessary letter. It was  
18 dated April 5, and delivered to him in an unacceptable manner. He wants a phone call.  
19 They don't need to send registered letters.  
20

21 He brings in stone from Pennsylvania by container. He gets a subsidized rate  
22 because those containers are piling up on the East Coast. The containers are sitting empty  
23 because the United States doesn't have anything to send back to China, where they came  
24 from. China needs those containers back to continue shipping goods that the people in  
25 United States consume. Many industries are dying or dead. He is very angry that every  
26 government they have is killing small business, family, and the people who make this  
27 country work. There are only two growth industries in the United States. They are  
28 government and the energy industry.  
29

30 Brenner stated she went to the State Human Rights Commission at the church. She  
31 doesn't know what Mr. Betz was referring to. She did not talk about the resolution. She  
32 talked about the Council's process, and that it's very important for the councilmembers to  
33 do research before coming to conclusions. She did the research and also offered to go  
34 anywhere, anytime, to see any form of harassment. She doesn't look like a police officer.  
35 She is available often. She hasn't received a call yet to do that.  
36  
37

### 38 **PUBLIC HEARINGS**

39  
40 **1. ORDINANCE ENACTING AN INTERIM TEXT AMENDMENT TO AMEND THE**  
41 **WHATCOM COUNTY COMPREHENSIVE PLAN MAP AND ASSOCIATED TEXT**  
42 **PROVISIONS TO RESCIND THE URBAN GROWTH AREA DESIGNATION FOR**  
43 **SUDDEN VALLEY (AB2006-132A)**  
44

45 Caskey-Schreiber stated this item was withdrawn from the agenda and will be  
46 rescheduled on June 6, 2006.  
47

48 **2. ORDINANCE ADOPTING A SHORT TERM PLANNING AREA ZONING OVERLAY**  
49 **DESIGNATION IN THE FERNDALE UGA, WEST OF VISTA DRIVE (AB2006-**  
50 **205)**  
51

52 Caskey-Schreiber opened the public hearing and the following people spoke:  
53

1 Doug Robertson, 900 Dupont Street, stated he is the legal representative of one of  
2 the parties of the application. The staff report identifies that conditions have been met.  
3 One issue is identification of density. There are inconsistencies between the County  
4 Comprehensive Plan and the City's Comprehensive Plan with regard to anticipated or  
5 encouraged levels of density. He recommends that the change in the Comprehensive Plan  
6 be granted to meet the demand for inventory in that area, for single family residential  
7 development, and don't include a density requirement. There is a conflict between the  
8 County and City about who will control density if and when the area is annexed. Given the  
9 factors identified in the staff report, he asks that the change from long- to short-term  
10 planning area be granted.

11  
12 Tom Black, City of Ferndale Planning and Building Director, stated the City supports  
13 the Planning Department staff recommendation to change from a long-term to short-term  
14 planning area. He agrees with Mr. Robertson. Remove the condition that establishes a  
15 minimum density.

16  
17 Hearing no one else, Caskey-Schreiber closed the public hearing.

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

20  
21 **Brenner moved to amend** to remove density requirement. The City of Ferndale is  
22 working toward those densities. That requirement does not treat all the small cities the  
23 same. This is an opportunity to have a good development in Ferndale and work with the  
24 City.

25  
26 Nelson stated he agrees with increasing densities in urban areas, but this must be  
27 done more cooperatively than through the annexation process. He won't support the  
28 amendment. The cities look at their densities in accordance with infrastructure  
29 requirements and ability to provide utility services. Instead, look at overall goals in urban  
30 areas, and determine the level urban areas should be. Work with the cities to meet that  
31 density overall. There are other areas that could have increased density, so the overall  
32 density is achieved. Work through the interlocal agreement so both sides are working  
33 together.

34  
35 McShane asked staff to describe the purpose of Exhibit B. The next item is related  
36 to this application. This level of density was agreed to by the developer. There is no reason  
37 to do this when it was recommended for approval by the Hearing Examiner.

38  
39 Matt Aamot, Planning Division, stated there are two rezone applications. This one is  
40 on Vista Drive. Staff recommended the density condition.

41  
42 Brenner stated Mr. Robertson said the request is to go from long-term to short-term  
43 planning area. Mr. Black asked that the Council drop the density requirement.

44  
45 Caskey-Schreiber stated that Mr. Black is just being consistent about the City of  
46 Ferndale's position.

47  
48 Weimer stated there is a different density required on the next item.

49  
50 Brenner stated the County is requiring that the property be developed at a minimum  
51 density of six dwelling units per net developable acre. She asked if Mr. Black just said that  
52 the City would like to take that specific provision out. Aamot stated he did.

1 McShane stated the Council is having a public hearing because the Planning  
2 Commission recommended that the request not be approved, but he moved to have a  
3 public hearing on this ordinance, including this Exhibit B, as is. If the amendment is  
4 approved, the item would require another public hearing. It's contrary to what the Council  
5 put forward in the first place.

6  
7 Brenner stated that when this was discussed at the Planning and Development  
8 Committee, she made this motion during committee. The Committee did not approve her  
9 amendment.

10  
11 Crawford asked if they would have to have another hearing.

12  
13 Karen Frakes, Senior Civil Deputy Prosecutor, indicated off the tape that the Council  
14 would have to have another hearing.

15  
16 ***Motion to amend was approved 4-3 with McShane, Caskey-Schreiber,  
17 Fleetwood opposed.***

18  
19 Caskey-Schreiber stated that the Council will hold another public hearing on the  
20 ordinance as amended.

21  
22 **3. ORDINANCE REGARDING INSTALLING STOP SIGNS ON ENTERPRISE ROAD  
23 (AB2006-198)**

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

27  
28 ***Brenner moved*** to adopt the ordinance.

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

31  
32  
33 **CONSENT AGENDA**

34  
35 ***Crawford*** reported for the Finance and Administrative Services Committee and  
36 ***moved*** to approve Consent Agenda items one through 11.

37  
38 Nelson stated he would vote on item one. He abstained during committee because  
39 his wife has two relatives on the list. He discloses that information.

40  
41 McShane withdrew items three, ten and 11.

42  
43 ***Motion to approve Consent Agenda items one, two, and four through nine  
44 carried unanimously.***

- 45  
46 **1. REQUEST AUTHORIZATION FOR THE EXECUTIVE TO AWARD BID #06-33,  
47 ON-CALL CONTRACTOR/EQUIPMENT LIST, AND TO ENTER INTO CONTRACTS  
48 TO PROVIDE LABOR AND RENTAL OF CONSTRUCTION EQUIPMENT TO THE  
49 COUNTY ON AN ON-CALL BASIS, ENSURING PREVAILING WAGES WILL BE  
50 PAID IN ACCORDANCE WITH STATE LAW, BY ACCEPTING ALL 25  
51 RESPONSIVE AND RESPONSIBLE BIDS SUBMITTED, PERMITTING  
52 SELECTION OF THE APPROPRIATE VENDOR AS DICTATED BY THE SPECIAL  
53 CIRCUMSTANCES OF THE PARTICULAR JOB, WITH PREFERENCE TO LOW**

1 **BIDDERS (IT IS POSSIBLE THAT MORE THAN \$35,000 COULD BE SPENT**  
2 **WITH A SINGLE VENDOR) (AB2006-206)**  
3

4 **2. REQUEST AUTHORIZATION FOR THE EXECUTIVE TO AWARD BID #06-34,**  
5 **ON-CALL RENTAL EQUIPMENT LIST, AND TO ENTER INTO CONTRACTS TO**  
6 **PROVIDE RENTAL OF CONSTRUCTION EQUIPMENT TO THE COUNTY ON AN**  
7 **ON-CALL BASIS, BY ACCEPTING ALL 10 RESPONSIVE AND RESPONSIBLE**  
8 **BIDS SUBMITTED, PERMITTING SELECTION OF THE APPROPRIATE VENDOR**  
9 **BASED ON EQUIPMENT AVAILABILITY AND SUITABILITY, WITH**  
10 **PREFERENCE TO LOW BIDDERS (IT IS POSSIBLE THAT MORE THAN \$35,000**  
11 **COULD BE SPENT WITH A SINGLE VENDOR) (AB2006-207)**  
12

13 **3. REQUEST AUTHORIZATION FOR THE EXECUTIVE TO AWARD BID #06-37**  
14 **AND ENTER INTO A CONTRACT WITH LOW BIDDER AMERICAN**  
15 **CONSTRUCTION COMPANY, INC., FOR THE SUPPLY AND INSTALLATION OF**  
16 **TIMBER PILES AS PART OF PUBLIC WORKS RIVER & FLOOD DIVISION'S**  
17 **EVERSON OVERFLOW BANK STABILIZATION PROJECT, IN THE AMOUNT OF**  
18 **\$117,600 (AB2006-208)**  
19

20 *Crawford moved* to approve the request.  
21

22 McShane stated Mr. Monsen wrote a memo that the County has applied for State and  
23 federal funds, and that it appears the County will be eligible for \$160,000 in funds that will  
24 reduce the County's cost and the cost of the sub-zone. That is more than what this  
25 amendment is asking for.  
26

27 Bruce Roll, Public Works Department, stated the total project is that amount. Also,  
28 they have to do mitigation that has to be done through another program.  
29

30 McShane asked if that money is critical. Roll stated it is value added, if they can get  
31 it.  
32

33 *Motion carried unanimously.*  
34

35 **4. REQUEST AUTHORIZATION FOR THE EXECUTIVE TO AWARD BID #06-40**  
36 **AND ENTER INTO A CONTRACT WITH THE MOST QUALIFIED AND BEST**  
37 **OVERALL RESPONSIVE BIDDER, THE LYNDEN TRIBUNE, FOR THE DESIGN,**  
38 **PRINTING AND DISTRIBUTION OF VOTERS PAMPHLETS FOR THE UPCOMING**  
39 **ELECTIONS, IN AN ESTIMATED AMOUNT OF \$50,000, SUBJECT TO THE**  
40 **NUMBER OF RESIDENTIAL HOUSEHOLDS AND THE NUMBER OF CANDIDATES**  
41 **AND ISSUES APPEARING ON THE BALLOT (AB2006-209)**  
42

43 **5. REQUEST AUTHORIZATION FOR THE EXECUTIVE TO AWARD BID #06-61 TO**  
44 **LOW BIDDER, KENWORTH NORTHWEST, FOR THE PURCHASE OF A**  
45 **REPLACEMENT LOWBOY DIESEL TRUCK, IN THE AMOUNT OF \$119,431.76**  
46 **(AB2006-210)**  
47

48 **6. REQUEST AUTHORIZATION FOR THE EXECUTIVE TO ENTER INTO A**  
49 **CONTRACT BETWEEN WHATCOM COUNTY AND SOLE SOURCE VENDOR, THE**  
50 **BELLINGHAM HERALD, TO PRINT WHATCOM COUNTY PUBLICATIONS OF**  
51 **EVERY KIND AND NATURE THAT THE COUNTY, AS A MUNICIPAL BODY, MAY**  
52 **BE REQUIRED BY THE LAWS OF THE STATE OF WASHINGTON TO HAVE**  
53 **PUBLISHED, IN THE AMOUNT OF \$11.66 FOR A SINGLE COLUMN, PER**

1 COLUMN ONE-INCH FIRST INSERTION, AND \$10.78 PER COLUMN INCH FOR  
2 THE SECOND AND ALL SUBSEQUENT INSERTIONS (AB2006-211)  
3

- 4 7. REQUEST AUTHORIZATION FOR THE EXECUTIVE TO ENTER INTO A  
5 CONTRACT BETWEEN WHATCOM COUNTY AND HERRERA ENVIRONMENTAL  
6 CONSULTANTS, INC. FOR WATER QUALITY MONITORING SUPPORT  
7 INCLUDING WATERSHED FRIENDLY GARDENING EDUCATION, WRIA 1,  
8 MICROBIAL SOURCE TRACKING AND GENEVA BASIN COMPREHENSIVE  
9 MONITORING, IN THE AMOUNT OF \$149,021 (AB2006-212)  
10
- 11 8. REQUEST AUTHORIZATION FOR THE EXECUTIVE TO ENTER INTO A  
12 CONTRACT BETWEEN WHATCOM COUNTY AND NAMI OF WHATCOM COUNTY  
13 FOR ADMINISTRATION, COORDINATION AND SUPPORT OF WHATCOM  
14 COUNTY SCHOOL DISTRICTS AND OTHER COMMUNITY SITES THAT OFFER  
15 THE TEEN SCREEN PROGRAM, IN THE AMOUNT OF \$30,648 (AB2006-213)  
16
- 17 9. REQUEST AUTHORIZATION FOR THE EXECUTIVE TO ENTER INTO A  
18 CONTRACT BETWEEN WHATCOM COUNTY AND THE OPPORTUNITY COUNCIL  
19 PROVIDING 2060 OPERATIONS FUNDING FOR THE OPPORTUNITY COUNCIL  
20 HOMELESS HOUSING RENTAL ASSISTANCE VOUCHER PROGRAM SERVING  
21 WOMEN AND CHILDREN, IN THE AMOUNT OF \$28,000 (AB2006-214)  
22
- 23 10. REQUEST AUTHORIZATION FOR THE EXECUTIVE TO ENTER INTO CONTRACT  
24 AMENDMENT #1 BETWEEN WHATCOM COUNTY AND ART ANDERSON  
25 ASSOCIATES TO PERFORM ADDITIONAL WORK RELATED TO THE  
26 ENGINEERING DESIGN AND PERMITTING OF THE MODIFICATIONS TO THE  
27 LUMMI ISLAND FERRY SYSTEM TERMINAL FACILITIES, IN THE AMOUNT OF  
28 \$279,889, FOR A TOTAL CONTRACT AMOUNT OF \$672,889 (AB2006-215)  
29

30 *Crawford moved* to approve the request.  
31

32 McShane asked for a summary of where they are at. According to the memo, this is  
33 not a commitment about the size of boat they buy, but there is an option for buying a larger  
34 or smaller boat. He asked if they really need to move forward on fixing serious problems  
35 with the wing walls. Some people are concerned the County will by a big, massive ferry.  
36 This does not force the County to do that.  
37

38 Joe Rutan, Public Works Department, stated approval does not force the County to  
39 buy a bigger boat. Approval would allow the County to accommodate a larger boat in the  
40 future. It also addresses deficiencies staff is finding now.  
41

42 McShane asked if they will save much money by just addressing the deficiencies and  
43 accommodating a small ferry. Rutan stated they still have to do a lot of work. There may  
44 be a minor cost savings, but they would have to undo some of that work when go with the  
45 new ferry.  
46

47 McShane stated a fair bit of the money is for design for permitting, which has to be  
48 done anyway.  
49

50 Crawford asked when is the point of no return. Rutan stated they are not there yet.  
51

52 *Motion carried unanimously.*  
53

1 **11. REQUEST AUTHORIZATION FOR THE EXECUTIVE TO ENTER INTO**  
2 **INTERLOCAL AGREEMENT AMENDMENT #1 BETWEEN WHATCOM COUNTY**  
3 **AND THE LUMMI INDIAN BUSINESS COUNCIL REVISING THE COUNTY'S**  
4 **SHARE IN FUNDING TO COMPLETE THE SLATER ROAD FLOOD PROOFING**  
5 **PROJECT IN THE AMOUNT OF \$2,777,000, FOR A TOTAL AMOUNT TO BE**  
6 **FUNDED OF \$3,777,000 (AB2006-216)**  
7

8 *Crawford moved* to approve the request.  
9

10 McShane stated he is against this item. There was an interlocal agreement to  
11 commit \$1 million. They are now committing to \$3.77 million. Besides the additional cost,  
12 it seems that they will commit staff only because money is available on an issue that really  
13 wasn't there. It takes staff away from working on higher priority items. It's a very  
14 expensive project to enter into, and is not the best use of road tax dollars.  
15

16 Caskey-Schreiber asked the Lummi Tribe portion of the cost share.  
17

18 Bruce Roll, Public Works Department, stated the Lummi Tribe is bringing in \$3  
19 million. The County's cost is about \$3.7 million. The total project cost would be \$6.7  
20 million.  
21

22 Caskey-Schreiber asked how the project cost increased so much. Roll stated the  
23 County entered into this project early on, not knowing whether or not they would be able to  
24 acquire additional funds. There was a lot of work on a cost-benefit ratio to show if this  
25 project is adequate for the Federal Emergency Management Agency (FEMA) to be engaged.  
26 They also had to refine existing costs for the contractor, who helped refine the numbers.  
27 It's an expensive project.  
28

29 Caskey-Schreiber stated there are several arguments for the project, including  
30 bettering access to Ferndale, the Lummi Nation, and the casino. She wonders if they should  
31 have negotiated 50 percent cost-share with the Lummi Nation. Now, the County is paying  
32 the higher cost. She believed the County wouldn't pay the majority of the cost.  
33

34 Joe Rutan, Public Works Department, stated some cost escalation has to do with  
35 grant application and trying to meet a cost-benefit ration. At that point, they looked at a  
36 far narrower bridge. As they got into the project, staff realized the bridge can't be that  
37 narrow.  
38

39 Caskey-Schreiber asked if there is a way to do this for less money. Rutan stated  
40 they could make it narrower. He would not recommend it. Make sure this is not the narrow  
41 point in the entire road. When the existing bridge over the Nooksack is ever widened, make  
42 sure traffic doesn't get choked up at this point.  
43

44 Nelson stated he is concerned about costs. When evaluating east-west corridors,  
45 Slater Road is a major access corridor. The industrial area out there has heavy  
46 transportation needs. He asked if the project reduces impact to citizens in accessing the  
47 east-west corridor. Rutan stated the cost-benefit analysis looked at the number of days  
48 closed per year. The cost-savings analysis includes loss of business for those industries.  
49

50 *(Clerk's Note: End of tape one, side A.)*  
51

1 Rutan continued to state that there is also a cost associated with access for  
2 emergency services. The project will not make the road flood proof. The project will  
3 greatly lessen the amount of time staff has to close the road.  
4

5 Roll stated moving from a two-year flood event closure to a 100-year flood event  
6 closure. There is a much greater magnitude of protection from big floods.  
7

8 Rutan stated some of the adjoining land uses will change. The State Department of  
9 Natural Resources is interested in recreating the wetlands out there. Hydro-dynamics will  
10 change, and potentially exacerbate problems with the existing road.  
11

12 Brenner stated a huge population will often use the road. It is clear that these  
13 issues have not just come up suddenly. These issues should be addressed in the Council's  
14 Public Works and Safety Committee as they come up. She's concerned about who is  
15 making the decisions. The Council needs that information in a timely manner to make  
16 decisions sooner than this.  
17

18 Crawford stated this is an excellent investment. It's expensive, and more than the  
19 Council expected. However, when the road is closed, chaos ensues in Ferndale.  
20

21 The background and purpose statement on Council packet page 143 is incorrect. BP  
22 Refinery does not use this road, but Intalco and Conoco Phillips do use the road. Find out  
23 how much those two industries pay in road taxes. This is a vital arterial the County must  
24 upgrade and have available all year.  
25

26 Caskey-Schreiber stated this is a heavily-traveled road.  
27

28 McShane stated that if it is holding water back, think about how Marietta will be  
29 affected the next time the water flows through after they put up the piers.  
30

31 Caskey-Schreiber stated they were excited to have more water flowing through that  
32 large area of land that the State Department of Fish and Wildlife acquired.  
33

34 ***Motion carried 6-1 with McShane opposed.***  
35

36  
37 **OTHER ITEMS**  
38

39 **1. ORDINANCE ADOPTING SHORT TERM PLANNING AREA ZONING OVERLAY**  
40 **DESIGNATION IN THE FERNDALE UGA SOUTH OF THORNTON ROAD**  
41 **(AB2006-186A)**  
42

43 ***Fleetwood*** reported for the Planning and Development Committee and ***moved*** to  
44 adopt the ordinance.  
45

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

48 **1A. CONSIDERATION OF THE HEARING EXAMINER'S RECOMMENDED APPROVAL**  
49 **OF A PROPOSED PRELIMINARY LONG SUBDIVISION, PLANNED UNIT**  
50 **DEVELOPMENT [AND SITE SPECIFIC REZONE] FOR "BLOMQUIST HEIGHTS,"**  
51 **FILED BY DONALD LEAVITT (AB2006-186)**  
52

1 **Fleetwood** reported for the Planning and Development Committee and **moved** to  
2 approve the proposed preliminary long subdivision.

3  
4 **Motion carried unanimously.**

5  
6 **2. EXECUTIVE REQUESTS CONFIRMATION OF HIS APPOINTMENT OF JAN**  
7 **ESKOLA TO THE FOOTHILLS SUB-AREA PLAN ADVISORY COMMITTEE**  
8 **(AB2006-222)**

9  
10 **McShane moved** to confirm the appointment.

11  
12 **Motion carried unanimously.**

13  
14 **3. RESOLUTION IN SUPPORT OF WHATCOM COUNTY'S PARTICIPATION IN THE**  
15 **COUNTIES AND CITIES FOR CLIMATE PROTECTION CAMPAIGN (AB2006-**  
16 **223)**

17  
18 **McShane moved** to approve the resolution.

19  
20 Caskey-Schreiber stated Whatcom County would have to pay a membership fee of  
21 about \$1,750 per year. For that money, the County would receive an intern to do an  
22 assessment of the pollution and energy use and a plan to engage conservation and pollution  
23 reduction in the county. It's a worthwhile venture. The best approach to deal with  
24 problems like this is to work in their own backyard.

25  
26 McShane stated Whatcom County produces a tremendous amount of energy that the  
27 residents don't benefit from. Whatcom County is dominated by electricity that is exported  
28 from Whatcom County by Seattle City Light. Those operations produce more electricity  
29 than the county needs. The county is exporting non-carbon dioxide producing much power  
30 for other communities. He hopes that assessment would take that fact into account. There  
31 are communities like this that has been colonized as an energy exporter, without getting all  
32 the benefits from it. Make an argument about what goes on for fuels production. Other  
33 rules preclude those fuels from being produced elsewhere. Balance that appropriately with  
34 their own local footprint. He supports the concept that every community try to reduce their  
35 output.

36  
37 Crawford stated he is against the resolution. It is a noble effort. The whereas  
38 statements are questionable. There isn't a lot of consensus by the scientific community.  
39 They haven't done any analysis on the cost to implement the action plan and monitor their  
40 progress. Whatcom County and Bellingham consistently have been rated to have one of the  
41 cleanest airsheds in the country. It reflects that the community is already very  
42 environmentally conscious. It also has a lot to do with geographic location. This goes too  
43 far.

44  
45 Caskey-Schreiber stated the actual focus of this inventory is on the transportation,  
46 waste, renewable energy, energy efficiency, and any other opportunities to be more  
47 conservative. They claim that the community will get its fee back each year if the County  
48 implements some of their strategies. It's not all about air. It's about using less energy  
49 overall.

50  
51 Alex Ramel, City of Bellingham, stated the primary focus is greenhouse gas  
52 emissions, which are related to air pollutants in many cases. Greenhouse gases have a

1 global impact, no matter where they are emitted. It's important that all areas on the earth  
2 look at the issue.

3  
4 Regarding long-term costs, the program is structured in a way so that the initial  
5 inventory is completed and presented to the Council. The Council would be able to look at  
6 the easy ways to achieve energy savings, and decide where to set the target. The long-  
7 term cost is up to the Council, once it has all the information.

8  
9 Caskey-Schreiber stated that the dues of \$1,700 may be high. It depends on the  
10 population.

11  
12 Brenner stated there is consensus about carbon dioxide and greenhouse gasses. The  
13 consensus may not be about the culprit. Sometimes greenhouse gasses naturally change  
14 climates, as shown by archeological studies. The way to change things is having people  
15 have ownership to these problems. She is interested in seeing what they can do with  
16 incentives. They won't know that until someone provides a recipe of options.

17  
18 Nelson stated he just got this, and hasn't had the information others have had to  
19 study the subject matter. Some of the confusion lies in how the statistics are interpreted.  
20 Many issues need to be discussed. He's not comfortable making a governmental position on  
21 something without understanding the fiduciary impact to the local community. There are  
22 costs for monitoring and review. The issue is worthy of discussion. He would like to study  
23 it and review the information.

24  
25 Caskey-Schreiber stated she attended a half-day workshop on this issue. There  
26 were participants from many jurisdictions and agencies. Global warming would affect them  
27 locally. The glacier on Mt. Baker that feeds the Nooksack River is shrinking significantly  
28 every year. That will be a huge problem for the community in the future. There are things  
29 they can do to make the county more energy efficient. This project will create an inventory  
30 of areas where the community is not being as efficient as it could be. It could save the  
31 County money in transportation costs, energy use, and in other ways. It's worthwhile  
32 pursuing it. The problem may not be imminent, but this is a chance to change the course  
33 and, if nothing else, save the County some money.

34  
35 Brenner stated this a statement of the direction in which the County wants to move.  
36 It does not commit any money to anyone, other than the annual dues. The main important  
37 thing is that the project will provide information. When the Council has that information, it  
38 can decide what it wants to do. People must have tools and ideas to take baby steps  
39 toward the direction they want to go. This is a very little step. The Council could get  
40 incredible information.

41  
42 Weimer stated he is in favor of this. There is consensus among legitimate scientists,  
43 ones that aren't hired by Exxon Mobile, that support it. The resolution doesn't commit the  
44 County to anything. The project will give the Council information to know where the county  
45 is at. The local level is almost being forced into this by the current federal administration,  
46 which has made the country an embarrassment around the world. So many other countries  
47 have already signed on to this. They can't even sell Ford and Chevy cars in other countries  
48 because they don't meet their mileage standards. Start acting locally.

49  
50 McShane stated one local refining company, British Petroleum, actually has a policy  
51 to reduce greenhouse gas emissions from their production facilities worldwide. That was  
52 one of their arguments for the co-generation plant proposal. He owns stock in Exxon, which  
53 admits that global warming is occurring.

1  
2 Nelson stated no one will argue about global warming. The impacts of it are  
3 debatable. The problem is the fiscal responsibility the County will have in developing an  
4 action plan that will meet greenhouse gas reductions when implemented. The language  
5 says the County will meet those goals.  
6

7 Caskey-Schreiber stated it is a resolution. There is a suggested target. There is no  
8 force of law. Ramel stated the target is developed with local staff in conjunction with local  
9 decision-makers.  
10

11 Brenner stated the Council will establish the target, and then work to meet the  
12 target.  
13

14 ***Motion to approve carried 5-2 with Nelson and Crawford opposed.***

15  
16  
17 **INTRODUCTION ITEMS**

18  
19 ***Nelson moved*** to accept the Introduction Items.  
20

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

- 23 **1. ORDINANCE AMENDING THE 2006 WHATCOM COUNTY BUDGET, EIGHTH**  
24 **REQUEST, IN THE AMOUNT OF \$1,186,667 (AB2006-217)**  
25  
26 **2. ORDINANCE CREATING THE WHATCOM COUNTY VETERANS ADVISORY**  
27 **BOARD (AB2006-218)**  
28  
29

30 **OTHER BUSINESS AND COUNCILMEMBER REPORTS**  
31

32 Caskey-Schreiber stated she went on a great tour with the Nooksack Salmon  
33 Enhancement Association (NSEA). There is a hardworking bunch of people working on  
34 salmon habitat restoration.  
35

36 Brenner stated she also went on the NSEA tour and stayed after to meet with state  
37 representatives. They have a lot of good issues coming forward from the State to help  
38 implement what NSEA wants to do.  
39

40 TVW filmed that meeting at the church, with the State Human Rights Commission.  
41 Anything she said is on that film.  
42

43 Nelson stated he worked on a retreat for the Whatcom Alliance for Healthcare  
44 Access. Many issues were brought up, such as expanding how to reach out in the  
45 community, getting to the school districts, and the nutrition programs. The State  
46 legislature and agencies will help fund programs on this end.  
47

48 He will be away for the next two weeks for military training.  
49

50 Weimer stated he attended the fundraiser for the Max Higbee Center for folks with  
51 developmental disabilities. The center receives no County funding. They raise their own  
52 funds. They raised over \$10,000 at that fundraiser. The Center gets good funding from the  
53 Building Industry Association.

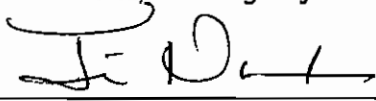
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26

Brenner stated she attended the workshop about the ABC's of the Growth Management Act (GMA). It was very good.

Caskey-Schreiber stated Mayor Landcastle would like to arrange a meeting for May 30 with the Bellingham City Council and the Whatcom County Council.

**ADJOURN**

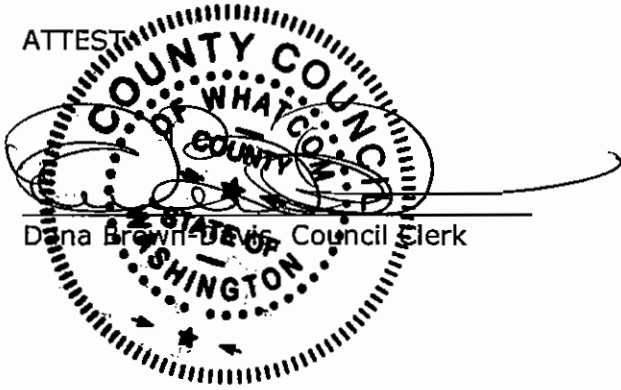
The meeting adjourned at 8:15 p.m.

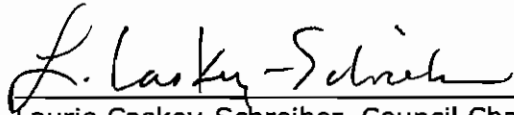
  
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Jill Nixon, Minutes Transcription

The Council approved these minutes on May 23, 2006.

ATTEST

WHATCOM COUNTY COUNCIL  
WHATCOM COUNTY, WASHINGTON

  
\_\_\_\_\_  
Dina Brown-Davis, Council Clerk

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