

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50
51
52
53
54

WHATCOM COUNTY COUNCIL
Regular County Council

July 11, 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 **consideration of an appeal of the Hearing Examiner's decision on file No. SHV05-0013, filed by Joseph Pemberton for Colleen Sullivan and Scott Malis (AB2006-225)** in executive session during the Committee of the Whole meeting.

McShane moved to uphold the Hearing Examiner's decision.

Motion carried unanimously.

SPECIAL PRESENTATION

1. PRESENTATION REGARDING WHATCOM COUNTY DRUG COURT (AB2006-017)

Chuck Snyder, Superior Court Judge, stated the Council will hear about the drug court from its graduates. They are trying to find additional funding sources. The Council is invited to the next graduation is scheduled for July 20 at 2:30 p.m. in courtroom three.

Jessie Williams, drug court graduate, stated he has criminal history from the age of 12. Drug court gave him accountability. He heard about drug court by other people who had been through drug court. That was their may way out of drug addiction. Through drug court, he learned about what he was supposed to be doing, like normal people. He graduated August 18, 2005. He has learned how to successfully participate in life. Drug court showed him he can do simple things like get up and go to work every day. It was an opportunity for him to figure out what he wanted to do with his life. Other participants and the judge both encouraged him and showed him the consequences. His other option was to go to prison. He made great friendships in drug court. He is now friends with the authority figures, when he had a problem with authority figures in the past.

Snyder stated that Jessie grew up through his participation in drug court.

1 Jennifer Coleman, drug court graduate, stated she graduated May 18, 2006. Drug
2 court saved her life. When she got to drug court she was broken. She didn't have any self
3 worth or self-respect. Her child was taken from her and put into foster care. She got in to
4 drug court on theft charges. Through the classes, she learned structure and accountability.
5 She participated for 63 weeks, and got back custody of her daughter. She now believes in
6 herself and doesn't feel helpless anymore. She has been clean for nearly two years.
7

8 Snyder stated he has been involved with Amanda Tulowetzke since she was a
9 teenager. When she became an adult, she got into trouble and went through drug court.
10 The County staff worked with her for many years in many expensive ways. Now they no
11 longer have to work with her.
12

13 Amanda Tulowetzke, drug court graduate, stated both her parents are heroine
14 addicts. Her father committed suicide when she was six. Her mom recently got out of
15 prison. She was in foster care since she was 12, and was emancipated at the age of 16.
16 She started using at 13. She got pregnant at the time of a drug charge and got clean on
17 her own during her pregnancy. She went into drug court when she was three months
18 pregnant. She graduated in April 2004. Drug court completely changed her life. It taught
19 her how to be a mother and that there is another way to live. She has only been around
20 the drug life through her family. Drug court is a life-changing opportunity for those who
21 want it. She has had her own place for over two years, the longest she's ever lived
22 anywhere. She now has a job and a child that she can take care of.
23

24 Crawford stated the drug court graduations are very moving. It changes people's
25 lives. It's not often that government gets to change lives. The results are very direct.
26 They would like drug court to continue, and will continue to look for funding.
27

28 **MINUTES CONSENT**

29
30
31 ***Nelson moved*** to approve Minutes Consent items one through six.
32

33 ***Weimer moved*** to amend Council packet page 343, "Motion to approve the
34 resolution as amended carried 54-2-1 with..."
35

36 ***Motion to amend carried unanimously***
37

38 ***Motion to approve as amended carried unanimously.***
39

- 40 **1. COMMITTEE OF THE WHOLE FOR MAY 23, 2006**
- 41
- 42 **2. COMMITTEE OF THE WHOLE FOR JUNE 6, 2006**
- 43
- 44 **3. COMMITTEE OF THE WHOLE FOR JUNE 20, 2006**
- 45
- 46 **4. REGULAR COUNTY COUNCIL MEETING FOR MAY 23, 2006**
- 47
- 48 **5. REGULAR COUNTY COUNCIL MEETING FOR JUNE 6, 2006**
- 49
- 50 **6. REGULAR COUNTY COUNCIL MEETING FOR JUNE 20, 2006**
- 51

52 **OPEN SESSION**

53
54

1 Crawford stated the Council intends to hold open the public hearings for public
2 hearing items two and three.

3
4 The following people spoke:

5
6 Kris Ungern, 2095 Northshore Road, Bellingham, submitted and read from his
7 testimony (*on file*). County government officials say property taxes have not increased for
8 the last ten years. Citizens pay in dollars, not in levy rates or percentages. Levy rates were
9 not reduced to meet target budget revenues in times of increasing property values.
10 Increasing assessed values is a way to increase tax dollars. The increase in undedicated
11 reserves of the general fund contradicts the administration's claims that property taxes
12 have not gone up. Explain to the public what the reserves are for, and don't use the money
13 for non-voter approved, pet projects. The reserve amount now is in violation to Revised
14 Code of Washington (RCW) 36.40.090.

15
16 Gary Lisne, 2472 Northshore Road, Bellingham, submitted and read from RCW
17 36.40.090 (*on file*). He read with the actual County assessed value that exists today. The
18 total is nearly \$21 million. The current cash balance in the general fund is \$24 million. The
19 County has exceeded the cap and is in violation of the RCW. He submitted information on a
20 lawsuit on this issue (*on file*). He read from the case summary.

21
22 David Lobdell, 8270 Portal Way, stated he owns a business at this address. He read
23 from a Supreme Court decision on Rapanos v. United States regarding a wetland permitting
24 case in Michigan. The enforcement against Mr. Rapanos are part of the immense expansion
25 of federal regulation of land use that has occurred under the Clean Water Act without any
26 change in governing statute during five presidential administrations.

27
28 Johnnie Grames, 4478 Northwest Drive, Bellingham, stated that through public
29 disclosure, he found the secret dossier which assassinates his character and reputation, and
30 says he is a horrible person. It has been used against him by the government. He is
31 entitled to due process. Freedom of information and public disclosure is important to
32 democracy. There should be a penalty for not having files and archives.

33
34 Bob Bingham, 9019 Kendall Road, Sumas, stated planning, zoning, and permitting
35 should not be a long process, but it should be easy. He used to be an International Code
36 Council (ICC) inspector. The ICC goal for permitting is two days. It takes nine months in
37 Whatcom County to get a hearing on subdividing his property. He had to wait four months
38 to turn in drawings for a room addition. Fix the process. He has spoken to the managers of
39 the departments and would like all to consider that the process needs to be fixed.

40
41 Jack Petree, 2955 Sunset Drive, Bellingham, submitted information (*on file*) and
42 stated there are facts and myths about the Growth Management Act (GMA). He read from
43 the State Department of Community, Trade, and Economic Development (CTED) guideline
44 called Housing Your Community: A Housing Element Guide. Don't sacrifice single family for
45 high density housing. Single family housing has to be available within the city. High
46 density is relative. Work with the market.

47
48 Richard Roebuck, 8288 Northwood Road, submitted an invitation (*on file*) and stated
49 the North County Community Alliance no longer endorses the proposed casino land swap. It
50 is in favor of no casino at all.

51
52 John Lesoe, 317 Madrona Place, Point Roberts, stated he supports Councilmember
53 Fleetwood's inclusionary zoning proposal regarding affordable housing. An April 5, 2006
54 memo from CTED has five recommendations for increasing density in Bellingham. He read

1 one of the recommendations. It encourages the use of accessory dwelling units, and he
2 suggests the use of carriage homes. He submitted photos of examples in Ladner, British
3 Columbia (*on file*). A primary home and a carriage home are on 4,000 square foot lots.
4

5 Dennis Jones, 1487 Sudden Valley, Bellingham, stated he has been a 1992
6 watershed plan advocate. They need an additional water source. Budget for what we can
7 do.
8

9 They have goals for affordable housing.

10
11 (*Clerk's Note: End of tape one, side A.*)
12

13 Jones continued to state that there are many examples of affordable housing. If it is
14 going to be a goal, then budget, plan, and get on it. He is opposed to initiative 933. Stick
15 with the planning being done by the State Department of Ecology
16

17 Greg Barlean, Hopewell Neighborhood Association, stated amendments are being
18 introduced tonight regarding mushroom substrate. He discussed the history of mushroom
19 substrate in Whatcom County. The proposed amendments would allow mushroom substrate
20 on agricultural land and exempt the activity from indoor requirements. The amendments
21 are not required by any legal authority. They are being asked for by Ostrom's, and
22 supported by County officials. The County officials have made promises to the industry.
23 Information can be accessed at ruralwhatcom.org, with a link to the Hopewell Neighborhood
24 Association.
25

26 Chet Dow, 5491 Woodwind Way, Bellingham, stated the Council must consider the
27 law of unintended consequences and the effects that have been done in trying to solve this
28 affordable housing problem previously. Many government interventions may have
29 exacerbated the problem. He is against Councilmember Fleetwood's proposal on affordable
30 housing. Someone will have to pay for the cost of housing, one way or another. If one out
31 of four homes must be affordable, others will have to pay the extra cost.
32

33 Ken Ryan, Glen Echo Neighborhood Association, stated he is opposed to
34 amendments to the mushroom substrate ordinance. The amendments were proposed by
35 the attorneys for Ostrom. They want to defer authority from the County to other agencies
36 that don't want to require a permit. They also want to establish that they are currently
37 employing best management practices for the size of the facilities they have now and will
38 have. This will give those attorneys their high legal ground. Whatcom County Code (WCC)
39 20.15 is defensible. The health ordinance is even more defensible. The County made
40 promises it should never have been made. They were made years ago, obtained under
41 duress and under fraudulent postulants, in direct violation of the then-existing laws. These
42 promises will carry little weight in court. If the neighbors are forced to take this to court,
43 the repercussions will be worse. Don't protect the County coffers over County health.
44

45 Cheri MacKay, 6781 Ocean Road, Everson, submitted a letter from Bob Carmichael
46 (*on file*). The State Environmental Protection Agency (SEPA) application was not completed
47 accurately. If the answers were correct, determination of significance would have been
48 rendered. She asked for delay until after the decision is made. The issue is not about the
49 smell. The issue is about what the pollution does to people.
50

51 John Donoso, 88 Sudden Valley, stated some people in Whatcom County feel that
52 government has no business regulating what people do on their private property. Property
53 rights occur in a specific context, one of government oversight and protection and in the

1 democratic process. He hopes the Council does not be swayed by the movement who says
2 the Council has no right to make rules about another property.
3
4

5 **PUBLIC HEARINGS**
6

7 **1. RESOLUTION AUTHORIZING THE SALE OF WHATCOM COUNTY SURPLUS**
8 **PROPERTY PURSUANT TO WCC 1.10 (2006-277A)**
9

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

13 ***Nelson moved*** to approve the resolution.
14

15 ***Motion carried unanimously.***
16

17 **2. RESOLUTION TO SELL TAX-TITLE PROPERTY BY PUBLIC AUCTION - REQ.**
18 **#TR2006-09 (AB2006-278A)**
19

20 Crawford asked if Whatcom County Treasurer Barbara Cory would discuss the history
21 of this item.
22

23 Barbara Cory, Whatcom County Treasurer, gave a staff report and stated the County
24 received an application from the Lummi Tribe to purchase this and the next parcel. There is
25 a .3 interest in the beach reserve on this parcel. The second parcel has a .2 interest in the
26 playground reserve. The Tribe requested that the interests be sold via a negotiated sale for
27 salmon habitat benefits. The Property Management Committee reviewed the properties and
28 found that the other property owners would also have an interest in purchasing these
29 interests. The Committee could find no public benefit to retain the property. The
30 Committee recommends sale by public auction.
31

32 Brenner asked the County administration to respond to the letter from David
33 Cottingham.
34

35 Cory stated she talked to several of the property owners. If they can prove they
36 own the other interests, the County would consider that information. They were unable to
37 provide that information. She explained the process to the property owners, and has been
38 working with them to resolve this issue.
39

40 Caskey-Schreiber opened the public hearing and the following people spoke:
41

42 Roger DeSpain, 3517 Robertson Road, Bellingham, stated many folks in the
43 audience are here on this issue. He would like more time to come up with the
44 documentation needed to prove ownership. When Dr. Boynton set aside these parcels, it
45 was for those owners to have the beach reserve and playground reserve, and no one else.
46 The reserves are for all the owners, but not someone from the outside. They thought that
47 would be enough information for the Assessor and Treasurer. They need more time to come
48 up with the documentation and figure out how the parcel number was assigned. These
49 property owners, and no one else, have the interest out there. They have retained an
50 attorney to help them. They would be very happy to pay the back taxes and clear the
51 interest.
52

1 Tim Krell, First American Title Insurance Company, 11 Bellwether Way, Bellingham,
2 stated he is working on the ownership interest for the 100 owners. He would appreciate the
3 extra time.

4
5 Caskey-Schreiber stated the public hearing is held open until a later date.

6
7 **3. RESOLUTION TO SELL TAX-TITLE PROPERTY BY PUBLIC AUCTION – REQ.
8 #TR2006-10 (AB2006-279A)**

9
10 *(Clerk's Note: See Public Hearing item two for the staff report on this item.)*

11
12 Caskey-Schreiber opened the public hearing and the following people spoke:

13
14 Marlene Dawson, 4029 Salt Spring Drive, stated that there is County access to the
15 beach. There is no problem between the public and the upland owners who own the other
16 share. However, if an outsider should purchase a share of the land, that person would have
17 reason to squat in front of someone's home. This has already happened in a nearby
18 location. To maintain peace and privacy, the owners were required to prove ownership. The
19 upland owners are willing to pay taxes and continue to pay what is properly assessed. The
20 interested party would likely not be interested in continuing to pay the taxes. Do not
21 disregard the interest of the upland owners and the original developers. She asked that the
22 upland owners be allowed to purchase the beach share contiguous with their privately-
23 owned shares.

24
25 Caskey-Schreiber stated the public hearing is held open until a later date.

26
27 **4. RESOLUTION TO SELL TAX-TITLE PROPERTY BY NEGOTIATION TO
28 WHATCOM COUNTY PUBLIC WORKS ROAD FUND – REQ. #TR2006-11
29 (AB2006-280A)**

30
31 Caskey-Schreiber opened the public hearing and, hearing no one, closed the public
32 hearing.

33
34 ***Nelson moved*** to approve the resolution.

35
36 ***Motion carried unanimously.***

37
38
39 **CONSENT AGENDA**

40
41 ***Crawford*** reported for the Finance and Administrative Services Committee and
42 ***moved*** to approve Consent Agenda items one through ten. Item ten is amended.

43
44 ***Motion to approve Consent Agenda items one through ten, as amended,
45 carried unanimously.***

46
47 **1. REQUEST AUTHORIZATION FOR THE EXECUTIVE TO AWARD BID #06-55 TO
48 LOW BIDDER, BILL PIERRE FORD, FOR THE PURCHASE OF A BOMB
49 RESPONSE VEHICLE, IN THE AMOUNT OF \$37,857.70 (AB2006-287)**

50
51 **2. RESOLUTION ESTABLISHING COUNTY ROAD PROJECT NO. 906008 AND THE
52 AWARD OF CONTRACT FOR THE DRAYTON HARBOR ROAD CALIFORNIA
53 CREEK BRIDGE NO. 38 REHABILITATION, AND REQUEST AUTHORIZATION
54 FOR THE EXECUTIVE TO ENTER INTO A CONTRACT BETWEEN WHATCOM**

1 COUNTY AND LOW BIDDER, ASSOCIATED UNDERWATER SERVICES, INC.,
2 FOR THIS WORK, IN THE AMOUNT OF \$118,819 (AB2006-288)
3

4 3. REQUEST AUTHORIZATION FOR THE EXECUTIVE TO ENTER INTO A
5 CONTRACT BETWEEN WHATCOM COUNTY AND BRIDGE DIAGNOSTICS, INC.
6 FOR LOAD TESTING OF SLATER ROAD RED RIVER BRIDGE NO. 513, IN THE
7 AMOUNT OF \$19,100 (AB2006-289)
8

9 4. REQUEST AUTHORIZATION FOR THE EXECUTIVE TO ENTER INTO A
10 COOPERATIVE AGREEMENT BETWEEN WHATCOM COUNTY AND THE
11 WHATCOM LAND TRUST AND THE UNITED STATES OF AMERICA, ACTING BY
12 AND THROUGH THE COMMODITY CREDIT CORPORATION, FOR THE
13 IMPLEMENTATION OF THE FARM AND RANCH LANDS PROTECTION
14 PROGRAM, IN THE AMOUNT OF \$435,153 (AB2006-290)
15

16 5. REQUEST AUTHORIZATION FOR THE EXECUTIVE TO ENTER INTO AN
17 INTERLOCAL AGREEMENT BETWEEN WHATCOM COUNTY AND THE CITY OF
18 BLAINE TO FACILITATE PARK AND ROAD IMPROVEMENTS AT SEMIAHMOO
19 PARK (AB2006-291)
20

21 6. REQUEST AUTHORIZATION FOR THE EXECUTIVE TO ENTER INTO AN
22 INTERAGENCY AGREEMENT BETWEEN WHATCOM COUNTY AND THE
23 WASHINGTON STATE PATROL TO PROVIDE EQUIPMENT TO LAW
24 ENFORCEMENT AGENCIES IN WHATCOM COUNTY FOR ENHANCED
25 CAPABILITIES FOR DETECTING, DETERRING, DISRUPTING AND
26 PREVENTING ACTS OF TERRORISM, IN THE AMOUNT OF \$166,799 (AB2006-
27 292)
28

29 7. REQUEST AUTHORIZATION FOR THE EXECUTIVE TO ENTER INTO AN
30 EMERGENCY MANAGEMENT PERFORMANCE GRANT CONTRACT BETWEEN
31 WHATCOM COUNTY AND THE EMERGENCY MANAGEMENT DIVISION OF THE
32 WASHINGTON STATE MILITARY DEPARTMENT TO FUND EMERGENCY
33 MANAGEMENT PROGRAMS TO SUPPLEMENT LOCAL EMERGENCY
34 MANAGEMENT OPERATING BUDGETS IN AN EFFORT TO ENHANCE THE
35 EMERGENCY MANAGEMENT PROGRAM, IN THE AMOUNT OF \$46,326
36 (AB2006-293)
37

38 8. RESOLUTION SCHEDULING A PUBLIC HEARING CONCERNING
39 AUTHORIZATION OF AN ASSESSMENT TO PROVIDE REVENUE FOR THE
40 SAMISH WATERSHED SUBZONE (AB2006-294)
41

42 9. RESOLUTION AUTHORIZING WHATCOM COUNTY'S APPLICATION FOR
43 FUNDING ASSISTANCE FOR A WASHINGTON WILDLIFE AND RECREATION
44 PROGRAM PROJECT TO THE INTERAGENCY COMMITTEE FOR OUTDOOR
45 RECREATION AS PROVIDED IN CHAPTER 79A.15 RCW, ACQUISITION OF
46 INTEREST IN REAL PROPERTY FOR FARMLAND PRESERVATION (AB2006-
47 295)
48

49 10. RESOLUTION DECLARING INTENT TO ESTABLISH WHITECAP ROAD AS A
50 COUNTY ROAD, DECLARING THAT SUCH ESTABLISHMENT IS A PUBLIC
51 NECESSITY AND DIRECTING THE COUNTY ROAD ENGINEER TO REPORT TO
52 COUNCIL UPON THE PROJECT (AB2006-303)
53
54

1 **OTHER ITEMS**

2
3 **1. RESOLUTION AFFIRMING THE RANKING AND AUTHORIZING THE WHATCOM**
4 **COUNTY PURCHASE OF DEVELOPMENT RIGHTS ADMINISTRATOR TO**
5 **PROCEED WITH THE ACQUISITION PROCESS FOR ROUND 4, 2005**
6 **APPLICATIONS (AB2006-296)**
7

8 McShane reported for the Natural Resources Committee and stated this item is held
9 in committee for two weeks.

10 Caskey-Schreiber stated the Council may have to readdress the target zones.

11
12 McShane stated they may be able to do lot line adjustments to preserve pieces of
13 the land.
14

15
16 **2. APPROVAL OF DEVELOPER REIMBURSEMENT AGREEMENT PERTAINING TO**
17 **ROADWAY CONSTRUCTION ON WEST ROAD (AB2006-220)**
18

19 **Brenner** reported for the Public Works and Safety Committee and stated the
20 committee recommends approval. She **moved** to approve the agreement on behalf of the
21 committee, but she is opposed to the motion. There is an option to modify the latecomers
22 fee. It's unclear whether the lots in the target area are the total lots likely to develop in the
23 next 15 years. Two lots are not included and are being developed. The more lots that are
24 within the area, the less each lot pays. One lot in the target area can develop 24 lots, but
25 the developer is assigning it only six lots because the full development depends on whether
26 or not the City of Blaine will provide services. She would like to hear from the City of Blaine
27 about whether or not it will supply services.
28

29 Crawford stated he is in favor of the motion. He agrees with the developer's
30 rationale for choosing the development areas that will realistically occur. The developer has
31 done a good job analyzing the realistic potential developer. Two parcels on the map are not
32 included in the agreement area. They considered including those two parcels because
33 construction is occurring on the two parcels. However, since the building permits have
34 already been issued, the developments do not qualify for reimbursement. Move forward
35 with this request. As with all latecomer agreements, the people who already have
36 developed parcels do not pay and the people who have undeveloped parcels are only liable
37 for 15 years. They do not pay if they do not develop. It is the action of a property owner
38 to develop and increase density that triggers payment.
39

40 Caskey-Schreiber asked if a new property owner of an undeveloped lot would have
41 to pay the fee through the sale.
42

43 Crawford stated the fee is only triggered when the building permit is issued.

44 Caskey-Schreiber asked how that required fee is disclosed to a seller.
45

46
47 Joe Rutan, Public Works Department, stated he understands that the obligation is
48 attached to the title.
49

50 Brenner stated there is a third lot that should be included that has not been
51 developed. In addition, there is a 24-lot parcel that is being assessed for only six lots. If
52 included, each lot's assessment would be reduced \$300.
53

54 Caskey-Schreiber asked if it is in the Blaine urban growth area (UGA).

1
2 Crawford stated a portion is included in the UGA.

3
4 McShane asked the zoning of the parcel that triggered the requirement for the road
5 improvement.

6
7 Nelson stated the zoning is rural, one unit per five acres (R5A). The owners are
8 developing three lots in this area.

9
10 McShane asked if the 16-acre parcel, if developed at a density of urban residential,
11 four units per acre (UR-4), would be required to do something more than what is already at
12 West Road. Rutan stated that road would probably not meet that density requirement.

13
14 *(Clerk's Note: End of tape one, side B.)*

15
16 Rutan stated that would seem to be a lot coming down that road.

17
18 Nelson stated it would have happened no matter who triggered the \$70,000 road
19 modifications. The developer wants to make sure everyone is equally responsible for the
20 road improvements. If the properties in the agreement are too outlandish, the developer
21 won't recoup his costs. This must be fair to both the property owners and the developer.
22 He is in favor of the proposal because it follows the most likely pattern of development.

23
24 Caskey-Schreiber stated she would like to know if the City of Blaine intends to
25 extend services to the area.

26
27 ***Brenner moved*** to hold in committee until they can get input from the City of
28 Blaine about their intentions regarding services.

29
30 Fleetwood asked if there is any detriment to the parties by holding it for two weeks.

31
32 Crawford stated people could rush out and get building permits and become vested
33 before the agreement takes effect.

34
35 David Buys, Reichart and Ebe, stated the City of Blaine has severe problems with its
36 sewer system. There is a master plan to take care of the issues. If the Council wants him
37 to talk to the City, he will. However, it will cost the developer more money. It's not a big
38 deal to spread out the agreement to more people, but this issue should come to a close.

39
40 ***Motion to hold in committee carried 4-3 with Nelson, Crawford, and***
41 ***McShane opposed.***

42
43 Nancy Evans, 8920 Portal Way, Blaine, stated she is the Dakota Creek treasurer.
44 They have water. There is no sewer.

45
46 Weimer stated Mr. Chesterley's house should be exempt. Rutan stated that property
47 has a house, but it could be further subdivided.

48
49 **3. ORDINANCE AMENDING THE OFFICIAL WHATCOM COUNTY ZONING**
50 **ORDINANCE, SPECIFICALLY ADDING ON-FARM PROCESSING TO CHAPTER**
51 **20.100 – ACCESSORY USES, 20.40.138 – ADMINISTRATIVE USES, DELETING**
52 **20.40.158 ADDING AGRICULTURAL PROCESSING DEFINITION TO CHAPTER**
53 **20.97 – DEFINITIONS AND ADDING LOT COVERAGE RESTRICTION –**
54 **CHAPTER 20.40.450 (AB2006-282)**

1
2 Fleetwood reported for the Planning and Development Committee and stated this
3 item is held in committee for two weeks. They will introduce it on July 25 and have a public
4 hearing in August.

5
6 **4. CONSIDERATION OF AN APPEAL OF THE HEARING EXAMINER'S DECISION**
7 **ON FILE NO SHV05-0013, FILED BY JOSEPH PEMBERTON FOR COLLEEN**
8 **SULLIVAN AND SCOTT MALIS (AB2006-225)**

9
10 See Announcements.

11
12 **5. APPOINTMENT TO FILL VACANCY ON THE MACAULAY CREEK FLOOD**
13 **CONTROL DISTRICT, APPLICANT: RANDY GRAHAM (AB2006-261)**

14
15 *McShane moved* to appoint Randy Graham.

16
17 *Motion carried unanimously.*

18
19 **6. REQUEST CONFIRMATION OF EXECUTIVE KREMEN'S APPOINTMENT OF**
20 **RABBI CINDY ENGER TO THE BELLINGHAM-WHATCOM COUNTY**
21 **COMMISSION AGAINST DOMESTIC VIOLENCE (AB2006-297)**

22
23 *Crawford moved* to confirm the appointment.

24
25 *Motion carried unanimously.*

26
27
28 **INTRODUCTION ITEMS**

29
30 *Crawford moved* to accept the Introduction Items.

31
32 *Motion carried unanimously.*

33
34 **1. ORDINANCE AMENDING THE 2006 WHATCOM COUNTY BUDGET, TENTH**
35 **REQUEST, IN THE AMOUNT OF \$2,941,729 (AB2006-298)**

36
37 **2. ORDINANCE AUTHORIZING AN INTERFUND LOAN FOR INTERIM FINANCING**
38 **OF THE WHATCOM COUNTY INTERIM JAIL AND ALTERNATIVE CORRECTIONS**
39 **CENTER (AB2006-299)**

40
41 **3. ORDINANCE AUTHORIZING AN ASSESSMENT TO PROVIDE REVENUE FOR**
42 **THE SAMISH WATERSHED SUBZONE (AB2006-300) (COUNCIL ACTING AS**
43 **THE FLOOD CONTROL ZONE DISTRICT BOARD OF SUPERVISORS)**

44
45 **4. ORDINANCE AMENDING HEALTH CODE WCC 24.12, MUSHROOM SUBSTRATE**
46 **PRODUCTION FACILITY RULES, TO ALLOW EXISTING FACILITIES A LIMITED**
47 **INCREMENTAL EXPANSION OF PRODUCTION CAPACITY (AB2006-301)**

48
49 **5. ORDINANCE AMENDING WHATCOM COUNTY CODE BY AMENDING CHAPTER**
50 **20.15 - MUSHROOM SUBSTRATE PRODUCTION FACILITIES SITING**
51 **REQUIREMENTS AND CHAPTER 20.40 - AGRICULTURE DISTRICT AND**
52 **CHAPTER 20.68 - HEAVY IMPACT INDUSTRIAL DISTRICT (AB2006-302)**
53

- 1 6. **ORDINANCE DECLARING INTENT TO ACCEPT A SECTION OF WHITECAP**
2 **ROAD, DECLARING THAT SUCH ESTABLISHMENT IS A PUBLIC NECESSITY**
3 **AND DIRECTING THE COUNTY ROAD ENGINEER TO REPORT TO COUNCIL**
4 **UPON THE PROJECT (AB2006-303A)**
5
6 7. **RECEIPT OF AN APPEAL OF THE HEARING EXAMINER'S DECISION ON FILE**
7 **NO. SHR05-0010, FILED BY CHRIS FAIRBANKS FOR SOUTH CAPE DIVISION**
8 **I, LLC (AB2006-284)**
9

10 **Addendum:**

- 11 8. **ORDINANCE ADOPTING A SHORT TERM PLANNING ZONING OVERLAY**
12 **DESIGNATION IN THE BIRCH BAY UGA FOR HORIZONS VILLAGE (AB2006-**
13 **286A)**
14
15

16 **OTHER BUSINESS AND COUNCILMEMBER REPORTS**
17

18 Crawford stated he attended the new farmers market building dedication and also
19 toured Councilmember Brenner's home. He is very impressed with the work Councilmember
20 Brenner has done.
21

22 Fleetwood stated the Planning Committee met with the Ferndale City Council
23 regarding growth, annexation, and their hopes regarding future growth.
24

25 Caskey-Schreiber stated she attended the farmers market dedication. The farmer's
26 market is breaking sales records. It has a huge financial impact in Whatcom County.
27

28 Also, Councilmember Roy had bypass surgery last week. She wishes her well.
29

30 Brenner stated the councilmembers and others are invited to see her place as an
31 example of what can be done with recycled and restored materials. A lot can be done on
32 small acreage, which does not have to be a problem.
33
34

35 **ADJOURN**
36

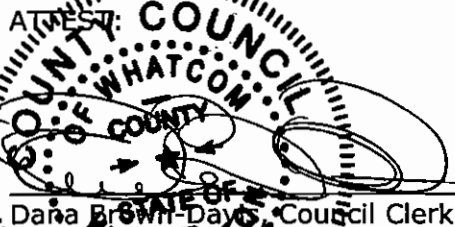
37 The meeting adjourned at 8:48 p.m.
38

39 
40


41 Jill Nixon, Minutes Transcription
42

43 The Council approved these minutes on July 25, 2006.
44

45 ATTEST:

46 
47
48
49
50
51 Dana Brown-Davis, Council Clerk

WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WASHINGTON


Laurie Caskey-Schreiber, Council Chair