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3
4 WHATCOM COUNTY COUNCIL
5 **Regular County Council**
6

7 September 26, 2006
8

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

12 Present:

13 Barbara Brenner
14 Dan McShane
15 Sam Crawford
16 Seth Fleetwood
17 Carl Weimer
18

Absent:

L. Ward Nelson
19

20 **FLAG SALUTE**
21

22
23 **ANNOUNCEMENTS**
24

25 Caskey-Schreiber announced there was **consideration of an appeal of the Hearing**
26 **Examiner's decision on file no. LSS06-0002, filed by Jonathan Sitkin, Attorney for**
27 **Fire District #13, regarding a request for Preliminary Long Subdivision approval**
28 **for a proposed cluster long plat (Bay Breeze) (AB2006-324)** discussed in executive
29 session during the Committee of the Whole meeting.
30

31 ***Crawford moved*** to uphold the Hearing Examiner's decision.
32

33 ***Motion carried 5-1 with McShane opposed.***
34

35
36 **SPECIAL PRESENTATION**
37

38 **1. GREENHOUSE GAS EMISSION INVENTORY AND PROPOSED ACTION PLAN**
39 **FOR WHATCOM COUNTY (AB2006-223A)**
40

41 Dewey Desler, Deputy Administrator, stated the County was given the opportunity to
42 participate in the Climate Protection and Energy Conservation Project, administered through
43 the Northwest Clean Air Agency. The County agreed to host an intern to do work on this
44 issue.
45

46 Christina Reeves, Administrative Services Department, submitted a PowerPoint
47 presentation and information (*on file*). She has been conducting an inventory of Whatcom
48 County's greenhouse gas emissions from the community and the County government. She
49 was asked to come up with proposed measures to reduce those emissions. She read the
50 presentation on how global warming works, historical amounts of carbon dioxide and global
51 temperature. If there are no changes in the way they burn fossil fuels, the level of carbon
52 dioxide and the temperature will rise dramatically. She read the presentation on the effects
53 to the Pacific Northwest's water and snow pack. She has been working with the

1 International Council for Local Environmental Initiatives (ICLEI), which is devoted to
2 environmental improvement through local action. The Cities for Climate Protection Program
3 is the largest ICLEI program. Many cities in Northwest Washington are working on this
4 program. She read the presentation on the Cities for Climate Protection (CCP), the CCP
5 Milestone Process, the inventory results for the community findings, inventory results for
6 the municipal findings, and the municipal buildings' emissions. The Courthouse and Jail
7 comprise two-thirds of the total emissions by the County. The 20 percent in energy
8 reductions have made a big impact already. She read the presentation on the draft action
9 plan, the measures that can be implemented in the community, and the measures that can
10 be implemented by County government. Biodiesel is currently less expensive than regular
11 diesel. This will be mandated by the State of Washington. This is an opportunity to get
12 ahead of the curve. She read the presentation on the next steps.
13

14 Brenner asked if there are a lot of greenhouse emissions from natural gas. Reeves
15 stated her statistics on a building's emissions includes both electricity and natural gas.
16 Natural gas has a high output of greenhouse gases. Because it is used at the source, it
17 doesn't have as much emissions.
18

19 Brenner stated she was told that the hybrid vehicles could only be used for certain
20 things, and can't be used for certain things by the Public Works trips. She asked if there
21 will soon be other kinds of hybrid vehicles. Reeves stated there are expected to be 35
22 hybrid models by 2010. Now, not everything can be a hybrid. The Prius vehicles are a
23 good option for some jobs. Switch over the vehicles that can be switched.
24

25 Brenner stated the County does a lot to encourage alternative transportation for
26 employees. Reeves stated she is developing some other ideas.
27

28 Pete Kremen, County Executive, stated he is very impressed and pleased with Ms.
29 Reeves' work. It is something the County can build upon. They are very proud of past
30 accomplishments, and will not rest on their laurels. He will work with the Council in the
31 next few years to make significant changes. The upcoming budget will include many or all
32 of the measures outlined in this presentation. Councilmember Caskey-Schreiber has been a
33 leader in this area. He looks forward to continue that work.
34

35 McShane asked about the measurement of greenhouse gas emissions from electricity
36 use in buildings. He asked how that was done. Reeves stated many of the numbers are
37 generated by ICLEI software, which considers where the electricity comes from, how far it
38 travels, and the efficiencies of the different options for electricity production.
39

40 McShane asked if hydropower would be considered zero. Reeves stated that is
41 correct.
42

43 McShane stated one of his concerns is that some communities have gobbled up
44 hydroelectric power, so it is easier for them to be green. Seattle City Light is an example.
45 They use a substantial portion of Whatcom County's power. He asked if that will be taken
46 into account in how a community's success is measured. Reeves stated ICLEI's mission isn't
47 to compare the successes of one community to another, but to set a baseline for a city to
48 compare against itself in the future. In some communities, different sources of power will
49 be more or less useful in reducing emissions. ICLEI's goal is to find ways in each
50 community to maximize what is available.
51

52 McShane stated there should be a drive for some communities to export the green
53 power they have available.

1
2 Caskey-Schreiber stated Ms. Reeves has many great ideas. Hopefully, the County
3 can use her as a Conservation Analyst to the end of the year.
4
5

6 **MINUTES CONSENT**
7

8 ***McShane moved*** to approve Minutes Consent items one through six.
9

10 ***Motion carried unanimously.***
11

- 12 **1. BOARD OF HEALTH FOR AUGUST 1, 2006**
- 13
- 14 **2. COMMITTEE OF THE WHOLE FOR AUGUST 8, 2006**
- 15
- 16 **3. REGULAR COUNTY COUNCIL FOR JULY 25, 2006**
- 17
- 18 **4. REGULAR COUNTY COUNCIL FOR AUGUST 8, 2006**
- 19
- 20 **5. SPECIAL COUNTY COUNCIL (FERRY RATES) FOR JULY 18, 2006**
- 21
- 22 **6. SURFACE WATER WORK SESSION FOR JULY 18, 2006**
23
24

25 **OPEN SESSION**
26

27 The following people spoke:
28

29 Larry Helm, 2660 E. 41st Terrace, stated he really enjoyed the presentation on the
30 greenhouse gas emission inventory. He would like to know how much they spike the carbon
31 dioxide every time they take out an acre of forestland.
32

33 He represents the Squalicum Valley Community Association, which has asked for an
34 emergency moratorium on clustering. One reason is concurrency. The existing regulations
35 are vague. There should be a clear definition of what a developer has to contribute to
36 roads, schools, parks, and other services before they start anything. The codes should be
37 cleaned up to make it easier for the public to understand. The Planning Director agrees, but
38 needs staff to do that.
39

40 Clustering in flat terrain is a trade of acreage for acreage. However, in the
41 mountainous area, especially the Iverson area on Squalicum Mountain, much of the 800
42 acres is very steep and no one would be able to build there. They've maximized the
43 number of houses on the flat area. a lot of set aside land is land that one wouldn't be able
44 to build on anyway. Take a good look at what the County and developer are giving and
45 getting.
46

47 Johnnie Grames, 1506 E. Maplewood Drive, Bellingham, stated he submitted a
48 public disclosure request. At a meeting of the Whatcom County Law and Justice Council,
49 someone took notes of Judge Snyder's report to the Council from the court subcommittee.
50 However, the court system says there are no notes. He asked what they are hiding in these
51 secret meetings. A question is whether they are creating government. These people have
52 targeted him and tried to discredit what he saw.
53

1 Dennis Jones, 1487 Sudden Valley, stated he thanks the Public Works Department
2 for a six-year visioning statement. He thanked three strong candidates for running in the
3 42nd District. They need new voices. He submitted to the Council a copy of the State Office
4 of Financial Management cost accounting handout if Initiative 933 passes (*on file*).
5 Budgeting is very important. He is opposed to Initiative 933 because it is unfair to
6 neighboring property owners. It will send them back ten years. He read costs in the
7 handout.

8
9 Arnold DeBoer, 7051 Everson-Goshen Road, submitted and read from his testimony
10 (*on file*). He is concerned about potential pollution of his domestic well adjacent to a mining
11 pit. He asked the Council to help protect their drinking water.

12
13 McShane asked the depth of their well. DeBoer stated it is 40 feet deep. He sent a
14 letter with his concerns to Mr. Van Boven and County Planning Department, but he hasn't
15 heard anything from anyone.

16
17 Shannon Maris, 2335 Vining Street, Bellingham, stated she supports the resolution
18 for the County to purchase green energy.

19
20 Rodd Pemble, 2915 Cedarwood Avenue, stated he supports the County's purchase
21 of green power. He is signed up for the program at home. His employer, Sanitary Service,
22 is a business purchaser. He rides his bike to work everyday and motivates his coworkers to
23 do the same. His business is eager to work with the County to encourage other business
24 leaders to move this forward.

25
26 Gwen Hunter, 2540 Applejack Lane, Bellingham, stated Vineyard Development at
27 Squaticum Valley is going ahead with its plan. They have initiated a State Environmental
28 Protection Act (SEPA) study. She has requested a moratorium on cluster subdivisions in
29 rural forestlands. Act on it soon, while they can still stop this project.

30
31 Brenner stated the developer can't vest as long as the current moratorium is in
32 place. Hunter asked the Council to put a moratorium on this project. Rural forestlands are
33 not defined. Clustering in rural forestland is not defined in the current moratorium. The
34 development is illegal according to the Growth Management Act.

35
36 Derrick Nixon, 1125 High Street, stated he is a member of Students for Renewable
37 Energy, which passed the 100 percent renewable electricity bill at Western Washington
38 University two years ago. He supports the resolution to purchase green energy. Student
39 interest was high when this issue came up at Western. The benefits have included awards
40 and student recruitment. Now, they are working with other agencies to put Western at the
41 forefront of renewable electricity and energy efficiency. The student support reflects the
42 support of the community as a whole.

43
44 Jim Johan, 1405 E. Illinois, Bellingham, stated the report from the Office of Financial
45 Management on Initiative 933 is based on false and controversial assumptions. The
46 initiative is about the rights of property owners. It protects the civil and constitutional
47 rights of people who own property. The initiative demands that the government not do
48 something that the Constitution already forbids, which is taking value, use, or seize
49 property only when it is in the public good. If it is in the public good, the State Constitution
50 demands that the public compensate the owners.

51
52 The initiative does five things. It demands that an agency or legislature try to work
53 out what it is trying to accomplish with the property owner. Next, the legislators or

1 agencies must say why they want the new regulation. Third, the governments must clearly
2 identify the property and document the financial impact. If they determine that they must
3 seize the property, they must determine the value and compensate the property before they
4 take the property.

5
6 Llyn Doremus, 4017 Willowbrook Lane, Bellingham, stated she represents the local
7 Sierra Club. Approve the resolution that supports green energy programs.

8
9 Heather Mulligan, Puget Sound Energy Green Power Coordinator, stated she is
10 available to answer any questions regarding Puget Sound Energy's Green Power Program.

11
12
13 **PUBLIC HEARINGS**

14
15 **1. RESOLUTION VACATING A PORTION OF CRESTVIEW ROAD, A PLATTED**
16 **UNOPENED ROAD IN WHATCOM COUNTY (AB2006-321)**

17
18 Caskey-Schreiber opened the public hearing and the following person spoke:

19
20 Wade Vander Meulyn, 7664 Terrace Street, Ferndale, stated he filed the petition for
21 the vacancy.

22
23 *(Clerk's Note: End of tape one, side A.)*

24
25 Vander Meulyn continued to state he filed the petition two years and four months
26 ago. He is available for questions.

27
28 Hearing no one else, Caskey-Schreiber closed the public hearing.

29
30 ***McShane moved*** to approve the resolution.

31
32 ***Motion carried unanimously.***

33
34 **2. ORDINANCE AMENDING WHATCOM COUNTY CODE 10.34, FERRY RATES,**
35 **AND THE 2006 WHATCOM COUNTY UNIFIED FEE SCHEDULE (AB2006-260)**

36
37 *(Clerk's Note: This item was withdrawn from the agenda and will be rescheduled on*
38 *October 10, 2006.)*

39
40
41 **CONSENT AGENDA**

42
43 ***Crawford*** reported for the Finance and Administrative Services Committee and
44 ***moved*** to approve Consent Agenda items one through eight. The correct amount in the
45 contract in Consent Agenda item two is \$375,690, not \$366,690. It is a scrivener's error.

46
47 Brenner withdrew item two.

48
49 ***Motion to approve Consent Agenda items one and three through eight***
50 ***carried unanimously.***

- 1 1. REQUEST AUTHORIZATION FOR THE EXECUTIVE TO ENTER INTO THE
2 WHATCOM CHIEF FERRY INSURANCE RENEWAL FOR POLICY YEAR 9/30/06
3 THROUGH 9/30/07 IN THE AMOUNT OF \$34,001 (AB2006-355)
4
- 5 2. REQUEST AUTHORIZATION FOR THE EXECUTIVE TO ENTER INTO A
6 CONTRACT BETWEEN WHATCOM COUNTY AND TRANSPRO GROUP TO
7 ESTABLISH A COMPREHENSIVE CONCURRENCY MANAGEMENT PROGRAM, IN
8 THE AMOUNT OF \$366,690 (AB2006-356)
9

10
11 **Crawford moved** to approve the request with the corrected amount of \$375,690.
12

13 Brenner stated she is not against concurrency, but the cost of some of the numbers
14 seem like a wish list. Some of this has been done to a degree that they don't need to go
15 back and do it all over again. The Council should have meetings with interested parties
16 instead of scheduling public meetings as proposed, at a cost of \$10,000 each. Staff was to
17 come back with a different schedule.
18

19 Caskey-Schreiber stated the staff already said they would change the schedule.
20

21 Brenner stated they have a Comprehensive Park Plan and many of these things
22 already. This consulting firm basically wants to start all over. This is becoming never
23 ending. They will always want to update stuff, but this isn't necessary.
24

25 Caskey-Schreiber stated that the Council requested that fire districts, school
26 districts, and parks get done as soon as the end of December so that a Comprehensive Plan
27 amendments can be adopted in January.
28

29 Hal Hart, Planning and Development Services Director, submitted a new schedule (*on*
30 *file*). He discussed the changes with the contractor today. They understand and will do the
31 changes that the Council requests.
32

33 Caskey-Schreiber asked if Executive Kremen approves the requested changes.
34

35 Crawford stated there is some talk that Fire District 13 will not provide any more
36 will-serve letters. There may be a crisis in moving forward without concurrency.
37

38 **Brenner moved** to amend to move forward with special districts and the interim
39 concurrency ordinance. Put a hold on the long-term things. She would like to see all of the
40 public outreach done just as public meetings. They would save time and money. The
41 Council should be more involved instead of just being invited. It's up to the special districts
42 to come up with something for the special district impact fee. It shouldn't be this expensive
43 for the County to put together a pass-through ordinance to allow them to collect those fees.
44 The public input needs to be to the Council. Some people will be interested in going to each
45 meeting, but hold those meetings with the Council to save money. The money should go to
46 things they don't have. She **restated the motion** to amend Exhibit C to remove Task 6
47 and the \$65,160, and have the Council hold a special meeting to do it themselves.
48

49 Crawford stated he respects what Councilmember Brenner is trying to accomplish.
50 In this case, it is critical to have public outreach conducted in a well-thought out and
51 scheduled manner. All the components of this are important. Impact fees have not been
52 on the radar locally. There is inherent resistance in the development community for

1 different reasons. He wants that information collated and sorted through. Bring the issues
2 forward in an orderly process so the Council can consider all the concerns.
3

4 Caskey-Schreiber stated she also is concerned about the costs. However, she has
5 become skeptical about traffic impact fees. They will have to gear every road project to any
6 funds that were collected. If traffic impact fees aren't spent, the County has to reimburse
7 them with interest. They haven't thought out what that means. She hopes that is
8 something the consultants will figure out. Move forward the work on the schools, parks,
9 and fire districts first. That will be easy. It's done all over Western Washington. Whatcom
10 County is late doing that, and it's detrimental to the special districts. Get it done by the end
11 of the year so the districts can get their capital facilities plans done.
12

13 Weimer stated he is also concerned about the public outreach portion. It seems like
14 a gift to the consultants. He's been to those types of meetings before, and they're not
15 particularly well-attended. This seems like a lot of money. However, he can't support the
16 amendment because they can't get rid of public outreach altogether.
17

18 Brenner stated they do need public outreach, but it should be done through the
19 Council. She's not comfortable with it the way it is. Public outreach won't start soon. She's
20 in favor of putting the special districts first. They can do that quickly. They can put
21 together a better public outreach proposal with more time. She can't support this as it is.
22

23 Regarding traffic impact fees, the County does that now. The traffic component will
24 never completely fix anything. It will help slow down the mess they are in. Other monies
25 will still come in from the County and others. This is just one component.
26

27 She's talked to many developers about impact fees. They want to know what the
28 fees are, based on real numbers, and they will be willing to pay the fees. It's a matter of
29 putting those numbers together. The County can begin with programs that other counties
30 use, and then make them fit to Whatcom County.
31

32 McShane stated two areas, the Birch Bay area and the Bellingham urban growth area
33 (UGA), have not been handled well in the past. The public outreach will be regarding Task
34 2. When the Birch Bay plan came to the County Council, it wasn't hashed out well. With
35 little public engagement, the County Council altered the proposed plan's level of road
36 service from C to D. It was never presented to the community what those costs would be.
37 That has led to problems in the Birch Bay area. It's worthwhile to engage the community
38 about the levels of service, how the County will meet those levels of service, what that
39 means for the community, and how projects are driven in the future. He's comfortable that
40 this is necessary to end up with a plan the community supports.
41

42 Weimer asked how the task change would affect the contract.
43

44 Dewey Desler, Deputy Administrator, stated the administration advocates that the
45 Council adopt the proposal. The administration asked staff to review the public outreach
46 proposal to reduce the overall costs. The administration was persuaded to retain the option
47 of having significant public exposure. The Council can choose to do that or not do that later
48 on. The development work can be used again and again. There will be many more than
49 two meetings. The County staff can use the material and experience from those meetings
50 with the consultants. He expects the County Council to be actively involved in that effort.
51 If they remove the task, they will have to renegotiate the contract.
52

1 Pete Kremen, County Executive, stated he is sensitive to the concerns about the
2 costs of this. No other county administration is as value-conscious as this administration.
3 The administration has pared down this aspect of the contract already by about 45 percent.
4

5 Brenner stated she also is concerned that they are using money that was supposed
6 to be for staff positions to hire consultants, at a significantly higher price, to do work that
7 County Planning Department staff can do. That's been going on a while. They are moving
8 in a bad direction by doing it that way. She doesn't know what to do about it. It would be
9 cheaper to pay permanent staff more than to hire consultants.
10

11 ***Motion to amend failed 1-5 with Brenner in favor.***
12

13 Weimer stated many big policy decisions will be made in this process that will change
14 how much the consultants will do. He asked about including wording in the contract that
15 reduces the amount of money spent as a result of big policy decisions. Task 3C talks about
16 looking at transportation impact fees in multiple areas versus just one specific service area.
17 Considering fees for a transportation-shed will cost a lot more than just looking at one
18 specific small area. He asked how that would change how they pay the consultants. Hart
19 stated that doesn't change how much the consultant would charge. It would impact how
20 much it would cost the County after this process is over, in terms of staff. Even when they
21 choose a traffic model, the same amount of analysis will be required. Each step is required
22 under the Growth Management Act (GMA).
23

24 ***Motion to approve carried 4-2 with Weimer and Brenner opposed.***
25

- 26 **3. REQUEST AUTHORIZATION FOR THE EXECUTIVE TO ENTER INTO**
27 **INTERLOCAL AGREEMENTS BETWEEN WHATCOM COUNTY AND BLAINE,**
28 **FERNDALE AND BELLINGHAM FOR THE PROVISION OF JAIL SERVICES**
29 **THROUGH THE CITY/COUNTY JAIL INVESTMENT PROGRAM (AB2006-357)**
30
- 31 **4. REQUEST AUTHORIZATION FOR THE EXECUTIVE TO ENTER INTO A**
32 **CONTRACT BETWEEN WHATCOM COUNTY AND GENEVA CONSULTING TO**
33 **DEVELOP A DETAILED IMPLEMENTATION PLAN IN ACCORDANCE WITH RCW**
34 **90.82.043-048 FOR WRIA PHASE I-PHASE 4 IMPLEMENTATIONS, IN THE**
35 **AMOUNT OF \$85,000 (AB2006-358)**
36
- 37 **5. REQUEST AUTHORIZATION FOR THE EXECUTIVE TO ENTER INTO A**
38 **CONTRACT AMENDMENT BETWEEN WHATCOM COUNTY AND STUDIO**
39 **CASCADE, INC. FOR PHASE II OF THE UPDATE TO THE WHATCOM COUNTY**
40 **COMPREHENSIVE PLAN, IN THE AMOUNT OF \$35,000, FOR A TOTAL**
41 **AMENDED CONTRACT IN THE AMOUNT OF \$75,000 (AB2006-359)**
42
- 43 **6. REQUEST AUTHORIZATION FOR THE EXECUTIVE TO ENTER INTO A GRANT**
44 **AGREEMENT AMENDMENT BETWEEN WHATCOM COUNTY AND THE**
45 **WASHINGTON STATE DEPARTMENT OF ECOLOGY TO SUPPORT WHATCOM**
46 **COUNTY MARINE RESOURCES COMMITTEE ACTIVITIES THROUGH JULY**
47 **2007, IN THE AMOUNT OF \$92,000, FOR A TOTAL AMENDED AGREEMENT IN**
48 **THE AMOUNT OF \$249,800 (AB2006-360)**
49
- 50 **7. REQUEST AUTHORIZATION FOR THE EXECUTIVE TO ENTER INTO A JOINT**
51 **FUNDING AGREEMENT BETWEEN WHATCOM COUNTY AND THE UNITED**
52 **STATES GEOLOGICAL SURVEY FOR THE ONGOING OPERATION AND**
53 **MAINTENANCE OF THE COUNTY'S SEVEN STREAM GAGES WITHIN THE**

1 EARLY FLOOD WARNING SYSTEM, IN THE AMOUNT OF \$66,800, WITH THE
2 COUNTY'S SHARE IN THE AMOUNT OF \$54,380 (AB2006-361)
3

- 4 8. REQUEST AUTHORIZATION FOR THE EXECUTIVE TO ENTER INTO AN
5 AMENDMENT TO THE INTERLOCAL JAIL SERVICES AGREEMENT BETWEEN
6 WHATCOM COUNTY AND SNOHOMISH COUNTY REDUCING THE AVAILABLE
7 BEDS FROM 40 TO 30, AND EXTENDING THE AGREEMENT THROUGH
8 DECEMBER 31, 2006, IN THE AMOUNT OF \$154,560, FOR A TOTAL AMENDED
9 AGREEMENT IN THE AMOUNT OF \$680,400 (AB2006-362)
10

11
12 **OTHER ITEMS**
13

- 14 1. REQUEST AUTHORIZATION FOR THE EXECUTIVE TO ENTER INTO AN
15 EASEMENT AGREEMENT BETWEEN WHATCOM COUNTY AND VERIZON
16 NORTHWEST, INC., WHERE VERIZON NORTHWEST, INC. IS REQUESTING A
17 13,500 SQUARE FOOT EASEMENT IN THE SOUTHERN PORTION OF BAY
18 HORIZON PARK ON ALDERSON ROAD (AB2006-345)
19

20 *Crawford* reported for the Finance and Administrative Services Committee and
21 *moved* to approve the request.
22

23 *Motion carried unanimously.*
24

- 25 2. ORDINANCE AMENDING THE 2006 WHATCOM COUNTY BUDGET,
26 THIRTEENTH REQUEST, IN THE AMOUNT OF \$694,296 (AB2006-349)
27

28 *Crawford* reported for the Finance and Administrative Services Committee and
29 stated the committee recommends adopting the ordinance with an amendment. He *moved*
30 to adopt the ordinance.
31

32 *Crawford moved* to amend the ordinance to remove the \$200,000 for the Flood
33 fund item, including the transfer from the general fund and the expenditure for the water
34 resourced inventory area (WRIA) coordination, until there is further study and discussion at
35 the Water Resources work session. The administration agreed that the staff will bring it
36 back as an additional services request (ASR) in the 2007/2008 budget.
37

38 *Motion to amend carried unanimously.*
39

40 Dewey Desler, Deputy Administrator, stated the new expenditure total in the
41 ordinance should be \$294,296.
42

43 *Motion to adopt as amended carried unanimously.*
44

- 45 3. ORDINANCE ESTABLISHING A \$100 PETTY CASH REVOLVING FUND FOR
46 PUBLIC WORKS DESIGN/CONSTRUCTION AND STORMWATER (AB2006-350)
47

48 *Crawford* reported for the Finance and Administrative Services Committee and
49 *moved* to adopt the ordinance.
50

51 *Motion carried unanimously.*
52

1 **4. ORDINANCE REVISING ORDINANCE 2002-040 TO MOVE THE FERRY PETTY**
2 **CASH FUND FROM THE ROAD FUND TO THE FERRY OPERATIONS FUND AND**
3 **INCREASE THE AMOUNT BY \$200 (AB2006-351)**
4

5 *Crawford* reported for the Finance and Administrative Services Committee and
6 *moved* to adopt the ordinance.
7

8 *Motion carried unanimously.*
9

10 **5. REPORT REGARDING EMERGENCY PROCUREMENT FOR PERMANENT**
11 **REPAIRS TO THE LUMMI ISLAND FERRY DOCK (AB2006-306A)**
12

13 *Crawford* reported for the Finance and Administrative Services Committee and stated
14 the Public Works Department reported on this item.
15

16 **6. REPORT ON COMMITTEE ACTION - 2006/2007 INTEGRATED ROADSIDE**
17 **VEGETATION MANAGEMENT PLAN (AB2006-316)**
18

19 *Brenner* reported for the Public Works and Safety Committee and stated the
20 committee approved the plan. Send a letter to the State asking the State to reduce the
21 amount of herbicides used on State roads in Whatcom County.
22

23 *Crawford* stated they can do what they can to reduce the use of herbicides in the
24 area. A question came up about whether there is an effort to reduce the amount of
25 chemicals used by the State because there are so many State highways in the area. He will
26 discuss this issue at the Council of Governments with the State officials. Also, send a
27 proposed letter to the Secretary of Transportation asking for a similar reduction in chemical
28 use on the highways, to the County's percentage of herbicide use, which is on about 15
29 percent of the roads.
30

31 **7. RESOLUTION SUPPORTING INCENTIVES FOR ACCESSORY RESIDENCES,**
32 **INCLUDING COTTAGES AND CARRIAGE HOUSES (AB2006-346)**
33

34 *Caskey-Schreiber* stated this item was withdrawn from the Planning Committee.
35

36 *Brenner* stated this was supposed to be a pass-through to the Planning Commission,
37 who is interested in working on it. It needs to come as a request from the County Council.
38 She distributed this to the councilmembers months ago. Councilmember *Weimer* is the only
39 councilmember who responded to her. She addressed his concern.
40

41 *Fleetwood* asked why this doesn't come forward as an application for a zoning text
42 amendment. It is a code change.
43

44 *Brenner* stated this is an incentive that will probably require several ordinances. She
45 spoke at length with the Planning Department Director, who suggested it be sent to the
46 Planning Commission.
47

48 *Crawford* stated it is appropriate for the Council to request staff to review this item
49 and to vet it through the Planning Commission process. Let the staff and commission
50 understand the Council's policy intent so they can analyze the current codes to see if
51 anything can be done.
52

1 Councilmember Brenner came up with specific text changes a number of weeks ago
2 that he didn't agree with. He didn't see this resolution. What councilmember Brenner
3 provided is not what this is about. This is a resolution asking staff to consider accessory
4 dwelling units as a possible option in certain areas of the county, which he supports. He will
5 support the resolution.
6

7 Caskey-Schreiber referenced Exhibit A, proposal five. She asked if Cooperative
8 Extension has agreed to provide the list of screening plants, or if the County will have to
9 allocate funds for the list.
10

11 Brenner stated Cooperative Extension already has that list. They keep adding to it.
12 This is a proposal. Not many people know of the wealth of information the Cooperative
13 Extension has.
14

15 **Crawford moved** to amend the third Resolved statement, "Be It Further Resolved
16 that these incentives shall include, but not be limited to, consideration of proposals listed in
17 Exhibit A." He doesn't agree with proposal six in Exhibit A. He doesn't want the Planning
18 Commission or staff to assume that direction from the Council.
19

20 *(Clerk's Note: End of tape one, side B.)*
21

22 **Brenner moved** to approve the resolution.
23

24 **Crawford moved** to amend the resolution, "Be It Further Resolved that these
25 incentives shall may include, but not be limited to, consideration of proposals listed in
26 Exhibit A."
27

28 **McShane moved** to forward to the Planning & Development Committee. He has not
29 gotten any input from staff and administration on the cost of this. It may be extremely
30 broad and unfocused. This message could be problematic for addressing accessory dwelling
31 units in the appropriate locations in the appropriate manner. Work on it in committee. It's
32 too broad now.
33

34 Caskey-Schreiber stated she agreed with sending it to committee. The Planning
35 Commission is behind on its Comprehensive Plan amendments. Work on it in committee
36 first.
37

38 Brenner stated the County has an accessory dwelling unit ordinance on the books.
39 This is to just fine-tune that ordinance. The Planning Commission has already had
40 discussions on this issue. It's not a big deal for the Planning Commission to agree on the
41 concept. Staff would then come forward with something. There is no timeframe on this.
42 This is important for affordable housing. Two months ago she put this out, but no one
43 talked to her about it. This is to add incentives to allow people to have accessory dwelling
44 units in a way that is compatible with neighboring properties.
45

46 Fleetwood stated no one is disagreeing that this may be an important concept. The
47 councilmembers are saying that they would like to consider certain questions in committee.
48

49 Brenner stated no one has talked to her about this at all.
50

51 Fleetwood stated he thought the Council would ask all those questions today in
52 committee.
53

1 Crawford stated he would like to hear what staff recommends in terms of a
2 timeframe. He will support sending it to committee since it can be taken up in the next few
3 weeks.
4

5 ***Motion to forward to committee carried 5-1 with Brenner opposed.***
6

7 **8. RESOLUTION DECLARING WHATCOM COUNTY'S INTEREST IN TAKING A**
8 **LEADERSHIP ROLE IN THE PROMOTION OF SUSTAINABLE ENERGY BY**
9 **PROMOTING BOTH ENERGY EFFICIENCY AND PURCHASING RENEWABLE**
10 **ENERGY FOR THE GOVERNMENTAL OPERATIONS OF WHATCOM COUNTY**
11 **(AB2006-335)**
12

13 ***Caskey-Schreiber moved*** to approve the resolution. This will reduce their carbon
14 dioxide emissions by 3,000 tons. Due to earlier conservation measures five years ago, the
15 County reduced its power bill by about \$60,000. Therefore, the cost for power isn't an
16 increase. With the help of a conservation analyst, they can do more conservation efforts
17 that will mitigation this cost.
18

19 ***McShane moved*** to amend the seventh Whereas statement, "Whereas, nearly
20 every glacier in the Rocky Mountains, Cascades, and Olympics has retreated during the
21 past...." That has a clear impact to global warming. A major ice field that feeds the
22 Columbia River is from glacial met runoff from the Columbia ice field. There is concern that
23 the ice field could be gone due to global warming. It is a massive source of electricity and
24 benefits agriculture in Eastern Washington. There would be an enormous impact to
25 Whatcom County if the ice field melts.
26

27 ***Caskey-Schreiber accepted the motion*** to amend as a friendly amendment.
28 People feel that government should take the lead in fighting global warming. People also
29 feel that government should address this in an urgent way. Whatcom County is a leader by
30 doing this. It may be the first county in the nation to do this. She hopes this effort
31 snowballs. In 2055, it will be too late to turn around if they ignore the issue. They will get
32 above 550 parts per million of carbon dioxide. That will trigger severe climate changes
33 throughout the world. That's not what she wants to leave as a legacy. Addressing carbon
34 dioxide is one of the most important things they can do.
35

36 Brenner stated the State of California passed a solar bill that should reduce the
37 State's reliance on carbon dioxide producing operations and will save the State a lot of
38 money. They should send this to the Governor. She also supports passing solar power
39 legislation such as what California approved.
40

41 Weimer stated he supports the resolution. It makes sense scientifically. The effort
42 began with students at Western Washington University. He can see that glaciers are
43 disappearing. It's great that local governments can take a stand because the federal
44 government has been an embarrassment on this issue.
45

46 Crawford asked if this is something they are doing to save costs.
47

48 Caskey-Schreiber stated it costs \$60,000 to participate in the Green Power Program.
49 The County has saved that much money by adopting conservation measures five years ago.
50

51 Pete Kremen, County Executive, stated the County saved \$85,000 through its
52 conservation measures. The total cost of this purchase is \$62,000. There is a net gain.
53

1 **Crawford suggested** amending the 13th Whereas statement, "Whereas, Whatcom
2 County government could reduce...of the county's government's total output..."
3

4 **Caskey-Schreiber accepted the suggestion** as a friendly amendment.
5

6 Crawford stated he will not support it. It's a stretch to say that they really aren't
7 spending the money because they've saved elsewhere. This is based on a lot of
8 assumptions. There is a body of scientific evidence that says a lot of this is very
9 speculative. Don't spend additional dollars on electrical power for a questionable return for
10 the benefit of the public.
11

12 Brenner stated its very likely, not questionable, that green power will eventually be
13 cheaper if more people sign on to these programs. This is the first step in getting the price
14 to come down.
15

16 Crawford stated the dollar isn't his only reason for opposing the resolution. He can't
17 be convinced on the global warming issue in this forum. They must be responsible stewards
18 of County resources and County dollars. They must lead by example in the community. He
19 doesn't have enough conviction to lead the community on this issue.
20

21 McShane stated he supports the resolution. He became aware of this issue in 1977
22 when he was an atmospheric science major. Even then, it was alarming that the human
23 species could alter the atmosphere that significantly. It's a scary thing to do. Green power
24 is easy to feel good about. There are a couple of issues facing the community in the future
25 that they should think about. There is a tremendous amount of speculation in producing
26 hydroelectric generation in British Columbia. That may have impacts on salmon, but it
27 would qualify as green power. A question is how that power will get to market. At some
28 point in the future, think about power lines through the county. Infrastructure passes
29 through here from British Columbia to the green hydroelectric power market. In winter
30 time, there isn't much green hydroelectric power from British Columbia, but there is solar
31 power from California and wind power from areas in Washington State and California.
32 Electricity flows both ways. Nowhere in the resolution is there discussion of nuclear power,
33 which doesn't produced carbon dioxide, which is much more dangerous to society than
34 nuclear power. He will support the resolution even though there are additional costs.
35

36 Caskey-Schreiber stated that by creating market demand for renewable energy and
37 green power, they may do the citizens and economy a favor. Puget Sound Energy has
38 allocated all the power they have. Their option is to build another coal-fired power plant.
39 The more demand they can place on renewable energy, the more Puget Sound Energy can
40 have a diverse portfolio. Try to help this process along so they don't have to locate another
41 coal-fired power plant in the state.
42

43 Heather Mulligan, Puget Sound Energy Green Power Coordinator, stated the utility
44 found that the demand for electricity in the region is growing tremendously. They are
45 having to work quickly to meet that demand. With all the renewable resources being added
46 to the portfolio, they can go longer without building the kind of power plant that no one
47 really wants. The Green Power Program brings wind farms and other facilities on line.
48

49 Brenner stated they can use the same power line corridors.
50

51 **Motion to approve the resolution as amended carried 5-1 with Crawford**
52 **opposed.**
53

1 **9. REQUEST CONFIRMATION OF EXECUTIVE KREMEN'S APPOINTMENT OF TREY**
2 **CAMPBELL AND GENE HAWS TO THE WHATCOM COUNTY LODGING TAX**
3 **ADVISORY COMMITTEE (AB2006-363)**

4
5 *Fleetwood moved* to confirm the appointment.

6
7 *Motion carried unanimously.*

8
9
10 **INTRODUCTION ITEMS**

11
12 *McShane moved* to accept the Introduction Items.

13
14 *Motion carried unanimously.*

15
16 **1. ORDINANCE CONTINUING THE INTERIM TEXT AMENDMENT TO THE**
17 **WHATCOM COUNTY COMPREHENSIVE PLAN MAP AND ASSOCIATED TEXT**
18 **PROVISIONS TO RESCIND THE UGA DESIGNATION FOR SUDDEN VALLEY**
19 **(AB2006-132B)**

20
21 **2. ORDINANCE IMPOSING AN INTERIM MORATORIUM ON THE ACCEPTANCE OF**
22 **NEW APPLICATIONS FOR SUBDIVISIONS WITHIN THE LAKE WHATCOM**
23 **WATERSHED (AB1006-172B)**

24
25
26 **OTHER BUSINESS AND COUNCILMEMBER REPORTS**

27
28 Brenner stated she attended a presentation and press conference about a trade
29 between Trillium and the Whatcom Land Trust that provides access to the beach at West
30 Cherry Point and Point Whitehorn area.

31
32 Pete Kremen, County Executive, stated he has been working with Trillium and the
33 Land Trust for several years to acquire this area at Point Whitehorn. It is one of the nicest
34 spots on the entire West Coast. The County will ultimately be in possession of this property
35 by next summer for a park. He thanked Rand Jack of the Land Trust and the Trillium
36 Corporation for realizing this dream.

37
38 Brenner stated people are allowed to use the beach area now.

39
40 McShane stated that regarding Initiative 933, he experienced what one Oregon
41 County had to do in response to Oregon's property rights initiative. It was mind boggling.
42 There had to be a staff report for every single claim that came forward. Ultimately, the
43 county chose to allow a development in a floodway because of the burden of the initiative.

44
45 Crawford asked for clarification on the County discussion of the City's proposal on
46 the LIFT tax.

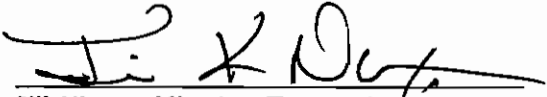
47
48 Fleetwood stated he intends to put forward a resolution, not an ordinance, in the
49 next packet.

50
51 Caskey-Schreiber stated the University of Washington did a study on the cost of
52 Initiative 933, and found that it would cost \$8 billion.

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ADJOURN

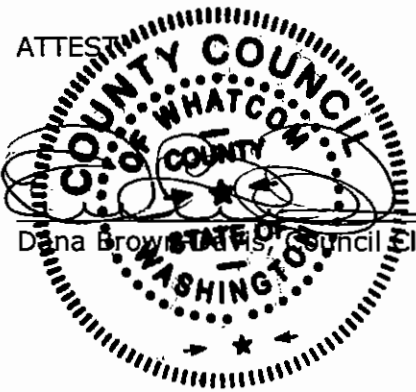

The meeting adjourned at 9:05 p.m.

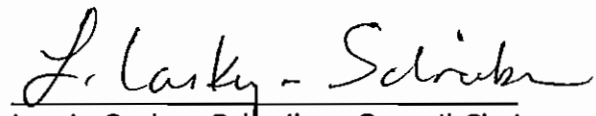

Jill Nixon, Minutes Transcription

The Council approved these minutes on October 10, 2006.

ATTEST

WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WASHINGTON



Dina Brown, Council Clerk


Laurie Caskey-Schreiber, Council Chair