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WHATCOM COUNTY COUNCIL  
**Regular County Council**

November 8, 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 that the following four items were discussed in executive session during the Committee of the Whole meeting:

1. **Discussion with Assistant Chief Civil Deputy Prosecutor Daniel Gibson regarding pending litigation (AB2006-018)**
2. **Proposed amendments for Resolution No. 2006-067 (2006 Unrepresented Resolution) and discussion on 2007 Unrepresented Resolution proposed changes (AB2006-418)**
3. **Discussion on potential land acquisition issues (AB2006-018)**
4. **Discussion with Senior Deputy Prosecutor Karen Frakes regarding pending litigation (AB2006-018)**

***McShane moved*** to authorize the Executive to enter into an interlocal agreement with the City of Bellingham and Lake Whatcom Water District 10 to share defense costs of the summary judgment motion filed by the plaintiffs in Skagit County versus the State of Washington regarding Lake Whatcom.

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

**SPECIAL PRESENTATION**

1. **SPECIAL RECOGNITION OF DONALD AND JUDITH JENSEN FOR THEIR SUPPORT OF PARKS AND RECREATION IN WHATCOM COUNTY (AB2006-017)**

1 Pete Kremen, County Executive, stated they must honor the Jensen family for letting  
2 the County acquire the 22-acre Jensen Family Forest Park. The park is right off the Lynden-  
3 Birch Bay Road in the Custer area. It is beautiful and serene. The trail was constructed in a  
4 way that one feels miles from civilization. He thanked the Jensen's for their generosity,  
5 commitment, and dedication to recreational opportunities in Whatcom County. He  
6 presented the Jensens with a token of appreciation.

7  
8 Judith Jensen stated this is a dream come true. They hope to serve as an example  
9 to other people. Ordinary people can do extraordinary things.

10  
11 Caskey-Schreiber thanked the Jensens for their generosity on behalf of the County  
12 Council.

13  
14  
15 **MINUTES CONSENT**

16  
17 **1. REGULAR COUNTY COUNCIL FOR OCTOBER 10, 2006**

18  
19 ***Brenner moved*** to approve the minutes.

20  
21 ***Motion carried unanimously.***

22  
23  
24 **OPEN SESSION**

25  
26 The following people spoke:

27  
28 Dennis Jones, Sudden Valley, stated Sudden Valley is a diverse community dedicated  
29 to preserving the quality of life for its members while preserving the abundant natural  
30 resources. He thanked the Water District for working with Sudden Valley on its  
31 maintenance. He related the history of Sudden Valley. All the options need to be laid out  
32 for the community.

33  
34 Johnnie Grames, Bellingham, stated he is disappointed that the Council didn't  
35 investigate what he was trying to point out about his public disclosure and the  
36 incompetence and corruption of government officials. He hopes that with the new  
37 Congress, the Council will perform a similar function. See how they operate with the other  
38 two branches of government.

39  
40 Tim Yeomans, Mt. Baker School District Assistant Superintendent, stated he supports  
41 the resident deputy for east Whatcom County.

42  
43 Kathy Berg stated she thanks the Council and Executive for moving forward on the  
44 feasibility study on the incorporation of Birch Bay. The citizens of Birch Bay would like to  
45 have better control.

46  
47 Bill Quehrn, Building Industry Association of Whatcom County Executive Director,  
48 stated he would like an opportunity to come to the Council and give a presentation to the  
49 Council. He submitted a handout of the presentation (*on file*).

50  
51 Meg Grable stated she speaks for concerned citizens from Birch Bay Village. Six to  
52 eight weeks ago, they found out about a proposed detour route on Birch Point Road. She  
53 was immediately alarmed because many children ride school buses. Within a week, she was

1 informed that the County had not authorized the detour, and things would change. Then  
2 she was told it wouldn't change. It would be known as the Birch Point Spur. She also  
3 discovered there would be a retention pond in this spur area. The community is even more  
4 concerned due to the troubles they already have with the slough. The Public Works  
5 Department staff are going to meet with the community. She asked that work on the  
6 retention pond to be stopped until all parties can discuss the plan.

7  
8 Brenner asked if work on that project isn't going to start for several weeks. Public  
9 Works Director Monsen indicates that is correct.

10  
11 Grable stated she has been told by Wilder Construction that they have authority to  
12 begin the contract within the next three weeks. She appreciates that Director Monsen and  
13 County engineers will talk with the community.

14  
15  
16 **PUBLIC HEARINGS**

17  
18 **1. ORDINANCE AUTHORIZING THE LEVY OF TAXES FOR COUNTY AND STATE**  
19 **PURPOSES IN WHATCOM COUNTY, WASHINGTON, FOR THE YEAR 2007**  
20 **PURSUANT TO HOME RULE CHARTER SECTION 6.10 (AB2006-408)**

21  
22 Caskey-Schreiber opened the public hearing and, hearing no one, closed the public  
23 hearing.

24  
25 ***McShane moved*** to adopt the ordinance.

26  
27 ***Motion carried unanimously.***

28  
29 **2. ORDINANCE AUTHORIZING THE LEVY OF TAXES FOR COUNTY ROAD**  
30 **PURPOSES IN WHATCOM COUNTY, WASHINGTON, FOR THE YEAR 2007**  
31 **PURSUANT TO HOME RULE CHARTER SECTION 6.10 (AB2006-409)**

32  
33 Caskey-Schreiber opened the public hearing and, the following person spoke:

34  
35 Pat Alesse, 4825 Alderson Road, Birch Bay, asked if they know the total assessment  
36 for the road district for this next year. That's information they should know.

37  
38 Nelson stated the amount is \$22 million for 2007.

39  
40 Hearing no one else, Caskey-Schreiber closed the public hearing.

41  
42 ***Nelson moved*** to adopt the ordinance.

43  
44 ***Motion carried unanimously.***

45  
46 Crawford stated the general fund amount for 2007 is \$70,102,811. The County road  
47 fund for 2007 is \$22,099,499.

48  
49 **3. ORDINANCE AUTHORIZING THE LEVY OF TAXES FOR COUNTY**  
50 **CONSERVATION FUTURES PURPOSES IN WHATCOM COUNTY, WASHINGTON,**  
51 **FOR THE YEAR 2007 PURSUANT TO HOME RULE CHARTER SECTION 6.10**  
52 **(AB2006-410)**

1 Caskey-Schreiber opened the public hearing and, hearing no one, closed the public  
2 hearing.

3  
4 **Fleetwood moved** to adopt the ordinance.

5  
6 Crawford stated the budget revenue for this fund in 2007 is \$931,904.

7  
8 **Motion carried unanimously.**

9  
10 **4. RESOLUTION AUTHORIZING THE LEVY OF TAXES FOR WHATCOM COUNTY**  
11 **FLOOD CONTROL ZONE DISTRICT (WCFCZD) FOR THE YEAR 2007 (AB2006-**  
12 **411) (COUNCIL ACTING AS THE WCFCZD BOARD OF SUPERVISORS)**

13  
14 Caskey-Schreiber opened the public hearing and, hearing no one, closed the public  
15 hearing.

16  
17 **McShane moved** to approve the resolution.

18  
19 **Motion carried unanimously.**

20  
21 **5. ORDINANCE ADOPTING THE SIX-YEAR CAPITAL IMPROVEMENT PROGRAM**  
22 **2007-2012 (WHATCOM COUNTY COMPREHENSIVE PLAN - APPENDIX F)**  
23 **(AB2006-384)**

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

27  
28 **Brenner** reported for Public Works Committee. The committee recommends  
29 approval with one amendment. She **moved** to amend Council packet page 100, "...have to  
30 complete with ~~other core~~ higher priority functions of County government."

31  
32 **Motion to amend carried unanimously.**

33  
34 **Motion to adopt as amended carried unanimously.**

35  
36 **6. ORDINANCE ADOPTING THE FINAL BUDGET OF WHATCOM COUNTY FOR THE**  
37 **BIENNIUM 2007-2008 AND RESTRICTING THE EXPENDITURE OF CERTAIN**  
38 **FUNDS THEREIN (AB2006-263B)**

39  
40 Dewey Desler, Deputy Administrator, stated he and the Executive are pleased to  
41 present the budget. There are no new taxes. They will expand some services. The budget  
42 allows additional Sheriff's deputies and additional capacity in the Health Department,  
43 Planning Department, courts, Prosecutor's Office, and Public Defender's Office. Other  
44 improvements will allow many environmental issues and development issues to be  
45 appropriately addressed. It calls for continuing cooperation of other governments in  
46 Whatcom County. He appreciates the time and attention the County Council has devoted to  
47 the budget during the last few weeks. He referenced and read portions of a summary of  
48 Council changes and technical corrections made to the budget since its introduction (*on*  
49 *file*). The total technical and Council adjustments over two years will be \$1,377,000. The  
50 overall total to all funds with all adjustments would be \$1,391,986.

51  
52 Crawford asked if their general fund balance at the end of 2006 would be  
53 \$22,085,991. At the end of 2007, they will spend that down by approximately \$7 million to

1 \$15,333,000. At the end of 2008, they will spend that down to \$11,520,331. Desler stated  
2 that is correct, based on actual expenditures and actual predicted revenues. Some of those  
3 expenditures are one-time expenses. That includes a \$3.5 million fund established to care  
4 for retiree health costs for retired deputies.  
5

6 Caskey-Schreiber opened the public hearing and the following people spoke:  
7

8 Kris Ungern, 2095 Northshore Road, stated he would comment on the general fund  
9 budget and process. In the past, the County budgeted for deficits, but realized surpluses,  
10 due to higher than projected revenues and reduced expenditures, which was considered  
11 fiscally responsible. The new budget draws down the reserve funds. He asked how this can  
12 be considered fiscally responsible, compared to the prior six year period. In past years,  
13 County cash reserves were built up while officials said that County finances were facing a  
14 crises. They claimed the County needed a special levy to fund emergency medical services,  
15 when it should have been automatically included in the County budget. Cash reserves of  
16 eight percent is standard. A reserve of 15 percent is desirable for a good bond rating. Cash  
17 reserves increased to over 30 percent, in violation of the Revised Code of Washington  
18 (RCW) 36.40.090. County officials have been non-responsive on this point, and suggest  
19 that the RCW is too vague or does not apply. County officials do not have the right to  
20 decide which RCW to follow and which one to ignore. Large accumulated cash reserves  
21 mean the public has been overcharged. Some of the money should be refunded or future  
22 property taxes should be reduced. The County is choosing to dip into cash reserves to fund  
23 pet projects during the next budget cycle. About \$3.5 million is going to the health benefit  
24 retirement plan. This means the retirement is under-funded or money has been diverted  
25 from the pension plan for other uses. About \$5.3 million has been allocated to fund  
26 additional service requests (ASR's). The public deserves to know what this money will be  
27 used for. He suspects some of the ASR's are undesirable, such as a consultant study for  
28 affordable housing, which is a scheme to force inclusionary zoning on the county. A recent  
29 proposal for funding a legacy plan will divert money to a local politically active  
30 environmental organization. They need a citizen advisory group to provide oversight to the  
31 County budget.  
32

33 Bill Quehrn, Building Industry Association of Whatcom County Executive Director,  
34 submitted a photo of downtown Bellingham in 1900 (*on file*). At the time, the folks of that  
35 era probably didn't want to see the city change. He is speaking of the legacy program. If  
36 the visionaries had managed to impose their will on the future, there would have resulted  
37 numerous consequences. A myriad of other changes embraced by the rest of the world  
38 might never have happened here because no one living back then could have predicted  
39 them. The result would have been the death of the city, starved by a lack of vision.  
40 Whatcom County has been unable or unwilling to plan for the next 20 years as required by  
41 the State law. Don't use a taxpayer funding initiative that was not designed to bring  
42 Whatcom County into compliance with its present mandate. Elected officials must perform  
43 future planning in a carefully prescribed process that must be open and inclusive. Don't  
44 hand that task over to anyone else. He has no objection to groups of people talking about  
45 whatever they wish on their own time and with their own resources and presenting those  
46 ideas for public discussion. However, don't superimposed a self-appointed group on citizens  
47 of Whatcom County, with the goal of binding future elected officials to the product of their  
48 veiled and hidden agenda is not something the Council should attempt.  
49

50 Mary Dickinson, Building Industry Association of Whatcom County Governmental  
51 Affairs Director, stated she will speak on the Whatcom Legacy Plan. She read from a  
52 newspaper article by Harvey L. Dickinson in 1891.  
53

1 (Clerk's Note: End of tape one, side A.)  
2

3 Dickinson continued to read from the 1891 newspaper article. She is a descendant  
4 of the author. They established what is now the Hotel Leopold and other local enterprises.  
5 They planned to make the city of Fairhaven, not Bellingham, the San Francisco of the north.  
6 Bellingham would not become a city for twelve more years. Much has happened in the past  
7 century. They can't plan for 100 years into the future when they can't predict the future.  
8

9 Rebecca Boonstra, Peaceful Valley, stated she represents citizens of Columbia Valley.  
10 She is in favor of additional Sheriff deputies. Four deputies patrol over 2,125 square miles.  
11 The Sheriff's Office has the lowest ratio of officers to residents than any police agency in the  
12 county. Six years ago, an independent consultant described the staffing as inadequate and  
13 recommended hiring 30 new deputies. In the meantime, the Sheriff has done an excellent  
14 job of making do with the resources he has. At this time, more resources need to be  
15 allocated to meet the needs of the community. People in the community are expressing  
16 concern over the inability of deputies to respond timely. Do more to address their concerns.  
17 Intervene with juvenile offenders before they find the criminal lifestyle. Address career  
18 criminals to ensure that gang activities don't thrive in the Kendall area. The Council and  
19 Executive are working to improve the current system. She recognized Deputy Cliff Langley  
20 for his presence in the east county area. Add at least five deputies per year.  
21

22 Dana Quam, Whatcom County Association of Realtors Governmental Affairs Director,  
23 stated \$75,000 is budgeted for a consultant to conduct an affordable housing study in  
24 Whatcom County. Her members advocate for providing housing opportunities to all  
25 segments of society. She is concerned that the proposed study has a pre-determined result  
26 by mandating the consideration of an inclusionary housing ordinance. Governor Gregoire's  
27 task force on affordable housing produced a report on affordable housing. Inclusionary  
28 zoning is not one of the recommendations. Consider their solutions before going to  
29 inclusionary zoning. This program only touches on the periphery of the affordable housing  
30 problem. It is a minor part of the solution. Don't direct lots of money and time on this.  
31 Find better solutions that get to the heart of the problem of affordable housing.  
32

33 Thea Kleiber, Mt. Baker Theater Board and staff, stated she thanks the Council for  
34 including the Mt. Baker Theater in the budget. Every year, they spend about \$1.8 million  
35 bringing theater programs to the public. Of that budget, about \$600,000 is contributed  
36 revenue from a variety of sources. The County's contribution will support more than 7,000  
37 children attending educational programs and helps leverage funding from private sources.  
38

39 Norma Otto, 8519 Bluebell Court, Maple Falls, stated she thanks Council for funding  
40 four new deputies. Government must provide for the safety of its people. She supports the  
41 resident deputy program. Deputies with families know they have to go into potentially  
42 dangerous situations when backup is a long way away. She is impressed with the deputies.  
43 They must all recognize what the Sheriff's Office must deal with.  
44

45 Penny Carter, 8 Morning Beach Drive, Sudden Valley, stated she thanks the Council  
46 for funding four new deputies. The Sheriff support has been understaffed in the past.  
47 There is a long response time in the very large community of Sudden Valley. Provide  
48 additional support to the Sheriff for homeland security at the border. The federal  
49 government has not supported the efforts of the local governments in defense of the  
50 country.  
51

1 Dan Marantette, 299 Sudden Valley, stated include additional sheriff deputies. A  
2 recent domestic violence response took over 30 minutes. They can't continue to have that.  
3 He thanked the Council for its efforts and for the extra deputies.  
4

5 Doralee Booth, 8188 Birch Bay Drive, stated she thanks the Council for helping to  
6 implement the Birch Bay Comprehensive Plan. She supports additional deputies for the  
7 Sheriff. If they are going to allow growth in the county, they must pay the cost of the  
8 services in these areas. People in unincorporated Whatcom County deserve no less law  
9 enforcement than people in the municipalities. The Sheriff's Office covers an area 40 times  
10 as large as all the cities combined, with one-third of the deputies. Whatcom County ranks  
11 low in the ratio of deputies to population when compared to six other similar counties.  
12 None of these comparable counties deal with the volume of State criminal cases initiated by  
13 federal law enforcement and Homeland Security on border-related issues. The County  
14 staffs one deputy for every 1,095 residents. The 2000 study says the County should aim for  
15 one deputy for every 833 residents. Birch Bay residents are well aware of the phenomenal  
16 growth going on in its part of the county. She is pleased with the budgeted resident  
17 deputy. Continue additional funding in future years.  
18

19 Dennis Jones, Sudden Valley, stated he thanks the Council for helping folks in  
20 Sudden Valley. Washington State is in the middle of all states in terms of taxes. Whatcom  
21 County is only one county of two in the state that hasn't raised its tax rates. The county is  
22 blessed by increased property values. Sudden Valley is the fifth largest community in the  
23 county. It has a \$2.6 million budget. The City of Everson is half the size of Sudden Valley,  
24 and has a budget of \$4.5 million. Blaine is about the same size of Sudden Valley, and has  
25 budget of \$12 million. He proposes a Sudden Valley mutual + public funding district instead  
26 of private impact fees. They can get back some money for roads and stormwater in  
27 addition to their own funds. It will be a public/private partnership.  
28

29 Sheila Connors, Bellingham/Whatcom Chamber of Commerce Marketing and Events  
30 Director, stated she asks the Council to reconsider funding for 2008. They have a great  
31 economic impact on the community. Volunteers provide community service to the event.  
32

33 Caskey-Schreiber stated the Council may fund it in 2008, but she wants to get  
34 through one local election cycle to make sure the Chamber does not act like a political  
35 action group. The Chamber can reapply after 2007.  
36

37 Pat Alesse, 2825 Alderson Road, Birch Bay, stated the feasibility study for Birch Bay  
38 incorporation is important. That study will need to cover how bonds work. Property  
39 valuations have gone up approximately 100 percent for this next year. Study affordable  
40 housing, but don't look just at the house. Also consider services for the houses, the family  
41 budget, and availability of public transportation.  
42

43 Claudia Hollod, 8240 Birch Bay Drive, stated she thanks the Council for funding the  
44 feasibility study for Birch Bay incorporation and the neighborhood deputy. She would like to  
45 see more, given the number of square miles the deputies must cover. Sheriff Elfo is a  
46 tremendous asset to the community. They've given him a terrible burden to carry. The  
47 County isn't providing enough coverage. Find ways to fund more deputies. The county is  
48 growing.  
49

50 Geoff Menzies, 988 West Laurel Road, stated he thanks the Council for its service to  
51 the community. The Puget Sound Restoration Fund asked to help restore water quality and  
52 shellfish harvesting in Drayton Harbor. Since, they have raised over \$400,000 in cash and  
53 in-kind contributions to help restore the harbor. The Puget Sound Restoration Fund is now

1 transitioning out of its support for Drayton Harbor restoration. He's disappointed in this  
2 budget. After ten years of the advisory committee working, there isn't a line item for  
3 implementation of the Drayton Harbor Shellfish Plan. The Council adopted the plan in 2000.  
4 The budget includes funds for critical areas ordinance (CAO) enforcement. He supports  
5 funds for the Conservation District's Conservation Planning on Ag Lands (CPAL) Program.  
6 He does not approve the funding for the water resource review of all the water plans. Their  
7 plan has been on the books for years and was adopted by the Council. However, the  
8 County is spending money on consultants to tell them what they already know they need to  
9 do. Instead, bring folks together who have been involved in various issues to establish that  
10 criteria. Restoring water quality in Drayton Harbor is a big task. They have gotten a little  
11 partnership from the County. The County will need to partner in a much bigger way to  
12 restore the bay. It's not about the industry. It's a public health problem. The Council is  
13 responsible for restoring the bay. The industry won't reinvest in the harbor until the  
14 community invests in protecting its own public health. It may mean new taxes.  
15

16 Mac Carter, Sudden Valley Board of Directors, stated he thanks the Council for the  
17 neighborhood deputy for the area. He encourages the Council to think about how it  
18 allocates the budget for security issues in the county.  
19

20 Hearing no one else, Caskey-Schreiber closed the public hearing.  
21

22 Brenner stated someone testified on the pension plan. It is under-funded. People  
23 are worried about the affordable housing plan being only one thing. It's very clear that they  
24 are to be looking at every single type of affordable housing. It is supposed to be a menu of  
25 things the community can do. That should help every part of the county. It's not just  
26 inclusionary zoning.  
27

28 She shares a concern about the Drayton Harbor Shellfish plan. They withdrew that  
29 money because they wanted to start implementation of the water resource inventory area  
30 (WRIA) plan. They got told by the Public Works Department's water resources staff that  
31 they aren't going to do anything unless the Council does this. The person in charge doesn't  
32 have the time. The County has to have a consultant to work with the Council, or else it  
33 won't get done. They don't have any choice. They have spent many hours and many  
34 millions of dollars on it. Many people were involved.  
35

36 **McShane moved** to adopt the ordinance.  
37

38 **Brenner moved** to add two more deputies in 2008, in addition to the two approved  
39 for 2008. Add four deputies total in 2007 and four deputies total in 2008. The Sheriff is  
40 extremely careful with money. When he asks for more deputies, she's confident that the  
41 County needs them.  
42

43 Nelson stated he appreciates Councilmember Brenner's response to the public to  
44 provide for the perceived need in law and justice. He's heard issues about response times  
45 during every budget cycle he's been through. Everyone would like a five-minute response  
46 time, but it isn't feasible. The County is not an urban city. It is a rural county. Current law  
47 and justice expenditures are almost 60 percent of the County's total budget. When he  
48 began on the Council, it wasn't quite 50 percent of the total budget. They have increased  
49 law and justice ten percent. Don't take drastic steps. Work with all branches of the  
50 criminal justice system to make sure they provide adequate coverage in all areas. He will  
51 not support the motion.  
52

1 Brenner stated she doesn't expect a five minute response time in the far reaches of  
2 the county. She expects better response times than are able to happen now. She tried to  
3 get information on the number of deputies per square mile. There are many areas with lots  
4 of development. That is a lot of mileage for the deputies. Her motion is a compromise.  
5

6 Caskey-Schreiber stated she supports the motion. Public safety should be one of the  
7 Council's highest priorities. Sheriff Elfo asked for six deputies in 2007 and six deputies in  
8 2008. The budget funds four deputies in 2007 and two deputies in 2008.  
9

10 ***Motion to amend failed 3-4 with Brenner, Caskey-Schreiber, and Fleetwood***  
11 ***in favor.***  
12

13 Brenner asked for an update on affordable housing. When they designate money for  
14 this, she understood they would create the parameters of what they want included. She  
15 asked about meetings that are taking place already. It sounds like there is already a  
16 request for qualifications (RFQ).  
17

18 Caskey-Schreiber stated they are not into that budget. The Council isn't there yet.  
19

20 Brenner asked if the Council will have input into the RFQ.  
21

22 Desler stated he and the Executive have met with City and County officials to talk  
23 about an affordable housing effort. One idea is an interlocal agreement with the City of  
24 Bellingham that will come forward for the Council's review and approval. A part of the  
25 interlocal agreement is a process that includes an RFQ for consulting services. The Council  
26 will review that as well. They are looking to the City of Bellingham to be the business entity  
27 to oversee the contract. The County will have opportunity for adequate review and input.  
28

29 Brenner asked who decided that the City will be in charge. Desler stated the County  
30 made the offer to the City. If the County Council wants to do something different, they can  
31 discuss it.  
32

33 Brenner stated she wasn't invited to this meeting. She asked when is the next  
34 meeting. This is going to be a broad menu of affordable housing options.  
35

36 Crawford stated he is in favor of the budget but has some concerns in general. The  
37 County shouldn't be funding a number of these expenses. However, it's important to get  
38 the budget through. They are talking about \$360 million over the next two years. He  
39 thanked the Executive's Office staff for working with him on his concerns. The  
40 administration was willing to work with the Council, and the Council needs to be willing to  
41 work with the administration. Therefore, he will support the adoption of the budget. It is a  
42 good budget. It spends down the reserves significantly, which he is concerned about. He is  
43 concerned that the local economy will become more negative in a couple of years from now.  
44 They are all stewards of the tax dollars, and must make sure the dollars are being spent  
45 wisely.  
46

47 Caskey-Schreiber stated she thanks the administration for working with the Council  
48 on all its changes. It is a very good budget. They are dipping into the County reserves a  
49 bit. She is comfortable with that. She is also comfortable with the amount of reserves left  
50 in the fund.  
51

52 *(Clerk's Note: End of tape one, side B.)*  
53

1 Brenner stated it took a lot of convincing for her to support the Legacy Plan. She  
2 supports it because the concept is very good. They aren't giving this to anyone. It will go  
3 through the same legal process of any contract the County would do. Anyone can have a  
4 copy of what they will do. There will be an RFQ to which anyone can respond. This is a  
5 good idea and worth pursuing. She supports the budget.  
6

7 Nelson stated he thanks the administration, Council, staff, and public. They don't  
8 always get what they want. He appreciates the comments made tonight. He likes to have  
9 input on how much reserves the County has.  
10

11 Pete Kremen, County Executive, stated he thanks the Council for its work with the  
12 administration. They may differ on some of the issues, but it has been a collaborative  
13 effort. The differences are indicative of all their desires to serve the needs of the people  
14 who they were elected to represent. He is proud of the budget and looks forward to  
15 continuing to work with the Council on behalf of the community.  
16

17 ***Motion to adopt carried unanimously***  
18

19  
20 **CONSENT AGENDA**  
21

22 ***Nelson*** reported for the Finance and Administrative Services Committee and ***moved***  
23 to approve Consent Agenda items one through five.  
24

25 ***Motion to approve Consent Agenda items one through five carried***  
26 ***unanimously.***  
27

- 28 **1. REQUEST AUTHORIZATION FOR THE EXECUTIVE TO APPROVE THE USE OF**  
29 **THE WASHINGTON STATE CONTRACT TO ESTABLISH CEI GROUP WITH**  
30 **GITT'S AUTOBODY OF FERNDALE, AS THE SERVICE PROVIDER FOR AUTO**  
31 **BODY REPAIR SERVICES ON AN AS NEEDED BASIS, IN AN AMOUNT**  
32 **ANTICIPATED TO EXCEED \$35,000 (AB2006-413)**  
33
- 34 **2. REQUEST AUTHORIZATION FOR THE EXECUTIVE TO ENTER INTO AN**  
35 **INTERGOVERNMENTAL AGREEMENT BETWEEN WHATCOM COUNTY AND**  
36 **WHATCOM COUNTY FIRE PROTECTION DISTRICT NO. 14 TO FURNISH FIRE**  
37 **PROTECTION SERVICES TO THE PARKS & RECREATION DEPARTMENT**  
38 **BUILDINGS AND EQUIPMENT LOCATED WITHIN OR ADJACENT TO THE**  
39 **ESTABLISHED BOUNDARIES OF FIRE DISTRICT NO. 14 (AB2006-414)**  
40
- 41 **3. REQUEST AUTHORIZATION FOR THE EXECUTIVE TO ENTER INTO A**  
42 **CONTRACT BETWEEN WHATCOM COUNTY AND THE DEPARTMENT OF**  
43 **COMMUNITY, TRADE AND ECONOMIC DEVELOPMENT PROVIDING FUNDING**  
44 **TO PARTIALLY COVER WAGES OF TWO OFFICERS, ONE FROM THE WHATCOM**  
45 **COUNTY SHERIFF'S OFFICE AND ONE FROM THE BELLINGHAM POLICE**  
46 **DEPARTMENT, WHO ARE ACTIVELY PARTICIPATING WITH THE NORTHWEST**  
47 **REGIONAL DRUG TASK FORCE, IN THE AMOUNT OF \$112,562 (AB2006-415)**  
48
- 49 **4. REQUEST AUTHORIZATION FOR THE EXECUTIVE TO ENTER INTO A**  
50 **CONTRACT BETWEEN WHATCOM COUNTY AND DECADE SOFTWARE**  
51 **COMPANY, LLC TO PROVIDE A SOFTWARE SYSTEM TO ADMINISTER**  
52 **ENVIRONMENTAL HEALTH PROGRAMS, IN THE AMOUNT OF \$86,500**

1 (\$49,300 FOR THE FIRST YEAR AND \$18,600 FOR EACH OF THE TWO  
2 SUBSEQUENT YEARS) (AB2006-416)

- 3 5. REQUEST AUTHORIZATION FOR THE EXECUTIVE TO ENTER INTO A  
4 CONTRACT BETWEEN WHATCOM COUNTY AND VISITING NURSING HOME  
5 CARE TO PROVIDE NURSING SERVICES AND JAIL HEALTH PROGRAM  
6 OVERSIGHT FOR THE WHATCOM COUNTY JAIL AND WORK CENTER IN THE  
7 AMOUNT OF \$643,271.32 (AB2006-417)  
8  
9

10 **OTHER ITEMS**

- 11  
12 1. RESOLUTION APPROVING THE JULY 2006 BIRCH BAY COMPREHENSIVE  
13 STORMWATER PLAN (AB2006-426)

14  
15 *Fleetwood* reported for the Planning and Development Committee and *moved* to  
16 approve the resolution.  
17

18 *Motion carried unanimously.*  
19

- 20 2. ORDINANCE AMENDING THE OFFICIAL WHATCOM COUNTY ZONING MAP  
21 FROM LONG TERM URBAN GROWTH AREA TO SHORT TERM URBAN GROWTH  
22 AREA FOR APPROXIMATELY 34 ACRES WITHIN THE SOUTHERN PERIPHERY  
23 OF THE BIRCH BAY COMMUNITY PLAN, SOUTH OF HOLEMAN ROAD (AB2006-  
24 386)

25  
26 *Brenner moved* to adopt the ordinance.  
27

28 *Motion carried unanimously.*  
29

- 30 3. REQUEST AUTHORIZATION FOR THE EXECUTIVE TO APPROVE A NEW  
31 LIQUOR LICENSE APPLICATION FOR HANNEGAN SEAFOODS, LLC, 6069  
32 HANNEGAN ROAD, BELLINGHAM WA 98226 (AB2006-419)  
33

34 *McShane moved* to approve the request.  
35

36 *Motion carried unanimously.*  
37  
38

39 **COMPREHENSIVE PLAN AMENDMENTS**

- 40  
41 1. ORDINANCE ADOPTING AMENDMENTS TO THE COMPREHENSIVE PLAN AND  
42 THE UR AND URM ZONING DISTRICTS RELATING TO LOT CLUSTERING,  
43 RESERVE TRACTS AND WATER AND SEWAGE DISPOSAL FACILITIES  
44 (AB2006-406)  
45

46 Fleetwood reported for the Planning and Development Services Committee and  
47 stated this item was held in committee for two weeks.  
48  
49

50 **INTRODUCTION ITEMS**

51  
52 *Nelson moved* to accept the Introduction Items.  
53

1           ***Motion carried unanimously.***

- 2  
3   1.   **ORDINANCE ADOPTING 2% LODGING TAX PURSUANT TO AUTHORITY**  
4       **GRANTED IN RCW 67.28 (AB2006-420)**  
5  
6   2.   **ORDINANCE AMENDING WHATCOM COUNTY HEALTH CODE WCC 24.05, ON**  
7       **SITE SEWAGE REGULATIONS (AB2006-354) (COUNCIL ACTING AS THE**  
8       **HEALTH BOARD)**  
9  
10  3.   **ORDINANCE ADOPTING A MINERAL RESOURCE LANDS COMPREHENSIVE**  
11       **PLAN AND ZONING DESIGNATION ON BRECKENRIDGE ROAD (AB2006-422)**  
12  
13  4.   **RESOLUTION AMENDING THE CURRENT WHATCOM COUNTY FLOOD**  
14       **CONTROL ZONE DISTRICT FUNDING MECHANISM AND LEVELS FOR THE**  
15       **SUMAS/NOOKSACK/EVERSON SUBZONE (AB2006-423) (COUNCIL ACTING**  
16       **AS THE FLOOD CONTROL ZONE DISTRICT BOARD OF SUPERVISORS)**  
17  
18  5.   **RESOLUTION AMENDING THE CURRENT WHATCOM COUNTY FLOOD**  
19       **CONTROL ZONE DISTRICT FUNDING MECHANISM AND LEVELS FOR THE**  
20       **ACME/VAN ZANDT SUBZONE (AB2006-424) (COUNCIL ACTING AS THE**  
21       **FLOOD CONTROL ZONE DISTRICT BOARD OF SUPERVISORS)**  
22  
23  6.   **RESOLUTION AMENDING THE CURRENT WHATCOM COUNTY FLOOD**  
24       **CONTROL ZONE DISTRICT FUNDING MECHANISM AND LEVELS FOR THE**  
25       **LYNDEN/EVERSON SUBZONE (AB2006-425) (COUNCIL ACTING AS THE**  
26       **FLOOD CONTROL ZONE DISTRICT BOARD OF SUPERVISORS)**  
27  
28  7.   **RECEIPT OF APPEAL OF HEARING EXAMINER'S DECISION ON APL06-0010**  
29       **FILED BY LOBDELL (AB2006-412)**  
30  
31  8.   **ORDINANCE REMOVING THE LOT CLUSTERING PROVISION, ON AN INTERIM**  
32       **BASIS, FROM WHATCOM COUNTY CODE 20.42, RURAL FORESTRY DISTRICT**  
33       **(AB2006-393A)**  
34

35   **OTHER BUSINESS AND COUNCILMEMBER REPORTS**

36  
37       Brenner stated she attended the Salmon Summit last Thursday. The discussion was  
38 about how much population they can have without irreparably damaging the natural  
39 resources. That information would be helpful for planning. The consultant said they have  
40 to be careful when they make assumptions based on certain data so they don't have  
41 unintended consequences.  
42

43       Caskey-Schreiber stated she met with the Washington State Department of  
44 Transportation about signalization at East Pole Road at Hannegan Road. The citizens would  
45 like the State to reduce the speed from 50 miles per hour to 35 miles per hour on East Pole  
46 Road through that intersection. The State is reluctant. They are negotiating to have signal  
47 warning light change signs installed. She may ask the Council to support a letter.  
48

49       McShane stated he was shocked when he found out the speed limit was 50 miles per  
50 hour. He thought it was 35 miles per hour. He attended the Salmon Summit also. He has  
51 reason to be optimistic when thinking about watersheds. There is a major issue about  
52 protecting watersheds in urban growth areas that Planning Director Hart is aware of.  
53

1 Caskey-Schreiber stated the meeting next week is scheduled from 10:00 a.m. to  
2 1:00 p.m. and 2:00 p.m. to the end of the day.

3  
4  
5 **ADJOURN**

6  
7 The meeting adjourned at 8:51 p.m.

8  
9  
10   
11 Jill Nixon, Minutes Transcription

12  
13 The Council approved these minutes on December 5, 2006.

14  
15 ATTEST:

16 WHATCOM COUNTY COUNCIL  
17 WHATCOM COUNTY, WASHINGTON

18  
19  
20   
21 Dana Brown Davis, Council Clerk

  
Laurie Caskey-Schreiber, Council Chair

