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WHATCOM COUNTY COUNCIL
Special County Council Work Session

PROPOSED 2007 and 2008 WHATCOM COUNTY BUDGET

November 8, 2006 .

Council Chair Laurie Caskey-Schreiber called the meeting to order at 10:08 a.m. in the Council Chambers, 311 Grand Avenue, Bellingham, Washington.

Present:

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

Absent:

None

DISCUSSION OF THE COUNTY EXECUTIVE'S 2007/2008 RECOMMENDED BUDGET (AB2006-263B)

Caskey-Schreiber referenced page 99 of volume 2. The budget includes \$113,000 for economic development. The amount for the Economic Development Council (EDC) is \$20,000. She is against that funding. She sat on the EDC board for two years, and it didn't accomplish much of anything. There are better ways to handle the Economic Development Investment (EDI) program. There are internal problems and constant conflict between private and government members that are not easily resolved. There is only an interim director at the EDC. There is no cohesiveness or vision. The money is better-spent elsewhere.

Brenner stated she partly agrees. She asked how to administer EDI funds without the EDC.

Dewey Desler, Deputy Administrator, stated they've asked the EDC to act as a clearing house for the EDI program applications. They could coordinate private and public sector requests and issues and organizations. The Executive is now meeting with individuals to work out details.

Fleetwood asked the reasons for including this money, and the benefits to Whatcom County. Desler stated he respects their concerns. The EDC is a clearing house for a lot of information for organizations and people. It provides technical assistance to local businesses and organizations. The Executive requested the amount, the same as the last several years.

If they want to communicate with the private sector in ways more advanced than what the County usually does, they could retain someone else to perform the EDI function for the County. The County Executive's Office could act as the body to receive applications, which they do in the final stages now. They often discuss issues with the potential applicants, as they develop their applications. The Executive's Office gives the applicants feedback and advice on what the County Council may look for in an application. The Executive's Office could do it. If they want a more assertive and supportive role with the private sector operations, they need to seek additional help.

1
2 Caskey-Schreiber stated the Small Business Development Center could take on the
3 task. She's talked to Tom Dorr, who said his organization could do it.
4

5 Crawford referenced page 42 of non-departmental packet. Only one page is
6 dedicated to this item. It looks like the administration, not the EDC, filled out the form.
7 When he was on the EDC Board, there was data about new jobs, prospective jobs, reports
8 to the County Council, and other outcomes. He asked if the EDC is still producing this data.
9 Without having the data, it's tough to allocate money.
10

11 McShane stated the EDC is still providing that data. The EDC is moving away from
12 that type of approach. The private sector is not supporting the EDC much at all. It relies
13 more heavily on the County contribution and the Port contribution. The City of Bellingham
14 is thinking about creating its own EDC position. The County Council and County
15 administration approached the EDC on a contractual basis to provide services, including that
16 data. He was never impressed with that data. He couldn't tell whether or not the EDC was
17 really succeeding. The EDC is trying to redefine its activities, to become more sector-
18 oriented and act as a conduit between governments and the private sector. It is working
19 with the EDI fund to target industries. He likes the direction it's going. It provides a good
20 service to the County. It is struggling with its mission.
21

22 **Caskey-Schreiber** stated the EDC hasn't accomplished much the past three years,
23 during an economically good time. Contract with someone more connected to the
24 community. She **moved** to withdraw funding for the EDC for 2007 and 2008.
25

26 Ray Trzinka, EDC Board Chair, stated the difference between Small Business
27 Development Center (SBDC) and EDC is that the SBDC serves as business counselor to
28 companies. The EDC takes a broader look at the economy in the county, and brings
29 together groups of different economic sectors. The EDC will soon present a combination of
30 what has been done in the past, with new features that will provide value to the county and
31 other stakeholders. They are looking at a similar structure as in the past, including
32 sustaining current private and public financial partners. The EDI contract and the annual
33 Comprehensive Economic Development Strategy (CEDDS) update is a service the EDC will
34 provide to the County. A new feature will be an Economic Strategic Council, which would
35 consist of a cluster approach to different economic sectors of the county, to allow self-
36 identified clusters, such as the technology group, which is already formed. One
37 representative from each cluster would sit on the Economic Strategic Council. The
38 information from that council would be quality analysis from a cross-functional group of
39 different economic sectors.
40

41 Brenner stated the new feature is a lot like what the SBDC does. Trzinka stated it's
42 more than doing analysis. It's about the different people and coalitions they bring together
43 and the quality of the analyses. The SBDC may look just at a specific challenge to a
44 particular business.
45

46 Crawford asked the annual budget, how much of the budget is private versus public,
47 and whether it's the end of the EDC if the County cuts this \$20,000.
48

49 Nancy Jordan, Interim EDC Director, stated the current budget is about \$150,000
50 and sustains 1.5 full-time equivalent (FTE) employees. She doesn't have the private/public
51 breakdown information. It's about 60/40. They want to continue to develop these
52 opportunities. This year, the EDC convened practitioners, including the SBDC, Workforce,
53 the Port, including Hart Hodges, and other players who deliver services to the community.

1 It meets on a monthly basis. They have been selected for a multi-county, multi-agency
2 grant from the State Department of Community, Trade, and Economic Development (CTED)
3 for the marine industries. The SBDC provides more technical information on the ground.
4

5 McShane stated the EDC is attempting to create projects by sector. Jordan stated
6 agriculture is another sector the EDC has been working on.
7

8 Brenner asked who and how they work with in the agriculture community. Jordan
9 stated they work with the Agricultural Preservation Committee (APC), Farm Friends,
10 Conservation District, and many others. They are having many conversations. The
11 different participants are leading different topics.
12

13 Nelson asked if EDC organizations are recognized nationally and statewide for their
14 grant-writing capacity to get monies from State and federal sources. Jordan stated the
15 State authorizes the Associate Development Organization (ADO), which is given to each
16 county be a contact point for funding. They can come through a number of sources. It's
17 the State's way of authorizing the contact point for the counties. The counties elect who will
18 be the holder of that ADO. That is a choice of the county.
19

20 Nelson asked if the County administration would do that if the EDC doesn't. Jordan
21 stated it is a different funding source. The line item in the County budget is different from
22 the ADO designation, which comes directly from CTED.
23

24 Caskey-Schreiber stated she's interested to see how the City of Bellingham will do it.
25 There are other options for doing this work.
26

27 Nelson stated the Chamber or SBDC couldn't do that. He agrees about what has
28 been going on at the EDC. He was disappointed. There should be greater private-sector
29 participation. The EDC was designed to attract businesses to Whatcom County. It's smart
30 to bring together a coalition to find out the areas where they need help. It takes time and
31 effort to do that. If the County cuts off its funding, the County will lose participation in that
32 process and also the process of what the County can get from the State and federal levels,
33 unless they design another system. He asked what the money would go to, if not this.
34

35 Brenner asked if the County can fund the EDC for a year, and make it come back to
36 the Council for a review.
37

38 **Caskey-Schreiber** stated she accepted the suggestion as a friendly amendment.
39 She **amended her motion** to fund the EDC for 2007 only, and come back and show the
40 County Council evidence about to whom they've outreached and what they've accomplished.
41 The Council should see if the EDI applications are increasing and becoming more diverse.
42 Not much progress has been made in the past year. It seems there is competition between
43 what the private sector and public sector want. That's why the organization is set up to fail.
44 The board is enormous, and has diverse interests.
45

46 McShane stated the Council has a certain expectation of the EDC, as do others. Set
47 the money aside for the EDC. The important part is what the County puts in its contract
48 with the EDC. He's attracted to the approach of funding economic development in certain
49 sectors instead of the broad approach. Focus on areas such as agriculture, which is
50 important for the County Council and County government. It provides direction from the
51 County to the EDC and creates a mix of government support for the private sector.
52 Through this, the County can have some influence on the direction of economic
53 development. He's not interested in the County setting up its own program.

1
2 **Motion carried unanimously.**
3

4 Fleetwood referenced a letter from the APC and Henry Bierlink (*on file*). He asked if
5 there is sufficient money in the current budget to implement the proposed agricultural work
6 program.
7

8 Kraig Olason, Planning and Development Services Department, stated there is staff
9 funding, but no money specifically for the program. They talked about funding some
10 components of the work program. A copy of the work program draft is available. They
11 want to try to do a feasibility study for transfers of development rights (TDR) and do a
12 cluster design ordinance change. He estimates a cost of about \$60,000 for consultant
13 assistance for those activities.
14

15 McShane asked if the staff position was a switchover from the Futurewise issue. An
16 issue is the TDR and purchase of development rights (PDR) programs, and how its linked to
17 urban growth area expansion. The Natural Resources Committee was going to have a
18 presentation on this issue, but hasn't yet because of budget meetings. The Council would
19 have had a better feel for that need if it had that presentation. He asked if there is an
20 additional services request (ASR) for that PDR/TDR program feasibility study. Also, they
21 were trying to set up a very public process in the county. Olason stated they were trying to
22 reserve about \$35,000 for a facilitator and to publish material for people regarding that
23 process. The budget they talked about was very lean, based on not having the detail yet.
24 They last talked about establishing a working group to work through those issues and focus
25 the program a little bit more. That hasn't occurred yet, so they don't have a certain level of
26 detail. They do have some information that indicates there will be some cost. He described
27 the process that Snohomish County went through. Whatcom County may be able to use
28 some of that information. Pierce and Snohomish counties received grant funds to work on
29 TDR's. Closely follow next year's TDR study.
30

31 Fleetwood stated the Council started discussing an aggressive agriculture protection
32 work program in March. He thought they would actively work on it in 2007. He asked if a
33 supplemental will have to come forward if they really do this. Olason stated that was
34 discussed. They could be more clear on the scope and get out requests for proposals
35 (RFP's) to see what kind of funding they would require. In the first phase, do some projects
36 that aren't TDR's, such as code changes. Those are close to being done at not a great
37 expense. He listed the projects they are doing now, with just staff time. That will be a
38 major upgrade to the program. From June 2007 to 2008, they will focus on the cluster
39 design ordinance and the TDR feasibility study.
40

41 Fleetwood asked if all those things are the extent of the work program, or if the work
42 program will be broader. He asked if there is sufficient money to ensure that the timeline
43 actually happens, if the work program is broader. Olason stated that if the program is
44 broader, the original estimate of \$60,000 will be conservative. They may want to do a
45 supplemental when they get more detail.
46

47 Weimer stated there is an approved ASR for \$156,000 for the agriculture land
48 preservation program, which is mainly staff. He asked how that person works into the work
49 plan. The ASR is on page 107 of the ASR's. Olason stated that money is targeting the
50 shared position with the Futurewise work. They have additional part-time funding for an
51 agriculture assistant extra help.
52

1 Brenner stated this item isn't Futurewise. It is the County's obligation and support
2 for one of those two positions. All these tasks are the same ones they talked about two
3 years ago. It's important to get started on some of these tasks. If they need to budget for
4 it, now is the time to do it. George Boggs was under the impression that the Conservation
5 District would get some money, but it's not in the budget.
6

7 Hal Hart, Planning and Development Services Director, stated this is about the
8 critical areas discussion and the conservation program on agricultural lands (CPAL's), which
9 they are trying to get functional. The issue is of timing. The work program for Mr. Boggs is
10 already set for the year. It could be more effective early next year. They are scheduled to
11 do a lot of that work between December and June each year. The County must get in sync
12 with their schedule to work with the farming community.
13

14 Brenner stated the Conservation District, according to George Boggs, is ready to
15 move on this.
16

17 Henry Bierlink, Agricultural Preservation Committee and Agriculture Advisory
18 Committee, stated he really supports the work being done by the Conservation District on
19 CPAL's. It's been a good deal for farmers. It's not fair to ask the Conservation District to
20 do that with no staff or support. If the Conservation District is going to administer and
21 make the County laws work, then the District must have County support.
22

23 McShane asked if there is an ASR that incorporates this issue. Hart stated
24 something was put forward but didn't make it through the process.
25

26 Dennis Rhodes, Planning and Development Services Director, stated there was some
27 discussion of an ASR that talked about one FTE. Now they are sharing an FTE with the
28 Futurewise program. Funding for covering that position and the extra help is in the budget.
29 They additionally asked for \$60,000 for programs. At a past Committee of the Whole
30 meeting, the Council was presented with a broader scope of the agricultural program. The
31 Council narrowed down the scope. That's what staff built its ASR around. That is the
32 presentation that is supposed to be before the Natural Resources Committee. The proposed
33 work program talks about the agricultural preservation ordinance and other issues.
34

35 *(Clerk's Note: End of tape one, side A.)*
36

37 Rhodes continued to list the items in the work program. They are at the public
38 interaction process right now. He explained that process. That information will come to the
39 Council at a later time. They initially talked about having a consultant support for that
40 public interaction process, which will be sizeable. The initial ASR addressed that issue, but
41 it wasn't as fine-tuned as they would have liked, because they never got the opportunity to
42 fine-tune it with the Council and administration. That's where it was left off. Right now, the
43 budget includes staffing for the agricultural program.
44

45 **McShane** stated one option is for the Natural Resources Committee to work on the
46 ASR and pass the budget in two weeks, or pass the budget now and amend it to include the
47 ASR. He is concerned about the idea of a supplemental coming out later. The Council can't
48 bring forward a supplemental budget request. The Council has a proposal it hasn't started
49 working on yet. That's where the opportunity comes in. A lot of detail needs to be worked
50 on. The work needs to be sped up. Add \$60,000 for support. It would be helpful to put
51 together a more substantial ASR in the interim, or set the money aside. He **moved** to add
52 \$60,000 as a one time expenditure for agricultural program support.
53

1 Brenner stated she supports the motion. She asked what the County must do for
2 Futurewise. Rhodes stated two staff are poised to start working on Futurewise when the
3 court makes its ultimate decision.
4

5 Brenner stated the County hires people to work on issues, not on lawsuits. Rhodes
6 stated they refer to the project as the Futurewise project.
7

8 Caskey-Schreiber stated change the euphemism to the limited area of more intense
9 rural development (LAMIRD) issue.
10

11 Nelson stated he would be more comfortable with having \$60,000 if it would promote
12 getting a TDR program in place, rather than a bunch of docketed agricultural items and
13 farmland issues. If they don't have a TDR program, he can't support the docketed items.
14 Many people on agricultural lands will be upset with these docketed items. Olason stated
15 the first page of the Proposed Agricultural Work Program (*on file*) handout talks about a
16 work program that would work with the community to develop some protections. They
17 talked about putting effort into the TDR program in 2007, by doing the feasibility study.
18 The feasibility study will tell them whether the TDR's are worth doing. The third stage talks
19 about coordinating the PDR and TDR program, and also ties into the cluster design concept
20 to reduce density instead of buying it all out. When they get into that phase, they would
21 implement an ordinance and staff up. It will take a lot of work to make the PDR and TDR
22 programs work.
23

24 Fleetwood stated the overall object is to implement the full work program. This
25 came out of Comprehensive Plan amendments that he and Councilmember McShane filed a
26 year ago. They morphed that Comprehensive Plan review into the work plan. He asked if
27 the \$60,000 is sufficient to do that next year. This is one of the biggest County priorities.
28 They have lots of money for one-time programs. Now is the time to fund this plan. He
29 asked if it's true that it would take a minimum of \$250,000 for the next two years, in
30 addition to dedicated Planning staff, to realize the Council objective. Bierlink stated that
31 estimate, done in May, was originally \$600,000 to do the full plan. They scaled that amount
32 back down to \$250,000, and now it's down to \$120,000 over two years. They recognize
33 that no one really knows what it will take. No one wants to spend the money any more
34 than the Council, but they want to do the job right. That's what they're trying to do. They
35 are looking for an indication that the work done by the Agricultural Advisory Committee and
36 Agricultural Preservation Committee will be meaningful enough that the County will get to
37 work on it, and do what needs to be done. He has been quite pleased with the
38 administration's effort on the staff level. They are moving in the right direction. The
39 question is whether the LAMIRD issue will use up all the staff's time. As long as the Council
40 keeps saying this is a high priority, the staff will make sure it's available to get this done.
41 Now, there has to be something for public involvement and focused efforts.
42

43 Fleetwood stated it's hard to predict with any accuracy what the precise amount
44 should be without having first finished the full discussion on the scope of the work program.
45 The amount of \$60,000 sounds better than nothing. He will support that amount. As they
46 refine the scope of work for the program, he hopes they will come back with a supplemental
47 if it's necessary.
48

49 Brenner stated she won't vote to support this budget at this evening's meeting. She
50 wants to hear what people have to say. Put this item in the Natural Resources Committee
51 so they can finish that discussion. The amount of \$60,000 won't get them far. The Council
52 has prioritized this issue highly, but put little into it monetarily. This is the perfect
53 opportunity for the administration to bring something forward, but she doesn't want to

1 count on that. There are always things that vie for the same monies. She would like to say
2 up front that they are going to do this program, and schedule the item in committee so the
3 councilmembers can vote on it.
4

5 Caskey-Schreiber stated this issue shouldn't hold up the budget. It should be an
6 easy decision. There is a very large proposed Comprehensive Plan amendment, with a
7 large-scale TDR component. It can't be considered without the TDR component. She is
8 comfortable with adding \$60,000 specifically to the issue of TDR and PDR agricultural lands
9 related to the proposed Comprehensive Plan amendments.
10

11 Nelson stated the funds would be allocated, not dedicated. Get an idea of how a TDR
12 program can be used once these docketed items come forward. He asked if they will have
13 something in place. Olason stated the four items on the front page will blend into the work
14 program. Those four docketed items won't appear as presented. Instead, they will get the
15 list of items on the work plan. They are talking about \$60,000 for two years. They may be
16 into the third year for implantation. There may be additional money at that point.
17

18 Nelson stated this is an allocation. He hears that they need to get that done now.
19 They can put in committee and beat it to death. The staff will have to do the work, not the
20 Council, to get to implementation. He doesn't need to beat something to death to get a
21 product. Olason stated about one-third of the \$120,000 for the two year period will be for
22 public process. It's a very conservative estimate. They will do their best to get as much
23 done as they can with that amount of money. They will have to pick their consultant
24 judiciously.
25

26 **McShane amended his motion** to add one-time expenditures of \$60,000 in 2007
27 and \$60,000 in 2008 for outside support for the agricultural program.
28

29 Nelson asked if the administration approved the staff, and this motion adds to that
30 amount. Olason stated that is correct.
31

32 Weimer stated he approves of the motion. It's a good placeholder. Discuss it in
33 Natural Resources Committee before the budget is passed.
34

35 Crawford stated he opposes the motion. The addition of a staff person gives the
36 Planning Department ability to analyze the needs. If the department feels it's a good use, it
37 can come to the Council and say that. The additional staff is enough for now.
38

39 McShane stated this leaves a placeholder for what the Council decides is its priority
40 for the agricultural program priorities. They may decide to not spend the money at all.
41

42 Nelson stated make the money specifically for TDR's. Many of the Comprehensive
43 Plan amendments are geared toward a lot of land in the rural areas. He will not sacrifice
44 those lands without having a program in place.
45

46 Caskey-Schreiber suggested that they allocate \$120,000 for the establishment,
47 development, and fruition of the TDR program as associated to agricultural lands. Olason
48 stated staff can dedicate that the TDR program feasibility study is done.
49

50 **McShane restated his motion** to add \$120,000 for outside support of the
51 agricultural program, including development of a TDR program. He is not interested in
52 pursuing the work program without the TDR program.
53

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

2
3 **Weimer moved** to approve an ASR to fund the CPAL program through the
4 Conservation District (*on file*) in the amount of \$50,000 in 2007 and \$100,000 in 2008. It
5 is less than half of what the Conservation District would like. This program is called for in
6 the critical areas ordinance. It's a high priority program for both shellfish protection
7 districts. They've got a total maximum daily load (TMDL) in place because of high fecal
8 coliforms in the river and in a number of creeks. This is one way to address all those
9 things. He explained the CPAL program. The Conservation District has this program ready
10 to go, but it has received no money to do it. It's an unfunded mandate to the District by
11 the State and the County.

12
13 Brenner stated the Conservation District worked with the administration on this
14 program. She supports the motion. The money is not in the budget, and it needs to be.

15
16 Weimer stated there were discussions between the Conservation District and the
17 Planning and Development Services Department for a contract to start some of this, in the
18 amount of \$45,000 to \$50,000. Hart stated that is correct. It's getting late in the year to
19 start it this year. The question is one of timing. The staff hasn't brought that conversation
20 to the administration.

21
22 Crawford asked if this ASR is a help to the 4H groups, the granges, and the Future
23 Farmers of America (FFA). There are some positive benefits according to the ASR. He
24 asked if those folks see this as a barrier or a help. It is presented as something that would
25 help the small hobby farmers. He would like some input from those groups. Delay this a
26 little while longer until they can come up with an advisory group to represent the hobby
27 farmers. Make sure they're on board. He's heard from the hobby farmers about the
28 downside of working with the Conservation District. He's not sure if they resist this
29 particular action or any regulatory action.

30
31 Weimer stated he doesn't know who the Conservation District discussed this with.
32 It's a high priority in the District's strategic planning. It's also a high priority of the
33 Agricultural Advisory Committee. They have done a number of workshops that were well-
34 attended. This is called for in the critical areas ordinance, and people are out of compliance
35 if they aren't doing this. This is a way to help people make sure they avoid trouble down
36 the line.

37
38 Caskey-Schreiber stated she supports the motion. There is a strong correlation
39 between the number of farm plans and the quality of water, especially in Drayton Harbor.
40 The County is bound to provide services for the tax revenue it collects. This is a good
41 service to the public to ensure that their waterways are as pollution-free as possible from
42 farm runoff. It also helps the farmers, who won't get labeled as polluters. The large farms
43 have all been doing their farm plans successfully. The logical next step is to address all of
44 the small farms. They are a hard group to organize. The best way to do that is through the
45 Conservation District, which has had many successes with the larger farms. She expects
46 the District to be just as successful with this entity.

47
48 Brenner stated she agrees with Councilmember Caskey-Schreiber. All they have to
49 do is say that the primary customers are primarily the low-impact livestock farm owners,
50 including hobby farms. Secondarily, moderate impact farm materials will assist crop
51 farmers, including hobby crop farmers, with critical areas. Add that language to the ASR.
52 She totally supports this funding.

1 Crawford stated the County has a critical areas ordinance. The critical areas
2 ordinance is being violated. Complaints are out there. The County investigates the
3 complaints about hobby farmers and does enforcement actions. Hart stated that is correct.
4

5 Crawford stated that's the current problem. The proposed solution is to dedicate
6 \$150,000 over two years to assist the Conservation District with preempting farms from
7 getting to that stage. The district is going to go out and get the plans so they don't have as
8 many violations. He asked if they are better off spending the \$150,000 on the front end.
9 He asked if there is a savings on the back end. He asked if this has come up with the
10 administration. He asked why the Council hasn't seen this before if this is a great idea.
11 Desler stated the administration signed off on an internal budget transfer in the amount of
12 \$35,000 to fund this program in 2006. The County contracted with the district, but the
13 program hasn't been set up yet. They're still waiting for this to happen. There is \$35,000
14 plus a two percent increase available in the budget for 2007 to implement the critical areas
15 ordinance provisions, which supports the farm development issues.
16

17 Crawford asked the difference between the \$35,000 proposed by the administration
18 and the \$150,000 of the motion. Hart stated the Conservation District is saying it needs
19 additional funding to put this out, with the technical support for the community.
20

21 Crawford asked how they came up with the amount of \$35,000 per year. Hart
22 stated it was a bare bones transfer from a year ago. They just carried that forward. What
23 the Council is saying is the district's programmatic response. If the County wants the
24 program going, this extra amount is the district's recommendation. They haven't yet used
25 the \$35,000 that the County allocated.
26

27 Weimer stated the district budgets \$200,000 per year to implement the program.
28 The reason the district hasn't used the \$35,000 is because they've had to allocate staff to
29 other programs and grants. It will take time to finish the work they're doing now and
30 reassign the staff back to this program.
31

32 Brenner stated the Conservation District won't have any effect with a budget of
33 \$35,000. The difference is whether the County really wants to do something with this
34 program, or just provide token funding.
35

36 Crawford stated the County is doing a lot. It's doing enforcement. County staff is
37 out there all the time writing up violations. They are talking about front-loading a program
38 rather than back-loading a program.
39

40 Caskey-Schreiber stated the goal of the critical areas ordinance is compliance. This
41 is a better, less confrontational, and more successful way to get compliance.
42

43 Crawford stated it is possibly more expensive.
44

45 Caskey-Schreiber stated that remains to be seen. They just added a staff person for
46 \$65,000 to do critical areas ordinance implementation and enforcement. This is something
47 they can finish in two to five years. She restated the motion to add \$150,000 over two
48 years to the Conservation District to implement farm plans for small farms.
49

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

52 Fleetwood referenced the Small Potatoes Gleaning Project. The State Auditor said
53 the County can't fund it. There is a way to let this happen. There is an exception to the

1 State Constitution for the poor and needy. The concern is that the Small Potatoes Gleaning
2 Fund program doesn't have a sufficient audit trail to show that the County money would go
3 toward a program that affects or benefits the poor and needy. They can do that accounting.
4 They don't presently, but they can change their policy. He asked if there is a way to
5 appropriate \$15,000 over two years for the non-profit, then work with the non-profit and
6 State Auditor to make sure the audit trail is sufficient. Desler stated it seems like a good
7 project. The City of Bellingham can support the project with specific federal funds that
8 allow the funds to be used for this project. The State Auditor told them to let that money
9 flow from the federal government. If the Council really supports the project, set the money
10 aside and make sure they do it in compliance with the Constitution and law. The
11 administration will make sure it happens. If it can't happen, recognize that the law prevents
12 the County from doing this.

13
14 ***Fleetwood moved*** to include \$15,000 for the Small Potatoes Gleaning Project if it
15 can be funded in compliance with the State Constitution and law.

16
17 Brenner stated she thought the issue was that the County can spend the money on a
18 nonprofit to teach someone how to grow the food or do whatever, but they can't spend the
19 money on the food itself. She totally supports the project.

20
21 ***Motion carried 6-1 with Crawford opposed.***

22
23 ***Caskey-Schreiber moved*** to amend the funding for the Chamber of Commerce.
24 Provide funds for 2007 only, and wait to go through another local election cycle to see if
25 they truly don't become a political action committee. Remove funding for 2008.

26
27 Brenner stated the Council can't do a supplemental budget request.

28
29 Caskey-Schreiber stated the administration can and will submit the supplemental if
30 necessary.

31
32 Desler stated the administration could put forward a one-year contract, and consider
33 a second contract at the end of 2007.

34
35 Brenner suggested a friendly amendment to fund the Chamber of Commerce for
36 2008, and approve only a one-year contract, with review at the end of 2007.

37
38 Caskey-Schreiber did not accept the friendly amendment. It's wrong to channel
39 public money to someone who engages in local politics.

40
41 Crawford stated they use this money for off-season advertising out of the area for
42 the Ski-to-Sea festival. They are funding one little aspect of the Ski-to-Sea festival.

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

45
46 ***Brenner moved*** to reinstate ASR 2007-327, the .5 FTE for the Assessor, Treasurer,
47 and Auditor for technical computer support. Those are three elected positions that handle a
48 lot of money for the County. It's not enough to have one person service all three of those
49 departments in addition to the Information Technology Division. Also, the Auditor,
50 Assessor, and Treasurer don't make a lot of requests like other departments. She takes
51 their requests very seriously. This is extremely important.

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

1
2 Nelson stated that's not the appropriate approach for handling technical support. If
3 they started doing technical support on one level, it can have impacts on other areas. It
4 has to be a coordinated effort to not affect other departments.
5

6 Desler stated the administrator advocates additional capacity to buy time from the
7 service provider, Compu-Tech. Try that first. They are already adding staff capacity. One
8 priority is to help the Treasurer, Assessor, and Auditor with some of the current technical
9 issues of maintaining and running the systems they have now. The second priority is to
10 work on a replacement set of software. The administration proposes adding capacity to
11 manage the system, beyond the money already allocated in the budget now for that
12 support. The administration is committed to making sure the system runs well. If they
13 need additional capacity, they would work up a solution.
14

15 Steve Oliver, Treasurer's Office, stated his office has had additional discussions on
16 this issue with the Executive's Office. They were able to clarify the resources that may be
17 available to support the system for the next few years while they plan a large replacement
18 of the County's treasury and financial system. At this point, they are supporting the
19 Executive's proposal. They also understand they will continue to revisit this issue with the
20 Executive on a regular basis to make sure they are getting the job done.
21

22 *(Clerk's Note: Councilmember Crawford left the meeting at 11:45 a.m.)*
23

24 **Brenner amended her motion** to accept the technical correction for \$20,000 for
25 the Compu-Tech support for the Treasurer and Assessor for the year 2007.
26

27 **Motion carried 6-0 with Crawford absent.**
28

29 **McShane moved** to approve all the technical corrections proposed by the
30 administration on page one of their handout *(on file)*.
31

32 **Motion carried 6-0 with Crawford absent.**
33

34 Weimer asked if funding for Sean Humphrey House is for one year or two years.
35 Desler stated the funding is for one year, in 2007.
36

37 **Brenner** stated the funding is ongoing, not one time. She **moved** to add \$12,000
38 for Sean Humphrey House to the 2008 Budget.
39

40 **Motion carried 6-0 with Crawford absent.**
41

42 Weimer asked the process for how people get funding through the non-departmental
43 fund. He is looking for a way to set up a process. His idea is to remove \$310,000 of
44 funding for 14 organizations in 2008, but put it into a pot called the "good works" fund, and
45 let people apply to the administration for that funding.
46

47 Caskey-Schreiber stated Executive Kremen already has such a fund. He does an
48 outstanding job of managing that pot of money and helping people who have missed the
49 budget process. She refers people to the Executive's Office for that funding all the time. It
50 would be difficult to invite applications for funding when they already have a big stream of
51 applications. She asked how many requests the County received this year.
52

1 Desler stated they received many requests. There is both merit and downsides to
2 the suggestion. Have a larger discussion of the impact and what it would take to manage
3 the process.
4

5 Brenner asked who gets some of the money from the slush fund. After this two-year
6 cycle, tell the Council ahead of the budget process about what gets funded. Desler stated
7 he would provide a list to the Council.
8

9 Nelson stated it's not a slush fund. It's the current expense fund. It is not
10 something that is for rainy days or other purposes. It's appropriated through an
11 administrative process and Council approval.
12

13 Weimer stated he is willing to have a longer discussion about this. He's heard from
14 the food banks, Northwest Youth Services, Opportunity Council, and environmental
15 organizations that didn't know money was available from the County. They're looking for a
16 process to make sure the most legitimate requests are getting funded.
17

18 Caskey-Schreiber stated it is not a slush fund. It's a discretionary fund over which
19 the Executive has administration. The administration has been very supportive of the many
20 small requests it gets.
21

22 Brenner stated she understands that the discretionary fund is for one-time things.
23 Ongoing requests usually make their way into the budget process. Desler stated that is
24 correct. It's called the Executive contingency fund. It is listed in the non-departmental
25 section of the budget. The requested amounts range from \$2,000 to \$10,000. The County
26 develops a modest contract with the agency. If the funding is needed in subsequent years,
27 the administration will make a more formal request to the Council through the budget
28 process, or it's considered in a future year. The Executive reaches out to many people.
29

30 Nelson asked about a senior programmer position for the Administrative Services
31 Department. Desler stated this position has to do with implementation of the data
32 integration project. There is about \$1.5 million in grant funding. They hope to get more
33 grants. This is the continuation of an existing position. The purpose of the position is to
34 integrate the law and justice information systems among many governmental agencies.
35

36 **Fleetwood** submitted and **moved** to approve the amended ASR for legacy planning
37 for Whatcom County. The previous version was for \$60,000 per year for two years. The
38 amended version is for \$35,000 per year for two years. This goes beyond creating a vision.
39 This proposal increases the likelihood that they will implement a vision that many want for
40 natural resource amenities in Whatcom County. The results of this process will go into the
41 planning policies. If they can get improved goals and policies into the Comprehensive Plan,
42 it will inform future councils. It's well worth it.
43

44 McShane stated he has refrained in the past from discussion of and voting on this
45 item due to a fiduciary interest. His wife is on the Legacy Planning Committee. However,
46 he was exposed to some of the debate on this last week at the Salmon Summit. The
47 County long-term plans are for 20 years, not 100 years. Those plans were crafted with a
48 lack of some information. They have so much more information available now that needs to
49 be incorporated into long-term planning. He keeps hearing questions about where urban
50 growth areas will expand. People have talked about drawing a hard line around the urban
51 growth areas, but they have no current plan to do that. They also have no future plan to
52 protect watersheds that they know are sensitive to changed land use patters. Therefore,
53 they will keep expanding into new watersheds and then have to fix problems that they

1 create. Since they did the original Comprehensive Plan and long-term plans, they have so
2 much more information. Endangered species listed have been applied. They have a
3 different regime of regulations and standards the County must meet. They have a much
4 better understanding of advances that have occurred in low impact development. They talk
5 a lot about low impact development. There are places where it works well, and other places
6 where it doesn't work well. It really matters where someone is building. Those things were
7 not considered in past planning efforts. Now, they do 20-year plans that are updated every
8 five years. People on both sides are getting frustrated because things change every five
9 years. This item will go a long way to create a more certain future about what they protect.
10 This has significant statewide support. Ultimately, it's a huge leverage tool for getting
11 funding for the very things for which they want funding. It is an opportunity for Whatcom
12 County to take a lead on these issues. The Growth Management Act doesn't protect
13 farmland or forestland all that well. This is a great program. He is in favor of it. It is not a
14 threat to the implementation of the plans they have. It will greatly enhance their ability to
15 implement those plans and prioritize where the County puts its resources.

16
17 Nelson stated he disagrees with having a separate citizen group to do what the
18 County Council should do. If it's an important issue to the Council, then the Council can go
19 through a process for the Planning Department to go to the community and do research.
20 He is concerned about having citizen groups proposing projects and other citizen groups
21 being left out of the process. He is skeptical about how this process would be put together.
22 He is concerned about going outside of the current Comprehensive Plan process. If the
23 State thinks this is a good idea, then the State can create legislation and financing for that
24 type of process. Through the Comprehensive Plan process, they have gone a long way to
25 address needs and concerns.

26
27 Brenner stated she is not sure about who is involved in this group. She's heard from
28 many people who are just finding out about this. People don't know anything about this.
29 Chuck Antholt says that this effort has serious credibility and legitimacy problems with the
30 community at large because he is just finding out about this. She's very nervous about the
31 Council doing this with a group of people that it hasn't appointed. Someone was in charge
32 of deciding who was involved, and it wasn't the Council. The Council represents the
33 citizens. She's never been opposed to this kind of effort. She's nervous about this effort
34 requiring even more work from staff. Instead, do this in-house, but don't take up any more
35 of the staff's time.

36
37 Caskey-Schreiber stated she supports the plan. She was brought into a group of
38 elected officials from every jurisdiction. It came from the Concerned Christian Citizens, who
39 suggested that the governments formulate a long-term strategy about what they want this
40 County to look like in 100 years. The Growth Management Act (GMA) fails in that respect.
41 It encourages the counties to plan for 20 years. In reality, they need to plan further out.
42 The population is going to double in 35 years. She wants to know what they are going to do
43 to protect the green areas and sensitive areas in the county. Without a strategy for
44 acquisition of those areas, they will not be able to protect anything vital to the ecosystems
45 of the northwest or the natural resources. The vision should come from the citizens to have
46 a better shot at community buy-in and funding. The group will accomplish a lot for the
47 \$35,000 per year its requesting. She expects that the composition of the committee will
48 become more diverse.

49
50 Weimer stated he was originally against this motion. It duplicates a lot of other
51 plans that are already done. Some of their plans for what they can accomplish are naïve.
52 People who have worked through salmon plans, watershed restoration plans, and
53 comprehensive plans are some of the people most against this because they've already

1 been through the planning process, but there wasn't any money for implementation. Those
2 people would rather this money go to implementation rather than another plan. He agrees.
3

4 This advisory group is a process that started from the public, not the government.
5 This steering committee will hopefully be able to grow and include more County
6 representation. This group needs to do more outreach to the people who have been in the
7 trenches. For all of these processes, they get to the end, and there is no money. This is
8 the most hopeful thing he's seen to generate community support for whatever will happen
9 to generate that money. If \$70,000 gives them a chance for the community coming
10 together to generate that money, he can support it.
11

12 McShane stated the County's role in this project is small. It is to provide information
13 regarding geographic overlays and other scientific information, so the data used for the plan
14 is the best function. The funding sources are shown in the ASR. The effort depends heavily
15 on grants. He's optimistic that the money will be there. There is a lack of prioritization on
16 every level to implement these plans that exist. They don't have money to fix past salmon
17 recovery problems, and now they are going to create even more problems. This is a huge
18 chance to leverage opportunity. The County is asked to play a small part. It will create
19 money for preservation. They must preserve the good things they have before doing
20 massive recovery projects. This will allow the County to share its scientific and geographic
21 background with this group. The group will be able to share back so they can make good
22 priority decisions about where the County puts its money.
23

24 Nelson stated it will be more planning. No implementation will come from this effort.
25 This process is laid out by one group of people. The process must be accepted by the
26 community. Whatever comes of this effort may not be implemented because those who
27 weren't part of the process can object to it.
28

29 Brenner stated her big concern is they can get scientific data to say anything they
30 want. It's been said that this effort should come from the people, not the Council. The
31 Council represents the people. They must have the trust of the community. If they go
32 through this effort, make sure it goes through the Council and through a public process.
33 The product that this group comes up with will not be a County product. She is nervous
34 about where this comes from and who is behind it. If this effort is important, then run it
35 through the County so everyone is represented. Don't give it to an independent group that
36 decides who is involved.
37

38 Fleetwood stated this effort will create beneficial, necessary information that will
39 inform implementation. Implementation on this project will be actions by future County
40 Councils that make decisions on land use issues. In a sense, they don't get implementation
41 from this process. It will inform future decisions. The question is about how they take what
42 they get from this effort and put it into a public document, such as the Comprehensive Plan,
43 which is then thoroughly vetted through a public process.
44

45 Caskey-Schreiber stated she's not convinced that the County can do this any better
46 than a group of citizens. At some point, the County would be invited to participate. There
47 is nothing wrong with citizens trying to formulate a vision of which they would all have
48 ownership. She asked if the legacy group has ever denied membership to anyone.
49

50 Tris Shirley, Legacy Planning Steering Committee, stated the steering committee is
51 open to new membership. He is also concerned that the committee includes mostly
52 Bellingham people. If the work they do is not broadly representative of all the people in the
53 county, they know it won't work. The only way this can be implemented is if it's broadly

1 supported. Otherwise, they are wasting their time. They will do whatever they have to do
2 to achieve that broad support.

3
4 Fleetwood asked if there are any rules that limit the number of people who can be on
5 the steering committee. Shirley stated they probably should have, but they don't.

6
7 Fleetwood asked if this is a draft list, and it's conceivable that many people,
8 representing a broad constituency, could be added. Shirley stated this is the current status.
9 They have had some discussion of different models to make this work. They can't have a
10 200-person steering committee. They must make sure everyone in the community has a
11 voice on the steering committee somehow, but that they still have a workable committee.

12
13 *(Clerk's Note: Councilmember McShane left the meeting at 12:27 p.m.)*

14
15 Brenner asked what the councilmembers are supposed to say to people who claim
16 this process is tainted because it comes from a certain group. Shirley stated people will
17 have to look at the results.

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

20
21 Shirley continued to state that if they've done their job well and solicited broad input
22 in the course of this project, the vast majority of the community will find it acceptable. As
23 long as the work speaks for itself, they don't have to worry about people being as concerned
24 about who did the work.

25
26 Hart stated this is an alternative model that Executive Kremen started discussing at
27 least two years ago. The legitimacy of any public process will be based on how deep into
28 the community they can get. The original goal was to get beyond the same people they
29 always see over and over again.

30
31 Nelson stated that if the administration wanted this process, they should have
32 brought forward a proposal for the Council to work through. Most of the committees that
33 worked on the Comprehensive Plan contained committee memberships larger than this.
34 Those people put forward planning processes and ideas that they felt were important. If
35 that is the idea, then do that through a legitimate process, not through a citizen group. He
36 can put together a group of credentialed individuals who would be just as interested in
37 doing this, but who would come up with an entirely different result.

38
39 Weimer stated he will support this, even though he has concerns. All of the non-
40 departmental requests are from groups with different steering committees that the Council
41 has never questioned. It will be interesting to watch this diverse group. If they can work it
42 out, there is hope that this group can move forward.

43
44 Brenner stated the Council doesn't adopt the work of other groups, and force it onto
45 the public. This is a process that, when done, would go through a County Council adoption
46 process. She asked if the Council would fund another group that comes forward with the
47 same kind of request.

48
49 Caskey-Schreiber stated the Council funds the EDC, which is involved in economic
50 development planning.

51
52 Brenner stated the EDC doesn't put something in the Comprehensive Plan.
53

1 Caskey-Schreiber stated this won't go inside the Comprehensive Plan. It is a
2 recommended plan of how they might go about preserving and protecting the things they
3 value in the County. It is a volunteer-based, grass roots plan from a diverse group of
4 citizens who are looking for seed money. The County is not mandated to adopt this. It's
5 like the greenways vision. The burden is on this group to seek funding elsewhere.
6

7 Brenner stated it's not going to be like greenways. Once the County puts money into
8 it, it has partial ownership. She will support this if the County funds some other group that
9 comes forward with the same kind of idea.
10

11 Shirley stated that's reasonable. What kinds of things the committee considers will
12 become more clearly defined so the Council will better-understand what the committee is
13 trying to do and how the committee will do it. The committee intends to listen to and
14 resolve any disagreements.
15

16 **Fleetwood** stated he hopes that the findings from this effort can find their way into
17 the Comprehensive Plan, so it's the official policy of Whatcom County, and there will be
18 something that will inform and, to some extent, bind future councils on land use issues. He
19 **withdrew his motion** and stated he would make the motion at the evening meeting.
20

21 **Brenner moved** to add one on-going FTE to Superior Court for administrative
22 support, as requested in ASR 2007-153, 2007-215, and 2007-156, to create one FTE that
23 would be a combination of a judicial assistant, calendar coordinator, and court accountant.
24

25 N.F. Jackson, Superior Court Administrator, stated the Superior Court is an
26 independent branch of government. The County has a duty to make sure it can do its work.
27 The court has said what it needs to do its work.
28

29 Fleetwood asked if one FTE is practical for those six requested positions. Jackson
30 stated one FTE is useless. No other court in the State has no assistance. He submitted and
31 read from a letter on this issue (*on file*).
32

33 Caskey-Schreiber asked why the administration denied the requests. Desler stated
34 the Executive put forward a series of improvements to the Superior Court and Clerk's
35 offices. There has been discussion between the court and Executive for more than a year,
36 and continue daily. They are trying to gather a lot of information from the Prosecutor,
37 Public Defender, Clerk's Office staff, and Judges about how to fashion the most appropriate
38 and effective court function. The administration has no problem with adding one FTE, but it
39 has other ideas on which it would like to work with the court to adjust existing staff levels.
40

41 Brenner stated these are full-time elected officials. All other full-time elected officials
42 have an assistant. Desler stated the court has staff, including court facilitators, assigned
43 counsel, and drug court staff. The court administrator currently serves as the Court Clerk
44 as well as the court administrator. They are still working out the details of how to properly
45 assign the Clerk's Office staff to the Court.
46

47 Caskey-Schreiber stated she could support adding one additional FTE. She would
48 want to consider the issue more in-depth before adding more than one.
49

50 **Brenner restated her motion** to add one judicial assistant FTE to Superior Court.
51

52 **Motion carried 5-0 with Crawford and McShane absent.**
53

1 **Brenner moved** to approve District Court ASR 2007-39. Doing this will pay for
2 itself. It will also help people not fall behind in their payments. Desler stated they didn't
3 think that it was compelling that it would pay for itself. There is substantial revenue that
4 would come to the court. There would also be substantial expenditures. The administration
5 is adding staff capacity. In this budget process, departments requested 95 additional FTE's.
6 The administration approved 32.5 of those requests. It was the administration's effort to
7 develop an adequate priority.

8
9 Bruce Van Glubt, District Court Administrator, stated the project won't be terminated
10 based on the Executive's recommendation. They have received ongoing extra help that
11 allows them to continue working on collections. This additional funding in the request would
12 allow them to expand the program and work with additional clients. He is not able to prove
13 that this will bring in more money. He can say that the feedback from most defendants so
14 far is positive. They appreciate the program.

15
16 Caskey-Schreiber asked how many staff are in the District Court office. Van Glubt
17 stated there are three judicial officers and 14 support staff. They've hired an extra help
18 person to deal with these kinds of issues and work on this project.

19
20 Caskey-Schreiber stated she supports the motion. It's good when they can help
21 people pay their fines.

22
23 **Motion carried 4-1 with Nelson opposed and Crawford and McShane absent.**

24
25 Desler stated the cost is \$61,000 for the one judicial assistant FTE. He asked if that
26 is consistent with the motion the Council approved.

27
28 Caskey-Schreiber stated it is.

29
30 Jackson stated there was a one-time request for furnishings and computers for the
31 additional staff.

32
33 **Fleetwood moved** to approve \$66,204 for one judicial assistant FTE to the Superior
34 Court, including furnishings. This motion clarifies the motion made earlier.

35
36 **Motion carried 5-0 with McShane and Crawford absent.**

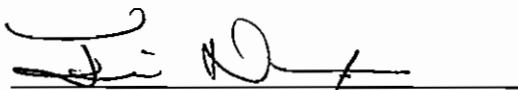
37
38 *(Clerk's Note: Councilmember McShane returned to the meeting.)*

39
40 **Fleetwood moved** to approve the legacy planning in the amount of \$75,000 over
41 two years.

42
43 **Motion carried 5-1 with Nelson opposed and Crawford absent.**

44
45
46 **ADJOURN**

47
48 The meeting adjourned at 12:57 p.m.

49
50
51 

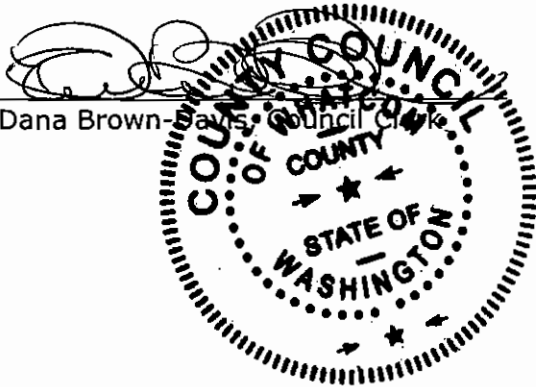
52 Jill Nixon, Minutes Transcription

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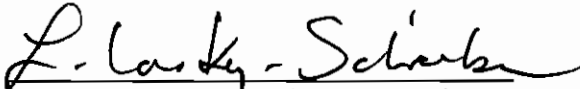
The Council approved these minutes on July 10, 2007.

ATTEST:

WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WASHINGTON



Dana Brown-Says, Council Clerk


Laurie Caskey-Schreiber, Council Chair