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WHATCOM COUNTY COUNCIL
Regular County Council

February 13, 2007

Council Chair Carl Weimer called the meeting to order at 7:08 p.m. in the Council Chambers, 311 Grand Avenue, Bellingham, Washington.

Present:

Barbara Brenner
Dan McShane
Sam Crawford
Seth Fleetwood
Laurie Caskey-Schreiber
L. Ward Nelson

Absent:

None

ANNOUNCEMENTS

Weimer announced that the following items were discussed during the Committee of the Whole meeting:

1. **DISCUSSION OF EPA REPORT ON SWIFT CREEK ASBESTOS SITE (AB2007-092)**

2. **CONSIDERATION OF APPEAL FILED BY MAX HURLBUT REGARDING APL06-0032, AN ADMINISTRATIVE DECISION REGARDING CORRECTIONS NOTICE (AB2006-470)**

McShane moved to uphold the Hearing Examiner's decision on the Hurlbut appeal.

Motion carried unanimously.

3. **DISCUSSION OF POTENTIAL LAND ACQUISITION (AB2007-018)**

McShane moved to authorize the executive to submit a \$20,000 deposit for a possible land acquisition.

Motion carried unanimously.

4. **LEGAL DISCUSSION REGARDING STORMWATER PHASE 2 (AB2007-018)**

MINUTES CONSENT

Brenner moved to approve the Minutes Consent items.

Motion carried unanimously.

1. **COMMITTEE OF THE WHOLE FOR OCTOBER 24, 2006**

2. **SPECIAL COUNTY COUNCIL (URBAN GROWTH AREAS) FOR NOVEMBER 14, 2006**

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- 3. COMMITTEE OF THE WHOLE FOR NOVEMBER 21, 2006
- 4. REGULAR COUNTY COUNCIL FOR NOVEMBER 21, 2006
- 5. REGULAR COUNTY COUNCIL FOR DECEMBER 5, 2006
- 6. BOARD OF HEALTH FOR JANUARY 9, 2007
- 7. COMMITTEE OF THE WHOLE FOR JANUARY 16, 2007
- 8. REGULAR COUNTY COUNCIL FOR JANUARY 16, 2007

OPEN SESSION

The following people spoke:

Dennis Jones, 1487 Sudden Valley, stated there will be another meeting of the City of Bellingham, Whatcom County, and Lake Whatcom Water and Sewer District on February 28. Take action, including funding and management. He hopes the Public Works Department staff takes a good look at the shoreline management program and critical areas ordinance for Lake Whatcom. Take the entire 14-point plan as a whole. Stormwater has the most impact. Procure land. The lake can be saved for a budgeted amount. However, don't delay. The State Department of Natural Resources (DNR) policy is to maximize profits right away. It's not a State law. Understand the difference.

Johnnie Grames, 1506 East Maplewood Avenue, Bellingham, stated that according to an article in Seattle Post-Intelligencer, a judge threw out a recall petition for a school board. Initiative, referendum, and recall are reserved for direct democracy, but they no longer apply because of judges.

People must go through a security check in the Courthouse in order to go upstairs to see the judges, but not the Executive's Office and the Council Office. He's grateful that those offices are open and welcoming. That's the way democracy works. The judges have an ivory tower mentality. If judges are worried about security, they should put cameras in the courtrooms in Superior Court. It would create a better record.

There is a cash fee for seeing the Court facilitator, who only sees the first ten people in line.

Richard Gilda, Jensen Road, Bellingham, stated he served on a citizens advisory committee for the Shoreline Management Program. The staff and committees came up with a balanced document. Since then, the draft has been redone several times. He has several concerns about the draft. There are too many words and pages. Dropping language like "should encourage" for "encourage" leaves little flexibility. The program encourages tree preservation, but not forest practices. They discourage agriculture or farming activities while encouraging conservation and preservation. The shoreline buffer is set, but the regulation goes beyond the buffer. It uses words like "restoration" and "natural," which have very different meanings. No net loss is important, but hard to define and enforce. They don't say anything about no net loss for agriculture, forestry, or other natural resources.

1 Brenner stated there is a definition of "no net loss," but it is wordy. The
2 development industry has requested more language to clarify the definitions.
3

4 Val Toronto, Whatcom County, stated he is new to the area. He noticed Whatcom
5 County has water quality problems. Since he moved here, he has become involved in
6 drinking water and waste water issues because he has four decades of engineering
7 experience. He has completed about 58 major public works projects for various local, state,
8 and federal governments. Yesterday, he delivered a report he researched to help solve the
9 problem of the degradation of water quality. He has more material he will deliver to the
10 Board of Health. If they take the time to go through the report, they will find important
11 information for helping to solve the problem.
12

13 Nelson stated the administration should respond to Mr. Toronto.
14

15 Bob Wiesen, 3314 Douglas Road, stated hundreds of Council decisions over the last
16 few years have made it more impossible to create affordable housing. Every time the
17 Council discusses an issue from now on, he will say whether or not it's for affordable
18 housing. The Council's decision about a mineral resource land (MRL) at Nooksack at the last
19 meeting made housing less affordable. Gravel is one of the most important components of
20 building a house.
21

22 Dave Pros, 1466 Roy Road, stated he thanks Executive Kremen and Planning
23 Director Hal Hart for their hard work on concurrency issues.
24
25

26 **PUBLIC HEARINGS**

27

28 **1. ORDINANCE AMENDING, ON AN INTERIM BASIS, WCC, TITLE 20 BY ADDING**
29 **A NEW CHAPTER 20.78 ESTABLISHING DEVELOPMENT REVIEW**
30 **PROCEDURES ENSURING THAT ADEQUATE TRANSPORTATION FACILITIES**
31 **ARE AVAILABLE OR PROVIDED CONCURRENT WITH DEVELOPMENT, IN**
32 **ACCORDANCE WITH THE GROWTH MANAGEMENT ACT (REVISED) (AB2007-**
33 **069)**
34

35 Weimer opened the public hearing and the following people spoke:
36

37 Mary Dickinson, Building Industry (BIA) of Whatcom County Governmental Affairs
38 Director, stated she requests the Council to adopt the ordinance as it is. She has some
39 reservations about how the ordinance will be implemented and enforced. Concurrency
40 should not be a point of project delay. She is willing to offer assistance to the County in
41 implementing the ordinance as an interim. Find funding in the budget for staff to do public
42 outreach on concurrency when developing the permanent ordinance. A concurrency task
43 force will be formed later this year.
44

45 Kathy Berg, 7585 Sterling Avenue, Birch Bay, stated she thanks the Council for
46 getting the ball rolling. She appreciates the fact that the BIA has helped make it a better
47 ordinance. Concurrency is a three legged stool, and this ordinance is the first leg. She
48 looks forward to having concurrency for special districts, fire, and parks. Adopt the
49 ordinance.
50

51 Dave Pros, 1466 Roy Road, stated define concurrency to mean at the same time. All
52 the level of service (LOS) items should be done at occupancy, not within six years.
53 Complete construction that is needed to maintain the LOS before the people move in. He

1 referenced line 61 of page two of the ordinance, section 20.78.040. Add language that says
2 LOS levels cannot be violated, except by majority vote of the Council.

3
4 Hearing no one else, Weimer closed the public hearing.

5
6 **Nelson moved** to adopt the ordinance.

7
8 Brenner stated she understood that the time of concurrency can't be set at this
9 point.

10
11 Hal Hart, Planning and Development Services Department Director, stated
12 concurrency timeline is set at six years now in the Comprehensive Plan. If they want to
13 change that timeline, they would make a significant change in the Comprehensive Plan and
14 in the ordinance. They can do that for the final ordinance.

15
16 Brenner asked about educating the public about what concurrency will or will not do.
17 She doesn't feel like there is real understanding. It seems concurrency should be that there
18 will be no net loss of concurrency anymore. It's not going to solve the problems that
19 already exist, but will prevent more problems.

20
21 Hart stated concurrency alone will not stop roads from being more congested, but it
22 will help build more infrastructure that is needed, so they can move more cars through an
23 intersection in a timely manner. The area may get more congested if there is more density
24 going into a specific area.

25
26 Brenner asked how level of service would be changed. Hart stated it would come to
27 the Council through the Executive.

28
29 Weimer asked if permits would continue to be issued if the LOS is exceeded. Hart
30 stated they will have choices at that point.

31
32 John Everett, Planning and Development Services Department, stated the ordinance
33 does not allow the County to issue permits if it exceeds the County-adopted LOS. The
34 existing ordinance does not provide staff the authority to unilaterally change the service
35 levels.

36
37 **Motion carried unanimously.**

38
39
40 **CONSENT AGENDA**

41
42 **Crawford** reported for the Finance and Administrative Services Committee and
43 **moved** to approve Consent Agenda items one through 11.

44
45 McShane withdrew item one.

46
47 **Motion to approve Consent Agenda items two through eleven carried**
48 **unanimously.**

- 49
50 **1. REQUEST AUTHORIZATION FOR THE EXECUTIVE TO AWARD BID #07-03 TO**
51 **THE LOW BIDDER, TRIMAXX CONSTRUCTION INC., FOR THE CONSTRUCTION**
52 **OF A PARKING LOT AT THE LUMMI ISLAND FERRY TERMINAL, IN THE**
53 **AMOUNT OF \$409,446.50 (AB2007-094)**

1
2 **Crawford moved** to approve the request.

3
4 McShane stated he can't vote for it because he doesn't believe in it.

5
6 Caskey-Schreiber asked where the money is coming from.

7
8 Ken Richardson, Public Works Department, stated it is a capital expenditure and will
9 come out of the road fund. It is not included in the ferry fee structure.

10
11 Caskey-Schreiber stated she is concerned about the cost of this parking area. There
12 has to be a better option. She will vote against the motion.

13
14 Brenner stated Councilmember Caskey-Schreiber supported buying the property for
15 that reason. This vote is to move on with what the County bought. This parking lot is for
16 everyone's use.

17
18 Caskey-Schreiber stated she thought it would be something like a gravel parking that
19 would cost, at most, \$100,000. She had no idea it would be this much money for a parking
20 lot.

21
22 Weimer stated he would also have liked a cheaper alternative, such as gravel.
23 However, he was told they can't do that for stormwater reasons.

24
25 McShane stated the total cost is well over \$1 million, including the property
26 purchase. They can always surplus the land. It's walkable to the ferry. A parking lot can
27 be made available for people with disabilities. Paying for this out of the road fund adds to
28 the County's subsidy for the cost of the entire system. This will be a big expense.

29
30 Crawford stated he will support the request. The parking lot is long overdue. This is
31 the second location that they've looked at. There is a need for a parking area that is far in
32 excess of the existing parking area. It will open up access for emergency vehicles. He is
33 not in favor of the attempt to keep the house that is on the property. The house on the
34 property needs to go. He was impressed with the number of bidders on this project. There
35 were eight bidders. When the County buys a new ferry, it will have added capacity. There
36 is a growing transportation need, which predicates the need for this good investment.

37
38 Caskey-Schreiber stated it's a matter of priorities. The County is unable to construct
39 the Yew Street Improvements at the same time as the construction of the new school. This
40 is not as important. She is concerned about funding for this project when they really need
41 to reprioritize the Yew Street Road project. It is more critical than this ferry parking area.

42
43 Brenner stated the problem with the Yew Street Road project wasn't about funding.
44 It was about time. Even if the County stopped everything else it is doing, and just worked
45 on the Yew Street Road project, it still may not get done in 2009.

46
47 The amount of disability parking is limited in the Lummi Island ferry parking area.
48 There isn't enough parking space to accommodate people who can't walk or bike to the
49 ferry. This is a very long-overdue commitment.

50
51 **Motion carried 5-2 with McShane and Caskey-Schreiber opposed.**

- 1 2. REQUEST AUTHORIZATION FOR THE EXECUTIVE TO AWARD BID #07-06,
2 ANNUAL SUPPLY OF RIP-RAP ROCK, BY ACCEPTING ALL BIDS FROM THE
3 FIVE (5) BIDDERS AND PERMITTING SELECTION OF THE APPROPRIATE
4 VENDOR AS DICTATED BY THE SPECIAL CIRCUMSTANCES OF THE
5 PARTICULAR JOB, IN AN ANTICIPATED AMOUNT OF MORE THAN \$35,000
6 (AB2007-095)
7
- 8 3. REQUEST AUTHORIZATION FOR THE EXECUTIVE TO AWARD BID #07-07,
9 ANNUAL SUPPLY OF MINERAL AGGREGATES, BY ACCEPTING ALL BIDS FROM
10 THE FIVE (5) BIDDERS AND PERMITTING SELECTION OF THE APPROPRIATE
11 VENDOR AS DICTATED BY THE SPECIAL CIRCUMSTANCES OF THE
12 PARTICULAR JOB, IN AN ANTICIPATED AMOUNT OF MORE THAN \$35,000
13 (AB2007-096)
14
- 15 4. REQUEST AUTHORIZATION FOR THE EXECUTIVE TO ENTER INTO A
16 CONTRACT BETWEEN WHATCOM COUNTY AND ACS - STATE AND LOCAL
17 SOLUTIONS FOR INTERNET DEPLOYMENT OF THE AUDITOR'S RECORDED
18 DOCUMENTS, IN THE AMOUNT OF \$97,200 (AB2007-097)
19
- 20 5. REQUEST AUTHORIZATION FOR THE EXECUTIVE TO ENTER INTO A
21 CONTRACT BETWEEN WHATCOM COUNTY AND CATHOLIC COMMUNITY
22 SERVICES RECOVERY CENTER TO PROVIDE SUBSTANCE ABUSE EVALUATION
23 AND SERVICES UNDER THE CHEMICAL DEPENDENCY DISPOSITION
24 ALTERNATIVE (CDDA) PROGRAM, IN THE AMOUNT OF \$30,000 (AB2007-
25 098)
26
- 27 6. REQUEST AUTHORIZATION FOR THE EXECUTIVE TO ENTER INTO A
28 CONTRACT BETWEEN WHATCOM COUNTY AND SNOHOMISH COUNTY
29 DEPARTMENT OF EMERGENCY MANAGEMENT TO PROVIDE FUNDING TO
30 LOCAL JURISDICTIONS TO ENHANCE THEIR CAPABILITY TO PREVENT,
31 DETER, RESPOND TO, AND RECOVER FROM INCIDENTS OF TERRORISM
32 INVOLVING THE USE OF CHEMICAL, BIOLOGICAL, RADIOLOGICAL,
33 NUCLEAR, AND EXPLOSIVE (CBRNE) WEAPONS AND CYBER ATTACKS, IN
34 THE AMOUNT OF \$174,608, FUNDED FROM THE SNOHOMISH COUNTY
35 DEPARTMENT OF EMERGENCY MANAGEMENT, WASHINGTON STATE
36 MILITARY DEPARTMENT AND THE DEPARTMENT OF HOMELAND SECURITY
37 (AB2007-099)
38
- 39 7. REQUEST AUTHORIZATION FOR THE EXECUTIVE TO ENTER INTO A
40 CONTRACT AGREEMENT BETWEEN WHATCOM COUNTY AND LINSLEY,
41 KRAEGER ASSOCIATES, LTD. TO PROVIDE ONGOING ASSISTANCE FOR THE
42 HYDRAULIC MODELER THAT DEVELOPED THE MODEL FOR THE LOWER
43 NOOKSACK RIVER FLOODPLAIN, IN THE AMOUNT OF \$185,000 (AB2007-
44 100)
45
- 46 8. REQUEST AUTHORIZATION FOR THE EXECUTIVE TO ENTER AMENDMENT #5
47 TO THE CONTRACT BETWEEN WHATCOM COUNTY AND PARAMETRIX, INC.
48 TO DEVELOP A REDEFINED INVENTORY OF ECOLOGICAL PROCESSES AND
49 FUNCTIONS IN THE BIRCH BAY WATERSHED, FACILITATING THE
50 DEVELOPMENT OF A MORE REFINED RESTORATION PLAN, IN THE AMOUNT
51 OF \$98,000, FOR AN AMENDED TOTAL CONTRACT AMOUNT OF \$614,820
52 (AB2007-101)
53

- 1 9. REQUEST AUTHORIZATION FOR THE EXECUTIVE TO ENTER INTO A GRANT
2 AGREEMENT BETWEEN WHATCOM COUNTY AND THE SALMON RECOVERY
3 FUNDING BOARD TO FORMULATE DESIGN ALTERNATIVE AND PREPARE
4 PREFERRED PROJECT DESIGN TO RESTORE IN-STREAM HABITAT FOR ESA-
5 LISTED EARLY CHINOOK SALMON AND REDUCE FLOOD RISKS AT AN
6 ERODING STREAM BANK NEAR ACME IN THE SOUTH FORK NOOKSACK
7 RIVER, IN THE AMOUNT OF \$86,178 (AB2007-102)
8
9 10. REQUEST AUTHORIZATION FOR THE EXECUTIVE TO ENTER INTO A LEASE
10 AGREEMENT BETWEEN WHATCOM COUNTY AND BLACK ROCK CABLE FOR
11 THE PROVISION OF DARK FIBER OPTICS BETWEEN THE COURTHOUSE AND
12 PARKS & RECREATION HEADQUARTERS, FOR A TERM OF THREE (3) YEARS,
13 IN THE AMOUNT OF \$57,547 (AB2007-103)
14
15 11. REQUEST AUTHORIZATION FOR THE EXECUTIVE TO ENTER INTO A LEASE
16 AGREEMENT BETWEEN WHATCOM COUNTY AND TRANCERT MARKETING,
17 INC. TO PROVIDE HOUSING FOR THE RESIDENT POINT ROBERTS DEPUTY
18 SHERIFF, FOR A TERM OF ONE (1) YEAR, IN THE AMOUNT OF \$14,956
19 (AB2007-104)
20
21

22 **OTHER ITEMS**
23

- 24 1. REQUEST AUTHORIZATION FOR THE EXECUTIVE TO ENTER INTO A GRANT
25 AGREEMENT BETWEEN WHATCOM COUNTY AND THE STATE OF
26 WASHINGTON DEPARTMENT OF ECOLOGY FOR THE IMPLEMENTATION OF
27 ACTIVITIES IDENTIFIED IN THE LOCAL SOLID WASTE MANAGEMENT PLAN
28 AND HAZARDOUS WASTE MANAGEMENT PLAN, IN THE AMOUNT OF \$68,000
29 (\$51,000 FROM STATE OF WASHINGTON DOE/\$17,000 FROM WHATCOM
30 COUNTY) (AB2007-073)
31

32 *Crawford* reported for the Finance and Administrative Services Committee and
33 *moved* to approve the request.
34

35 *Motion carried unanimously.*
36

- 37 2. ORDINANCE REGARDING PROJECT BASED BUDGET REQUEST NO. 2007-2
38 FOR CRP #998001 YEW STREET ROAD – PHASE 2 (AB2007-087)
39

40 *Crawford* reported for the Finance and Administrative Services Committee and
41 *moved* to adopt the ordinance.
42

43 Brenner stated she will vote for the next three project budget requests, but she
44 doesn't support the concept of project-based budget requests. An Executive should not
45 award bids. The role of checks and balances is being eroded. She will introduce the original
46 purchasing ordinance in two weeks.
47

48 *(Clerk's Note: End of tape one, side A.)*
49

50 *Motion carried unanimously.*
51

1 **3. ORDINANCE REGARDING PROJECT BASED BUDGET REQUEST NO. 2007-3**
2 **FOR CRP #904016 HAMPTON ROAD - MORMON DITCH BRIDGE #261**
3 **(AB2007-088)**

4
5 *Crawford* reported for the Finance and Administrative Services Committee and
6 *moved* to adopt the ordinance.

7
8 *Motion carried unanimously.*

9
10 **4. ORDINANCE REGARDING PROJECT BASED BUDGET REQUEST NO. 2007-4**
11 **FOR CRP #906001 BIRCH BAY-LYNDEN ROAD/BLAINE ROAD (SR 548)**
12 **INTERSECTION IMPROVEMENTS (AB2007-089)**

13
14 *Crawford* reported for the Finance and Administrative Services Committee and
15 *moved* to adopt the ordinance.

16
17 *Motion carried unanimously.*

18
19 **5. REPORT ON COMMITTEE DISCUSSION REGARDING A REQUEST TO ADVANCE**
20 **THE TIMELINE FOR THE YEW STREET ROAD IMPROVEMENT PROJECT**
21 **(AB2007-087A)**

22
23 Brenner reported for the Public Works and Safety Committee and stated the request
24 was very compelling. She wished there was something to do to make this project happen.
25 The Public Works Assistant Director will continue to work with the City of Bellingham to get
26 this done. Even if the County drops every project, there would be some level of confidence
27 that the County could do this project in 2009. The school district needs to move forward
28 before then. Hopefully, the City of Bellingham will be able to work with the County to
29 asphalt over the sewage pipe only.

30
31 **6. REPORT ON COMMITTEE DISCUSSION AND POSSIBLE APPROVAL OF**
32 **SENDING A LETTER TO WSDOT REGARDING THE INSTALLATION OF A FOUR-**
33 **WAY STOP AT THE SOUTHBOUND ON AND OFF RAMP FOR THE BIRCH BAY-**
34 **LYNDEN ROAD (EXIT 270) AND THE I-5 CORRIDOR (AB2007-032)**

35
36 Brenner reported for the Public Works and Safety Committee and stated the
37 committee referred this to the Birch Bay Steering Committee.

38
39 **7. REQUEST CONFIRMATION OF EXECUTIVE KREMEN'S APPOINTMENT OF**
40 **FRANK ABART TO THE POSITION OF PUBLIC WORKS DIRECTOR (AB2007-**
41 **105)**

42
43 Pete Kremen, County Executive, introduced Frank Abart. Mr. Abart has a stellar
44 resume from Boone County, Missouri and the Missouri Department of Transportation. That
45 was a key factor in his decision. He has knowledge of both county and state operations.
46 Under his direction, the State of Missouri was the first state in the country to be in
47 compliance with the Environmental Protection Agency (EPA) Department of Energy
48 alternative fuel use. This is something Whatcom County needs to focus on. He would like
49 Mr. Abart to bring that expertise and knowledge to this objective. Mr. Abart has also won
50 many awards for productivity.

51
52 *Crawford moved* to confirm the appointment.
53

1 Brenner stated she appreciates the Executive's recommendation. However, they
2 need to take more time. She had specifically asked to take time on this. She will abstain
3 from voting because she doesn't know anything about the person or the area he comes
4 from.

5
6 Kremen stated that Councilmember Brenner has never asked him about this
7 appointment. She's had the information for over a week. He's disappointed at the
8 statement that she has made about this.

9
10 Brenner stated they will have to agree to disagree. She spoke with the Executive.

11
12 Caskey-Schreiber stated it's the Executive's role to interview and screen this
13 appointment. He's in charge of the staff. There is no problem with his recommendation.

14
15 McShane stated the Council does have the authority to approve or not approve the
16 appointment, in this case. This is a strong Council form of government. Ms. Brenner is
17 correct that the Council has the ability to not approve the appointment. However, he is
18 pleased with the policy direction the Executive has taken with this appointment. Fleet
19 management is a big deal. He hopes that, over time, this County will be progressive about
20 environmental energy issues. He looks forward to this government reducing its footprint.
21 He's proud that the County has added hybrid vehicles to its fleet some years ago. He will
22 support the confirmation.

23
24 ***Motion carried 6-0-1 with Brenner abstaining.***

25
26 Frank Abart, Public Works Director, stated he thanks the Council for its vote.

27
28 **8. EXECUTIVE REQUESTS CONFIRMATION OF HIS APPOINTMENT OF ANDREA**
29 **BRADFORD, TIM DIETZEN AND JACK HOVENIER TO THE SUBSTANCE ABUSE**
30 **ADVISORY BOARD (AB2007-106)**

31
32 ***Brenner moved*** to confirm the appointment.

33
34 ***Motion carried unanimously.***

35
36 **9. EXECUTIVE REQUESTS CONFIRMATION OF HIS APPOINTMENT OF JOHN**
37 **GILLIES TO THE PURCHASE OF DEVELOPMENT RIGHTS OVERSIGHT**
38 **COMMITTEE (AB2007-107)**

39
40 ***McShane moved*** to confirm the appointment.

41
42 ***Motion carried unanimously.***

43
44 **10. EXECUTIVE REQUESTS CONFIRMATION OF HIS APPOINTMENT OF DOUGLAS**
45 **BENJAMIN TO THE PUBLIC HEALTH ADVISORY BOARD (AB2007-108)**

46
47 ***Caskey-Schreiber moved*** to confirm the appointment.

48
49 ***Motion carried unanimously.***

50
51 **11. RESOLUTION ESTABLISHING THE PUBLIC HEARING PROCESS FOR**
52 **DEVELOPMENT AGREEMENTS UNDER THE GROWTH MANAGEMENT ACT**
53 **(AB2007-112)**

1
2 **McShane moved** to approve the resolution.

3
4 **Motion carried unanimously.**

5
6 **12. RESOLUTION INITIATING AN EMERGENCY ZONING TEXT AMENDMENT TO**
7 **WHATCOM COUNTY CODE 20.42, RURAL FORESTRY DISTRICT (AB2007-068)**

8
9 **Nelson moved** to approve the resolution.

10
11 Caskey-Schreiber stated this vote forwards to the Planning Commission what the
12 Council has already approved. They are trying to figure out the policy for allowing cluster
13 developments in rural forestry. The Planning Commission will have a public hearing. It will
14 come back to the Council for another public hearing. Hopefully, the Council will establish
15 policy at that point.

16
17 **Motion carried 6-1 with Crawford opposed.**

18
19 **13. DISCUSSION REGARDING THE RFQ FOR CONSULTANT SERVICES FOR THE**
20 **JOINT AFFORDABLE HOUSING PROJECT (AB2007-093)**

21
22 Brenner stated that the Bellingham City Council approved an interlocal agreement.
23 The City Council amended the agreement to say that the City's and County's councils both
24 approve.

25
26 Weimer stated that the affordable housing website is accessed through the City of
27 Bellingham's website.

28
29 Fleetwood stated that the request for qualifications (RFQ) process closes this Friday.
30 Everything received will be copied and distributed to the Executive, the Mayor, and the Task
31 Force. The Task Force will convene a meeting soon. The Task Force will review and
32 comment on the proposals. The Mayor and Executive make the selection, and authorization
33 will come from the Councils. They hope to have a consultant by April.

34
35 Brenner stated the information posted to the Task Force website is only what is
36 approved by the co-chairs. She would like all information distributed to the Task Force, or a
37 summary of the information, be placed on the website.

38
39
40 **CORRESPONDENCE APPROVAL**

41
42 **APPROVAL TO SEND A LETTER SUPPORTING HOUSE BILL 1728 AND SENATE BILL**
43 **5645, WHICH ARE ALTERNATIVES TO THE LANTZ BILL REGARDING SHELLFISH**
44 **REGULATIONS.**

45
46 Brenner stated Dale Brandland and Kelli Linville are sponsors. This is an alternative
47 bill from the Shellfish Growers Association. The other bill creates a lot of bureaucracy and
48 expense.

49
50 **Brenner moved** to send the letter.

51
52 Caskey-Schreiber stated she is not familiar with the proposed bill and will abstain.
53

1 **Motion carried 6-0-1 with Caskey-Schreiber abstaining.**
2
3

4 **INTRODUCTION ITEMS**
5

6 **McShane moved** to accept the Introduction Items. There is a substitute version of
7 Introduction Item number seven, which were the amendments made by the Natural
8 Resources Committee this morning.
9

10 **Motion carried unanimously.**
11

- 12 **1. ORDINANCE AMENDING THE 2007 WHATCOM COUNTY BUDGET, SECOND**
13 **REQUEST, IN THE AMOUNT OF \$712,630 (AB2007-109)**
- 14 **2. ORDINANCE AUTHORIZING THE ADOPTION OF THE 2007 UNIFIED FEE**
15 **SCHEDULE (AB2006-440)**
- 16 **3. ORDINANCE REGARDING INSTALLING STOP SIGNS ON VARIOUS ROADS**
17 **WITHIN THE DEVELOPMENT OF BAY CREST (AB2007-110)**
- 18 **4. ORDINANCE REGARDING ESTABLISHMENT OF SPEED LIMITS ON CERTAIN**
19 **COUNTY ROADS (AB2007-111)**
- 20 **5. RESOLUTION TO SCHEDULE A PUBLIC HEARING CONCERNING THE**
21 **ESTABLISHMENT OF THE BIRCH BAY WATERSHED AND AQUATIC**
22 **RESOURCES MANAGEMENT DISTRICT (AB2007-113)**
- 23 **6. RESOLUTION APPROVING GRANT OF EASEMENT FOR ACCESS AND**
24 **UTILITIES ON LONG ESTABLISHED TRAIL ACROSS COUNTY PROPERTY**
25 **(AB2007-114)**
- 26 **7. ORDINANCE AMENDING THE OFFICIAL SHORELINE MANAGEMENT PROGRAM**
27 **(WCC TITLE 23), THE OFFICIAL SHORELINE MAP, AND ASSOCIATED**
28 **PROVISIONS OF THE CAO (WCC CHAPTER 16.16), AND THE ZONING CODE**
29 **(WCC TITLE 20) (AB2006-442)**
30
31

32 **OTHER BUSINESS**
33
34

35 There was no other business.
36
37

38 **REPORTS AND OTHER ITEMS FROM COUNCILMEMBERS**
39

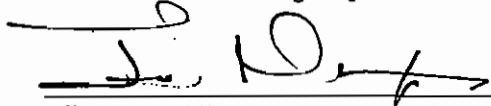
40 Weimer stated he was in New Orleans last week. It makes one think about the
41 importance of emergency services.
42

43 Caskey-Schreiber stated a Northwest Clean Air Agency monitoring station in Kendall
44 area indicates there is concern about air quality. It exceeds the allowable levels of
45 pollutants for health. The problem pertains to wood stoves. They could add a condition to
46 development to not add to that overloaded airshed.
47
48
49
50
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52

1 Weimer stated natural gas isn't available to that area. Talk to Cascade Natural Gas
2 about getting the service to that area.
3
4

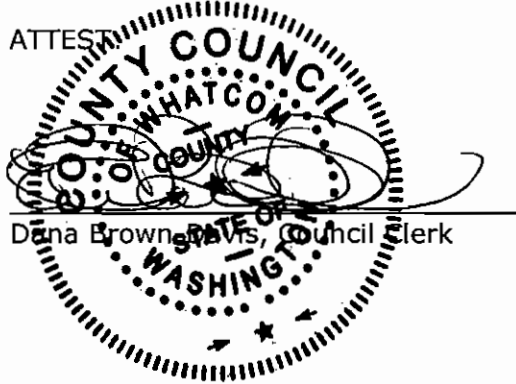
5 **ADJOURN**

6
7 The meeting adjourned at 8:21 p.m.

8 
9
10 _____
11 Jill Nixon, Minutes Transcription
12

13 The Council approved these minutes on March 13, 2007.

14
15 ATTEST



Dana Brown-Rais, Council Clerk

WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WASHINGTON



Carl Weimer, Council Chair