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WHATCOM COUNTY COUNCIL  
**Regular County Council**

May 22, 2007

Council Chair Carl Weimer called the meeting to order at 7:05 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

**FLAG SALUTE**

**ANNOUNCEMENTS**

Weimer announced that the following three items were discussed in the Committee of the Whole meeting. Items one and two were discussed in executive session:

1. Discussion with Chief Civil Deputy Prosecutor Randall Watts regarding pending litigation (AB2007-018)
2. Discussion with Whatcom County Prosecutor David McEachran regarding a legal matter (AB2007-018)

***Crawford moved*** to request the Prosecuting Attorney to file a petition for review of the final order of the Washington State Liquor Control Board, which authorized the spirits/beer/wine/restaurant/lounge license for Northwood Crossing Casino, license no. 400779, granted on May 4, 2007.

Fleetwood states he would recuse himself from the vote due to conflict because of his employment with the Tribe.

Caskey-Schreiber stated she is against the motion. They must negotiate directly with the Tribe and address concerns through mitigation. This path won't be successful.

Brenner stated she is in favor of the motion. If the County has jurisdiction, don't let any other agency make a rule. It sets a very dangerous precedent.

***Motion carried 4-2 with Caskey-Schreiber and McShane opposed and Fleetwood abstaining.***

3. Discussion regarding work assignment proposals for the Council's Planning and Policy Analyst (AB2007-228)

1 **SPECIAL PRESENTATION**

2  
3  
4 **1. STATE OF THE COUNTY PRESENTATION BY COUNTY EXECUTIVE PETE**  
5 **KREMEN (AB2007-017)**

6  
7 Pete Kremen, County Executive, submitted and read from the State of the County  
8 address (*on file*).

9  
10 **2. REPRESENTATIVE DOUG ERICKSON TO PROVIDE A LEGISLATIVE UPDATE**  
11 **(AB2007-017)**

12  
13 Doug Erickson, 42<sup>nd</sup> District Legislator, submitted information (*on file*) to update the  
14 County on issues before the legislature. He discussed the status of various State  
15 transportation projects and funding for a variety of capital projects around the county.  
16 Now, the State is not operating as fiscally sound as the County. It is spending more than it  
17 takes in. The County should be aware of that for the future. They anticipate substantial,  
18 multi-billion dollar budget shortfalls in the next three to five years, even if the economy  
19 stays positive. He read his handouts on agricultural issues and the Climate Advisory Team.

20  
21 **3. EXECUTIVE KREMEN TO PRESENT THE BUDGET PREPARATION AWARD**  
22 **PLAQUES (AB2007-017)**

23  
24 Pete Kremen, County Executive, presented the budget awards. He presented the  
25 best performance measurement award to the Auditor's Office, the best objectives award to  
26 the County Council Office, and the best overall budget submission award to the Jail.

27  
28  
29 **MINUTES CONSENT**

30  
31 ***Brenner moved*** to approve the Minutes Consent items.

32  
33 ***Motion carried unanimously.***

- 34  
35 **1. SURFACE WATER WORK SESSION FOR APRIL 17, 2007**  
36  
37 **2. SPECIAL COUNTY COUNCIL FOR APRIL 17, 2007**  
38  
39 **3. SPECIAL COMMITTEE OF THE WHOLE FOR MAY 1, 2007**

40  
41  
42 **PUBLIC HEARINGS**

43  
44 **1. RESOLUTION TO SELL SURPLUS PROPERTY LOCATED AT 2158 SOUTH**  
45 **NUGENT ROAD, LUMMI ISLAND, WA (AB2007-153A)**

46  
47 Weimer opened the public hearing and the following people spoke:

48  
49 Earle Jewell, 3805 Centerview Road, Lummi Island, stated the County should sell the  
50 house. The property was purchased for a parking lot.

51  
52 Michelle Luke, 3343 Sunrise Cove, Lummi Island, stated they must first have a long-  
53 term plan before negotiating away that property. They can't connect transportation with

1 jams and jellies. There is a variety of community groups on the island with a variety of  
2 needs. It is a healthy functioning community now. This property is not the appropriate  
3 place for community groups.  
4

5 Anne Jewell, 3805 Centerview Road, Lummi Island, stated the land purchased for a  
6 parking lot should be used for a parking lot. With the growth that will happen on the island,  
7 the parking lot will soon be too small. Sell the house. The road fund should be used for  
8 road purposes. Residents are divided on this issue more than any other issue. She  
9 explained the history of the house.  
10

11 Bob Bowman, 3074 Mt. Vista Drive, Lummi Island, submitted and read from his  
12 statement (*on file*). The cost to bring the structure into compliance with the Americans with  
13 Disabilities Act (ADA) would be over \$100,000. Sell the house.  
14

15 Fred Kinny, 4164 Legoe Bay, Lummi Island, stated sell the house. The Embry house  
16 is the wrong place for a community center. It's too small. The County should not subsidize  
17 any interest group, including the Land Trust.  
18

19 John Granger, 2176 Granger Way, stated the house was moved to Lummi Island in  
20 1962, and can be moved again. It is suitable for a single-family dwelling, but not a  
21 community center. It is not ADA compliant. There is already a place on the dock for people  
22 to be out of the weather while waiting for the ferry. The house should be moved off the  
23 property.  
24

25 Polly Hansen, 2781 West Shore Drive, Lummi Island, stated the Land Trust is  
26 prepared to bring the house into ADA compliance without using County funds. The house is  
27 in excellent shape and is fit for use. There is a development plan for the Embry House.  
28 There must be a larger vision for community development on Lummi Island.  
29

30 Randy Hathaway, 1634 South Nugent Road, Lummi Island, stated the County should  
31 move the house. The house has no historic value. Planned uses can be accommodated  
32 elsewhere. Leaving a building in the middle of a parking area is a design impediment.  
33 Surplus the house and proceed with developing an unobstructed parking area.  
34

35 Elaine Granger, 2176 Granger Way, Lummi Island, stated the people on the island  
36 are divided neighbor against neighbor.  
37

38 (*Clerk's Note: End of tape one, side A.*)  
39

40 Granger continued to state that the County should auction and move the house.  
41 Settle this ordeal.  
42

43 Janet Lutz-Smith, 3873 Legoe Bay Road, Lummi Island, stated the Embry house is  
44 an exciting vision for the community. The house is a part of the community and could be a  
45 community center. It's a place where things can happen. She would like to see a plan for  
46 the Land Trust to use the building.  
47

48 Loraine Dukes, 2517 Island View Lane, Lummi Island, stated the house can serve  
49 the community. It provides a small space for community activities and could serve as a  
50 transportation center for Lummi Island. The house could provide a warm place to wait for  
51 the ferry during cold weather. Keep the house.  
52

1 Colleen Berg, 2109 Tuttle Lane, Lummi Island, stated she supports leaving the house  
2 in its current location. She submitted a handout listing everyone who supports the idea of  
3 using the house as a community and transportation center (*on file*). The van program has  
4 been growing, but they need a place to park the van. No one is asking the County to  
5 subsidize their project. They want to encourage alternative transportation options.  
6

7 Bob Busch, 3612 Sunrise Road, Lummi Island, stated he is opposed to doing  
8 anything to the building other than selling it and moving it. He would like to know if the  
9 County plans to put a building on the site in the future.  
10

11 David Ernst, 2884 West Shore Drive, Lummi Island, stated the Lummi Island  
12 Subarea Plan is coming before the Council soon. It will slow growth on the island. The plan  
13 presently requires five acres minimum lot size, which means growth will not be as extreme  
14 as many other areas of the county. Most likely, more parking won't be required. If more  
15 parking is necessary, the County already owns another parcel that it could use. Use the  
16 house as a transportation center.  
17

18 Shawn Bass, 2111 Tuttle Lane, Lummi Island, stated he is a volunteer on Lummi  
19 Island. If a community center were feasible, the Council would see more interaction among  
20 the community groups. That isn't happening. A transportation hub is the authority of the  
21 Whatcom Transportation Authority, not the Land Trust. The van program is a separate  
22 issue. The house is not an appropriate facility for that use. Surplus the house.  
23

24 Kate Underwood, 1219 Beach Avenue, Lummi Island, stated that protecting the  
25 environment is about using resources wisely. The community van does that. The house  
26 has more benefit to the community if it stays where it is. It would provide a warm place to  
27 wait between the ferry and the bus.  
28

29 Wanda Cucinotta, 2303 Tuttle Lane, submitted and read from her testimony (*on*  
30 *file*). Leave the house where it is.  
31

32 Sandy McCandless, 2142 Granger Way, Lummi Island, stated the inside of the Embry  
33 house is very nice. The County should save the house.  
34

35 Duncan McLean, 2117 Granger Way, Lummi Island, stated that if the house is  
36 maintained at its current location, it is going to require parking. That parking for the use of  
37 the house will be taken out of the ferry parking area that the County is trying to create. If  
38 they need more parking in the future, they will have to take down trees and pave another  
39 area. There is an existing resource very close to the ferry ramp that can be enclosed  
40 without much cost, and there will be room for the van parking.  
41

42 Hearing no one else, Weimer closed the public hearing.  
43

44 ***Crawford moved*** to approve the resolution.  
45

46 Caskey-Schreiber stated she is against the resolution. Parking was never designated  
47 for this particular parcel at this time. Leave the house on the property. Use the building as  
48 a rental or long-term lease facility until the County needs the land. It will provide a  
49 meeting place. She likes the van pool idea. The parking lot will cost \$17,000 per car stall.  
50 Encourage the use of the van. A benefit of added public presence is that the County won't  
51 have to pay more for added parking security.  
52

1 McShane stated the best thing he heard about through this whole process was the  
2 creation of the van program. He opposed the purchase of the property. The County should  
3 sell the entire property. This is a very expensive parking lot. The van program is the most  
4 successful way to minimize impacts to the ferry. However, the legal constraints are clear,  
5 and the house has to be surplus. This was an extravagant expense that was  
6 unnecessary.  
7

8 Weimer stated that legally this does not have to be sold. Legal counsel said that a  
9 clear transportation service would be allowed, with a value equal to the value of a monthly  
10 lease amount. This needs to go forward with no cost to the County. The Land Trust has  
11 offered to pay for all the upgrades. All the parking spaces promised have been put in, so  
12 this use wouldn't take up ferry parking. The County administration has no plans at this  
13 time to develop more parking. His vision for this property is to house the van service and  
14 the transportation hub. Just one parking space is worth more than the value of the lease  
15 for an entire year. The van program is saving money by avoiding more transportation  
16 costs. He will vote against surplus the house.  
17

18 McShane asked if they can make a financial link between the value of this building  
19 and how it would be used within the context of the road fund.  
20

21 Weimer stated that if the public use of the house is clearly related to transportation,  
22 of which the van service is, it can account for the value of the lease on the house. They  
23 would still have to pay for the State leasehold tax to the County. The rest of the amount  
24 would be waived. That was written in the original request for proposals (RFP). However,  
25 because of a proposed mixed use that included a commercial kitchen, things fell apart  
26 during the resulting negotiation. If this is just a transportation hub, there isn't a problem.  
27

28 Brenner stated she contacted the Whatcom Transportation Authority (WTA), which  
29 told her that more than half of the van ridership is kids going to and from the Ferndale  
30 School District. They aren't parking cars on one side or another. Given the van that the  
31 community is using, the program isn't really legally allowed, but they're letting it go until  
32 school is out. According to WTA, there are about ten trips per day average of non-students.  
33 They can't say this is a better service than the Ferndale School District.  
34

35 She also talked to Public Works staff and the County Executive about putting heat  
36 and plexiglass in the waiting area. The County should develop off-ferry ticketing, which  
37 could be done at the store or the café.  
38

39 It is not an issue of parking. This house will not qualify as any kind of historic house  
40 if it must be upgraded for ADA purposes. She would like to see the house used as a house.  
41 It's too small for a community area.  
42

43 Since this has come up again, the Public Works Department has spent 80 hours of  
44 staff time on this issue. That's taxpayer money. Not one person has thanked the County  
45 Council for the fact that the County preserved the beach access. This whole issue has  
46 gotten ugly. Back then, the Land Trust didn't have the money. The County bought the  
47 property at fair market value, not a reduced value. Recycle the house for its intended use,  
48 which is a house. The fire hall has bought land near the ferry and will create a way for  
49 people to have meetings there, without having to have a firefighter present. No one seems  
50 to be willing to compromise. She is impressed with the parish nurse program on Lummi  
51 Island. There was no mention of any kind of trade. The County agreed to take over the  
52 option because it could afford it, and nonprofits would be given an opportunity to present a  
53 proposal. The County had the option of taking or rejecting one or all proposal. It wasn't a

1 done deal. This issue is important to her. She supports selling the house for use. She  
2 cares a lot about Lummi Island. The people who live there have a real community that  
3 looks out for each other. She looks forward to people healing and working together on  
4 future issues.

5  
6 Weimer stated it is expensive to build something when there is not something there.  
7 On Lummi Island, something is already there. There is no harm in having another meeting  
8 space as long as there is no cost to the public. Getting rid of the house just to have empty  
9 space won't accomplish anything.

10  
11 Brenner stated that they should surplus the house now because it's in good shape.  
12 It won't stay in good shape if it sits empty.

13  
14 **Motion to approve the resolution carried 4-3 with Caskey-Schreiber,**  
15 **Weimer, and Fleetwood opposed.**

16  
17  
18 **OPEN SESSION**

19  
20 The following people spoke:

21  
22 Bob Hollingsworth, 1877 Academy Road, stated he represents the Squalicum Valley  
23 group and the Academy Hill group. The Council adopted a moratorium on lot clustering on  
24 Squalicum Mountain last fall. They appreciate that ordinance. More work needs to be done.  
25 Lake quality is declining. Lake homes received water without City approval. Two top  
26 County planners have resigned. Halt expansion of urban growth areas and annexations.  
27 The answer to growth in Bellingham is to grow up, not out. Stop urban sprawl and protect  
28 the lake. Big money is being made at the expense of people who drink the water.

29  
30 McShane asked the percent of forest cover removed from these properties before  
31 construction began. Hollingsworth stated they take down the perimeter trees with the deep  
32 root structure. Once those trees are down, Mother Nature will clear out the rest of the trees  
33 during storms. More than the allowed 35 percent of the trees have come down.

34  
35 Ann Taylor, 3066 Northshore Road, stated continue to allow horses on Academy  
36 Road. She submitted a handout (*on file*). A developer created a private road named  
37 Vineyard Road and closed the road where she used to ride her horse. She asked how the  
38 developers can cut down so many trees when they need those trees to protect Lake  
39 Whatcom.

40  
41 Larry Helm, 2660 E. 41<sup>st</sup> Terrace, stated the second largest recharge streams is  
42 under Agate Bay Road. Now, the water and sewer district is doing massive water  
43 withdrawal from that well. Don't intercept the recharge water before it gets to the lake. It  
44 sets a bad precedent. They should get the water out of the lake, not the clean water that  
45 comes into the lake. Also, remember that drawing the water down too fast will draw water  
46 out of the Squalicum Valley and their well. Many people are drilling exempt wells. Consider  
47 the cumulative effect of many exempt wells. He's been waiting for a water right for four  
48 years for his farm. Don't let 20 exempt wells go in around him. He was first in line.

49  
50 Ralph Falk, Birch Bay Village President, submitted information (*on file*). He read  
51 from the letter with several questions about connector roads in the Birch Bay area.

1 Brenner stated she attended a meeting with the County Executive, County staff, and  
2 representatives from Birch Bay Village. They talked about this being the last thing to get  
3 done. She thought it wouldn't go anywhere until the other parts were done. The reason it's  
4 happening now is because of the good weather.

5  
6 Falk stated the issue isn't about weather. They talked about waiting until the Lincoln  
7 Road project is done, so there is an alternative access. Now, everyone has to go around.  
8 He asked why it has to be done now.

9  
10 Sandra Carlton, 4815 Academy Street, Bellingham, stated that in the Vineyard  
11 development, 401 cubic yards per house were filled. She submitted information (*on file*).  
12 Water District 7 illegally allowed water hookups to Bellingham's water supply for Squalicum  
13 Mountain. Also, seventeen County planners have left since 2000. All these vacancies leave  
14 holes for developers to go through. She asked how the County could issue building permits  
15 to hook up to City services, in violation of these City rules. She asked how Water District 7  
16 officials pulled this off without the County being aware of it. The City and County should  
17 come together to protect the water supply.

18  
19 Jack Petree, 2955 Sunset, Bellingham, submitted information (*on file*). The County  
20 missed the deadline to complete the urban growth area review, and is open to a legal  
21 challenge. Today's deadline was for the ten-year review of the entire county. The County  
22 is supposed to look at each city and urban growth area in the county to analyze where  
23 growth should go. It is a legislatively mandated deadline. The County promised the  
24 Hearings Board that it would be done with this ten-year review by now. The County hasn't  
25 even started.

26  
27 Christie Slette, 4264 Squalicum Lake Road, stated City water is being used to  
28 facilitate development in the Lake Whatcom watershed, in an area outside of the city and its  
29 urban growth area. The Growth Management Act and County Comprehensive Plan do not  
30 allow extension of City water into a rural zone. She asked how this happened and what is  
31 happening in the Planning Department.

32  
33 Virginia Ambrosio, 3740 Squalicum Lake Road, stated Squalicum Mountain is not  
34 meant to be developed. The Planning and Development Services Department has not been  
35 able to protect the reservoir, resource lands, or tax dollars.

36  
37 Gwen Hunter, 2540 Applejack Lane, stated only one stop work order was issued at  
38 Squalicum Mountain. Developing is still going on up on Squalicum Mountain. She asked  
39 why the building permits were not rescinded pending review. The developers should be  
40 required to replant the forest. They are trying to hurry and get things done before they can  
41 be stopped. The only cure for the lake is to reverse development and plant more trees. Do  
42 something to get the Planning Department on track.

43  
44 Marion Beddill, 3600 Seeley Street, Bellingham, stated they must protect the Lake  
45 Whatcom reservoir now and for forever. She read an email she sent to the Council earlier  
46 (*on file*). Minimize the degradation of the water supply for public health reasons. Take  
47 solid action and do solid enforcement.

48  
49 **2. RESOLUTION TO SELL TAX TITLE PROPERTY BY PUBLIC AUCTION REG.**  
50 **#TR2007-01 (AB2007-217A)**

51  
52 Weimer opened the public hearing and, hearing no one, closed the public hearing.  
53

1 **Fleetwood moved** to approve the resolution.

2  
3 **Motion carried unanimously.**

4  
5 **3. ORDINANCE AMENDING ORDINANCE 2007-023 TO REMOVE AN ADDITIONAL**  
6 **STOP SIGN AND CLARIFY EXISTING TEMPORARY ONE-WAY DETOURS**  
7 **RELATED TO THE CABLE STREET RECONSTRUCTION PROJECT (AB2007-**  
8 **169B)**

9  
10 Weimer opened the public hearing and, hearing no one, closed the public hearing.

11  
12 **Caskey-Schreiber moved** to adopt the ordinance.

13  
14 **Motion carried unanimously.**

15  
16 **4. ORDINANCE REMOVING, ON AN INTERIM BASIS, THE LOT CLUSTERING**  
17 **PROVISION FROM WHATCOM COUNTY CODE 20.42, RURAL FORESTRY**  
18 **DISTRICT (AB2007-229)**

19  
20 Weimer opened the public hearing and the following people spoke:

21  
22 Lynne Oliver, 3760 Squalicum Lake Road, stated she encourages the Council to  
23 make a responsible decision about Lake Whatcom. The terms in the interlocal agreement  
24 between Whatcom County and Water District 7 weren't followed and weren't enforced. She  
25 asked for a permanent moratorium on lot clustering in the rural forest district.

26  
27 Brenner stated they aren't allowed to do a permanent moratorium. They must  
28 decide whether to allow it at all. A moratorium is, by nature, a temporary thing.

29  
30 Kurt Russo, 3963 Squalicum Lake Road, stated he met with Dr. Robin Matthews, who  
31 presented him with a copy of the Lake Whatcom monitoring project report. Dr. Matthews  
32 said there should be no development in the watershed, and development should actually be  
33 reversed. The Department of Ecology anticipates that the total maximum daily load (TMDL)  
34 study will conclude that there should be no more phosphorous delivered into the Lake  
35 Whatcom watershed and that current stormwater runoff technologies will not accomplish  
36 this. Consider initiating a visioning committee for Whatcom County. He will recommend to  
37 the Water Board that they petition to Attorney General to come to Whatcom County to  
38 investigate the activities of Water Districts 7 and 10.

39  
40 Gwen Hunter, 2540 Applejack Lane, Bellingham, stated she thanks the County  
41 Council for the moratorium. She hopes that the County will permanently remove the  
42 clustering provision for rural forest lands.

43  
44 Judie Westhoff, 4172 Squalicum Lake Road, stated clustering is not an option. Many  
45 citizens ask the Council to remove now and forever the clustering provision in the rural  
46 forestry district.

47  
48 Hearing no one else, Weimer closed the public hearing.

49  
50 **Brenner moved** to adopt the ordinance.

51  
52 McShane stated he drove the Academy Road area. There are certainly enforcement  
53 issues going on. People must be aware of the rules and regulations in the watershed. He

1 hopes to get a good handle on the water available issue. Tree clearing regulations may not  
2 be followed. He witnessed a significant amount if inappropriate agricultural activity in the  
3 watershed. No new agriculture or expansion of farms is allowed. Some of the biggest  
4 problems have to do with animal husbandry. The worst mud he saw was on very poorly  
5 managed and abandoned logging roads. Those roads are routinely used by off-road  
6 vehicles. He also saw abandoned cars on the mud roads. They need significant monitoring  
7 in the watershed. An education program combined with enforcement is probably the only  
8 thing that is going to work. He supports the ordinance.  
9

10 Nelson stated many of those practices are traditional uses in the watershed.  
11 Education has greatly helped. More things can be done. He has concerns also about off-  
12 road vehicle use on Squalicum Mountain. Work with forestry and property owners to get  
13 people off those lands.  
14

15 He would rather see agricultural practices than big lawn gardening practices. They  
16 may be able to better-control agricultural practices. The issue isn't just forestry. The issue  
17 includes rural lands in general. Look at clustering as an action in all the lands. Get an  
18 evaluation of that use and its impacts. If something is good for the watershed, it should be  
19 good for the entire community.  
20

21 Brenner stated she attended a timber tour on Academy Road. The owner has done a  
22 wonderful job converting agricultural land to forest land. He is getting ready to gift the land  
23 to the Land Trust.  
24

25 Hal Hart, Planning and Development Services Director, explained the procedure for  
26 enforcement.  
27

28 *(Clerk's Note: End of tape two, side A.)*  
29

30 Hart continued to state that there have been problems up there on occasion. Staff  
31 has tried to take care of problems as quickly as possible. Landowner education is needed.  
32

33 Weimer asked if the staff assigned to enforcement out there have resigned. Hart  
34 stated the County will rehire those positions. In the meantime, existing staff with  
35 experience will rotate those duties, so the transition will be as seamless as possible. Staff  
36 are in the watershed everyday.  
37

38 ***Motion to adopt carried 6-1 with Crawford opposed.***  
39

40  
41 **CONSENT AGENDA**  
42

43 ***Crawford*** reported for the Finance and Administrative Services Committee and  
44 ***moved*** to approve Consent Agenda items one through ten.  
45

46 Brenner withdrew item four.  
47

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

- 51 **1. REQUEST AUTHORIZATION FOR THE EXECUTIVE TO ENTER INTO A GRANT**  
52 **AGREEMENT BETWEEN WHATCOM COUNTY SUPERIOR COURT AND THE**  
53 **WASHINGTON STATE ADMINISTRATIVE OFFICE OF THE COURTS (AOC) TO**

1 PROVIDE FOR A CONTRACTED LEGAL ASSISTANCE CLINIC TO AID  
2 DOMESTIC VIOLENCE LITIGANTS (AB2007-234)

3  
4 2. REQUEST AUTHORIZATION FOR THE EXECUTIVE TO ENTER INTO A SUB-  
5 RECIPIENT AGREEMENT TO THE 2007 STOP GRANT AWARD WITH THE  
6 ADMINISTRATIVE OFFICE OF THE COURTS TO PROVIDE LAW ADVOCATES  
7 TO CONDUCT A CLINIC FOR DOMESTIC VIOLENCE DISSOLUTION AND CHILD  
8 CUSTODY LITIGANTS TO AID IN THE COMPLETION OF LEGAL PLEADINGS IN  
9 THE AMOUNT OF \$22,737 (FUNDED BY THE STOP GRANT) (AB2007-235)

10  
11 3. REQUEST AUTHORIZATION FOR THE EXECUTIVE TO AWARD BID #07-44 TO  
12 LOW BIDDER, SOUND FORD, FOR THE REPLACEMENT OF A 1-TON CAB &  
13 CHASSIS WITH A DUMP BODY IN THE AMOUNT OF \$37,760.27 (AB2007-  
14 236)

15  
16 4. REQUEST AUTHORIZATION FOR THE EXECUTIVE TO AWARD BID #07-42 TO  
17 LOW BIDDER, SOUND FORD, FOR ONE REPLACEMENT AND 2 NEW PICKUP  
18 TRUCKS IN THE AMOUNT OF \$60,425.82 (AB2007-237)

19  
20 *Crawford moved* to approve the request.

21  
22 Brenner asked if these trucks are bio-diesel.

23  
24 Crawford said they are not.

25  
26 *Brenner moved* to hold this in committee until the question about bio-diesel can be  
27 answered. Use bio-diesel if they can.

28  
29 *Motion to table failed 3-4 with Fleetwood, Weimer, and Brenner in favor.*

30  
31 *Motion to approve carried 6-1 with Brenner opposed.*

32  
33 5. REQUEST AUTHORIZATION FOR THE EXECUTIVE TO ENTER INTO A  
34 CONTRACT AGREEMENT BETWEEN WHATCOM COUNTY AND NORSTAN  
35 COMMUNICATIONS, INC D/B/A BLACK BOX NETWORK SERVICES FOR  
36 REMOTE SUPPORT PLAN AND ON SITE TECHNICAL LABOR FOR  
37 MAINTENANCE SERVICES OF ERICSSON MD110 EQUIPMENT THROUGH  
38 DECEMBER 31, 2007 IN THE AMOUNT OF \$21,990.50 (AB2007-238)

39  
40 6. REQUEST AUTHORIZATION FOR THE EXECUTIVE TO ENTER INTO A  
41 CONTRACT AGREEMENT BETWEEN WHATCOM COUNTY AND STEWART+KING  
42 ARCHITECTS, INC. FOR CONSULTING SERVICES FOR THE WHATCOM  
43 COUNTY COURTHOUSE - BASEMENT RENOVATIONS IN THE AMOUNT OF  
44 \$38,250 (AB2007-239)

45  
46 7. REQUEST AUTHORIZATION FOR THE EXECUTIVE TO AWARD BID #07-15 TO  
47 MILLER'S PAINTING FOR MISCELLANEOUS PAINTING AT WHATCOM  
48 COUNTY FACILITIES IN BELLINGHAM, WA NOT TO EXCEED \$60,000  
49 INCLUDING TAX (AB2007-240)

50  
51 8. REQUEST AUTHORIZATION FOR THE EXECUTIVE TO ENTER INTO A  
52 CONTRACT AGREEMENT BETWEEN WHATCOM COUNTY AND EDGE

1           **ANALYTICAL LABORATORY TESTING SERVICES NOT TO EXCEED \$25,000**  
2           **ANNUALLY (AB2007-241)**

3  
4           **9.     RESOLUTION ORDERING THE CANCELLATION OF WHATCOM COUNTY JAIL**  
5           **INMATE TRUST FUND CHECKS MORE THAN TWO YEARS OLD (AB2007-242)**

6  
7           **10.    REQUEST AUTHORIZATION FOR THE EXECUTIVE TO ENTER INTO AN**  
8           **INTERLOCAL AGREEMENT BETWEEN WHATCOM COUNTY AND THE CITY OF**  
9           **BELLINGHAM FOR THE PURPOSE OF ANNEXATION AND DEVELOPMENT**  
10           **WITHIN THE CITY OF BELLINGHAM FOR APPROXIMATELY 125 ACRES IN**  
11           **THE VICINITY OF ALDRICH ROAD AND HORTON ROAD (AB2007-218)**

12  
13  
14           **OTHER ITEMS**

15  
16           **1.     ORDINANCE AMENDING THE 2007 WHATCOM COUNTY BUDGET, FIFTH**  
17           **REQUEST, IN THE AMOUNT OF \$373,771 (AB2007-227)**

18           *Crawford* reported for the Finance and Administrative Services Committee and  
19 *moved* to adopt the ordinance.

20  
21  
22           *Motion carried unanimously.*

23  
24           **2.     APPROVAL OF GOVERNOR ROAD – PHASE 2 (PUD 99-0004, LSS 99-0007)**  
25           **PLAT EXTENSION REQUEST, FILED BY ATTORNEY BRADLEY D. SWANSON**  
26           **(AB2007-232)**

27  
28           *Fleetwood* reported for the Planning and Development Committee and *moved* to  
29 approve the request.

30  
31           *Motion carried 6-1 with McShane opposed.*

32  
33           **3.     REQUEST AUTHORIZATION FOR THE EXECUTIVE TO APPROVE A NEW**  
34           **LIQUOR LICENSE APPLICATION FOR POINT ROBERTS MARINA STORE, 713**  
35           **SIMUNDSON DRIVE, PT. ROBERTS, WA (AB2007-243)**

36  
37           *Nelson moved* to approve the request. He asked why the Council must approve  
38 the liquor licenses. The State recently approved a license without bringing it before the  
39 Council.

40  
41           Karen Frakes, Prosecuting Attorney's Office, stated she would find out that  
42 information.

43  
44           Brenner stated the Tribe and trust land is treated differently.

45  
46           Dewey Desler, Deputy Administrator, stated it is an advisory recommendation from  
47 the representatives of the people of Whatcom County to the State Liquor Control Board. He  
48 doesn't know why the Nooksack Tribe issue didn't come before the County Council. He will  
49 check that out to find out if there was an error.

50  
51           Frakes stated that the Council is not making the decision on the license. The Council  
52 is just recommending it.

1 **Motion carried unanimously.**

- 2  
3 4. COUNTY EXECUTIVE KREMEN REQUESTS CONFIRMATION OF HIS  
4 APPOINTMENT OF SHARON WOLF TO THE NORTHWEST SENIOR SERVICES  
5 BOARD (AB2007-244)

6  
7 **Brenner moved** to confirm the appointment.

8  
9 **Motion carried unanimously.**

- 10  
11 5. COUNTY EXECUTIVE KREMEN REQUESTS CONFIRMATION OF HIS  
12 APPOINTMENT OF ADAM MORROW TO THE DEVELOPMENT STANDARDS  
13 TECHNICAL ADVISORY COMMITTEE (TAC) (AB2007-245)

14  
15 **Caskey-Schreiber moved** to confirm the appointment.

16  
17 Crawford stated Mr. Morrow is a respected and well-known surveyor. He is the head  
18 surveyor for Pacific Surveying and Engineering.

19  
20 **Motion carried unanimously.**

- 21  
22 6. RESOLUTION REPEALING RESOLUTION 79-5 AND APPOINTING THE COUNTY  
23 COUNCIL CHAIRPERSON, COUNTY TREASURER, AND COUNTY AUDITOR AS  
24 WHATCOM COUNTY ADMINISTRATIVE FINANCE COMMITTEE (AB2007-246)

25  
26 **Crawford moved** to approve the resolution.

27  
28 **Motion carried unanimously.**

29  
30  
31 **INTRODUCTION ITEMS**

32  
33 **Nelson moved** to accept the Introduction Items.

34  
35 **Motion carried unanimously.**

- 36  
37 1. ORDINANCE AMENDING THE OFFICIAL WHATCOM COUNTY ZONING MAP  
38 FROM URBAN RESIDENTIAL - 3 UNITS/ACRE (UR3) TO URBAN  
39 RESIDENTIAL - 4 UNITS/ACRE (UR4) IN THE FERNDALE URBAN GROWTH  
40 AREA (AB2007-247)
- 41  
42 2. ORDINANCE AMENDING THE OFFICIAL WHATCOM COUNTY ZONING  
43 ORDINANCE: CHAPTER 20.20 - URBAN RESIDENTIAL (UR) DISTRICT TO  
44 ADD AN URBAN RESIDENTIAL 6 UNITS/ACRE (UR6) DISTRICT AND TO  
45 ADDRESS MINIMUM DENSITY AND MINIMUM LOT SIZE REQUIREMENTS IN  
46 UR4 AND UR6 DISTRICTS (AB2007-248)
- 47  
48 3. ORDINANCE AMENDING THE OFFICIAL WHATCOM COUNTY ZONING MAP  
49 FROM UR3 TO UR4 IN THE EVERSON URBAN GROWTH AREA AND UR3 TO  
50 R5A ADJACENT TO THE EVERSON URBAN GROWTH AREA, ON THE EAST SIDE  
51 OF EVERSON-GOSHEN ROAD (AB2007-249)
- 52  
53

1 **OTHER BUSINESS**

2  
3 There was no other business.  
4  
5

6 **REPORTS AND OTHER ITEMS FROM COUNCILMEMBERS**

7  
8 Nelson stated he doesn't have an answer about what happened with Water District 7.  
9 He hopes to receive a report from the administration so that doesn't happen again in the  
10 future.  
11

12 Crawford discussed the history of the issue, which is posted on the County website.  
13 Everyone is watching for the outcome. They have not yet seen the outcome. They must  
14 wait and see.  
15

16 Nelson stated make sure the County takes appropriate action. The community must  
17 understand what's going on.  
18

19 Dewey Desler, Deputy Administrator, stated Water District 7 is its own governmental  
20 entity. The County doesn't have authority over what the district does. However, if the  
21 district fails, the County must step in and assure ongoing service.  
22

23 Caskey-Schreiber stated she thanks Planning & Development Services Director Hal  
24 Hart for his service to Whatcom County. She's enjoyed working with him. He is an expert  
25 and asset to the citizens of the State.  
26

27 Kremen stated Mr. Hart is excellent with the public and is extremely knowledgeable  
28 of planning issues. He's hardworking, committed, and dedicated.  
29

30 Brenner stated Mr. Hart is the best Planning Director that Whatcom County ever had.  
31

32 Crawford stated he will look at an ordinance to prevent motorized boats on Toad  
33 Lake. There is no County or State law regarding Toad Lake. He is working with the  
34 property owners.  
35

36 Fleetwood stated he will miss Mr. Hart's presence in Whatcom County.  
37

38 Brenner stated Bill Hogan hosted the forest farm tour. The ecology can be changed.  
39 It went from an agricultural property to a forest.  
40

41 The Council received a letter of commendation from the Sheriff's Office for several  
42 deputies. She read the list of the deputies' names.  
43

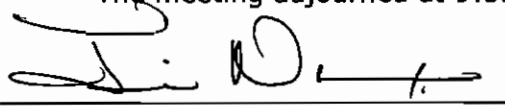
44 She attended two sessions regarding Ferndale High School senior culminating  
45 projects. The presentations were optimistic, hopeful, and enthusiastic. One project was  
46 about creating a teen peer court, which will keep some kids out of the criminal justice  
47 system. They should encourage other school districts to use this model to keep kids out of  
48 the criminal justice system.  
49

50 Nelson stated a healthcare forum is scheduled on June 11. He is unable to attend,  
51 and urges other councilmembers to attend.  
52  
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**ADJOURN**

The meeting adjourned at 9:53 p.m.



Jill Nixon, Minutes Transcription

The Council approved these minutes on June 19, 2007.

ATTEST:

WHATCOM COUNTY COUNCIL  
WHATCOM COUNTY, WASHINGTON

  
  
Dana Brown-Davis, Council Clerk

  
Carl Weimer, Council Chair