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WHATCOM COUNTY COUNCIL
Special County Council

December 10, 2007

Council Chair Carl Weimer called the meeting to order at 2:00 p.m. in the Council Conference Room, 311 Grand Avenue, Bellingham, Washington.

Present:

Barbara Brenner
Dan McShane
Seth Fleetwood

Absent:

Sam Crawford
Laurie Caskey-Schreiber
L. Ward Nelson

1. COUNCIL TO CANVASS THE RETURNS OF THE NORTH LYNDEN WATERSHED IMPROVEMENT DISTRICT ELECTION (AB2007-322D)

Dana Brown-Davis, Clerk of the Council, stated the Council Office received the ballots on November 30th, or within a few days after being mailed. They did the vote count on December 6. She presented the results. At least two-thirds of the votes were yes votes.

Brenner asked if this vote was to create the district. Brown-Davis stated it was.

There were two ballots they did not count. One was not properly signed. She attempted to get the voter to come in and certify the ballot, the person didn't come in. The other person was from out of state.

There will be five commissioners. The two people who received the most and second most votes will be appointed for three years. The two people who received the third and fourth most votes will be appointed for two years. The person who received the fifth most votes will be appointed for one year. The two who received the least number of votes are not appointed.

There were four write-in candidates. None of them received enough votes to be elected to the commission.

Brenner moved to approve the vote totals.

Weimer seconded the motion.

Motion carried unanimously.

2. APPROVAL OF ORDER DECLARING FORMATION OF THE NORTH LYNDEN WATERSHED IMPROVEMENT DISTRICT (AB2007-322E)

McShane moved to approve the order.

Motion carried unanimously.

OTHER BUSINESS

1 **Brenner** stated the County Council wrote a resolution opposing the Pioneer Plaza
2 mall development. She and others went through the environmental impact statement
3 (EIS). However, one version of the EIS didn't include the financial analysis. The County
4 must ensure that the financial analysis is included. The County just lost its State
5 Environmental Protection Act (SEPA) official again. Someone should make sure this is done
6 well. Make sure these points are submitted with the County's response to the draft EIS.
7 She **moved** to include these items unless they're duplicative of something the County
8 already has.

9
10 Fleetwood asked who they're asking to review this information and answer it.

11
12 Brenner stated this goes to the EIS proponents, which includes the City and the
13 company. It goes to whoever is responsible for the EIS being correct and final in answering
14 all the questions. The deadline is Wednesday.

15
16 Weimer stated there's a public hearing this evening. The deadline for written
17 comments is Wednesday. He sent the resolution to the Planning Department last week and
18 asked if the department responded. According to Linda Peterson, the department is
19 responding to the EIS.

20
21 Brenner stated the County didn't respond when this came up in the late 1990's.

22
23 Weimer stated Planning Director David Stalheim also responded. Several Planning
24 Department staff are looking at the draft EIS. Rebecca Craven talked with the staff today
25 about their review. The Planning Department staff may also send someone to tonight's
26 hearing. He's concerned that the Planning Department staff review may conflict with
27 something in this review.

28
29 McShane stated this information is mostly questions that need to be answered. He is
30 fine sending this information to the Planning Department to review, but don't submit these
31 as comments. They're not really comments.

32
33 **Brenner moved** to send the information to the Planning Department to make sure
34 the questions are covered in their review and comments to the project proponents.

35
36 McShane stated the biggest concern for the County is the impact to the County road
37 system.

38
39 Brenner stated that's all her information is about.

40
41 Weimer stated he made sure John Everett was involved.

42
43 Brenner stated it's difficult now because the County doesn't have a SEPA official.

44
45 Weimer stated the Planning Department submitted comments during the scoping
46 phase for this draft EIS. The staff is looking for those comments.

47
48 McShane asked who is the SEPA official in charge of this project. It must be
49 someone from the City of Ferndale.

50
51 Brenner stated the comments go to Dennis Rhodes.
52

1 McShane stated it doesn't have to be reviewed by a County SEPA official. John
2 Everett is the most appropriate person to review this. He ought not to be concerning
3 himself with rules and regulations regarding draft EIS's from a SEPA perspective. He can
4 simply make comments on shortcomings and inaccuracies. That's the key. The focus
5 should be on traffic impacts. That's the County's interest.
6

7 Brenner stated it's very important that the County taxpayers don't subsidize this
8 project inappropriately. Make sure this is not an undo burden to taxpayers. The developers
9 must pay their fair share.
10

11 There was a public meeting where the developers explained the project. They said it
12 would be a regional mall to service lower mainland Canada south through Skagit County.
13 Now, the draft EIS says it will be a local shopping mall, which would require much less
14 mitigation. That's another question. She hasn't heard that the developers have been
15 required by law to change what they said initially.
16

17 **Motion carried unanimously.**
18

19
20 **ADJOURN**
21

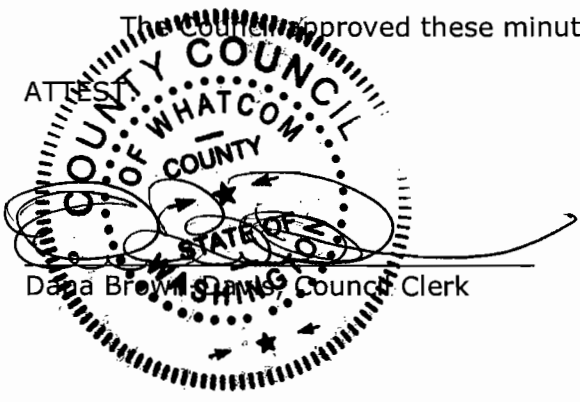
22 The meeting adjourned at approximately 2:20 p.m.
23

24 
25
26 Jill Nixon, Minutes Transcription
27

28 The Council approved these minutes on February 12, 2008.
29

30 ATTEST

31 WHATCOM COUNTY COUNCIL
32 WHATCOM COUNTY, WASHINGTON
33



Dana Brown, Council Clerk


37
38 Carl Weimer, Council Chair