

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50
51
52
53

WHATCOM COUNTY COUNCIL
Finance and Administrative Services Committee

July 24, 2007

Committee Member L. Ward Nelson called the meeting to order at 1:00 p.m. in the Council Chambers, 311 Grand Avenue, Bellingham, Washington.

Present:

Dan McShane

Absent:

Sam Crawford

Also Present:

Laurie Caskey-Schreiber

Barbara Brenner

Carl Weimer

COMMITTEE DISCUSSION AND RECOMMENDATION TO COUNCIL

1. **ORDINANCE INCREASING WHATCOM COUNTY PUBLIC WORKS ENGINEERING'S PETTY CASH REVOLVING FUND BY \$100.00, FOR A TOTAL PETTY CASH FUND OF \$300.00 (AB2007-297)**

McShane moved to recommend approval to the full Council.

Motion carried unanimously.

2. **ORDINANCE AMENDING THE 2007 WHATCOM COUNTY BUDGET, EIGHTH REQUEST, IN THE AMOUNT OF \$547,532 (AB2007-298)**

McShane moved to recommend approval to the full Council.

Motion carried unanimously.

3. **REQUEST AUTHORIZATION FOR THE EXECUTIVE TO ENTER INTO A COOPERATIVE AGREEMENT BETWEEN WHATCOM COUNTY AND THE ARMY CORP OF ENGINEERS FOR LEVEE REHABILITATION ON THE SANDEWILLIAMS LEVEE IN THE AMOUNT OF \$200,000 (AB2007-295A) (RECONSIDERATION OF THIS ITEM REQUESTED BY THE FLOOD CONTROL ZONE DISTRICT ADVISORY COMMITTEE)**

McShane stated he is against this item. His biggest concern is that the countywide district would pay \$40,000 for a project that would go forward without a river management zone.

Art Anderson, Flood Control Zone District Advisory Committee Member and Deming Diking District Commissioner, stated he disagrees with Councilmember McShane. They don't have all the answers. They are not talking about the lower clay bank area. They are talking about two repair jobs in the middle of the dike and in the upstream end. They are working with property owners on a plan for the south side of the river in that location. They've always had to protect the north bank at that part of the river. He showed photos to the committee. Area residents have signed a petition in favor of this project. The Army Corps of Engineers has been a great partner. They were shocked at the Council's decision

1 two weeks ago. Don't shun the Corps, especially when they have the resources for this
2 project.

3
4 McShane asked if the property owners on the petition are within the diking district.
5 Anderson stated they are.

6
7 McShane stated the diking district generates revenue. He asked if the district has
8 enough revenue for this. Anderson stated the district has some resources, most of which
9 have been spent on maintenance. It does not have enough to cover the County's \$40,000
10 contribution.

11
12 Brenner stated this proposal is classic for the purpose of the original flood fee. The
13 County does need a long range plan. However, it's not fair to hold a district hostage until
14 the County gets that done. It's up to the County to get that long range plan done. She
15 asked about damage to the other side, and whether this would interfere with the long range
16 plan. Anderson stated there is a gap of space of an area of about a half mile between the
17 downstream end of the Mt. Baker School District's bus barn levee and the top part of theirs,
18 which the committee saw. The long range plan is to do mitigation with property owners. All
19 the dikes are built to overtop. When there are high flows, they must overtop the dike. The
20 backside of the dike, in addition to the front of the dike, must support the river. There are
21 a couple of long range plans that the advisory committee and diking district have been
22 working on.

23
24 Caskey-Schreiber stated she's not sure if this is the right thing to do. Her issue is
25 the fact that they've spent close to \$2 million on this dike. The surrounding property is not
26 valued that high. She asked if there is a policy to buy out this area or if they should keep
27 enhancing the dike indefinitely. She asked what happens to the property on the other side
28 of the river that is being affected, which has no representation. What they are deciding
29 today could affect that property owner. Anderson stated the scope of work has always been
30 on the north bank. They understand the concerns of the property owner on the south side.
31 They can configure something with the total river management lines. There has always
32 been activity on that clay bank, either downstream or upstream. Some of it has healed.

33
34 Brenner stated the repairs at this location won't affect the Maricle property on the
35 south side.

36
37 Paula Cooper, Public Works Department, submitted information (*on file*) and
38 indicated the location of the clay bank and the two dike sections. These two sections won't
39 affect the Maricle property.

40
41 Weimer asked what the river will harm if it gets behind the revetment at site one.
42 Cooper stated she doesn't have that answer. It could do a number of things. Some
43 geologist think it won't cut a hole in the channel, but she can't guarantee that. Water will
44 go through the treed area, which funnels down a squeezed levee system into another
45 forested area. Some of that does slop out and affects the residents in that area. In the
46 worst case scenario, it could start a whole new channel back there. She can't predict what
47 will happen in a single event or over time.

48
49 Weimer asked about changing the river direction across the Maricle property.
50 Cooper stated they've stalled on that project.

51
52 McShane asked about the red line on the map, which is the reach four, 1,900-foot
53 meander belt. He asked what that is. Cooper stated that is the line where they would

1 expect to spend much less money if they could give the river that much room to meander,
2 based on historic records.

3
4 McShane stated that line is similar to a line that was drawn in the late 1990's, when
5 they first started talking about a river management zone. Cooper stated that line may have
6 been tighter than this line.

7
8 McShane asked if the Corps takes meander limits into consideration. Cooper stated
9 the Corps is at the County's request. They do a cost-benefit for each project.

10
11 Chris Hatch, Flood Advisory Committee Member, stated he encourages the Council to
12 support the proposed work. The County made a commitment to the diking district for a
13 number of years to protect the infrastructure behind it. The Corps has put a significant
14 amount of money into it. The County has a commitment to maintain the structure. If the
15 long-term approach is a setback, it should be a separate matter. If the existing hazard fails
16 this year, they will lose the relationship with the Corps, and the County can be on the hook
17 for the damage. Work needs to be done. The Corps is ready to do the work. The County's
18 amount is relatively light. The long-term plan is a separate process from this decision.

19
20 Sherm Polinder, Lynden, stated this is a classic example of what the flood fee was
21 originally set up for. Sometimes this money gets sidetracked away from flood control. The
22 Council must keep it on track. Make sure they use the money for what it was originally
23 intended. The Corps is a qualified partner that does excellent work and is bearing most of
24 the cost. There is no downside to this project. In the event the County doesn't follow
25 through with this project, and there is a significant damage, it is no longer a Corps project,
26 and the County does come up with 100 percent. If that's the case, it seems it would be
27 prudent to deal with this affirmatively.

28
29 Cooper stated a person from the Corps led the advisory committee to believe what
30 Mr. Polinder just said, but that is not the case. If the County doesn't do this project, it must
31 develop a flood fight plan to give to the Corps. If there is more damage, the Corps would
32 amend the scope of work and do a bigger project next year.

33
34 Brenner stated she talked to a Corps staff person who said they're both right. The
35 Corps may do something in the future, but it will be a much lower priority for the Corps.

36
37 Polinder stated that for the amount of money the County has to spend, it's a wise
38 use of funds.

39
40 McShane asked the percent of the total cost Mr. Polinder's district has put into
41 maintaining the Corps levees. Polinder stated six to eight percent sounds right. They had
42 two Corps projects two years ago.

43
44 McShane stated he would like to know what different districts are doing. Cooper
45 stated that for a Corps repair, the cost share is 80/20 between the Corps and County, and
46 the County amount is split 80/20 with the district. The district does 100 percent of the
47 maintenance.

48
49 Polinder stated the Corps does an excellent job. There is a lot of benefit for the
50 money spent.

51
52 Mark Anderson, 5619 Lawrence Road, stated Nugent's Corner is a vital economic part
53 of the county that would be wiped out as a result of a flood. The repair to this dike is

1 extremely important and a relatively low cost to the County. More importantly, the Mt.
2 Baker Highway is the link to the eastern part of Whatcom County. The bridge there wiped
3 out once before, and traffic was rerouted through Everson for about 30 days. It was a
4 significant inconvenience for many people. If that bridge or the area is entirely wiped out, it
5 would be significant. A County contribution of \$40,000 is minor.
6

7 Nelda Sigurdson, 5171 Ferndale Road, stated she lives close to the lower reach of
8 the Nooksack River. They really count on active participation of the Army Corps of
9 Engineers, which gets things done. The County road crew helps. Don't do anything to
10 upset their relationship with the Corps. The soil is valuable. They'll never get it back if it
11 erodes.
12

13 Nelson stated that until they have a definitive definition of the meander area and
14 community involvement in that process, use these funds for what they are intended. He
15 understands there are issues with the river meandering that they will need to address in the
16 future. At this time, support this plan.
17

18 **McShane moved** to approve entering into an agreement that the diking district
19 cover the full cost of the County's share, for a total amount of \$48,000. He would like to
20 know how much is in the diking district fund.
21

22 *(Clerk's Note: The motion was not voted on.)*
23

24 Nelson stated he does not support the motion.
25

26 Brenner stated one of the commissioners said the district doesn't have that money.
27

28 Caskey-Schreiber asked the district's balance now. Cooper stated she would find out
29 before the evening meeting.
30

31 Caskey-Schreiber stated she is willing to compromise. This is a high priority area.
32 In the big picture, \$40,000 doesn't seem like a lot of money, but it is. She's not opposed to
33 maintaining the infrastructure, but wishes there was better policy.
34

35 McShane stated he is frustrated. The Council will have to figure out the river
36 management zone. It won't come from the advisory committee. This issue has been frozen
37 in the advisory committee since 1999. The issue is not the \$40,000, but the continuing
38 damage that will occur to this structure. A huge volume of sediment at the delta is from
39 this area. Property owners have lost significant portions of their property. The area across
40 the river from site two is being severely damaged. Naturally, erosion will occur. However,
41 the frequency of magnitude has increased because of this structure. This structure hasn't
42 been there that long. It's been beefed up significantly and increased the erosion. It's hard
43 to say no to people, but it's important for the Board of Supervisors to be prudent in
44 protecting the river dollars as best they can. This particular area has been a poster child of
45 how not to do it. He would like to know how much the County has spent on the Sande-
46 Williams levee since it was constructed.
47

48 Nelson asked about the red line on the map. Cooper stated it is the full meander
49 amplitude.
50

51 Nelson asked who made the decision to put the line on the map.
52

53 McShane stated that line represents the width that the river meanders.

1
2 Nelson asked who created the lines that were presented to the Council. Cooper
3 stated staff put the lines on the map to give the Council a feel for the context of the
4 situation. Maps with many lines were presented to the Council in October. For the red line,
5 they looked at historic photos and the amplitude in an unconstrained system, before the
6 levees were built.
7

8 Nelson asked why the levees were put in. Cooper stated she imagines they were
9 built to protect the land.
10

11 Nelson stated they used to dredge in this area frequently. Art Anderson stated that
12 is correct. The area was dredged by Whatcom County the last time in 1983. The roads and
13 levees started in the 1950's. The County and Corps have since made improvements.
14

15 Nelson stated the levee was expanded and done because of the fact that they are
16 unable to do a lot of the gravel and silt removal they've done in the past. Art Anderson
17 stated that is an entirely different issue.
18

19 Nelson stated that if they are going to let the river go where it did 100 years ago, it's
20 not fair to assert that these levees were put in for a certain reason, such as to prevent
21 meandering, but to protect property, which the public has agreed to for many years. Art
22 Anderson stated that is correct. In some circles, people say they must either raise the dikes
23 or remove the sediment material from the river.
24

25 Brenner stated experiments have been done with removal in Canada. They are
26 creating better and cleaner spawning areas.
27

28 Every one of the dikes and districts have significant costs. Of course there were
29 significant costs in the past. Don't judge the project by those costs.
30

31 The district has a budget, but its for doing more than just this. It's not fair to use
32 money earmarked for something else on this. People with expertise would disagree with
33 Councilmember McShane's observation that this is the biggest problem.
34

35 Nelson stated this would move forward to the full Council without a recommendation.
36
37

38 **COUNCIL "CONSENT AGENDA" ITEM**
39

- 40 **1. REQUEST AUTHORIZATION FOR THE EXECUTIVE TO ENTER INTO A**
41 **CONTRACT BETWEEN WHATCOM COUNTY HEALTH DEPARTMENT AND**
42 **MERIDIAN SCHOOL DISTRICT FOR "PROJECT ALERT" SUBSTANCE ABUSE**
43 **PREVENTION SERVICES IN THE AMOUNT OF \$20,000 (AB2007-303)**
44

45 ***Nelson moved*** to recommend approval to the full Council.
46

47 ***Motion carried unanimously.***
48

- 49 **2. REQUEST AUTHORIZATION FOR THE EXECUTIVE TO ENTER INTO A**
50 **CONTRACT BETWEEN WHATCOM COUNTY HEALTH DEPARTMENT AND BIG**
51 **BROTHERS, BIG SISTERS OF NORTHWEST WASHINGTON TO CONDUCT**
52 **"SCHOOL BUDDIES PROGRAM" FOR SUBSTANCE ABUSE PREVENTION**
53 **SERVICES IN THE AMOUNT OF \$20,000 (AB2007-304)**

1
2 **McShane moved** to recommend approval to the full Council.

3
4 **Motion carried unanimously.**

- 5
6 **3. REQUEST AUTHORIZATION FOR THE EXECUTIVE TO ENTER INTO AN**
7 **ANNUAL CONTRACT BETWEEN WHATCOM COUNTY AND EDUCATIONAL**
8 **SERVICE DISTRICT 105 (HIDTA GRANT FISCAL AGENT) TO PROVIDE**
9 **PARTIAL FUNDING OF DRUG COURT CASE MANAGER IN THE AMOUNT OF**
10 **\$30,000 (AB2007-305)**

11
12 **McShane moved** to recommend approval to the full Council.

13
14 Brenner asked how the drug court is going.

15
16 Dewey Desler, Deputy Administrator, described the project. They are seeing 80 or
17 90 people. It's going well. They claim that recidivism is low. It is in the budget for 2007-
18 2008.

19
20 **Motion carried unanimously.**

- 21
22 **4. REQUEST RATIFICATION OF THE 2007 - 2010 CORRECTIONS DEPUTIES**
23 **COLLECTIVE BARGAINING AGREEMENT (AB2007-306)**

24
25 **Nelson moved** to recommend approval to the full Council.

26
27 **Motion carried unanimously.**

- 28
29 **5. REQUEST AUTHORIZATION FOR THE EXECUTIVE TO ENTER INTO A**
30 **CONTRACT FOR SERVICES BETWEEN WHATCOM COUNTY AND INTEGRAL**
31 **CONSULTING FOR THE SWIFT CREEK WETLAND PLAN AND TECHNICAL**
32 **REVIEW OF THE EPA RISK EVALUATION PROJECT IN THE AMOUNT OF**
33 **\$56,559 (AB2007-307)**

34
35 McShane stated he must abstain from the vote due to a potential conflict.

- 36
37 **6. REQUEST APPROVAL FOR THE EXECUTIVE TO INCREASE THE EXPENDITURE**
38 **FOR ROAD MAINTENANCE PRODUCTS FROM ALPINE PRODUCTS BY \$175,000**
39 **(AB2007-308)**

40
41 **Nelson moved** to recommend approval to the full Council.

42
43 **Motion carried unanimously.**

44
45 *(Clerk's Note: End of tape one, side A.)*

- 46
47 **7. REQUEST APPROVAL FOR THE EXECUTIVE TO ENTER INTO AN INTERLOCAL**
48 **AGREEMENT BETWEEN WHATCOM COUNTY AND THE CITY OF BELLINGHAM**
49 **FOR DESIGN AND CONSTRUCTION OF WEST ILLINOIS/TIMSON WAY**
50 **(AB2007-309)**

51
52 **McShane moved** to recommend approval to the full Council.

1 **Motion carried unanimously.**

2
3 (Clerk's Note: Discussion of this item continued below, under Other Business.)

- 4
5 **8. REQUEST APPROVAL FOR THE EXECUTIVE TO ENTER INTO A UTILITY**
6 **CONSTRUCTION AGREEMENT BETWEEN WHATCOM COUNTY AND THE POLE**
7 **ROAD WATER ASSOCIATION FOR WORK ASSOCIATED WITH THE HANNEGAN**
8 **ROAD/SR544 SIGNALIZATION PROJECT IN THE AMOUNT OF \$85,923.23**
9 **(AB2007-310)**

10
11 **Nelson moved** to recommend approval to the full Council.

12
13 **Motion carried unanimously.**

14
15
16 **OTHER BUSINESS**

17
18 Brenner asked for an update on the Nooksack Salmon Enhancement Association
19 (NSEA) Conservation Crew grant.

20
21 Dewey Desler, Deputy Administrator, stated the administration is proposing a
22 \$75,000 contribution from existing budget revenue in the amount of approximately \$25,000
23 and a supplement for 2008 from the water resources fund in the amount of approximately
24 \$50,000. The agreement will come before the Council at its August meeting.

25
26 Regarding Consent Agenda item 7, the project amount shown on Council packet
27 page 174 should be \$2.3 million.

28
29 Joe Rutan, Public Works Department, stated the amount of \$1.3 million is the federal
30 grant amount. The total project amount is \$2.3 million. The funding sources are shown on
31 Council packet page 175. This is the interlocal agreement before the Council now. There
32 will be a public hearing this evening on the amendment to the annual construction program
33 to get this done. Because they expect to expend some of the fund in 2008, they must
34 amend the annual construction program to include it, which will require a unanimous vote of
35 the Council.

36
37 Nelson asked the length of the road. Rutan stated it is slightly less than a mile.

38
39
40 **ADJOURN**

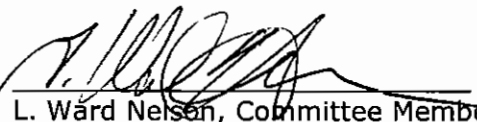
41
42 The meeting adjourned at approximately 2:00 p.m.

43
44
45 Jill Nixon, Minutes, Transcription

46
47
48
49
50
51
52
53


Dana Brown, Council Clerk

WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WASHINGTON


L. Ward Nelson, Committee Member