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WHATCOM COUNTY COUNCIL
Finance and Administrative Services Committee

November 7, 2007

Committee Chair Sam Crawford called the meeting to order at 11:00 a.m. in the Council Chambers, 311 Grand Avenue, Bellingham, Washington.

Present:

L. Ward Nelson
Dan McShane

Absent:

None

Also Present:

Carl Weimer
Barbara Brenner
Seth Fleetwood
Laurie Caskey-Schreiber

COMMITTEE DISCUSSION AND RECOMMENDATION TO COUNCIL

1. ORDINANCE AMENDING THE 2007 WHATCOM COUNTY BUDGET, 12TH REQUEST, IN THE AMOUNT OF \$38,491 (AB2007-426)

Dewey Desler, Deputy Administrator, stated this is the cost to run animal control to the end of 2007 and to purchase inventory at the existing location.

McShane moved to recommend approval to the full Council.

Motion carried unanimously.

2. ORDINANCE AMENDING THE 2008 WHATCOM COUNTY BUDGET, 1ST REQUEST, IN THE AMOUNT OF \$207,655 (AB2007-427)

Dewey Desler, Deputy Administrator, gave a staff report and read the list of items in the request.

Crawford moved to recommend approval to the full Council.

Brenner asked what happens if funding from the State isn't ongoing.

Desler stated the administration will review the program and determine whether it is still viable to continue. If not, the administration will close the program.

Brenner stated the cost of an employee with benefits is almost the same as servicing 75 kids. The County will require this person to have caseloads and oversee 75 to 90 children through the volunteers. Each volunteer will have three children. She's concerned about these children getting adequate assistance. It seems the County will have major liability from this program. Desler stated the volunteers go through extensive training. Many other jurisdictions have this program. They are trying to stabilize raising guardian ad litem costs.

1 Brenner stated don't stabilize the cost at the expense of these children having
2 adequate representation. She wants reassurance that the County will try this for a few
3 years. The number of volunteers for the staff person to oversee is high.
4

5 Dave Reynolds, Juvenile Court Probation, stated the County has the same liability as
6 with any program, including the guardian ad litem program. They will review the
7 effectiveness of the program and the quality of representation serving the youth. This
8 program will supplement the current guardian ad litem system. They will have high criteria
9 and standards for the volunteers.

10 Brenner asked about the rate of volunteer turnover. Reynolds stated recruitment
11 and retention of the volunteers is a tough job. The coordinator spend most of the time
12 doing recruitment and retention.
13

14 Nelson asked if the volunteers will receive training equivalent to guardian ad litem
15 training. Reynolds stated the volunteers will receive State mandated training.
16

17 Nelson stated the training may not be the same, but the judges will monitor and
18 protect the children. He asked if the judges will review this program and if there is a
19 process set up for the judges to review the program. Reynolds stated the judges will see
20 the reports generated by the volunteers and the level of representation.
21

22 Nelson stated budget time is when the Council can review the program with the
23 judges. Reynolds stated guardians ad litem are currently overseen by Superior Court. This
24 program will be overseen by juvenile court. There will be dual jurisdiction for a period of
25 time. At this stage, they don't know if the contract will stay with Superior Court or go to
26 Juvenile Court.
27

28 Brenner asked for information on the number of lawsuits that have involved
29 volunteers compared to guardians ad litem.
30

31 Crawford stated he is against the ordinance because it continues to fund the spiraling
32 animal control costs. There are better ways to handle those costs. He is in favor of the
33 volunteer program.
34

35
36 ***Motion failed 1-2 with McShane in favor.***
37

38 Nelson stated he is opposed because of the animal control costs.
39
40

41 **DISCUSSION AND RECOMMENDATIONS FOR NOVEMBER 20, 2007 PUBLIC**
42 **HEARINGS**
43

44 **1. RESOLUTION AUTHORIZING THE LEVY OF TAXES FOR THE WHATCOM**
45 **COUNTY FLOOD CONTROL ZONE DISTRICT FOR 2008 (AB2007-420)**
46

47 Crawford stated the committee will discuss this item and the next item at the same
48 time. He asked for an explanation of Councilmember Weimer's alternate proposal.
49

50 Weimer stated the flood fund has banked capacity. This proposal accesses the
51 banked capacity to pay for many unfunded water programs. It doubles the flood fund. It
52 will cost a homeowner \$13 per \$100,000 of assessed value per year. This would also free

1 up general fund money that is currently paying for some water programs and pay for some
2 long-term planning efforts.

3
4 **McShane moved** to recommend approval of Councilmember Weimer's alternate
5 resolution, the **resolution authorizing the levy of taxes for the Whatcom County**
6 **Flood Control Zone District for 2008 (AB2007-420A).**

7
8 Fleetwood stated the cost is a small price to pay to go forward with important
9 initiatives.

10
11 Brenner stated the Council should decide what to fund rather than not moving
12 forward. She doesn't support this structure, because it's based on assessed value, which
13 has nothing to do with impact to flooding or benefit from flood control efforts. This needs to
14 be a fee. She supports the projects that would be funded.

15
16 When the Birch Bay process is done, it will be a template for setting up this funding.
17 It is based on impact and benefit rather than assessed value. This is the wrong way to go.

18
19 Nelson stated he commends Councilmember Weimer for trying to address a big
20 issues. The desired for how people want to live exceeds their capacity to pay for it.
21 Throwing money at it won't solve the problem. They must prioritize. The administration
22 must address issues with long-term planning. The Council and Planning Department must
23 coordinate. The Council must decide whether it wants to raise taxes for special fee projects
24 or use flood funding as a partnership that provides matching funds. This fund isn't
25 supposed to fund their wish lists. The integration project will help them identify their
26 highest priorities and fund them.

27
28 Weimer stated this is not a wish list. These are approved plans that have been
29 passed over the last 17 years. Each plan has gone through a process. When it came to the
30 Council for approval with attached budgets, they weren't wish lists. They were plans the
31 Council would forward. The Council has had a pitiful history of moving forward with
32 approved plans.

33
34 Caskey-Schreiber stated she understands Councilmember Weimer's intent, but it's
35 premature. The Council reduced the fund a few years ago because the money wasn't going
36 where they wanted. Until she has a clear sense of how they are going to spend the money,
37 she won't approve anything. They haven't finished the prioritization yet. She can't
38 articulate to constituents what this money is for. They are into a biennial budget, and
39 haven't looked at it for a year and a half. She wants to know where the County is at in
40 terms of projected revenue and expenses. She doesn't have enough information yet to
41 approve the motion.

42
43 Crawford asked how they arrived at the amount.

44
45 Weimer stated they can decide on any amount. The capacity could go higher or
46 lower. The amount requested is a drop in the bucket of what's needed right now. He wants
47 to respect the integration project and understands their need to fund those projects from
48 the top down, not their pet projects.

49
50 Fleetwood stated they may not be able to pinpoint a particular project now, although
51 they easily could. They can tell the public that they need money for stormwater retrofits,
52 for example. They need acquisition money.

1 Caskey-Schreiber stated no stormwater system will treat phosphorus, which is one of
2 the biggest problems for Lake Whatcom. She wants to know the specific projects this
3 money would fund. They must first scientifically prioritize the projects before determining
4 funding.

5
6 McShane stated the Natural Resources Committee has started some of these
7 discussions. The Council will vote as the Flood Control Zone District Board of Supervisors.
8 It's a separate authority. Control of spending on this fund has been poor. As the Board of
9 Supervisors, they've approved projects that were not consistent with the Comprehensive
10 Flood Hazard Management Plan. They routinely fund projects not in that plan. There is a
11 lack of constraint on how they spend that money. They haven't looked at how the sub-
12 districts use this fund, which has been done over-generously. Spend a lot of time thinking
13 about the Council's role and priorities as the Board of Supervisors. Because they haven't
14 done that, he's not ready to vote for this increase. There may be alternatives. Reconsider
15 existing policies and ordinances on how the flood district monies are distributed now. Make
16 controls for handing out that money. Until that's done, he's not comfortable authorizing
17 more money to the Board of Supervisors.

18
19 Brenner stated the Council has spent millions of dollars on unproven retrofits. The
20 Council shouldn't pay for retrofits. Property owners should pay for their own runoff. It's no
21 different from onsite sewage rules. Instead, designate money for low interest loans so
22 individuals can do their own retrofits.

23
24 Weimer stated he understands the concerns. He brought this forward because this is
25 the Council's only opportunity to provide any funding in 2008 to deal with long-term
26 planning and/or any water programs. If they don't do this today, they will wait for the
27 administration to bring forward new spending.

28
29 Brenner stated the Council can add to supplemental budget requests, according to
30 attorneys.

31
32 Caskey-Schreiber stated that when the Council last reduced the flood fee, it also
33 increased the banked capacity of property tax to offset that reduction. The revenues going
34 to the flood fee were switched to the general fund. They do have money in the general fund
35 to use on those projects. The Council must allocate it during the budget cycle next year. If
36 the Council really wants a budget amendment, it can negotiate with the administration.

37
38 Brenner stated she prefers an annual budget cycle.

39
40 ***Motion failed unanimously.***

41
42 ***Crawford moved*** to recommend approval of item one as presented to the full
43 Council.

44
45 ***Motion carried unanimously.***

46
47 **2. RESOLUTION AUTHORIZING THE LEVY OF TAXES FOR THE WHATCOM**
48 **COUNTY FLOOD CONTROL ZONE DISTRICT FOR 2008 (AB2007-420A)**
49 **(ALTERNATE RESOLUTION TO #1 ABOVE)**

50
51 See the above item for discussion and vote on this item.
52

1 **3. ORDINANCE AUTHORIZING THE LEVY OF TAXES FOR COUNTY**
2 **CONSERVATION FUTURES PURPOSES FOR 2008 (AB2007-422)**
3

4 Weimer stated they have banked capacity. They could increase this 6.39 percent,
5 which equals an extra \$57,684 in 2008. It is the total banked capacity.
6

7 ***Nelson moved*** to recommend adoption to the full Council.
8

9 ***McShane moved*** to amend to 6.39 percent.
10

11 Caskey-Schreiber stated she has no problem supporting the motion to amend
12 because this fund is over-used all the time. This amount won't buy a lot of land, but it will
13 buy farmland development rights and something in the watershed. Support this motion.
14 People are willing to participate in the purchase of development rights (PDR) program. It
15 would be great to build the bank as much as they can. They can use this bank of purchased
16 development rights in the future.
17

18 Crawford asked the amount of the addition of new construction and improvements to
19 property and the increase in State-assessed property. There is a natural increase due to
20 new construction. He asked how much that adds.
21

22 Dewey Desler, Deputy Administrator, stated that amount is approximately \$60,000
23 per year. Changing the percentage also increases the rate, so future values will have a
24 slightly higher rate.
25

26 McShane stated he is in favor of the motion. This fund has been used cautiously and
27 prudently. It is a small amount of money and a great opportunity. The money has been
28 used well in the past.
29

30 Crawford stated he doesn't like the idea of raising new taxes. However, the voters
31 have approved a certain amount of taxes. He will be cautious this time. He is not prone to
32 putting any additional tax burden, no matter how small, on the people of Whatcom County.
33

34 Caskey-Schreiber stated the County receives a federal match for almost every dollar
35 the County spends from this fund for farmland. It is a way to bring money into the county.
36

37 ***Motion to amend failed 1-2 with McShane in favor.***
38

39 *(Clerk's Note: End of tape one, side A.)*
40

41 ***Motion to recommend adoption as presented carried unanimously.***
42
43

44 **COUNCIL "CONSENT AGENDA" ITEM**
45

46 **14. REQUEST APPROVAL FOR THE EXECUTIVE TO AWARD BID #07-94 TO SOLE**
47 **BIDDER, CLYDE WEST INC., IN THE AMOUNT OF \$249,406.05 (AB2007-416)**
48

49 ***Crawford moved*** to recommend approval to the full Council.
50

51 Brenner stated the Council should have received information from staff about the
52 difference between rental costs and owning costs. The costs are virtually the same. She
53 talked to people in the business who are familiar with that piece of County equipment. The

1 equipment is in good shape. Something of this caliber shouldn't be used in snow because it
2 can get broken from things hidden in the snow. Instead, contract with people who live in
3 outlying areas to take care of those areas, where the County can't get its equipment. She
4 submitted a handout of the costs (*on file*).

5
6 Mary Green, Public Works Department, stated the rental numbers are from the
7 actual equipment rental list. Northwest Rental did not get on the County's rental list.

8
9 Brenner stated the main purpose of this grader is not for snow removal. Green
10 stated one of the main purposes for the grader is for snow removal. They also use it for
11 patching asphalt and grading gravel roads and shoulders. They do use it a lot. The grader
12 they are replacing is 20 years old.

13
14 Brenner stated it only has 7,000 hours on it. That's not much.

15
16 Green stated they cannot rent a grader with a V-plow attachment, which this grader
17 will have.

18
19 Brenner stated they have one now that is in okay shape. Green stated they use both
20 of them. Skagit County has six, just for snow removal.

21
22 Brenner stated they do an adequate job with the equipment they have. They can't
23 get everywhere, no matter what equipment they have. Focus more on contracting out.
24 Contact the people at Northwest Machinery rentals. They should be on the list.

25
26 Eric Schlehuber, Public Works Department, stated they go out for their outside rental
27 bid list, which is mailed to 20 to local and non-local vendors. The list includes the responses
28 the County received. Of the three rental companies on the list, one of those companies sold
29 it's grader. Another company didn't have a comparably-sized grader available locally.

30
31 Brenner asked for information from staff about the cost comparison. Schlehuber
32 stated their lower rate is because they are a government entity with a government rate for
33 insurance and financing. The County is self-insured and doesn't pay an insurance premium.
34 The rental rate is just maintenance and fuel. They also don't have financing interest costs
35 that a private contractor or rental company has. Also, the County does not operate for
36 profit. They can't compare a County's rental rate with that of a private company.

37
38 Brenner stated the internal rental rate doesn't consider many things that still factor
39 into the final cost per hour. Schlehuber stated the rental rate factors in all costs attributed
40 to that piece of equipment.

41
42 Caskey-Schreiber stated the bigger issue is that when the County needs the
43 equipment during a storm event, it must be available. The County can't be in competition
44 with others for any available equipment. She approves the request.

45
46 Brenner stated use the equipment the County has now, which is in fine shape and
47 does an adequate job, and then have people in outlying areas plow those areas.

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

- 50
51 **1. REQUEST APPROVAL FOR THE EXECUTIVE TO ENTER INTO A CONTRACT**
52 **AGREEMENT BETWEEN WHATCOM COUNTY AND THE GOVERNOR'S JUVENILE**

1 JUSTICE ADVISORY COMMITTEE IN THE AMOUNT OF \$58,748.00 (AB2007-
2 433)

3
4 *McShane moved* to recommend approval to the full Council.

5
6 *Motion carried unanimously.*

7
8 2. RESOLUTION ORDERING THE CANCELLATION OF WARRANTS MORE THAN
9 ONE YEAR OLD (AB2007-434)

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

12
13 *Motion carried unanimously.*

14
15 3. RESOLUTION ORDERING THE CANCELLATION OF ACCOUNTS RECEIVABLE
16 MORE THAN A YEAR OLD FOR EQUIPMENT RENTAL AND REVOLVING
17 CHARGES THAT ARE UNCOLLECTIBLE IN THE AMOUNT OF \$6,006.61
18 (AB2007-435)

19
20 *McShane moved* to recommend approval to the full Council.

21
22 *Motion carried unanimously.*

23
24 4. RESOLUTION ORDERING THE CANCELLATION OF ACCOUNTS RECEIVABLE
25 MORE THAN A YEAR OLD FOR PARKING VIOLATIONS THAT ARE
26 UNCOLLECTIBLE IN THE AMOUNT OF \$751.00 (AB2007-436)

27
28 *McShane moved* to recommend approval to the full Council.

29
30 *Motion carried unanimously.*

31
32 5. REQUEST APPROVAL FOR THE COUNTY EXECUTIVE TO AWARD BID 07-108
33 TO LOW BIDDER AGGREGATES WEST FOR SUPPLYING CRUSHED AGGREGATE
34 IN THE AMOUNT OF \$1,142,676.00 (AB2007-437)

35
36 *McShane moved* to recommend approval to the full Council.

37
38 *Motion carried unanimously.*

39
40 6. REQUEST APPROVAL FOR THE COUNTY EXECUTIVE TO AWARD BID 07-102
41 TO SOLE BIDDER FARMERS EQUIPMENT COMPANY FOR A REPLACEMENT
42 ROADSIDE MOWING TRACTOR IN THE AMOUNT OF \$93,360.58 (AB2007-
43 438)

44
45 *McShane moved* to recommend approval to the full Council.

46
47 *Motion carried unanimously.*

48
49 7. REQUEST APPROVAL FOR THE COUNTY EXECUTIVE TO AWARD BID 07-108
50 TO LOW BIDDER, ANDGAR CORPORATION, FOR REPLACEMENT OF THE
51 DIELECTRIC UNIONS AND VALVES AT THE COURTHOUSE IN THE AMOUNT OF
52 \$69,897.39 (AB2007-439)

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

2
3 **Motion carried unanimously.**

- 4
5 **8. REQUEST APPROVAL FOR THE COUNTY EXECUTIVE TO AUTHORIZE PUBLIC**
6 **WORKS TO PURCHASE TWO HYBRID SUV'S UNDER BID 07-33 FROM**
7 **VENDOR, DIEHL FORD, IN THE AMOUNT OF \$59,997.16 (AB2007-440)**

8
9 **McShane moved** to recommend approval to the full Council.

10
11 **Motion carried unanimously.**

- 12
13 **9. REQUEST APPROVAL FOR THE COUNTY EXECUTIVE TO AUTHORIZE PUBLIC**
14 **WORKS TO PURCHASE A HIGH ROOF CARGO VAN UNDER A WASHINGTON**
15 **STATE CONTRACT FROM VENDOR, DWAYNE LANE, IN THE AMOUNT OF**
16 **\$52,010.64 (AB2007-441)**

17
18 **McShane moved** to recommend approval to the full Council.

19
20 **Motion carried unanimously.**

- 21
22 **10. REQUEST APPROVAL FOR THE COUNTY EXECUTIVE TO ENTER INTO A JOINT**
23 **FUNDING AGREEMENT WITH THE UNITED STATES GEOLOGICAL SURVEY**
24 **FOR THE ONGOING OPERATION AND MAINTENANCE OF THE COUNTY'S**
25 **SEVEN STREAM GAGES IN THE EARLY FLOOD WARNING SYSTEM (AB2007-**
26 **442)**

27
28 **McShane moved** to recommend approval to the full Council.

29
30 **Motion carried unanimously.**

- 31
32 **11. RESOLUTION TO APPROVE A LAND ACQUISITION OF THE "DEMING**
33 **TRANSFER" AND THE "RIVER ROAD PROPERTY" IN THE AMOUNT OF**
34 **\$315,000.00 (AB2007-443)**

35
36 Paula Cooper, Public Works Department, stated these are the two parcels by Deming
37 and by River Road. They talked about these in executive session previously.

38
39 **McShane moved** to recommend approval to the full Council.

40
41 Weimer asked the chance that the State Department of Natural Resources (DNR) will
42 sell 53 acres to someone else for \$193,000 if it's in the flood plain. He asked if the County
43 must buy this property or if it will just sit out there and be flood plain anyway.

44
45 Jim Perkins, Public Works Department, stated the DNR appraised the property. The
46 County has options to get its own appraisal or not buy it. However, the administration
47 thought it best to buy it to manage flood control and fish habitat. It's a good buy in the
48 long run to keep it out of the public's hands. It is now zoned commercial, but who knows if
49 that will change. It is the best option to take the property out of circulation and maintain it
50 for this purpose. The chance is that it won't develop, but they want to ensure that.

1 Cooper stated Salmon Recovery Plan calls for integrating fish and flood. By
2 purchasing this property, the County won't have to protect it. Otherwise, there could be
3 levee demands in the future.

4
5 Perkins stated the River Road property is now leased by a farmer. That lease
6 continues for seven years. the farmer wants to continue to lease the property, and is
7 interested in buying the property. Some return on that investment is possible.

8
9 Frank Abart, Public Works Department Director, stated both acquisitions follow the
10 water resource inventory area (WRIA) plan and Comprehensive Flood Hazard Management
11 Plan. Funds are budgeted, and they are within budget.

12
13 McShane asked if these are school trust lands. Abart stated they are DNR surplus
14 properties.

15
16 Perkins stated the DNR sent the County a list of 14 or 16 properties declared surplus.
17 They are trying to consolidate. Their job is to manage the properties for the State,
18 particularly for school funds. These properties don't fit in their future plans. Local
19 governments get the first opportunity to buy them.

20
21 McShane stated the money the DNR gets from those sales gets put into other
22 commercial forestry land. The purchases that occur are not restricted to within the County.
23 That money will be used for buying up better commercial forestlands that are privately held.
24 Preliminarily, they will purchase in targeted areas in Whatcom County. They may see more
25 DNR managed protected forestland.

26
27 ***Motion carried unanimously.***

- 28
29 **12. REQUEST APPROVAL FOR THE COUNTY EXECUTIVE TO ENTER INTO AN**
30 **INTERLOCAL AGREEMENT BETWEEN WHATCOM COUNTY AND THE CITY OF**
31 **BELLINGHAM FOR ANNEXATION OF 635 ACRES IN THE VICINITY OF EAST**
32 **BAKerview ROAD AND JAMES STREET (AB2007-417A)**

33
34 ***McShane moved*** to recommend approval to the full Council.

35
36 ***Motion carried unanimously.***

- 37
38 **13. REQUEST AUTHORIZATION FOR THE COUNTY EXECUTIVE TO ENTER INTO**
39 **AMENDMENT #11 TO THE INTERLOCAL AGREEMENT BETWEEN THE CITY OF**
40 **BELLINGHAM AND WHATCOM COUNTY CONCERNING ANNEXATION AND**
41 **DEVELOPMENT WITHIN THE CITY OF BELLINGHAM URBAN GROWTH AREA**
42 **(AB2007-385)**

43
44 ***McShane moved*** to recommend approval to the full Council.

45
46 Rebecca Craven, Council Policy Analyst, stated this comes out of the staff urban
47 growth area (UGA) reconciliation discussions. This extends the current interlocal agreement
48 until July 15, 2008 until they can get the new interlocal agreement negotiated and
49 approved.

50
51 ***Motion carried unanimously.***

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OTHER BUSINESS

UPDATE ON THE DEVELOPMENT OF A MEMORANDUM OF AGREEMENT BETWEEN THE DEPARTMENT OF NATURAL RESOURCES AND WHATCOM COUNTY PERTAINING TO RECONVEYANCE OF LANDS IN THE LAKE WHATCOM WATERSHED (AB2007-018)

Dewey Desler, Deputy Administrator, stated the reconveyance is about \$350,000. It is budgeted in the general fund. If the property is acquired and reconveyed, the County can pay for it from the Conservation Futures fund. The administration may ask the Council to consider passing a resolution to authorize the initial payment from the general fund, and then repaying the general fund from the Conservation Futures fund.

ADJOURN


The meeting adjourned at 12:21 p.m.



Jill Nixon, Minutes Transcription



WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WASHINGTON



Sam Crawford, Committee Chair