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Whatcom County Council
Special Surface Water Work Session

September 16, 2008

Council Chair Carl Weimer called the meeting to order at 10:05 a.m. in the Whatcom County Civic Center Annex, Second Floor Meeting Room, 322 N. Commercial, Bellingham, Washington.

<u>Present:</u>	<u>Absent:</u>
Barbara Brenner	Bob Kelly
Seth Fleetwood	Sam Crawford
Laurie Caskey-Schreiber	
L. Ward Nelson	

SURFACE WATER WORK SESSION (AB2008-024)

1. WATER RESOURCE INTEGRATION PROJECT SUMMARY REPORT, ADVISORY COMMITTEE RECOMMENDATIONS, AND NEXT STEPS

Jon Hutchings, Public Works Department, submitted a flyer for a workshop (*on file*) on the national pollution discharge elimination system (NPDES) phase two permit. This form is designed for the councilmembers.

Most of the work they've done the last year resulted in something of substance being used daily by County departments and staff who work on water resources programs. The database is useful for reference and helps prioritize investments. It's being used to develop the 2009-2010 Budget, which is as close to the County Water Resources Integration Project (CWRIP) priorities as possible. New program elements being proposed to the County go through the analysis and eventually to the Executive and Council with a statement of where they fall in the CWRIP analysis. The Council can ask what that means for the various programs. The staff will uncover the questions relating to public benefit. The Council can have the debate and make the ultimate decision whether or not to honor the CWRIP list or deviate as they see fit. The process brings a microscope to that analysis. It gives them the ability to more accurately scrutinize costs and the determine revenues they will need.

Nelson asked if staff is adding new projects to the list or evaluating them against similar projects to see if they can be combined. Hutchings stated the staff work with project proponents to develop the projects so they are more suitable for outside funding and have more public benefit.

Weimer asked how long it takes to evaluate a new project.

Roland Middleton, Public Works Department, stated it varies by project, but it generally takes an hour or two. People with expertise help with the evaluation.

Hutchings stated that is in the initial analysis for ranking. He described the process for project development. They identify decision points along the way. This process isn't completely formalized at this point, but they will be able to track a project in the development process and communicate that to the proponents.

1 One question that came up was whether the CWRIP effort was consistent with the
2 Comprehensive Plan and Water Resources Plan. Mr. Middleton looked at the provisions in
3 the plans and made sure they were staying with the vision of the Comprehensive Plan, and
4 tied up any loose ends. That report is available. Mr. Middleton found that they are
5 consistent.
6

7 Middleton stated the integration project tried to get more detailed information on
8 what investments Whatcom County was doing to implement the Comprehensive Plan.
9 There are eleven goals and approximately a hundred policies in the environmental section of
10 the Comprehensive Plan. In the next couple of years, the County will go through the
11 process to update those goals and policies. The Public Works Department and Planning
12 Department put together the Water Resources Comprehensive Plan a few years ago. It was
13 the work plan to implement the Comprehensive Plan. They found missing elements in the
14 work plan. The integration project took care of those missing elements. The integration
15 project determined the number of investments they have and how to organize those
16 investments. They figured out which investments the County will do and how it will pay for
17 them. They haven't gone astray from the goals and policies in the Comprehensive Plan. In
18 a couple years, they will need to make sure the evaluation tools they use and the
19 information provided to the Council and advisory committees, as decisions-makers, are
20 updated with any Comprehensive Plan policy changes.
21

22 Nelson asked what happens to the CWRIP project list if the Council changes anything
23 in the Comprehensive Plan and Water Resources Plan. Middleton stated that if the Council
24 makes a policy decision that shifts, they will need to reevaluate the CWRIP program's
25 policies. They will do that through an open process through the advisory committees and
26 Council.
27

28 Hutchings stated they would need to rework the criteria.
29

30 Middleton stated they will make it a living document to incorporate changes.
31

32 Brenner stated they already went through this process with Birch Bay, which already
33 has a formula in place. It may be more efficient to use the Birch Bay plan and build from
34 there. Hutchings stated that is another loose end on the list, consistency with other plans
35 and programs. The County determines its priorities. The question is whether those
36 priorities are in line with the original community plan. The County can't make its larger
37 order prioritization with every plan that comes in, but they can analyze where they are and
38 are not consistent. They will ask themselves if the County's priorities are generally
39 consistent. Mr. Middleton did that analysis. The database includes a field that describes
40 how the County prioritization ties to the source plan. It's not possible to have complete
41 consistency. However, the priorities of the local community plans are consistent with the
42 County's for the most part.
43

44 Brenner asked to have basic tenets that they all agree to, and each area could have
45 its own particulars. Before looking at the particulars, they would have to meet the outline.
46 Make sure everyone is playing by the same rules. Hutchings stated that is what they've
47 done with the CWRIP process as a whole. The original objective was to create a highest list
48 of priorities at which the Council can look when other organizations are asking for money.
49

50 Brenner asked if different districts from different areas in the county would be on the
51 same playing field.
52

1 Nelson stated there are different districts. There are systems in place evaluate the
2 consistency of goals and objectives from different community and district plans with the
3 County. The next question is future funding of the different areas. Everyone should know
4 each others' goals and objectives, and be consistent. The next discussion is how the
5 various areas in the county relate, in terms of future funding. The one goal is to get to a
6 place where everyone knows everyone else's goals and objectives and they are consistent.
7 Make sure other participants in the community are on board.
8

9 Hutchings stated another question is the advisory structure that is appropriate for
10 the funding mechanisms in place today that allows them to grow with future funding
11 mechanisms. Local money should pay for local needs. Countywide funds should pay for
12 things that have a larger benefit to the community. At times however, acute local issues
13 will need attention from countywide tax dollars for help or to make a community plan.
14

15 The advisory solution must be simple and inexpensive. Don't reinvent existing
16 functions, such as the Flood Control Zone District Advisory Committee (FCZDAC), water
17 resources inventory area (WRIA), and Planning Unit. It must include a broad
18 representation. The members must be sufficiently informed on the coordinated water
19 resource integration project (CWRIP) process and the diversity of water resource issues.
20

21 The Flood Control Zone District Board of Supervisors oversees the three flood
22 subzones and the FCZDAC. The existing subzones receives funding from existing local
23 assessments, authorized by RCW 86.15. The existing countywide assessment funds the
24 FCZDAC, also authorized by RCW 86.15. Today, things are being funded from the district
25 fund that aren't being reviewed. They are mostly stormwater-related, which is new. They
26 know they will have to have stormwater funding, separate from flood funding, at some point
27 in the future.
28

29 Brenner asked about stormwater that causes flooding.
30

31 Nelson stated that would be one of those acute situations where a stormwater event
32 causes a flood.
33

34 Brenner stated there is a development situation that is causing the ditches to flood.
35 It's not from a specific stormwater event.
36

37 Hutchings stated that at some point, they have to make a judgment about local
38 benefit versus countywide benefit. That will always be hotly debated, as is defining what is
39 acute and what isn't.
40

41 The Birch Bay community has a plan for addressing stormwater issues. The advisory
42 committee can look at it and advise the Council on spending the local money. They can ask
43 for countywide money.
44

45 Nelson asked why the local advisory committee would come to the Council, if they're
46 using their own money.
47

48 Paula Cooper, Public Works Department, stated they are only advisory committees.
49 The Council is still the Board of Supervisors.
50

51 Nelson stated the Council needs a process to recognize how that expenditure is being
52 used. Hutchings stated they have a process for that through the budget process. Each

1 subzone has its own fund. Whatever they collect will ultimately go in that fund. The staff
2 proposes a budget for that fund to the Council as the Board of Supervisors.
3

4 Nelson asked if the subzone will likely try to match their funds to create a bigger
5 project. Cooper stated that is correct in most cases.
6

7 Brenner stated subzones are part of the countywide flood zone. If they collect
8 money countywide, the Council still is in charge of how the funds are spent. The subzone is
9 still part of the bigger district.
10

11 Hutchings stated the countywide fund is funded from a tax. The subzones collect
12 fees, so they are limited in what they can spend the money on. Assume that the bulk of
13 stormwater expenditures in the future is on urban activities. If it is, they will need an
14 advisory committee to spend money raised by the County Council, not by the Board of
15 Supervisors or the flood district. The money would be spent doing something on the ground
16 that satisfies the terms and conditions of a permit for which the County is liable. If they are
17 looking at a special district that could potentially have a Board of Supervisors other than the
18 County Council, and the job doesn't get done, the County is liable for not meeting permit
19 requirements.
20

21 Nelson asked if they have to choose between projects from County staff or projects
22 from the stormwater utility district. Hutchings stated they are not creating a new priority
23 process. This is about how they fund the projects. If they end up with a stormwater
24 funding mechanism under the purview of the County Council, they may want to appoint an
25 advisory committee.
26

27 Brenner stated people will get hit up twice for both of these things. She asked why
28 they couldn't have a stormwater process and get rid of the flood control process, and fold
29 the flood control process into the stormwater process. Everything is caused by stormwater.
30 Hutchings stated they could do that.
31

32 Cooper stated Nooksack River flooding isn't caused by stormwater, which is an
33 urban, manmade thing versus natural flooding.
34

35 Brenner stated simplify instead of having these separate things. Hutchings stated
36 they could do that. The Flood Control Zone District Board of Supervisors isn't liable for
37 noncompliance for the permit requirements. The County Council is liable.
38

39 Weimer stated the people could elect a different Board of Supervisors.
40

41 Brenner asked if they could do that with a stormwater utility.
42

43 Rebecca Craven, Council Policy analyst, stated they could not.
44

45 Hutchings stated that going into 2009, the FCZDAC will broaden its representation to
46 property vet surface water expenditures from the FCZD fund. Staff and advisory committee
47 members will also be trained on the CWRIP database and project development process.
48

49 Weimer stated the City of Bellingham says its not getting its fair share from the flood
50 fund. Most of the City's interest would be in the stormwater. He asked if they can allocate
51 money from the flood fund to support the stormwater utility district. Hutchings stated there
52 is a mechanism to do that, whether or not they should.
53

1 Weimer stated the FCZDAC membership doesn't include the Birch Bay committee.
2 He asked if they will have to expand or change the committee membership. Hutchings
3 stated broaden representation to properly advise the Council on stormwater expenditures.
4 He's not sure how that will happen.
5

6 Craven stated the subzone advisory committees will continue to go directly to the
7 board of supervisors on the expenditures of locally raised funds. If Birch Bay Watershed
8 and Aquatic Resources Management (BBWARM) district wanted to tap into the countywide
9 tax money, it would take that proposal to the FCZDAC, which would need to be reworked to
10 have broader representation in terms of subject matter. Also consider subzone-specific
11 geographic representations on the advisory committee.
12

13 Nelson stated the County has paid money from the flood fund to City of Bellingham
14 projects and programs. Other cities can apply through this process also. The cities can go
15 after preexisting funding mechanisms.
16

17 *(Clerk's Note: End of tape one, side A.)*
18

19 Nelson asked how WRIA will be integrated. Hutchings stated WRIA has a role that is
20 focused on those broad questions about planning. Their role is consistent with this fund-
21 based advisory network.
22

23 Caskey-Schreiber stated they could have zones and fee structures per zone, and
24 have subcommittees under the stormwater advisory committee, so they can have a direct
25 say about how their money is spent locally. For instance, a Lake Whatcom zone will have to
26 pay more than an area such as Kendall. Kendall will resent subsidizing those who affect the
27 Lake Whatcom watershed directly.
28

29 Weimer stated they are only talking about the stormwater NPDES, so people in the
30 north county won't pay into the stormwater funding structure. They are mainly talking
31 about areas around Lake Whatcom, Bellingham, and Ferndale.
32

33 Caskey-Schreiber stated that's a relief to her. The scope of expertise on the Flood
34 Control Zone District Advisory Committee needs to broaden. Typically, this group hasn't
35 dealt with marine issues as much as flood and river issues. Cooper stated there are two
36 vacant positions on the advisory committee that are reserved for the tribes. The tribes
37 don't participate. Those positions could be reallocated. Staff has other ideas it will bring
38 forward.
39

40 Caskey-Schreiber asked if only two new positions would be a fair representation of
41 west county shoreline marine needs.
42

43 Hutchings stated the existing advisory committee and staff can develop options for a
44 new flood advisory committee to recognize the underlying purpose of flood response and
45 flood hazard mitigation. The existing advisory committee includes fish biologists,
46 geologists, and a wide variety of folks. The questions are whether or not they want
47 expertise to be geographic or topical and whether they want to shake up the committee all
48 at once or add new members gradually.
49

50 Caskey-Schreiber stated the group should be as inclusive as possible across
51 geographic areas and interests.
52

1 Brenner stated the second go-around for the NPDES will include Birch Bay, Lynden,
2 and other areas. She asked if those areas would be in the same place or tiered. Hutchings
3 stated it's possible they'll be in the same place. Staff and the Council can discuss that next.
4

5 Brenner stated they are trying to tweak different things to make them work. She
6 asked if there is an existing program elsewhere in the state that could work. Cooper stated
7 King County had a stormwater utility for use, and just created a flood district, too.
8

9 Nelson stated they'd have to go through the State legislature, for funding.
10

11 Hutchings stated that if they want to do it right, they need a comprehensive water
12 resource change.
13

14 Cooper stated it's difficult to make it fair by using only one.
15

16 Hutchings stated they can, according to the statute, use flood control zone district
17 tax dollars to fund stormwater-related things. There are some things they have to do in
18 terms of interlocal agreements to show where the money is coming from and going.
19

20 Brenner asked if they could call it a flood control and stormwater district. Hutchings
21 stated they probably could.
22

23 Brenner asked why the citizens would elect their own Board of Supervisors if they
24 have to depend on the County for help. Hutchings stated that if the citizenry elected its
25 own Board, it would probably do so with a specific interest in mind that may not be in line
26 with the County's interest.
27

28 Craven stated the Board would also decide how much to assess the citizens.
29

30 Nelson stated the NPDES permit requires the County to meet the permit
31 requirements.
32

33 Hutchings stated the Council would have to go find other sources of revenue to do
34 what is mandated.
35

36 Ron Bronsema, Flood Control Zone District Advisory Committee Chair, stated the
37 advisory committee talked about this, but hasn't made recommendations. He concurs that
38 there is a lot of expertise on the advisory committee now, including State and federal
39 representation. They are always on the fringe of stormwater issues. There is always
40 confusion between stormwater and flooding. Stormwater is manmade. Flooding is natural.
41 Stormwater is from impervious surfaces. They are making a lot of assumptions to protect
42 people. They must spend money carefully, because they aren't stopping flooding. They
43 have to manage it. A question is how to integrate stormwater. The advisory committee is
44 good, with a lot of expertise. Don't throw them out. Positions are vacant now, or will be at
45 the end of 2009.
46

47 Brenner asked if there is a legal definition that stormwater is manmade. Cooper
48 stated she can look into it, but that is the industry practice.
49

50 Bob Knutzen, Flood Control Zone District Advisory Committee Vice-Chair, stated they
51 can kill the good work of a committee by making it too big. There is a broad spectrum of
52 knowledge and background on the current committee. The current members can be trained
53 to deal with stormwater issues rather than make the committee too big.

1
2 Weimer stated they can't make it bigger, according to State statute.
3

4 Knutzen stated the group of people who are there are capable of giving the Council
5 the best service it will get.
6

7 Hutchings asked if this fund-based approach is appropriate and if there is a need to
8 do something with the flood control zone district advisory committee to make it be able to
9 address stormwater. Ask the advisory committee and staff to make recommendations on
10 how that might work.
11

12 ***The Council concurred.***
13

14 Brenner stated she likes the funding approach that ties the funding to the creation of
15 the impact. Craven stated they will talk about that next.
16

17 Brenner stated focus greatly on incentives. She supports this.
18

19 Nelson stated he supports this also. He asked if transfers could take place between
20 the flood fund and a stormwater fund. He asked what would prevent too much siphoning
21 from flood projects and the flood fund. He asked how the integration project guides the
22 decision-makers at the County level, to make sure they are careful and hitting all their
23 priorities. The stormwater utility issues may not protect the flood groups. Cooper stated
24 the CWRIP process does that.
25

26 Hutchings stated it is a service level discussion.
27

28 Nelson stated he likes that because it still leaves the responsibility in the hands of
29 the elected people, yet it provides a process that they have to be careful of and explain to
30 the public.
31

32 Hutchings stated they will have a clear process of checks and balances. That didn't
33 exist before.
34

35 Weimer stated he is also in favor of it. The advisory committee has enough
36 expertise to make good decisions.
37

38 Brenner stated she is confident in the flood advisory committee members. However,
39 leave the door open to use funds from existing funds elsewhere, rather than create a
40 separate utility. Hutchings stated they will work those things out starting in October.
41

42 Caskey-Schreiber asked if there is another fund, such as the general fund, from
43 which they can use money to create this stormwater district. She asked how much money
44 they need to do some of the work that is out there. Hutchings stated that to continue a
45 stormwater program, the cost is about \$2 million per year to be commensurate with what
46 they've done in the past. Now, it comes from the flood fund or the general fund. They
47 need to find \$2 million.
48

49 Cooper stated that \$2 million they are spending now is from the fund balance, which
50 they are spending down.
51

52 Caskey-Schreiber asked if everything will come to a halt if they don't implement
53 another revenue stream. Hutchings stated it won't. They will eventually fund only those

1 things of the highest priority on the priority list, which are federal and State mandates.
2 They will be funding mostly stormwater programs. The river and flood program will be De
3 minimis. There won't be money for marine resources and that sort of thing.

4
5 Middleton stated they would only do the things mandated by law.

6
7 **2. PRIORITIZATION OF ADDITIONAL 2008 APPLICATIONS FOR FLOOD REPAIR**
8 **AND MAINTENANCE PROGRAM**

9
10 Jon Hutchings, Public Works Department, stated the Council passed a resolution for a
11 dedicated funding mechanism to pay for stormwater management to deal with national
12 pollutant discharge elimination system (NPDES) phase two requirements and the Lake
13 Whatcom total maximum daily load (TMDL) study requirements.

14
15 He read from a handout (*on file*) on the coordinated water resource integration
16 project (CWRIP) next steps.

17
18 Rebecca Craven, Council Policy Analyst, stated there is a list of capital projects in the
19 stormwater plan.

20
21 Brenner stated retrofitting is very important. They need to do that. She hopes grant
22 monies are available for those kinds of things. Hutchings stated a pilot project is coming
23 forward to create incentives for neighborhood homeowner retrofits.

24
25 Brenner asked if they would consider anything else besides the watershed area that
26 they would consider in terms of topography. Hutchings stated there isn't. If they are
27 talking about topography, they're generally talking about the watershed.

28
29 Fleetwood stated items two through four concern establishing a fair and equitable
30 rate. He asked when they will see a proposal. Hutchings stated this work needs to be done
31 in the next four to six months. The work will come forward at future work sessions. Staff
32 will do some internal analyses and then get an external review. They will adopt the
33 ordinances next spring. They have to deliver the data to the Treasurer in the fall. Before
34 that, they need to determine boundaries and rates. The first collection will be in April 2010.

35
36 They will give an update of the six activities at the November work session. He
37 asked for Council approval of these six activities.

38
39 ***The Council concurred.***

40
41 Nelson stated he's fine with it. He's not sure how it relates to the level of service
42 requests for stormwater utilities. By November, the Council will have almost completed the
43 budget process. Hutchings stated there will be no new revenues until 2010, even if they
44 make the decision this year. That's how long it will take. When they discuss service levels,
45 consider how these things will be funded.

46
47 Nelson asked if conversation about service levels will be conversations about 2010.

48
49 Caskey-Schreiber asked if an option is bonding to get things going right away. That
50 might be difficult with property values falling. Hutchings stated there are other options,
51 also. The flood fund is not broke. It can bear the current level of service for another year.
52 They have taken substantial cost-cutting measures. The proposed budget is very lean to

1 allow them to operate in that interim. The question to address during budget time is
2 whether or not the proposal to continue level of service two is satisfactory.

3
4 Caskey-Schreiber stated they can always do a budget amendment.

5
6 Weimer stated the Council asked the administration to prepare a proposed budget
7 based on service level four to five. Hutchings stated the idea is to indicate what they can
8 afford given projected revenues. If there is going to be a revenue increase, they will
9 indicate what that increase will provide.

10
11 Weimer stated the CWRIP process will help this fall. The stormwater utility could
12 begin in 2010, but they already have a stormwater plan and NPDES requirements that may
13 rank higher and they may want to do in 2009. In that case, they'd have to decide whether
14 to use flood funds to fund those before the utility begins. The Council also asked the
15 administration to propose an increase for the flood fund. The Council will discuss that this
16 fall.

17
18 Brenner stated she supports this theoretically. Don't expect State and federal
19 funding if things get much worse. At some point, the County will be on its own, so it must
20 prioritize accordingly, no matter what the State and federal mandates are.

21
22 Kurt Baumgarten, Public Works Department, stated they will use consultants for
23 some of these steps.

24
25 Paula Cooper, Flood Division Manager, gave a presentation (*on file*) on three
26 projects. She handed out the same information the Council received in May, with the
27 addition of three new projects. All three projects are on the North Fork. The first project is
28 on Bennett Farms. She indicated the location on an aerial photo and described work done
29 so far. The benefits of the program to the Bennett Farm are very local.

30
31 She described the repair and maintenance project prioritization criteria. When
32 ranking a project, they look at what is threatened and how critical that threat is. The
33 committee felt this wasn't an emergency situation.

34
35 (*Clerk's Note: End of tape one, side B.*)

36
37 Nelson stated there is no subzone in that area. He asked if there should be. Cooper
38 stated there has been interest in the North Fork area, but not an organized interest.

39
40 Nelson asked about the ranking system. Cooper stated it is the criteria matrix they
41 use to evaluate all the projects. The Committee gave the Bennett Farm a score of 19.
42 Private facilities are at risk.

43
44 Hutchings stated this project ranks low against other projects.

45
46 Cooper stated the committee doesn't recommend a project.

47
48 Nelson asked if they have flood insurance.

49
50 Cooper stated she doesn't know if the owner has flood insurance. It's not a home,
51 it's a horse-breeding operation.

1 Brenner asked the type of soil. There are some kinds of soils that have a public
2 benefit and they want to protect. Cooper stated the soil is river alluvium, which is basically
3 gravel and cobble.

4
5 Brenner stated areas that flood usually have really rich soils.

6
7 Nelson stated there is only rock in the area.

8
9 Brenner stated make sure they check the soils of these places to make sure they
10 protect valuable agricultural soils.

11
12 Caskey-Schreiber stated she's concerned about areas that don't have representation.
13 She asked if its ranking is affected by projects that do have representation, or if this is a
14 naturally occurring thing with no influences from some work the County has recently done.
15 Cooper stated this is not related to work the County has done. The gravel bed river moves.
16 If they do a project, the goal is to keep the bank intact until the river decides to leave.
17 There is an extensive channel migration zone.

18
19 Caskey-Schreiber stated they have invested resources in this area already. Cooper
20 stated that have downstream. To protect the property correctly, they would have to go
21 farther upstream. The project is based on criteria, not on whether it's in a subzone. This is
22 one of the most contained problems she's seen. The river won't migrate through
23 sandstone. It is a serious issue to the property owner, but from a public perspective it's not
24 threatening any public infrastructure.

25
26 John Thompson, Public Works Department, stated a key limiting factor of North Fork
27 Chinook is egg survival once they go into gravel. Research shows that side channels, when
28 activated, tend to be more stable. This is a facility within the historic meander zone. Side
29 channels have better survival rate for the eggs. There is a public benefit to letting that
30 channel reopen and reform.

31
32 Cooper stated this is where the Coordinated Water Resource Integration Project
33 (CWRIP) process is helpful. It helps her determine which projects they should work on.
34 Changes in the flood control maintenance program are to integrate projects better. People
35 historically have requested repair projects, and they never get to work on the big picture.
36 She hopes some of the changes through the Code and the CWRIP process can help bring
37 those together to work on projects with a broad public benefit.

38
39 Hutchings stated the big picture is to reduce the cost and threat to life and limb in
40 the long-term.

41
42 Cooper stated reduce risk in a sustainable way. At this point, this project won't even
43 be on the CWRIP list because it didn't meet flood criteria.

44
45 The second project is the Newell project. She indicated the location on an aerial
46 photo. There is no facility onsite to begin with. It's in the flood plain and in a historic
47 channel migration area.

48
49 The third project is the Olson project. She indicated the location on an aerial photo.
50 This project is ranked like the last project, but is a little better. They told the owners they
51 would go through the rank process, but that it wouldn't generally rank well.

52
53 **Nelson moved** to uphold the advisory committee recommendation.

1
2 **Motion carried unanimously.**
3
4

5 **OTHER BUSINESS**
6

7 Nelson referenced the Lake Whatcom land reconveyance. Hold this over from
8 Tuesday, since two councilmembers won't be at the meeting. Misinformation is going back
9 and forth. The full Council discussion should be with all the councilmembers.
10

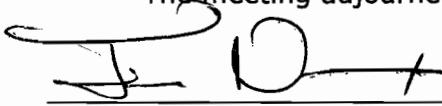
11 Fleetwood stated Mr. McFarland clearly told the committee that the memorandum of
12 agreement (MOA) was tantamount to formal approval, although it wasn't final approval.
13

14 Nelson stated there is confusion, and they must make sure to get correct information
15 before all the councilmembers.
16

17 Brenner stated have the work session in committee on September 23, but schedule
18 final approval at the first meeting in October.
19
20

21 **ADJOURN**
22


23 The meeting adjourned at 11:55 a.m.
24

25 
26 _____
27 Jill Nixon, Minutes Transcription
28

29 The council approved these minutes on October 21 2008.
30

31 WHATCOM COUNTY COUNCIL
32 WHATCOM COUNTY, WASHINGTON
33

34 
35 _____
36 Dana Brown-Davis, Council Clerk
37

38 
39 _____
40 Carl Weimer, Council Chair