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WHATCOM COUNTY COUNCIL
Regular County Council

September 29, 2009

Council Chair Seth Fleetwood called the meeting to order at 7:00 p.m. in the Council Chambers, 311 Grand Avenue, Bellingham, Washington.

ROLL CALL

Present: Barbara Brenner, Laurie Caskey-Schreiber, Sam Crawford, Seth Fleetwood, Bob Kelly and Carl Weimer.

Absent: L. Ward Nelson.

FLAG SALUTE

ANNOUNCEMENTS

Fleetwood announced there was **discussion with Whatcom County Public Works regarding ferry dock lease negotiations (AB2009-018)** in executive session during the Committee of the Whole meeting.

Fleetwood announced there was also **discussion regarding the preparation of a supplemental budget request for outside legal council (AB2009-017)** during the Committee of the Whole meeting.

SPECIAL PRESENTATIONS

1. COUNTY EXECUTIVE KREMEN TO PRESENT A LETTER OF COMMENDATION TO ART ANDERSON FOR HIS SERVICE TO WHATCOM COUNTY CITIZENS (AB2009-017)

Pete Kremen, County Executive, read and presented a letter of commendation to Art Anderson.

Art Anderson stated he is humbled by Executive Kremen's comments in the proclamation. They all strive to make Whatcom County a better place for all. This evening is special because many of his family are here. He will continue to serve Whatcom County.

2. INTRODUCTION TO THE PLAN FOR FUNDING PROGRAMS AND SERVICES WITH THE 1/10TH OF ONE PERCENT SALES TAX INCREASE (AB2009-359)

Anne Deacon, Health Department, stated this is the first formal report from the advisory committee for the one-tenth of one percent sales tax. She introduced the committee members who will present the report.

Benita Bowen, 1/10 of One Percent Advisory Committee Vice-Chair and National Alliance on Mental Health (NAMI) of Whatcom County, stated this is the first quarterly report of the Chemical Dependency/Mental Health Program Fund Oversight Committee, now called

1 the Behavior Health Revenue Advisory Committee (BHRAC). The advisory committee has
2 met three times since May 2009. They are concerned about their work achieving policy
3 goals in Ordinance 2008-027. She read those goals.

4
5 The committee approved a charter and received the status of current programs and
6 funding. The State legislature passed Senate Bill (SB) 5433, allowing County governments
7 with this tax to supplant existing funding for this new funding. However, Deputy
8 Administrator Dewey Desler and Executive Kremen want the new, innovative behavioral
9 health programs that could be developed with new revenue. The proposed plan from the
10 Health Department meets policy goals of the ordinance, responds to community input, and
11 recognizes the community needs assessment.

12
13 The advisory committee wants to make sure the overarching strategy would help
14 build infrastructure, so new behavioral health programs provide a comprehensive continuum
15 of care. The committee approved funding allocations from the plan.

16
17 The Executive has chosen to use only 20 percent of the funds to supplant existing
18 programs, which the Advisory Committee applauds. They thank Ms. Deacon and the staff in
19 the Human Services Division.

20
21 During the upcoming quarter, the Human Services Division will issue requests for
22 proposals. During the first quarter of 2010, new services and programs become a reality for
23 the people of Whatcom County.

24
25 State funding was severely cut for behavior health services. The Advisory
26 Committee doesn't want to cover the funding gaps. Instead, make sure that new,
27 innovative programs are developed.

28
29
30 **OPEN SESSION**

31
32 Carol Ann Brewer, resident, stated she represents her brother regarding the
33 problems with his septic system. He is being required to replace his septic system, but he
34 can't afford it. He was turned down for a grant. He is being threatened with a daily fine.
35 He can't be the only person in the County with this problem. She asked why the County
36 hasn't made provisions for people in need. Her brother would like to comply, but isn't able
37 to. The County staff told him to just get it done. She asked how he is supposed to get this
38 done. The report filed included misinformation. It said septic leaked into a ditch, but there
39 is no ditch anywhere near his property. She asked what they are supposed to do.

40
41 Erin Suda, 3231 Hillside Road, Deming, stated she thanks the County Council and
42 Executive Kremen for their prompt attention to the issues of landslides and public safety.
43 Her family and neighbors had to evacuate last winter. She is concerned about the
44 upcoming winter. Give attention to these issues and consider public safety.

45
46 Katti Esp, Whatcom County Bar Association President and Whatcom County Bar
47 Association/Superior Court Fiscal Emergency Task Force Chair, stated that right now,
48 Superior Court is over-budget by \$125,000 due to services they are required to provide.
49 The Court needs to be adequately funded to provide rights guaranteed by the federal and
50 State Constitutions.

51
52 The Court has six full-time and two part-time jurists. Given the recently-imposed
53 staff furloughs, no pro tem judges are being hired to replace the Court Commissioners when

1 they are absent. In August, two family law motion calendars were not heard. The Court
2 places its highest priority on criminal matters. Now, it will be late spring until a court date
3 on a civil matter.
4

5 Unlike legislative government, the judiciary has no opportunity to tax the people to
6 provide adequate funding. Courtrooms sit idle when a Commissioner is absent. Therefore,
7 hearings are cancelled, dockets get longer, and court resources are used inefficiently. This
8 also causes parties money. Attorneys show up for court, but don't have hearings.
9

10 She fears the economic consequences of failing to properly administer the court,
11 particularly in light of potential civil liability to parties and litigants whose trials do not pass
12 constitutional muster.
13

14 Jim Britain, 1801 Fourth Street, Bellingham, stated he is an attorney and member of
15 the Ad Hoc Committee mentioned by the previous speaker. The courts have no taxing
16 power and no power to allocate money to it. The civil calendar has been most dramatically
17 affected, because the emphasis is on the criminal cases. For people who have civil disputes,
18 it is a critical issue in their lives. Do not diminish their ability of getting a hearing.
19

20 James Haigh, Bellingham, stated he has been an attorney for 30 years. In a case
21 against an insurance company, the insurance companies won't put money on the table until
22 they are faced with a realistic trial date. If they can't get a trial date, it clogs the court
23 system. Another concern is that the level of funding they're talking about is such that it
24 may seriously impact the function of the court system, which is the third branch of
25 government. Funding is seriously needed. Separation of powers is the dominant principal
26 of the American political system. If the judicial system loses its ability to perform its
27 mandated function, it will be emaciated by the other two branches, which violates the
28 separation of powers clause. It's a serious issue. He is also a member of the Ad Hoc
29 committee with Ms. Esp and Mr. Britain.
30

31 Caskey-Schreiber asked if the County Administration will bring forward a
32 supplemental budget request to address these concerns with Superior Court.
33

34 Dewey Desler, Deputy Administrator, stated he and the Executive have been
35 meeting with judicial officers. The Court will over-expend its total budget by the end of the
36 year, as in the past three years. Based on the most recent information, they may come
37 close to balancing the 2009 budget. The Superior Court claims it needs more revenue in
38 2010. They are currently talking about that.
39

40 Mary Dickinson, Bellingham Attorney, stated she is also on the Ad Hoc committee.
41 She thanked the Council and Administration for listening to their concerns. They know
42 times are difficult. There are many competing issues for limited resources. However,
43 courts may be the final and only way to resolve a dispute. Land use issues such as
44 boundary disputes are only settled in Superior Court. Those issues can be quite contentious
45 and emotional for the parties. If the Superior Court isn't available to resolve these issues,
46 there will be increased instances of confrontations and destructive behaviors. Because of
47 new legislative changes, the disputes will become more technical and heated without Court
48 resolution. Work with the Administration and Bar Association to develop a solution to keep
49 Superior Court operational.
50

51 Barbara Sternberger, 4540 Curtis Road, Bellingham, stated she belongs to a newly-
52 formed association called the Rural Avenue Neighborhood Association. The Association is
53 concerned about the jail site selection process. Both proposed sites are in her

1 neighborhood. They would like to be brought into to the public process sooner rather than
2 later. Allow easier access to the HDR report on jail sites, which costs \$300. They want
3 more information on this issue.
4

5 Shane Roth, 3925 Connecticut Street, Bellingham, stated he asks the
6 councilmembers to refrain from using wireless devises during the meeting. It is
7 unprofessional, inappropriate, and rude to make colleagues, County staff, and the tax-
8 paying public compete for their attention during these meetings. People who use such
9 devises during a meeting aren't managing their time effectively, are prone to distraction,
10 and don't focus on the task at hand. He can't count on those people. The public needs to
11 be able to count on all of them. The public needs their undivided attention. Set aside
12 electronic distractions during meetings.
13

14 Dean Brett, 601 Heron Pointe Lane, stated he is a wrongful death attorney. In these
15 cases, 19 out of 20 settle out of court. However, those 19 cases don't get resolved unless
16 there is a legal option of having to go to court. All the civil disputes are delayed in favor of
17 criminal cases, so they can't get resolved. He recognizes the budget constraints, but people
18 need a civil justice system in Whatcom County.
19

20 Barbara Aiken, 6479 Rutsatz Road, Deming, stated they lost one lane of Rutsatz
21 Road this past winter during the floods, for one-quarter of a mile. It is the only road in and
22 out of her neighborhood. In 1998, part of the road washed out and was patched in the
23 same location. In 2002, there was blasting in the same place to repair the road.
24

25 According to Federal Emergency Management Agency (FEMA), they will pay for the
26 first \$200,000 of repairs. It has to be overseen by the County Council, which has not yet
27 approved any permits.
28

29 This is the only access for school buses, electrical vehicles doing repair, and the
30 phone company. The Deming Postmaster is suggesting that it's no longer safe to deliver
31 mail out there. Nothing has been done to fix the issue, and winter is coming. According to
32 FEMA, it's up to the County Council to get the bids and start work on the road.
33

34 Caskey-Schreiber stated nothing has come from the County staff to the Council.
35 The County staff brings those proposals forward to the Council. The County Council has no
36 control over staff. Ms. Aiken must talk to Executive Kremen.
37

38 Brenner stated the County staff work for Executive Kremen, not the County Council.
39 The County Council can't authorize anything until staff brings something forward.
40

41 Joe Rutan, Public Works Department, stated this issue is before the Council within
42 the six-year road program. Rutsatz Road is one of the five projects staff proposes in
43 response to the January floods. The Council is having a public hearing on this issue later in
44 the meeting.
45

46 Joe Warren-Lacasella, 6180 Rutsatz Road, stated he is concerned that the amount of
47 money they're talking about won't be sufficient to repair the road properly, and the
48 residents will be stuck. They put a band-aid on the road in 1998. In 2002, they moved the
49 road away from the bank, but they did nothing to stabilize the bank. Now they are down to
50 one lane in that area. The road is going to go, and they don't need another band aid. If the
51 Council doesn't do something, the road will go. He will have to abandon his property, and
52 the County will be faced with horrendous lawsuits from the insurance company lawyers and
53 banks who take over their properties. That will hurt all of them.

1
2 Caskey-Schreiber stated this road repair is on the six-year road plan, and work is
3 supposed to start in January with a budget of \$307,000.
4

5 Sandra Petersen, 6170 Rutsatz Lane, Deming, stated her elderly mother lives with
6 her. She is concerned about having access to emergency medical help. She submitted and
7 read a letter (*on file*) from two neighbor women.
8

9 Terry Uyeyama, Rutsatz Road, stated there is no quick fix for this road. He asked
10 how they get medical help, fire response, and utility repair service if the road goes. They
11 are facing a disaster if they don't get this work done.
12

13 Pam Englett, 5903 Olivia Court, stated she is an attorney who is thankful for the
14 services of the courts. She represents domestic violence survivors. Domestic violence
15 victims get from the courts quick protection, a place to stay, money to take care of their
16 children, and the resources necessary to become good citizens. Clients getting divorces
17 have gotten prompt action for temporary orders to stabilize property use, children's time
18 with parents, and assets and liabilities. Parents who've had their children taken have had
19 their children restored in a timely manner and in good health. Parents with drug and
20 alcohol problems are required to get evaluations, enroll in treatment, and be accountable to
21 the court and guardians ad litem. However, she is disturbed by what has been happening in
22 the court during the last couple of years. It takes three to six months to get a trial date. It
23 takes three to six weeks to get a temporary order hearing for emergency problems.
24 Hearing dates are cancelled with little or no notice because there is no money to hire pro
25 tems. When court resolution isn't available, people start taking "self-help" measures. Now,
26 she can't get guardian ad litem services for critical cases. Make the courts effective.
27

28 Debra Garrett, 1700 D Street, Bellingham, stated she thanks the Council for its
29 service. They need adequate funding for the courts. There are significant expenses that
30 the court can't control, such as legal notices in the newspaper and guardians ad litem.
31 Administrative staff is at the bare minimum. They do most of the work. The majority of
32 case filings are civil cases, which really affect the economic well-being of Whatcom County.
33 Business transactions don't go forward if the parties aren't confident that there is ultimately
34 a court that will enforce their rights. This is a critical institution that has to be properly-
35 funded.
36

37 Chris White, 2611 Hampton Place, stated Lummi Island ferry insurance rates have
38 increased by about 100 percent. Market this coverage to another broker to verify whether
39 that sort of rate increase is necessary. Verify that premium.
40

41 Doralee Booth, Birch Bay, submitted a handout (*on file*) and stated the speed limit
42 change on Birch Bay Drive has been positive. The community is very grateful to the Sheriff
43 for helping with Operation Birch Bay on the Fourth of July. Without their help, it's controlled
44 chaos. She read from her handout.
45

46 Bruce Diele, citizen, stated Alcoholics Anonymous (AA) helped him a great deal, and
47 he agrees with much of it. However, AA is very abusive. Over the years, AA members have
48 caused him tremendous social and economic harm. He has been homeless the past ten
49 years due to his past involvement in AA. AA teaches believe in a general God, since
50 speaking of Jesus Christ is largely taboo. AA's paperwork avoids religious terminology. If
51 people are specific about Jesus Christ, AA members censure, ridicule, and ostracize people.
52 The AA representatives will follow people to their employment, using malicious gossip and
53 slander to incite coworkers and management. Those identifying themselves as gay and

1 trying to de-segregate AA by speaking openly in regular meetings also risk persecution.
2 AA meetings open with the serenity prayer and close with the Lord's Prayer. The Supreme
3 Court ruled AA a religious program, there should be no court-ordered forced attendance of
4 AA, a voluntary program. Because court-ordered AA has been ruled unconstitutional, it no
5 longer qualifies. However, it is the only choice the court offers. Drunk driving requires
6 stricter laws, not forced religion. AA is a secret society, hence its anonymity. Anyone may
7 be an AA member. Stop court-ordering AA, and abide by the Supreme Court ruling.

8
9
10 **PUBLIC HEARINGS**

11
12 **1. RESOLUTION APPROVING THE WHATCOM COUNTY SIX-YEAR**
13 **TRANSPORTATION IMPROVEMENT PROGRAM FOR THE YEARS 2010**
14 **THROUGH 2015 (AB2009-361)**

15
16 Fleetwood opened the public hearing and the following people spoke:

17
18 *(Clerk's Note: See Open Session for comments on this issue from Barbara Aiken, Joe*
19 *Warren-Lacasella, Sandra Petersen, and Terry Uyeyama.)*

20
21 Chris Hatch, Acme/VanZandt Flood Control Subzone Advisory Committee, stated he
22 was surprised that the Turkington Road Bridge is not on the list. The Advisory Committee
23 has indicated many times the constriction that bridge causes regarding debris flow. It is a
24 threat to Acme citizens.

25
26 Kathy Berg, Birch Bay, stated she appreciates the County Road Engineer for
27 reinstating the Birch Bay Drive pedestrian facility. It is a part of the larger shoreline
28 restoration berm project. The project must be on the County list to qualify for State and
29 federal funding. She is also in favor of the number one priority of Lincoln Road, Phase I.
30 They are cautiously optimistic that funding will become available for these projects some
31 day. She thanked the Council for considering the needs of Birch Bay.

32
33 Hearing no one else, Fleetwood closed the public hearing.

34
35 ***Caskey-Schreiber moved*** to approve the resolution.

36
37 Crawford asked Mr. Rutan to address the schedule for Rutsatz Road. He asked if all
38 the work in the program is scheduled for 2010.

39
40 Joe Rutan, Public Works Department, gave a staff report. They need authority from
41 the Council to expend money on flood projects that will be reimbursed from State and
42 federal sources. These projects are more than repair projects. They're capital
43 improvements.

44
45 Crawford asked about seasonal issues. Rutan stated they've already begun design
46 work on those projects with a January start date. They would like to get those projects out
47 to construction as soon as possible. These are not easy fixes. They will keep an eye on
48 these roads. It will be spring to summer before they can get in there and do large earth
49 movement that these projects require.

50
51 Brenner asked if Council approval of this plan authorizes staff to get these projects
52 done. Rutan stated approval of the six-year program allows him to develop the annual road

1 program for Council approval. After that, he can submit a budget amendment. After that,
2 they can begin issuing contracts for this work effective January 1, 2010.
3

4 Brenner asked if the County has a band-aid fix to get them through the winter if
5 something happens. Rutan stated County staff has been doing maintenance on that road.
6 They are working with agencies to keep that road's configuration. No one is comfortable
7 with the situation of that road, which is the only access. It will be spring before they get to
8 the final project. In the meantime, they'll keep a very close eye on it and do what they can.
9

10 Kelly asked how much of the design work is contracted out. Rutan stated most of
11 this design work is done in-house, except for specialized geo-technical and structural work.
12 There are competing needs from permitting agencies, which is difficult to deal with. They
13 have to work through those issues, which may take time.
14

15 Brenner asked if the agencies will expedite permits because this road is the only
16 access in and out of the neighborhood. Rutan stated they will see that is an issue. He
17 hopes the permits will be expedited.
18

19 Weimer stated the Turkington Road Bridge over Jones Creek is more of a flood issue
20 than a bridge issue. Rutan stated it is. The flood staff has a project to build some sort of a
21 structure there to lessen the material coming down that creek. He is also concerned about
22 the debris accumulation. They need to do something with that material. The bridge itself is
23 okay.
24

25 The motion carried by the following vote:

26 **Ayes:** Brenner, Caskey-Schreiber, Crawford, Fleetwood, Kelly and Weimer (6)

27 **Nays:** None (0)

28 **Absent:** Nelson (1)
29

30 **2. ORDINANCE PROHIBITING, ON AN INTERIM BASIS, THE ILLEGAL AND**
31 **ILLCIT DISCHARGE OF HAZARDOUS MATERIALS AND NON-STORMWATER**
32 **RUN-OFF TO THE COUNTY'S MUNICIPAL SEPARATE STORM SEWER SYSTEM**
33 **(AB2009-320C)**
34

35 Fleetwood opened the public hearing and, hearing no one, closed the public hearing.
36

37 ***Weimer moved*** to adopt the ordinance.
38

39 Crawford stated he is against the ordinance. The administration indicated the
40 challenge, difficulty, and lack of resources available for enforcement. He understands
41 Councilmember Fleetwood's comment that a lack of resources doesn't mean they shouldn't
42 do the right thing. However, they must be pragmatic. It's not necessarily wise or good
43 management to knowingly expend resources in mostly undeveloped areas, given the strong
44 recommendation against this from the administration until they identify funding sources.
45 He also thought about that regarding tonight's testimony about Superior Court funding.
46 They all would like to have an open checkbook to provide services for the users of Superior
47 Court. However, funding is limited, and they're in the midst of a huge economic downturn.
48 They all want to do the right thing, but they have to also apply resources pragmatically.
49

50 Brenner stated she agrees that they must be frugal, given the budget problems.
51 She will support the ordinance. They've already made a very public statement that they
52 have no intention of having the same standard in the rural area than in the urban area. It
53 is a high priority to her. She's ready to cut the budget in other places to move this forward.

1
2 Caskey-Schreiber stated the no shooting zone issue will also require extra
3 enforcement, but they know it's the right thing to do, so they'll pass it. This discharge issue
4 is the same thing. They must do everything they can to protect the water source.
5

6 Kelly stated he agrees that there are major budget concerns and many people with
7 needs. The Council's priority role is to set policy and oversee the County budget in
8 conjunction with the Executive. They've already committed to several plans in Lake
9 Whatcom. They need to take steps to address the total maximum daily load (TMDL) study
10 requirements. Including Lake Whatcom in this ordinance doesn't necessarily indicate that
11 they have to fund it immediately, but it gives them the opportunity to prepare the
12 administration for TMDL implementation. If the policy-making legislative body doesn't
13 commit to addressing Lake issues, it will be a regional water supplier for other parts of the
14 county. This issue will affect folks throughout the county in the next decade. Make the
15 policy statement that they are going in the direction of compliance with phase II stormwater
16 permits and addressing the TMDL. State agencies don't push policy positions very often.
17 The State Department of Ecology has been before the Natural Resource Committee a
18 number of times, saying this needs to be done. Send the right message as a policy-making
19 body. He is in favor of the ordinance.
20

21 Fleetwood stated the ordinance clearly states they don't tolerate inappropriate
22 discharge of pollutants, other than clean stormwater. It makes sense to cover the entire
23 watershed, even though enforcement isn't perfect. Have a clearly-expressed standard.
24 Staff indicated that there isn't anything in the County code that emphatically states they
25 don't tolerate that pollutant discharge. This is the first ordinance they've adopted that says
26 they don't tolerate discharge into Lake Whatcom other than clean stormwater. Most people
27 who are aware of the law will follow the law. This ordinance will benefit the lake, even
28 without perfect enforcement.
29

30 The motion carried by the following vote:

31 **Ayes:** Brenner, Caskey-Schreiber, Fleetwood, Kelly and Weimer (5)

32 **Nays:** Crawford (1)

33 **Absent:** Nelson (1)
34

35 **3. ORDINANCE ESTABLISHING A NO-SHOOTING ZONE IN THE COLUMBIA**
36 **VALLEY URBAN GROWTH AREA (AB2009-251A)**
37

38 Fleetwood opened the public hearing and the following people spoke:
39

40 Bill Elfo, Whatcom County Sheriff, stated he is in favor of the ordinance. Other
41 shooting zones are established in densely populated areas. The geographic boundaries of
42 this proposed zone are tightly drawn, to not interfere with legitimate recreational shooting.
43 Ninety percent of the people will comply once they know it's illegal. The ordinance will
44 provide deputies another tool to deal with those situations when people are discharging
45 firearms in violation of the ordinance and endangering public safety.
46

47 Norma Otto, 8519 Bluebell Court, Paradise Lakes, stated she agrees with Sheriff Elfo.
48 She thanked Councilmember Crawford for getting this through. The deputies need this tool.
49 Once they put up an informational sign, almost everyone will comply.
50

51 Veronica Dearden, 6373 Overland Trail, Paradise Lakes, stated she thanks the
52 councilmembers. She represents Kendall Watch. She is in favor of the ordinance.
53

1 Hearing no one else, Fleetwood closed the public hearing.

2
3 **Crawford moved** to adopt the ordinance.

4
5 Brenner asked if urban zoning automatically prohibits discharge of firearms unless
6 necessary for protection of life.

7
8 Crawford stated that is not the case. A no shooting zone is applied to a specific area,
9 under a very defined set of rules and regulations. Councilmember Caskey-Schreiber is the
10 co-sponsor of this ordinance. County staff Ty Whitcomb worked very hard on the legal
11 description. He did a great job on it.

12
13 The motion carried by the following vote:

14 **Ayes:** Brenner, Caskey-Schreiber, Crawford, Fleetwood, Kelly and Weimer (6)

15 **Nays:** None (0)

16 **Absent:** Nelson (1)

17
18
19 **CONSENT AGENDA**

20
21 **Crawford** reported for the Finance and Administrative Services Committee and
22 **moved** to approve Consent Agenda items one through 17.

23
24 The motion carried by the following vote:

25 **Ayes:** Brenner, Caskey-Schreiber, Crawford, Fleetwood, Kelly and Weimer (6)

26 **Nays:** None (0)

27 **Absent:** Nelson (1)

- 28
29 **1. REQUEST AUTHORIZATION FOR THE COUNTY EXECUTIVE, AS THE LOCAL**
30 **SPONSOR FOR A COASTAL PROTECTION GRANT, TO ENTER INTO AN**
31 **AGREEMENT WITH THE WASHINGTON STATE DOE TO PROVIDE FUNDING**
32 **FOR THE WHATCOM LAND TRUST TO PURCHASE APPROXIMATELY 65 ACRES**
33 **OF WETLANDS FOR FISH AND WILDLIFE PURPOSES IN THE HEADWATERS**
34 **OF THE SAMISH RIVER, IN THE AMOUNT OF \$21,000 (AB2009-368)**
35
36 **2. REQUEST AUTHORIZATION FOR THE COUNTY EXECUTIVE TO ENTER INTO A**
37 **PURCHASE AND SALE AGREEMENT WITH THE NATURE CONSERVANCY FOR**
38 **THE PURCHASE OF APPROXIMATELY 146 ACRES AT LILY POINT, POINT**
39 **ROBERTS, FOR PARK PURPOSES, IN THE AMOUNT OF \$880,030 (AB2009-**
40 **237A)**
41
42 **3. REQUEST APPROVAL FOR THE COUNTY EXECUTIVE TO ENTER INTO A**
43 **PROJECT AGREEMENT WITH THE WASHINGTON STATE RECREATION AND**
44 **CONSERVATION FUNDING BOARD (RCFB) FOR THE PURCHASE AND**
45 **DEVELOPMENT OF PARK LANDS AT LILY POINT, POINT ROBERTS, IN THE**
46 **AMOUNT OF \$2,499,788 (AB2009-237B)**
47
48 **4. REQUEST APPROVAL FOR THE COUNTY EXECUTIVE TO ENTER INTO A**
49 **CONTRACT AMENDMENT BETWEEN WHATCOM COUNTY AND COMPU-TECH,**
50 **INC. FOR CONTINUING DEVELOPMENT, DESIGN AND TECHNICAL**
51 **DOCUMENTS FOR PHASE 1-3 OF THE JAIL RECORDS MANAGEMENT SYSTEM**
52 **UPGRADE, IN THE AMENDED AMOUNT OF \$15,500, FOR A TOTAL CONTRACT**
53 **AMOUNT OF \$145,500 (AB2009-369)**

- 1
2 5. REQUEST APPROVAL FOR THE COUNTY EXECUTIVE TO ENTER INTO A LEASE
3 AGREEMENT BETWEEN WHATCOM COUNTY AND KATIE CHUGG FOR LEASE
4 OF THE HOUSE LOCATED AT 8894 SILVER LAKE ROAD, MAPLE FALLS, IN THE
5 AMOUNT OF \$660 PER MONTH (AB2009-370)
6
- 7 6. REQUEST APPROVAL FOR THE COUNTY EXECUTIVE TO ENTER INTO A
8 CONTRACT AMENDMENT FOR EXTENSION OF THE TERM OF SERVICES WITH
9 REISNER DISTRIBUTOR, INC. FOR THE PURCHASE AND DELIVERY OF FUEL
10 TO BE USED IN WHATCOM COUNTY EQUIPMENT AND VEHICLES, IN THE
11 AMOUNT OF \$628,427.25 (AB2009-371)
12
- 13 7. REQUEST APPROVAL FOR THE COUNTY EXECUTIVE TO AWARD BID #09-57
14 AND ENTER INTO A CONTRACT WITH LOW BIDDER ASSOCIATED ASPHALT,
15 INC. FOR THE 2009 HOT MIX ASPHALT REPAIRS OF VARIOUS COUNTY
16 ROADS, IN THE AMOUNT OF \$62,789 (AB2009-372)
17
- 18 8. REQUEST APPROVAL FOR THE COUNTY EXECUTIVE TO ENTER INTO A
19 CONTRACT THROUGH THE WASHINGTON STATE CONTRACT WITH NORDISK
20 SYSTEMS FOR THE PURCHASE OF COMPUTER EQUIPMENT TO UPGRADE THE
21 IBM ISERIES MID-RANGE SERVER, IN THE AMOUNT OF \$109,324.07
22 (AB2009-373)
23
- 24 9. REQUEST APPROVAL FOR THE COUNTY EXECUTIVE TO ENTER INTO A
25 CONTRACT BETWEEN WHATCOM COUNTY AND OPPORTUNITY COUNCIL FOR
26 CHILD DEVELOPMENT SERVICES (AB2009-374)
27
- 28 10. REQUEST APPROVAL FOR THE COUNTY EXECUTIVE TO ENTER INTO A
29 CONTRACT BETWEEN WHATCOM COUNTY AND WHATCOM CENTER FOR
30 EARLY LEARNING FOR CHILD DEVELOPMENT SERVICES (AB2009-375)
31
- 32 11. REQUEST APPROVAL FOR THE COUNTY EXECUTIVE TO ENTER INTO A
33 CONTRACT BETWEEN WHATCOM COUNTY AND ADVANCED CHOICES FOR
34 SUBSTANCE ABUSE SERVICES (AB2009-376)
35
- 36 12. REQUEST APPROVAL FOR THE COUNTY EXECUTIVE TO ENTER INTO A
37 CONTRACT BETWEEN WHATCOM COUNTY AND CATHOLIC COMMUNITY
38 SERVICES FOR SUBSTANCE ABUSE SERVICES (AB2009-377)
39
- 40 13. REQUEST APPROVAL FOR THE COUNTY EXECUTIVE TO ENTER INTO A
41 CONTRACT BETWEEN WHATCOM COUNTY AND PIONEER HUMAN SERVICES
42 FOR SUBSTANCE ABUSE SERVICES (AB2009-378)
43
- 44 14. REQUEST APPROVAL FOR THE COUNTY EXECUTIVE TO ENTER INTO A
45 CONTRACT BETWEEN WHATCOM COUNTY AND SEAMAR COMMUNITY
46 HEALTH CENTERS FOR SUBSTANCE ABUSE SERVICES (AB2009-379)
47
- 48 15. REQUEST APPROVAL FOR THE COUNTY EXECUTIVE TO ENTER INTO A
49 CONTRACT BETWEEN WHATCOM COUNTY AND WESTCOAST COUNSELING
50 AND TREATMENT CENTER FOR SUBSTANCE ABUSE SERVICES (AB2009-384)
51
- 52 16. REQUEST APPROVAL FOR THE COUNTY EXECUTIVE TO ENTER INTO A
53 CONTRACT BETWEEN WHATCOM COUNTY AND AMX INTERNATIONAL FOR

1 CONSULTING SERVICES FOR UPGRADE OF THE J.D. EDWARDS SOFTWARE,
2 IN THE AMOUNT OF \$50,000 (AB2009-380)
3

- 4 17. REQUEST AUTHORIZATION FOR THE COUNTY EXECUTIVE TO ENTER INTO A
5 RENEWAL INSURANCE POLICY FOR THE WHATCOM CHIEF FOR THE PERIOD
6 OF 9/30/09 TO 9/30/10, IN THE AMOUNT OF \$63,539.22 (AB2009-381)
7

8
9 **OTHER ITEMS**

- 10
11 1. ORDINANCE AMENDING THE 2009 WHATCOM COUNTY BUDGET, TENTH
12 REQUEST, IN THE AMOUNT OF \$1,098,633 (AB2009-358)
13

14 *Crawford* reported for the Finance and Administrative Services Committee and
15 *moved* to adopt the ordinance.
16

17 The motion carried by the following vote:

18 **Ayes:** Brenner, Caskey-Schreiber, Crawford, Fleetwood, Kelly and Weimer (6)

19 **Nays:** None (0)

20 **Absent:** Nelson (1)
21

- 22 2. REQUEST CONFIRMATION OF THE COUNTY EXECUTIVE'S APPOINTMENT OF
23 KIMBRA MILLER TO THE SUBSTANCE ABUSE ADVISORY BOARD (AB2009-
24 382)
25

26 *Crawford moved* to confirm the request.
27

28 The motion carried by the following vote:

29 **Ayes:** Brenner, Caskey-Schreiber, Crawford, Fleetwood, Kelly and Weimer (6)

30 **Nays:** None (0)

31 **Absent:** Nelson (1)
32

- 33 3. RESOLUTION AUTHORIZING THE PREPARATION OF A REASSESSMENT ROLL
34 FOR PROPERTY WITHIN THE BOUNDARIES OF WHATCOM COUNTY ROAD
35 IMPROVEMENT DISTRICT NO. 2 (MARINELAND LIGHTING DISTRICT)
36 (AB2009-360)
37

38 *Brenner moved* to approve the resolution.
39

40 The motion carried by the following vote:

41 **Ayes:** Brenner, Caskey-Schreiber, Crawford, Fleetwood, Kelly and Weimer (6)

42 **Nays:** None (0)

43 **Absent:** Nelson (1)
44
45

46 **OTHER BUSINESS**

47
48 There was no other business.
49

50
51 **REPORTS AND OTHER ITEMS FROM COUNCILMEMBERS**
52

1 Brenner stated the County needs information for people regarding septic issues, as
2 was discussed earlier. She gets a lot of phone calls about this same problem. People want
3 to obey the law. They need to get something set up. In the meantime, let people know
4 they aren't going to be kicked out of their home or charged a large daily fee, as long as they
5 respond. That's not the message that people are getting from the Health Department.
6 People are frightened. Get a statement from the Health Department for the Council to give
7 to people. The statement should say that people won't lose their homes as long as they
8 respond.
9

10 Caskey-Schreiber stated the Planning Committee will have a special meeting on
11 Tuesday, October 6 from 9:30 a.m. to noon.
12

13
14 **ADJOURN**

15
16 The meeting adjourned at 8:40 p.m.
17
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30

Please contact the Council Office to obtain an
official, signed copy:
360-676-6690 or council@co.whatcom.wa.us

Dana Brown-Davis, Council Clerk

Seth Fleetwood, Council Chair