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WHATCOM COUNTY COUNCIL
Regular County Council

June 22, 2010

CALL TO ORDER

Council Chair Sam Crawford called the meeting to order at 7:07 p.m. in the Council Chambers, 311 Grand Avenue, Bellingham, Washington.

ROLL CALL (7:07:32 PM)

Present: Barbara Brenner, Sam Crawford, Kathy Kershner, Bill Knutzen, Ken Mann, and L. Ward Nelson

Absent: Carl Weimer

FLAG SALUTE

ANNOUNCEMENTS

Crawford announced that there was **discussion regarding the proposed ordinance amending Whatcom County Code 2.02, County Council (AB2010-143A)** and **discussion regarding the proposed ordinance amending Whatcom County Code 2.03, Boards and Commissions (AB2010-143B)** at the Special Committee of the Whole meeting this morning. The Committee did not take any action.

He announced there was also a **Rural Element update - discussion of Growth Management Act requirements and the Planning Commission recommendations (AB2010-072)** during the afternoon Special Committee of the Whole meeting. The Committee did not take any action.

He finally announced **update and discussion regarding Lummi Island Ferry dock negotiations (AB2010-018)** in executive session during the evening Committee of the Whole meeting.

MINUTES CONSENT (7:09:25 PM)

Brenner moved to approve Minutes Consent items one through four.

The motion carried by the following vote:

Ayes: Nelson, Crawford, Brenner, Knutzen, Mann and Kershner (6)

Nays: None (0)

Absent: Weimer (1)

1. **SPECIAL COMMITTEE OF THE WHOLE FOR MAY 25, 2010**
2. **COMMITTEE OF THE WHOLE FOR MAY 25, 2010**

1 **3. REGULAR COUNTY COUNCIL FOR MAY 25, 2010**

2
3 **4. BOARD OF HEALTH FOR JUNE 1, 2010**

4
5
6 **OPEN SESSION** (7:09:54 PM)

7
8 The following people spoke:

- 9 • Eric Hirst, 1932 Rhododendron Way, spoke on cleaning up Lake Whatcom.
- 10 • Kay Sardo, 510 South State Street, submitted a handout (*on file*) and spoke about
- 11 jail expansion and ending homelessness.
- 12 • Barbara Sternberger, 4540 Curtis Road, submitted a handout (*on file*) and spoke
- 13 about jail site review.
- 14 • Dorothy Dale, 741 Chuckanut Drive, spoke on the Women, Infants, and Children
- 15 (WIC) program.
- 16 • John Munson, 2195 Lummi Shore Road, spoke on the WIC program.
- 17 • Bob Marshall, 3122 Alderwood Avenue, spoke on the WIC program.
- 18 • Amanda Grove, 2601 Utter Street, spoke on the WIC program.
- 19 • Betsy Pernotto, 3112 Alderwood Avenue, spoke on the WIC program.
- 20 • Leonard Lindstrom, 2815 West Maplewood, spoke on social issues.
- 21 • Rachel Haley, 1503 McKenzie Avenue, spoke on the WIC program.
- 22 • Marv Prinsen, 3391 Nicole Lane, spoke on the WIC program.
- 23 • Melanie Prinsen, 3391 Nichole Lane, spoke on the WIC program.
- 24 • Ellen Lebitz, 3635 Bay Road, submitted a handout (*on file*) and spoke about WIC
- 25 program.
- 26 • Susan Griffin, citizen, spoke on the WIC program.
- 27 • (*Clerk's Note: The speaker following Susan Griffin requested that his/her testimony*
- 28 *not be included in the minutes.*)
- 29 • Carrie Blackwood, 1123 19th Street, spoke on the WIC program.
- 30 • Teresa Sygitowicz, 3031 Clipper Road, spoke on the Acme Flood Zone and a potential
- 31 wash out.
- 32 • Mark Lowery, 2442 Pheasant Way, spoke on the WIC program.
- 33 • DeAnna Cain, 9042 Dearborn Avenue, submitted a handout (*on file*) and spoke about
- 34 the Harbor Shore rezone.
- 35 • Cyprian Woo, **ADDRESS REDACTED 5/31/2011**, spoke about the Harbor Shore rezone.
- 36 • Phil Hutchings, 9076 Shipyard Lane, submitted a handout (*on file*) and spoke about
- 37 the Harbor Shore rezone.
- 38 • Katheryn McMurdock, 409 Donovan Avenue, spoke on the WIC program.
- 39 • Michael Gleeson, submitted a handout (*on file*) and spoke on E-Verify.
- 40 • Ken Gass, 2107 Evening Star Lane, spoke on the WIC program.
- 41 • Dale Vander Giessen, 9075 Dearborn Avenue, spoke on the Harbor Shore Project.
- 42 • Dennis Jones, 1487 Sudden Valley, spoke on Lake Whatcom.
- 43 • Joan Dow, 5491 Woodfern Lane, spoke on E-Verify.
- 44 • Liz Gleeson, 4761 Mosquito Lake Road, spoke about E-Verify.
- 45 • Deanna Hutchings, 9076 Shipyard Lane, spoke about the rezone of Harbor Shores.
- 46 • Bob Wiesen, 3314 Douglas Road, spoke on the County's cost of development, limited
- 47 areas of more intense rural development (LAMIRDs), and a Lake Whatcom
- 48 moratorium.
- 49 • Fred Kinney, 4164 Legoe Bay, spoke on the Lummi Ferry shut down.
- 50 • Jim Dickinson, 2094 West Shore Drive, spoke on ferry issues.
- 51

1
2 **CONSENT AGENDA** (8:24:39 PM)
3

4 **Mann** reported for the Finance and Administrative Services Committee and **moved**
5 to approve Consent Agenda items one through 12.
6

7 The motion carried by the following vote:

8 **Ayes:** Nelson, Crawford, Brenner, Knutzen, Mann and Kershner (6)

9 **Nays:** None (0)

10 **Absent:** Weimer (1)
11

- 12 1. **REQUEST APPROVAL FOR THE COUNTY EXECUTIVE TO ENTER INTO A**
13 **CONTRACT BETWEEN WHATCOM COUNTY AND WORK OPPORTUNITIES INC.**
14 **(THROUGH FUNDING FROM THE WASHINGTON STATE DEPARTMENT OF**
15 **SOCIAL AND HEALTH SERVICES, DIVISION OF DEVELOPMENTAL**
16 **DISABILITIES) FOR "PATHWAYS TO EMPLOYMENT" AND "COMMUNITY**
17 **ACCESS" SERVICES TO ASSIST INDIVIDUALS WITH DEVELOPMENTAL**
18 **DISABILITIES, IN AN AMOUNT THAT WILL VARY DEPENDING ON NUMBER**
19 **OF CLIENTS AND TYPES OF SERVICES AUTHORIZED (AB2010-245)**
20
- 21 2. **REQUEST APPROVAL FOR THE COUNTY EXECUTIVE TO ENTER INTO A**
22 **CONTRACT BETWEEN WHATCOM COUNTY AND ADVANCEMENT NORTHWEST**
23 **(THROUGH FUNDING FROM THE WASHINGTON STATE DEPARTMENT OF**
24 **SOCIAL AND HEALTH SERVICES, DIVISION OF DEVELOPMENTAL**
25 **DISABILITIES) FOR "PATHWAYS TO EMPLOYMENT" AND "COMMUNITY**
26 **ACCESS" SERVICES TO ASSIST INDIVIDUALS WITH DEVELOPMENTAL**
27 **DISABILITIES, IN AN AMOUNT THAT WILL VARY DEPENDING ON NUMBER**
28 **OF CLIENTS AND TYPES OF SERVICES AUTHORIZED (AB2010-246)**
29
- 30 3. **REQUEST APPROVAL FOR THE COUNTY EXECUTIVE TO ENTER INTO A**
31 **CONTRACT FOR SERVICES BETWEEN WHATCOM COUNTY AND MATERIAL**
32 **TESTING AND CONSULTING, INC. FOR SAMPLE COLLECTION, INSPECTION,**
33 **AND TESTING OF CONCRETE, ASPHALT, AGGREGATES AND OTHER**
34 **CONSTRUCTION MATERIALS TO ENSURE COMPLIANCE WITH**
35 **SPECIFICATIONS ON PUBLIC WORKS PROJECTS, IN AN AMOUNT NOT TO**
36 **EXCEED \$50,000 (AB2010-247)**
37
- 38 4. **REQUEST APPROVAL FOR THE COUNTY EXECUTIVE TO ENTER INTO A**
39 **CONTRACT BETWEEN WHATCOM COUNTY AND SAN JUAN ISLAND**
40 **COMMUTER FOR TEMPORARY PASSENGER FERRY SERVICE BETWEEN**
41 **GOOSEBERRY POINT AND LUMMI ISLAND, IN THE AMOUNT OF \$58,482**
42 **(AB2010-248)**
43
- 44 5. **REQUEST APPROVAL FOR THE COUNTY EXECUTIVE TO ENTER INTO A**
45 **WATER TRANSMISSION LINE EASEMENT BETWEEN WHATCOM COUNTY AND**
46 **MT. BAKER WATER ASSOCIATION, INC. TO RELOCATE AN EXISTING**
47 **WATERLINE AND EASEMENT ON COUNTY PARKS DEPARTMENT PROPERTY**
48 **TO ACCOMMODATE THE CONSTRUCTION OF WSDOT ROUNDABOUT AT THE**
49 **INTERSECTION OF SMITH AND MT. BAKER HIGHWAY (AB2010-249)**
50
- 51 6. **REQUEST APPROVAL FOR THE COUNTY EXECUTIVE TO ENTER INTO A**
52 **CONTRACT BETWEEN WHATCOM COUNTY AND CASCADE VOCATIONAL**
53 **SERVICES (THROUGH FUNDING FROM THE WASHINGTON STATE**

1 DEPARTMENT OF SOCIAL AND HEALTH SERVICES, DIVISION OF
2 DEVELOPMENTAL DISABILITIES) TO PROVIDE "PATHWAYS TO
3 EMPLOYMENT" SERVICES, IN AN AMOUNT THAT WILL VARY DEPENDING ON
4 NUMBER OF CLIENTS AND TYPES OF SERVICES AUTHORIZED (AB2010-250)
5

- 6 7. REQUEST APPROVAL FOR THE COUNTY EXECUTIVE TO ENTER INTO A
7 CONTRACT BETWEEN WHATCOM COUNTY AND SERVICE ALTERNATIVES
8 (THROUGH FUNDING FROM THE WASHINGTON STATE DEPARTMENT OF
9 SOCIAL AND HEALTH SERVICES, DIVISION OF DEVELOPMENTAL
10 DISABILITIES) TO PROVIDE "PATHWAYS TO EMPLOYMENT" AND
11 "COMMUNITY ACCESS" SERVICES, IN AN AMOUNT THAT WILL VARY
12 DEPENDING ON NUMBER OF CLIENTS AND TYPES OF SERVICES
13 AUTHORIZED (AB2010-251)
14

- 15 8. REQUEST APPROVAL FOR THE COUNTY EXECUTIVE TO ENTER INTO A
16 CONTRACT BETWEEN WHATCOM COUNTY AND WASHINGTON VOCATIONAL
17 SERVICES (THROUGH FUNDING FROM THE WASHINGTON STATE
18 DEPARTMENT OF SOCIAL AND HEALTH SERVICES, DIVISION OF
19 DEVELOPMENTAL DISABILITIES) TO PROVIDE "PATHWAYS TO
20 EMPLOYMENT" SERVICES, IN AN AMOUNT THAT WILL VARY DEPENDING ON
21 NUMBER OF CLIENTS AND TYPES OF SERVICES AUTHORIZED (AB2010-252)
22

- 23 9. REQUEST APPROVAL FOR THE COUNTY EXECUTIVE TO ENTER INTO A
24 CONTRACT BETWEEN WHATCOM COUNTY AND KULSHAN SUPPORTED
25 EMPLOYMENT (THROUGH FUNDING FROM THE WASHINGTON STATE
26 DEPARTMENT OF SOCIAL AND HEALTH SERVICES, DIVISION OF
27 DEVELOPMENTAL DISABILITIES) TO PROVIDE "PATHWAYS TO
28 EMPLOYMENT" SERVICES IN AN AMOUNT THAT WILL VARY DEPENDING ON
29 NUMBER OF CLIENTS AND TYPES OF SERVICES AUTHORIZED (AB2010-253)
30

- 31 10. REQUEST APPROVAL FOR THE COUNTY EXECUTIVE TO AWARD BID 10-22
32 TO LOW BIDDER, JANSEN, INC. FOR THE SUPPLY OF LARGE WOODY
33 DEBRIS, IN THE AMOUNT OF \$147,234.50 (AB2010-254)
34

- 35 11. REQUEST APPROVAL FOR THE COUNTY EXECUTIVE TO ENTER INTO A
36 CONTRACT BETWEEN WHATCOM COUNTY AND SOLE SOURCE VENDOR, K&H
37 INTEGRATED PRINT SOLUTIONS, FOR ELECTION ENVELOPES, IN THE
38 AMOUNT OF \$90,155 (AB2010-255)
39

- 40 12. REQUEST APPROVAL FOR THE COUNTY EXECUTIVE TO ENTER INTO A LEASE
41 AGREEMENT BETWEEN WHATCOM COUNTY PARKS AND RECREATION
42 DEPARTMENT AND COLDSTREAM FARM, LLC FOR THE 9 MONTH LEASE OF
43 EAST ACME FARM, IN THE AMOUNT OF \$6,400 (AB2010-259)
44

- 45 13. REQUEST APPROVAL FOR THE COUNTY EXECUTIVE TO ENTER INTO A
46 CONTRACT BETWEEN WHATCOM COUNTY AND WHATCOM COUNTY COUNCIL
47 ON AGING (THROUGH FUNDING FROM THE WASHINGTON STATE
48 DEPARTMENT OF SOCIAL AND HEALTH SERVICES, DIVISION OF
49 DEVELOPMENTAL DISABILITIES) FOR "COMMUNITY ACCESS" SERVICES TO
50 ASSIST INDIVIDUALS WITH DEVELOPMENTAL DISABILITIES, IN AN
51 AMOUNT THAT WILL VARY DEPENDING ON NUMBER OF CLIENTS AND TYPES
52 OF SERVICES AUTHORIZED (AB2010-262) (8:26:02 PM)
53

1 Dewey Desler, Deputy Administrator, stated the document was delayed, but is now
2 complete.
3

4 **Kershner** stated this is a community access service and part of the unemployment
5 program. It is offered to folks with developmental disabilities. It seems the request was
6 accidentally omitted from the packet. She **moved** to approve the request.
7

8 The motion carried by the following vote:

9 **Ayes:** Nelson, Crawford, Brenner, Knutzen, Mann and Kershner (6)

10 **Nays:** None (0)

11 **Absent:** Weimer (1)
12
13

14 OTHER ITEMS

15
16 **1. ORDINANCE AMENDING THE 2010 WHATCOM COUNTY BUDGET, TWELFTH**
17 **REQUEST, IN THE AMOUNT OF \$1,109,001 (AB2010-239) (8:28:00 PM)**
18

19 **Mann** reported for the Finance and Administrative Services Committee and **moved**
20 to adopt the ordinance.
21

22 The motion carried by the following vote:

23 **Ayes:** Nelson, Crawford, Brenner, Knutzen, Mann and Kershner (6)

24 **Nays:** None (0)

25 **Absent:** Weimer (1)
26

27 **2. NOMINATION AND POSSIBLE APPOINTMENT TO FILL A VACANCY ON THE**
28 **WHATCOM COUNTY SOLID WASTE ADVISORY BOARD, REPRESENTING**
29 **SOLID WASTE DISPOSAL FACILITY – APPLICANT: PETE EDWARDS**
30 **(AB2010-242) (8:28:29 PM)**
31

32 *(Clerk's Note: The Council may approve a motion to suspend the rules and nominate*
33 *and appoint this evening, with a two-thirds affirmative vote of the entire Council.)*
34

35 **Brenner moved** to suspend the rules to nominate.
36

37 The motion carried by the following vote:

38 **Ayes:** Nelson, Crawford, Brenner, Knutzen, Mann and Kershner (6)

39 **Nays:** None (0)

40 **Absent:** Weimer (1)
41

42 **Knutzen moved** to appoint Pete Edwards.
43

44 The motion carried by the following vote:

45 **Ayes:** Nelson, Crawford, Brenner, Knutzen, Mann and Kershner (6)

46 **Nays:** None (0)

47 **Absent:** Weimer (1)
48

49 **3. REQUEST CONFIRMATION OF THE COUNTY EXECUTIVE'S APPOINTMENT OF**
50 **ATINA CASAS TO THE WHATCOM COUNTY MARINE RESOURCES COMMITTEE**
51 **(AB2010-256) (8:30:15 PM)**
52

53 **Mann moved** to confirm the appointment.

1
2 The motion carried by the following vote:

3 **Ayes:** Nelson, Crawford, Brenner, Knutzen, Mann and Kershner (6)

4 **Nays:** None (0)

5 **Absent:** Weimer (1)

6
7 **4. RESOLUTION IN SUPPORT OF CONTINUING THE MULTI-AGENCY**
8 **COORDINATION CENTER IN WHATCOM COUNTY (AB2010-243) (8:30:44 PM)**
9

10 ***Brenner moved*** to approve the resolution.

11
12 Mann asked how much this is going to cost.

13
14 Dewey Desler, Deputy Administrator, stated it hasn't cost the County anything. The
15 Federal Government invested a lot of money in the facility. The County is keeping the
16 facility from going dark, so there aren't extensive expenses. The Center is used as a
17 command center. In the future, it's available to all agencies that participated in this
18 program in the past. Personnel from different jurisdictions are operating out of the center.
19 The Center is really the new emergency command center for this area.

20
21 Pete Kremen, County Executive, stated it would be helpful for the councilmembers to
22 see the Center. It is one of the top five emergency centers in the country. It is a state-of-
23 the-art center, provided for the Olympics. The facility will help with all kinds of
24 emergencies for all responders. To fully appreciate the facility, they have to see it. It gives
25 the County more opportunity to work cohesively and collaboratively with all the law
26 enforcement and emergency responders. They are very fortunate. It is as real bargain for
27 the County.

28
29 The motion carried by the following vote:

30 **Ayes:** Nelson, Crawford, Brenner, Knutzen, Mann and Kershner (6)

31 **Nays:** None (0)

32 **Absent:** Weimer (1)

33
34 **5. REQUEST APPROVAL TO SEND A LETTER IN SUPPORT OF THE OPPORTUNITY**
35 **COUNCIL'S APPLICATION FOR A HOUSING PRESERVATION GRANT, IN AN**
36 **AMOUNT UP TO \$100,000 (AB2010-027) (8:35:08 PM)**
37

38 ***Crawford*** stated this is a letter for the Opportunity Council. The County isn't
39 applying for a grant. The Council should show support for this grant application. He
40 ***moved*** to approve the request.

41
42 ***Brenner suggested a friendly amendment*** to move the last sentence to the
43 beginning of the letter with the first sentence. They already know the Opportunity Council
44 applied.

45
46 ***Crawford accepted*** the friendly amendment. They can rearrange the sentences
47 tomorrow, and he will resign it.

48
49 The motion carried by the following vote:

50 **Ayes:** Nelson, Crawford, Brenner, Knutzen, Mann and Kershner (6)

51 **Nays:** None (0)

52 **Absent:** Weimer (1)

1
2 **INTRODUCTION ITEMS** (8:37:50 PM)
3

4 *Nelson moved* to accept the Introduction Items.
5

6 Mann stated the Harbor Shores ordinance is just being introduced tonight. They
7 aren't making that decision tonight.
8

9 The motion carried by the following vote:

10 **Ayes:** Nelson, Crawford, Brenner, Knutzen, Mann and Kershner (6)

11 **Nays:** None (0)

12 **Absent:** Weimer (1)
13

- 14 1. **ORDINANCE ESTABLISHING PARKING RESTRICTIONS ON LOCUST AVENUE**
15 **(AB2010-257)**
16
17 2. **ORDINANCE AMENDING THE WHATCOM COUNTY COMPREHENSIVE PLAN**
18 **AND ZONING MAP FOR PROPERTY KNOWN AS HARBOR SHORES LOCATED**
19 **ON BLAINE ROAD, SOUTH OF DAKOTA CREEK (AB2010-258)**
20
21

22 **OTHER BUSINESS** (8:38:36 PM)
23

24 There was no other business.
25
26

27 **REPORTS AND OTHER ITEMS FROM COUNCILMEMBERS** (8:38:50 PM)
28

29 Kershner stated she has been appointed to the Washington State Association of
30 Counties Steering Committee.
31

32 Nelson stated he won't be able to attend the Health Committee meeting next week.
33

34 Crawford stated he will attend the State Transportation Improvement Board meeting
35 tomorrow night. The Executive Director resigned to go work in the private sector.
36
37

38 **ADJOURN**
39

40 The meeting adjourned at 8:40 p.m.
41
42
43

44 Please contact the Council Office to obtain an
45 official, signed copy:
46 360-676-6690 or council@co.whatcom.wa.us
47
48

49 _____
50 Dana Brown-Davis, Council Clerk

51 _____
52 Sam Crawford, Council Chair