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WHATCOM COUNTY COUNCIL
Finance and Administrative Services Committee

January 26, 2010

CALL TO ORDER

Committee Member Carl Weimer called the meeting to order at 11:00 a.m. in the Council Chambers, 311 Grand Avenue, Bellingham, Washington.

ROLL CALL

Present: Kathy Kershner, Ken Mann and Carl Weimer
Absent: None
Also Present: Barbara Brenner, Bill Knutzen, L. Ward Nelson, and Sam Crawford

SPECIAL ORDER OF BUSINESS

1. ELECTION OF COMMITTEE CHAIR (AB2010-021)

Mann nominated Kathy Kershner.

Kershner declined the nomination and nominated Ken Mann.

The nominated carried by the following vote:

Ayes: Kershner and Weimer (2)
Nays: None (0)
Abstain: Mann (1)

COMMITTEE DISCUSSION AND RECOMMENDATION TO COUNCIL

1. ORDINANCE AMENDING THE 2010 WHATCOM COUNTY BUDGET, FIFTH REQUEST, IN THE AMOUNT OF \$599,233 (AB2010-051)

Dewey Desler, Deputy Administrator, gave a staff report and answered questions.

Weimer moved to recommend approval to the full Council.

Discussion included the reduction to the Superior Court in the amount of \$250,000 and the status of that funding problem; who is going to the emergency medical service (EMS) training; why it is taking so long for the paramedics who completed training to become certified; why paramedic training moved from Bellingham Technical College (BTC) to Western Washington University and became a closed program; filing an action because of Dr. Wayne's potential conflict of interest; getting a legal opinion on whether Western Washington University can discriminate against who can take the training course; funding the City Fire District after the County paramedics are certified; no longer funding Medic One, and; how the State Department of Health appoints the position that Dr. Wayne holds now.

1 **Kershner suggested a friendly amendment** to strike item 14 from the
2 supplemental budget request.

3
4 **Weimer did not accept** the friendly amendment.

5
6 **Kershner moved** to amend the motion to strike item 14, the EMS training funding
7 request, from the supplemental budget request.

8
9 Mann stated he would like to have a more detailed discussion with Dr. Wayne, Fire
10 District 7 representatives, the Prosecuting Attorney's Office, the Sheriff's Office, and other
11 parties regarding the EMS system and this request. Desler stated he will invite Dr. Wayne
12 to the next meeting. He will also invite the fire chiefs from District 7 and Bellingham and
13 their staff. If the committee would like, he can also invite someone from Western
14 Washington University or BTC to talk about the training program. The committee should
15 plan on taking an hour for this topic.

16
17 The motion to amend carried by the following vote:

18 **Ayes:** Kershner and Mann (2)

19 **Nays:** Weimer (1)

20
21 Discussion continued and included funding to the Planning and Development Services
22 (PDS) Department regarding permit fees; not applying item five regarding an across-the-
23 board cut to the Sheriff's Office, and reviewing specific programs in lieu of an across-the-
24 board budget cut to all departments; using conservation futures funds to supplement things
25 that happen in 2010; funding for Superior Court, and; whether the County Charter allows
26 the Council to add items to the supplemental budget request.

27
28 **Weimer moved** to amend to add the \$250,000 for Superior Court, with the
29 condition that none of the money be spent until the Council hears from the task force that
30 the administration formed. This is their only chance to add that money to Superior Court.

31
32 The motion to amend carried by the following vote:

33 **Ayes:** Mann and Weimer (2)

34 **Nays:** Kershner (1)

35
36 The motion to recommend approval as amended carried by the following vote:

37 **Ayes:** Kershner, Mann and Weimer (3)

38 **Nays:** None (0)

39
40 **2. REQUEST APPROVAL FOR THE COUNTY EXECUTIVE TO ENTER INTO A**
41 **PROFESSIONAL SERVICES AGREEMENT BETWEEN WHATCOM COUNTY AND**
42 **NORTHWEST HYDRAULIC CONSULTANTS FOR ENGINEERING DESIGN OF AN**
43 **INTEGRATED FISH HABITAT AND FLOOD PROJECT ON THE SOUTH FORK**
44 **NOOKSACK RIVER NEAR ACME, IN THE AMOUNT OF \$73,000 (AB2009-057)**

45
46 *(Clerk's Note: Council Acting as the Whatcom County Flood Control Zone District*
47 *Board of Supervisors)*

48
49 **Weimer moved** to recommend approval to the full Council.

50
51 Paula Cooper, Public Works Department, gave a staff report. The Flood Control
52 Zone District Advisory Committee recommends a cost share of 85/15 percent. Eighty-five

1 percent will be covered by a Salmon Recovery Funding (SRF) Board grant. Fifteen percent
2 will be divided among the subzones, flood control zone district, and County.
3

4 The motion carried by the following vote:

5 **Ayes:** Kershner, Mann and Weimer (3)

6 **Nays:** None (0)
7

8 **3. REQUEST APPROVAL FOR THE COUNTY EXECUTIVE TO ENTER INTO A JOINT**
9 **FUNDING AGREEMENT BETWEEN WHATCOM COUNTY AND US DEPARTMENT**
10 **OF INTERIOR, US GEOLOGICAL SURVEY FOR OPERATION AND**
11 **MAINTENANCE OF STREAM FLOW AND WATER TEMPERATURE GAGES IN**
12 **BERTRAND CREEK IN THE AMOUNT OF \$18,800 (AB2010-058)**
13

14 *(Council Acting As the Whatcom County Flood Control Zone District Board of*
15 *Supervisors)*
16

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

19 The motion carried by the following vote:

20 **Ayes:** Kershner, Mann and Weimer (3)

21 **Nays:** None (0)
22

23 **4. REQUEST APPROVAL FOR THE COUNTY EXECUTIVE TO ENTER INTO A**
24 **CONTRACT BETWEEN WHATCOM COUNTY AND BROWN AND CALDWELL**
25 **ENVIRONMENTAL ENGINEERS & CONSULTANTS FOR LAKE WHATCOM**
26 **PHOSPHORUS AND BACTERIA TMDL ASSISTANCE, IN THE AMOUNT OF**
27 **\$329,204 (AB2010-035)**
28

29 *(Clerk's Note: This item was withdrawn from the agenda.)*
30

31 Nelson asked why this item was withdrawn.
32

33 The following people answered questions:

- 34 • Dewey Desler, Deputy Administrator, stated they are renegotiating the
35 agreement.
- 36 • Jon Hutchings, Public Works Department.
37

38 Discussion included whether the formulation of the outcome is driven somewhat by
39 the State Department of Ecology (DOE); the intent of the work proposed under this
40 contract; how they will ensure the contractor can meet DOE's criteria and how the facts and
41 assumptions are measurable and quantifiable to the concerns of the citizens and County;
42 whether they can quantify the phosphorus loads to the public; whether the response should
43 be different depending on the amount of phosphorus going into the different basins of the
44 lake, and; having an update on the water resource inventory area (WRIA) and water rights.
45
46

47 **COUNCIL "CONSENT AGENDA" ITEMS**
48

49 **1. REQUEST APPROVAL FOR THE COUNTY EXECUTIVE TO ENTER INTO A**
50 **MEMORANDUM OF UNDERSTANDING BETWEEN WHATCOM COUNTY AND**
51 **WASHINGTON STATE UNIVERSITY TO CONTINUE THE JOINT SHARING OF**
52 **COSTS FOR A FACULTY POSITION FOR WHATCOM COUNTY EXTENSION IN**
53 **2010, IN THE AMOUNT OF \$83,542 (AB2010-036)**

1
2 **Weimer moved** to recommend approval to the full Council.
3

4 The following person answered questions:

- 5 • Craig MacConnell, Cooperative Extension
6

7 Discussion included working on the water rights issue and asking Washington State
8 University (WSU) Cooperative Extension employees to take a salary deduction, as County
9 residents have.
10

11 The motion carried by the following vote:

12 **Ayes:** Kershner, Mann and Weimer (3)

13 **Nays:** None (0)
14

15 **2. REQUEST APPROVAL FOR THE COUNTY EXECUTIVE TO ENTER INTO A**
16 **CONTRACT BETWEEN WHATCOM COUNTY AND SUSTAINABLE CONNECTIONS**
17 **FOR PROVISION OF GREEN BUILDING AND RESOURCE CONSERVATION**
18 **OUTREACH SERVICES IN 2010, IN THE AMOUNT OF \$20,000 (AB2010-037)**
19

20 **Weimer moved** to recommend approval to the full Council.
21

22 The following people spoke:

- 23 • Dewey Desler, Deputy Administrator, answered questions.
- 24 • Derek Long, Sustainable Connections Executive Director, gave a staff report
25 on programs.
26

27 Discussion included where this money comes from considering that this program is
28 an elective, not mandatory; allowing a private agency to fund this program; benefits
29 received from Sustainable Connections, and; administrator fees on grants.
30

31 The motion carried by the following vote:

32 **Ayes:** Kershner, Mann and Weimer (3)

33 **Nays:** None (0)
34

35 **3. REQUEST APPROVAL FOR THE COUNTY EXECUTIVE TO ENTER INTO A**
36 **CONTRACT BETWEEN WHATCOM COUNTY AND BELLINGHAM FOOD BANK**
37 **FOR THE COLLECTION, WAREHOUSING, AND DISTRIBUTION OF FOOD TO**
38 **LOCAL FOOD BANKS, IN THE AMOUNT OF \$50,000 (AB2010-038)**
39

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

42 Crawford stated consider reducing this expenditure. The County is spending money
43 faster than it is taking in. It is time to make cuts. These programs are laudable and
44 worthy, but elective.
45

46 Discussion included taking a more comprehensive look at the budget; the history of
47 this program; this program providing an essential service to the community, including
48 children; how a person qualifies to receive food from the Food Bank, and; funding from
49 other agencies to the Food Bank.
50

51 The following person spoke:

- 52 • Dewey Desler, Deputy Administrator, answered questions.
53

1 The motion carried by the following vote:

2 **Ayes:** Kershner, Mann and Weimer (3)

3 **Nays:** None (0)

- 4
- 5 **4. REQUEST APPROVAL FOR THE COUNTY EXECUTIVE TO ENTER INTO A**
6 **CONTRACT BETWEEN WHATCOM COUNTY AND WHATCOM VOLUNTEER**
7 **CENTER FOR THE PROVISION OF VOLUNTEER SERVICES, IN THE AMOUNT OF**
8 **\$35,000 (AB2010-039)**

9

10 *Weimer moved* to recommend approval to the full Council.

11

12 Crawford stated his comments are the same as with the previous agenda item.
13 Consider reducing this expenditure. The County is spending money faster than it is taking
14 in. It is time to make cuts. These programs are laudable and worthy, but elective.

15

16 The motion carried by the following vote:

17 **Ayes:** Mann and Weimer (2)

18 **Nays:** Kershner (1)

- 19
- 20 **5. REQUEST AUTHORIZATION FOR THE COUNTY EXECUTIVE TO ENTER INTO**
21 **PROJECT AGREEMENT AMENDMENT #1 WITH THE WASHINGTON STATE**
22 **RECREATION AND CONSERVATION FUNDING BOARD (RCFB) TO INCREASE**
23 **THE AMOUNT OF STATE FUNDING FOR THE ACQUISITION OF LILY POINT BY**
24 **\$436,885 WITH A CORRESPONDING REDUCTION IN THE PROJECT SPONSOR**
25 **MATCH AMOUNT (AB2010-059)**

26

27 *Weimer moved* to recommend approval to the full Council.

28

29 The motion carried by the following vote:

30 **Ayes:** Kershner, Mann and Weimer (3)

31 **Nays:** None (0)

- 32
- 33 **6. REQUEST AUTHORIZATION FOR THE COUNTY EXECUTIVE TO ENTER INTO A**
34 **RESIDENTIAL LEASE AGREEMENT WITH DAVID FLARRY AND EMILY SMITH**
35 **TO LEASE 5236 NIELSEN AVE., FERNDALE IN THE TENNANT LAKE**
36 **INTERPRETIVE CENTER, IN THE AMOUNT OF \$650 PER MONTH (AB2010-**
37 **060)**

38

39 *Weimer moved* to recommend approval to the full Council.

40

41 The motion carried by the following vote:

42 **Ayes:** Kershner, Mann and Weimer (3)

43 **Nays:** None (0)

- 44
- 45 **7. REQUEST APPROVAL FOR THE COUNTY EXECUTIVE TO WAIVE BID**
46 **REQUIREMENTS AND ENTER INTO A CONTRACT BETWEEN WHATCOM**
47 **COUNTY AND DOMESTIC VIOLENCE & SEXUAL ASSAULT SERVICES FOR THE**
48 **PROVISION OF ASSISTANCE TO SUPPORT AND REPRESENT THE**
49 **COMMISSION AGAINST DOMESTIC VIOLENCE. IN THE AMOUNT OF \$45,000**
50 **(AB2010-061)**

51

52 *Weimer moved* to recommend approval to the full Council.

1 Kershner stated she would like to know the percentage of the operating costs this
2 funding represents.

3
4 Crawford stated they are all aware of the cost of domestic violence to local society.
5 Continue funding this item.

6
7 The motion carried by the following vote:

8 **Ayes:** Kershner, Mann and Weimer (3)

9 **Nays:** None (0)

10
11 **8. RESOLUTION CANCELING UNCOLLECTIBLE PERSONAL PROPERTY TAXES**
12 **(AB2010-062)**

13
14 *Weimer moved* to recommend approval to the full Council.

15
16 The motion carried by the following vote:

17 **Ayes:** Kershner, Mann and Weimer (3)

18 **Nays:** None (0)

19
20 **9. RESOLUTION APPROVING THE TREASURER'S ANNUAL LIST OF PROPERTY**
21 **TAX REFUNDS CONSISTENT WITH RCW 84.69.020 (AB2010-063)**

22
23 *Weimer moved* to recommend approval to the full Council.

24
25 The motion carried by the following vote:

26 **Ayes:** Kershner, Mann and Weimer (3)

27 **Nays:** None (0)

28
29 **10. REQUEST APPROVAL FOR THE COUNTY EXECUTIVE TO ENTER INTO A GRANT**
30 **AGREEMENT BETWEEN WHATCOM COUNTY AND WASHINGTON STATE**
31 **DEPARTMENT OF ECOLOGY FOR COORDINATED PREVENTION GRANT**
32 **ACTIVITIES TO INCLUDE THE OPERATION OF THE DISPOSAL OF TOXICS**
33 **FACILITY, IN THE AMOUNT OF \$234,577 (AB2010-064)**

34
35 *Weimer moved* to recommend approval to the full Council.

36
37 The motion carried by the following vote:

38 **Ayes:** Kershner, Mann and Weimer (3)

39 **Nays:** None (0)

40
41 **11. REQUEST APPROVAL FOR THE COUNTY EXECUTIVE TO ENTER INTO A**
42 **CONTRACT BETWEEN WHATCOM COUNTY AND CATHOLIC COMMUNITY**
43 **SERVICES FOR JUVENILE COURT BEHAVIORAL HEALTH SPECIALIST**
44 **SERVICES, IN THE AMOUNT OF \$95,000 (AB2010-065)**

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

47
48 The motion carried by the following vote:

49 **Ayes:** Kershner, Mann and Weimer (3)

50 **Nays:** None (0)

51
52 **12. REQUEST AUTHORIZATION FOR THE EXECUTIVE TO APPROVE THE**
53 **PURCHASE OF AN ANNUAL SUPPLY (ON AN AS NEEDED BASIS) OF ASPHALT**

1 PRODUCTS UTILIZING WASHINGTON STATE CONTRACT; VENDORS ARE
2 ALBINA ASPHALT, ARROW CONSTRUCTION SUPPLY, PARTNER
3 CONSTRUCTION PRODUCTS, AND SPECIAL ASPHALT PRODUCTS, IN THE
4 AMOUNT OF APPROXIMATELY \$40,000 (AB2010-066)
5

6 *Weimer moved* to recommend approval to the full Council.
7

8 The motion carried by the following vote:

9 **Ayes:** Kershner, Mann and Weimer (3)

10 **Nays:** None (0)
11

- 12 **13. REQUEST AUTHORIZATION FOR THE EXECUTIVE TO APPROVE THE**
13 **PURCHASE OF THE ANNUAL 2010 SUPPLY OF GLASS BEADS FOR TRAFFIC**
14 **LINE MARKING PAINT USING WASHINGTON STATE CONTRACT AND**
15 **VENDORS ALPINE PRODUCTS AND POTTERS INDUSTRIES, IN THE AMOUNT**
16 **OF APPROXIMATELY \$77,000 (AB2010-067)**
17

18 *Weimer moved* to recommend approval to the full Council.
19

20 The motion carried by the following vote:

21 **Ayes:** Kershner, Mann and Weimer (3)

22 **Nays:** None (0)
23

- 24 **14. REQUEST AUTHORIZATION FOR THE EXECUTIVE TO APPROVE THE**
25 **PURCHASE OF THE 2010 ANNUAL SUPPLY OF LIGNOSITE FOR DUST**
26 **CONTROL ON COUNTY ROADS ON AN AS NEEDED BASIS FROM SOLE VENDOR**
27 **MEENDERINCK, LLC, IN THE AMOUNT OF \$25,000 (AB2010-068)**
28

29 *Weimer moved* to recommend approval to the full Council.
30

31 The motion carried by the following vote:

32 **Ayes:** Kershner, Mann and Weimer (3)

33 **Nays:** None (0)
34

- 35 **15. REQUEST AUTHORIZATION FOR THE EXECUTIVE TO APPROVE THE**
36 **PURCHASE OF LUBRICANTS USING WASHINGTON STATE CONTRACT AND**
37 **VENDOR CONOCO PHILLIPS 76/REISNER DISTRIBUTOR, IN AN AMOUNT**
38 **THAT COULD EXCEED \$35,000 (AB2010-069)**
39

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

42 The motion carried by the following vote:

43 **Ayes:** Kershner, Mann and Weimer (3)

44 **Nays:** None (0)
45

- 46 **16. REQUEST AUTHORIZATION FOR THE EXECUTIVE TO APPROVE THE**
47 **PURCHASE OF THE ANNUAL 2010 SUPPLY OF CARQUEST AND NAPA AUTO**
48 **PARTS FROM LOCAL FRANCHISE DEALERS ON AN AS NEEDED BASIS USING**
49 **WASHINGTON STATE CONTRACT, IN AN AMOUNT THAT WILL EXCEED**
50 **\$35,000 (AB2010-070)**
51

52 *Weimer moved* to recommend approval to the full Council.
53

1 Discussion included the purpose of the wording, "in an amount that will exceed."
2

3 The motion carried by the following vote:

4 **Ayes:** Kershner, Mann and Weimer (3)

5 **Nays:** None (0)
6

7 **17. REQUEST AUTHORIZATION FOR THE EXECUTIVE TO ENTER INTO AN**
8 **INTERLOCAL AGREEMENT BETWEEN WHATCOM COUNTY AND WHATCOM**
9 **COUNCIL OF GOVERNMENTS FOR THE DELIVERY OF SERVICES THROUGH**
10 **THE SMART TRIPS PROGRAM IN THE AMOUNT OF \$60,000 (AB2010-071)**

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

13
14 The following person spoke:

- 15 • Dewey Desler, Deputy Administrator, answered questions.
16

17 Discussion included whether it is from the American Recovery and Reinvestment
18 money; which programs this money funds, and; scheduling a Council presentation on this
19 program.
20

21 Kershner stated this seems like a wasteful program. It doesn't create sustainable
22 jobs.
23

24 The motion carried by the following vote:

25 **Ayes:** Kershner, Mann and Weimer (3)

26 **Nays:** None (0)
27

28
29 **OTHER BUSINESS**

30
31 There was no other business.
32

33
34 **ADJOURN**

35
36 The meeting adjourned at 12:44 p.m.
37
38

39
40 Please contact the Council Office to obtain an
41 official, signed copy:
42 360-676-6690 or council@co.whatcom.wa.us
43
44
45
46

47
48 _____
49 Dana Brown-Davis, Council Clerk

Ken Mann, Committee Chair