

WHATCOM COUNTY COUNCIL ACTION TAKEN

February 23, 2010

ANNOUNCEMENTS

1. Update and discussion of Lummi Island ferry dock negotiations (AB2010-078) **Reported**
2. Consideration of appeal of Hearing Examiner's decision on File No. APL2009-0011, filed by Royce Buckingham on behalf of Whatcom County, regarding the applicant's (Mark and Tara Wright) request to appeal certain conditions in a Notice of Preliminary Short Plat approval (AB2009-502) **Hearing Examiner Upheld 7-0**
3. Consideration of appeal of Hearing Examiner's decision on File No. APL2008-0037, filed by Dannon Traxler on behalf of Paul Van de Velde, regarding the administrative determination set forth in a Notice of Violation of the Shoreline Management Program (AB2009-397) **Hearing Examiner Upheld 7-0**
5. Ordinance clarifying the applicability of Agricultural Protection Overlay (APO) by including the area of adjoining road rights-of-way in the calculations of parcel acreage for APO zone (AB2010-049) **Adopted 6-1, Brenner Opposed Ord#2010-012**

CONSENT AGENDA

1. Request approval for the County Executive to enter into a contract amendment between Whatcom County and SMR Consulting for assistance to Health Department staff in monitoring the Department's Human Services contracts in the amount of \$10,000 (AB2010-104) **Approved 7-0**
2. Request approval for the County Executive to enter into a contract between Whatcom County and SeaMar Community Health Centers for provision of outpatient mental health treatment services to county residents (AB2010-105) **Approved 7-0**
3. Request approval for the County Executive to enter into a contract between Whatcom County and the Meridian School District for provision of behavioral health services within Meridian School District in the amount of \$82,500 (AB2010-106) **Approved 7-0**
4. Request approval for the County Executive to enter into a contract between Whatcom County and the Blaine School District for provision of behavioral health services within Blaine School District in the amount of \$82,500 (AB2010-107) **Approved 7-0**
5. Request approval for the County Executive to enter into a contract between Whatcom County and the Nooksack School District for provision of behavioral health services within Nooksack School District in the amount of \$82,500 (AB2010-108) **Approved 7-0**
6. Request approval for the County Executive to enter into a lease renewal between Whatcom County and Northwest Wildlife Rehabilitation Center for the purpose of leasing and operating a public wildlife rehabilitation facility at the County's Nugent's Corner River Access site in the amount of \$83.46 per month (AB2010-109) **Approved 7-0**

OPEN SESSION

PUBLIC HEARINGS

1. Ordinance amending Whatcom County Code 24.05, On-Site Sewage System (OSS) Regulations, to allow for self evaluation of OSS by homeowners (introduced February 9 and revised with minor amendments at the February 16 Health Committee meeting) (AB2009-135A) **Council acting as the Whatcom County Health Board**
Amended & Adopted 5-2, Mann & Weimer Opposed, Ord#2010-009
2. Ordinance repealing Ordinance #2004-049 and amending the Official Whatcom County Zoning Map for an area of Birch Bay (AB2010-102) **Adopted 6-1**
Weimer Opposed, Ord#2010-010
3. Ordinance imposing an interim moratorium on the acceptance of new application for divisions of land resulting in lots smaller than five acres within the Lake Whatcom Watershed (AB2010-101)
Adopted 6-1, Crawford Opposed
Ord#2010-011
4. Ordinance clarifying and revising the definition and standards of accessory apartments and second cooking facilities within Whatcom County's zoning code, Title 20 (AB2010-048)
Amended, Public Hearing to be
Scheduled 3/16

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7. Resolution amending CRP No. 905017 and authorizing additional funds for the award of a contract for Clearbrook Road Johnson Creek Bridge No. 32 Replacement to Tiger Construction, Ltd. as low bidder in the amount of \$391,067.87 (AB2010-110)

Approved 7-0, Res#2010-007

8. Request approval for the County Executive to enter into an interlocal agreement between Whatcom County and Whatcom County Housing Authority for the purpose of funding a records clerk position to assist in collecting, organizing and preparing data and reports relevant to Housing Authority properties and tenants in the amount of \$54,820 (AB2010-111)

Adopted 7-0

9. Summary and request for support of 2011 Congressional Appropriation Requests (AB2010-112)

Adopted 7-0

OTHER ITEMS

1. Ordinance amending the Whatcom County 2010 Project Budget, first request, in the amount of \$1,464,253 (AB2010-096)

**Adopted 5-2, Brenner & Mann Opposed
Ord#2010-013**

2. Ordinance amending the 2010 Whatcom County Budget, seventh request, in the amount of \$1,985,140 (AB2010-097)

**Adopted 6-1, Brenner Opposed
Ord#2010-014**

3. Nominations and appointment to fill a Whatcom County Planning Commission District 2 vacancy (partial term ending 12/31/2012) –applicants, as of February 17, 2010, are: Richard Banel, Donald Knutzen,

Mary Kay Robinson, Mary Beth Teigrob, Scott Thompson (AB2010-053) **(Council may approve a motion to suspend the rules and nominate and appoint this evening, with a two-thirds affirmative vote of the entire council)**

All applicants nominated, including Terry Shiley - Appointments will be made at the March 16 meeting.

4. Nomination and appointment to fill vacancy on Open Space Advisory Board – applicant: Ryan McKee (AB2010-103) **(Council may approve a motion to suspend the rules and nominate and appoint this evening, with a two-thirds affirmative vote of the entire council)**

Ryan McKee Appointed 7-0

5. Request confirmation of the County Executive’s appointment of Keats Garmin to the Marine Resource Advisory Committee (AB2010-115)

Confirmed 7-0

OTHER BUSINESS

1. Emergency Ordinance imposing a moratorium on the acceptance of new applications for Wind Energy Systems (WES) greater than 500 kilowatts, or multiple WES per parcel with a cumulative rated output above 100 kilowatts, and declaring an emergency. **Adopted 6-1, Mann Opposed
Ord#2010-015**

REPORTS AND OTHER ITEMS FROM COUNCILMEMBERS

ADJOURN

UPCOMING MEETINGS AND EVENTS (PLEASE CALL TO CONFIRM):

March 2, 2010	Health Board meeting, 10:30 a.m., Council Chambers
March 16, 2010	Regular council and committee meetings, Council Chambers
March 23, 2010	Surface Water Work Session, 10:30 a.m., Civic Center Building
March 30, 2010	Regular council and committee meetings, Council Chambers
April 13, 2010	Regular council and committee meetings, Council Chambers
April 20, 2010	Health Committee, 9:00 a.m., Civic Center Building
April 27, 2010	Regular council and committee meetings, Council Chambers