

**Foothills Subarea Plan Advisory Committee
Meeting Summary**

Kendall Elementary School Library
Wednesday, October 24, 2007

Committee members in attendance:

Richard Banel
Jan Eskola
Amy Mower
Bill Coleman
Sean Wilson

Phil Cloward, Vice Chair
Gary Gehling, Chair
Norma Otto
Cindy Purdy

Determination of Quorum

Gary Gehling called the meeting to order; a determination of a quorum was made.

Public Comment – First Period

Max Duncan stated his appreciation for the time and effort that the committee has invested in the draft subarea plan and in the interest of civility amongst those who disagree I would like to recognize the effort of the members as individuals who took the time to serve. He means that sincerely. You spent a lot of time with this. As a community member and in occasional attendance at these meetings and a participant at both the community workshop and a respondent to the questionnaire, he understands the clear mandate from a substantial portion of the community was to maintain the rural character of this area. Rural character was not an assignment to be achieved as part of a mission to encourage growth but rather a guiding principal and a central statement from the visioning process that you commissioned. In reading the draft I see much evidence of hard work and good intentions evidenced by individual components but I believe the plan as a whole failed the central assignment from your community. My impression from following the process, attending some of the meetings, talking with my representatives on the committee, and now reading the results in your draft and draft summary, this outcome has occurred in a series of incremental steps that systematically placed the vision of a growing Columbia Valley development ahead of the qualities that make the foothills the location so many of us want to spend the rest of our lives.

Finally, let me say this. The business plan for this Urban Growth Area comes at a time when the US dollar is falling against Canadian currency. The price of gasoline and other transportation is rising and our immediate local community's economy is far from providing a family wage income for the population we have, let alone the high side estimates this committee supported for the future. In addition, the vision of the population center you propose is not consistent with historical trends that have attracted people driving this far out into the county. In other words, I am talking about lots in Columbia Valley that were cheap or they wanted to live in a rural setting on a larger chunk of land. Please look at the history of the poorly conceived development in the Columbia Valley. Are you sure the vision of development you support has a solid business plan. Alternately, look at any number of urban developments that were prime farm, forest, and recreation land 30 years ago along the I-5 corridor from Olympia to the Canadian border. These developments spread in concentric circles from beginnings no larger than this UGA. Are you confident you have prevented that reality as well?

Max stated, if it sounds like I am upset, I am. He stated that he has failed to deliver a strong enough message in this process and the committee has failed the central message from the majority of the input that you asked for. In truth your charge was enormous and he respects the effort of individuals on this committee if not the group result.

Heidi Doornenbal stated that she has lived in the foothills for nearly 40 years and has witnessed the gradual change of this area from a remote, isolated lifestyle to a typically rural community. The first big change that I saw was when recreational communities began to appear and when postage stamp size lots were proposed for recreational use in the Columbia Valley. The County had a meeting and asked us for our input as to this use. The overwhelming majority of residents responded in opposition to the development. With only a handful of proponents, the County ruled in favor of the developer. The people spoke but the County didn't listen. The next change came when the County changed that recreational zoning to include full-time residential dwellings. The County either did not care or didn't take into consideration the consequences to the residents both inside and outside of the development that would follow the irresponsible designation for growth. Then when the County entered in to the idea of creating a UGA in the Columbia Valley to satisfy the need for more housing in accordance with the Growth Management Act, residents again were polled for their input. All of the neighbors in this area were against the idea. But with no thought or study as to the impact of this high density growth on the environment or rural character of the foothills the County inappropriately designated the Columbia Valley as a UGA. Again the voices of the people were ignored.

When the subarea committee was formed, the foothills residents were asked for their input. They overwhelmingly spoke to the essential priority of keeping the foothills rural in character. The committee, in the draft of their report, has responded to us with a plan that is a mockery to the sincerity of input of the clear majority of foothills residents. The committee's plan concludes that urban growth within a rural area creates incapability and yet you have pushed onward with a plan whose driving force is to create a city of affordable housing and Heidi has to ask you why. In the survey when you asked us the question, "do you want more affordable housing in the UGA?" the response was only 8.7% strongly agreed, 19.3% agreed, 28.1% disagreed, 32.9% strongly disagreed, and 11% percent had no opinion. So that is 61% of 89% disagreed. In your draft, not only are you going against the mandate of the foothills residents that you are required to incorporate into your plans, but you are designating more affordable housing in a new urban growth area that already has a disproportionate number of affordable homes. Why do you want to create economic degradation? Economic segregation is not a healthy quality of life and should not be a requirement of the future of the foothills.

When the county designated the Columbia Valley a UGA there were no studies done to the impact on the rural lifestyle or the environment of the foothills. Per you own study and plan, the conclusion is that it just won't work. Therefore, I would conclude by asking this committee to decline from signing off on the draft of the subarea plan and furthermore that you recommend to the county that in light of your conclusion of the incompatibility of an urban growth area in the middle of a rural recreational area coupled with the clear mandate of the foothills residents that the designation of the foothills as a UGA be revoked. Throughout this entire subarea process to define our future we, the citizens, have spoken clearly. You should listen to us. Thank you for your consideration.

Karen Reich's remarks were presented by a committee member. Karen wanted to thank the committee for their work and thank you for adding this extra meeting and taking time to consider public input from the rollout meeting.

Brady Webb stated that this is a testament to the changes that he had to make in his own life to make living out here practical and those impacts are only going to increase over the long term. He feels strongly after listening to the proposed subarea plan for the foothills that it does not reflect the vision of the majority of the foothills residents. Also, he doesn't have confidence in the population estimates. In particular, the absence of the impacts of fuel costs and also the impacts of the decreased draw to the cheap housing in the Paradise area. Particularly, as that area continues to heal and because as fuel increases people living this far away that makes it less desirable. As more people move out to this area, I have seen Paradise change considerably for the better as I have driven through there it seems to have cleaned up a bit.

Some of those real undesirable elements have been getting pushed out and are replaced. It seems to be healing itself. As the values are increased, it is going to make less of a draw for people to live so far out, especially coupled with the increasing gas costs. I also don't feel that the impact of traffic has been dealt with sufficiently. The 542 is the gateway to Mount Baker and Mount Baker is the number one tourist attraction for this area. It seems like we should want to keep the highway dedicated to people who live here or Mount Baker visitors and not for the creation of an artificial city in the middle of a rural area. I feel that this plan will create long-term consequences and long-term problems. I don't feel it provides a solution to a problem that has not been adequately identified. I am asking the committee to remove portions of the plan that relate to the Urban Growth Area. Furthermore, I would ask committee members opposed to the Urban Growth Area plan not to vote in approval of this proposed plan. I feel that the UGA is unnecessary. The Kendall Small Town plan will adequately address the needs of the community. The Kendall Small Town plan is an appropriate solution to the situation as it is. I know that the UGA has already been approved but from my cursory review of the Growth Management Act it doesn't seem that this plan currently complies with the Washington State Growth Management Act.

Kevin Zender stated that he appreciated all the efforts that the committee has gone through. You have worked long and hard. A couple of things that the committee should keep in mind. For the population studies, use the facts. Numbers don't lie. Numbers repeat themselves time and time again. Use the numbers from the last 30 years. The population growth has been in Paradise. Use those, those will happen again. Not make believe, pie in the sky about gas prices are going to keep it down. The Canadian dollar has been up and down in this part of the world for a number of years. Those numbers do not lie. If you use the numbers, the plan that you have is using the low end of the population studies. Not using the high end. Use the facts. The facts don't lie, the numbers don't lie. They don't have emotion tied to them. With regard to the questionnaire, the committee doesn't know where the questionnaire came from. One person could have filled out a hundred of them. There is no way to track where they came from, who filled them out. Did they come from Lummi Island, did they come from Fairhaven, did they come from Alger. Where did they come from? It is not scientifically information. They are not facts. How anyone can sit there and say that the majority of the people in the Columbia Valley do not support this plan; where are your numbers, come up with the facts. That's all I ask for is facts. If people that live in the Columbia UGA do not want it then they should not have it. Don't give me this stuff about gas prices. As far as building a development, will a developer go in and spend \$30,000 to \$40,000 a lot to pave it, put the power in, if there are not people to buy the lots? Market value will determine if the development goes forward, not emotions.

Larry Duncan wanted to note that in all the meetings he has attended, there has not been a huge or even a handful of people who have come in from Columbia Valley to support the growth that is being proposed up there. The people who are supporting it are the citizens on this committee who live in that area. Outside of that there really hasn't been representation by the general public coming down from Columbia Valley in support of that. I think that is something that should also be considered whereas the rest of the foothills subarea members seem to be coming out on a regular basis to support what we want to see happen out here. For there to be this pie in the sky idea that there is a pack of people up there that are behind this, they haven't shown up here. If they didn't fill out their questionnaire, that is their own undoing as far as I can tell. I would like to have more weight put on to the people who have been part of the participation of getting this to the point that it is at now rather than these people that we don't see, we don't know what they think. They are not here, I have not seen them.

Sean Wilson stated he is supposed to represent the Columbia Valley and Paradise and Peaceful and lives in Peaceful Valley. Although this is not related to our subarea plan, this is the petition that was submitted by an organization in Columbia Valley to County Planning on behalf of a Commercial Center in Columbia Valley (Balfour Village). It consists of almost 300

signatures of people who live in the Columbia Valley. It includes support of the commercial center and building that area up. These are all individual signatures of people who live in the area and they feel that there is a compelling need and it would benefit the valley overall both environmentally and economically. He just want to speak to that and let you know that there is more participation than it appears but that is what he is here for, to represent them.

Sean asked that this petition be added to the public record.

Larry Duncan stated that his final point is that if he has 300 signatures that endorse the commercial area, which I don't doubt, I have seen those and is a matter of public records already and on file at the County. But, those same 300 people, where were they when the questionnaires went out. Why wasn't their input heavier weighted toward the outcome.

Sean Wilson stated that he is supposed to represent their interests and their interests are very clear. That's what he is doing here.

Gary stated that he wished the committee had a more perfect way of reaching out to the public but we can't figure it out. We did the best that we could, he wishes we had a better way but some people are just hard to reach. That is a continuing theme, that yes, we keep hearing from the people who come to the meetings on a regular basis, that is what they want. But there are these other people out here that feel otherwise and that is something that we all need to consider. It was brought up in an early planning meeting that the County doesn't listen. When they have two voices telling them what to do, who do they listen too? They listen to the one they want to listen too. We would be a lot stronger with one voice. We have been presented with an opportunity from the County Council to speak to them about what we want and what we have is a divided community. They are not going to know who to listen to.

Leif Swanson asked the committee if anyone feels like going on record regarding whether the questionnaire represented the wishes of the subarea.

Gary noted that this was discussed and already on the record.

Heidi Doornenbal noted that if Sean is going to put into the public records his list of signatures, she has worked very hard on a petition on the Kendall Valley as an Urban Growth Area and high density growth.

Gary stated that he did not think it was too late to submit that to the public record. However, for the committee to discuss it is a different issue.

She went on to state that since Gary solicited information at this meeting she thought she should have the right to submit the same information.

Gary stated that yes, you could submit it to public record.

Brady Webb is wondering why the Kendall Small Town plan won't meet their needs for the existing folks in Kendall.

Sean mentioned other items beyond the library facility such as medical facilities and a grocery store.

Vel Massie stated that when the community was considering the community center and where it was going to be placed, the community was very much for having it placed in this area in Kendall. She thinks that the community spoke for itself. The community center should be on the way, not in the middle serving just one community. It should be on the way where everyone has to go. Everybody has to go by here.

No other comments.

Advisory committee review and approval of September 8, September 19, October 3, October 17 meeting summaries

Written Public Input handed-out at FSPAC 10/24/07 Meeting

Susan Sloan e-mail of 10/11/07 & handout of 10/15/07

Carole MacDonald e-mail of 10/16/07

Ellen Baker e-mail of 10/17/07

William Devine e-mail of 10/17/07

Thom McLaughlin e-mail of 10/17/07

Max Duncan e-mail of 10/24/07

Martha Sirguy e-mail of 10/24/07

State CTED e-mails of 10/1/07 and 9/27/07

WTA comment of 10/1/07

Joan Airoidi comment of 10/4/07 (via Amy Mower)

WDFW comments of 10/15/07

WSDOT comments of 10/15/07

County Transportation Planner response of 10/17/07

Jan Eskola's e-mail of 10/19/07

Amy Mower's e-mail of 10/21/07

Gary Gehling's e-mail of 10/21/07

September 8, 2007 meeting summary was approved by consensus. Matt discussed the outstanding meetings summaries. He noted that they do require approval at a committee meeting. Any outstanding committee meeting summaries will be discussed at a meeting planned to be held prior to the Planning Commission meeting.

Review Draft Foothills Subarea Plan (September 2007 version)

Page 66 (Transportation Chapter) The most popular areas for cycling are in the Columbia Valley, where residential streets are alive with children and youth on bikes. They rarely venture beyond the valley, though, because travel on the highway, even to a place as close as Kendall, is uninviting and unsafe.

Page 86 (Economics Chapter - Housing Costs) Relative housing costs. The ~~range of~~ median housing costs in the Foothills (~~\$163,000 between \$62,500 and \$146,600~~) was less than the median housing cost for the whole county (~~\$260,500 \$149,500~~) in ~~2006~~2000.

Page 64 (Utilities Chapter Goal – Goal U5) Protect surface and ground water quality and quantity and sensitive habitat areas throughout the subarea, consistent with best available science.

Page 35 (Land Use Chapter - Policy LU3-B) Establish an outer boundary for each small town, prohibiting the expansion of zoning districts that allow commercial uses, intense new residential developments, and light industrial uses beyond those boundaries.

Page 97 (Resource Lands Chapter - Mineral Resource Lands Text) In addition to the forests, the Foothills Subarea is actively involved in mineral resource extraction. Limestone, olivine, and sand and gravel aggregate are currently the most common minerals excavated in the Foothills Subarea. There are ~~five~~four Mineral Resource Land (MRL) designations in the subarea. Sand and gravel mining occurs southeast of Kendall. Limestone products (crushed rock and stone) are mined from the quarry on the east side of Red Mountain, southwest of Silver Lake and, to a lesser degree, from the quarry on the west side of Red Mountain, north of Kendall. There is also a bedrock MRL located on the north side of South Pass Rd., but it is not being mined for commercial purposes at the present time. The Foothills is home to one of the largest deposits of olivine in the United States and a relatively small quarry is operated in the southeastern portion of the subarea, adjacent to the National Forest.

Page 179 (Implementation Chapter) Review and, as necessary, revise comprehensive plan and zoning designations in Deming, Welcome, Kendall, Maple Falls and Glacier to comply with the “limited areas of more intensive rural development” criteria of RCW 36.70A.070(5)(d) if required by court ruling. The review and revisions will be completed prior to the compliance deadline set by the Western Washington Growth Management Hearings Board.

Page 108 (Community Facilities Chapter) Whatcom County’s Public Works department is responsible for solid waste management in unincorporated Whatcom County. ~~The department contracts with private haulers responsible for collecting solid waste and transporting~~ Private haulers collect solid waste and transport it to transfer stations in Whatcom County. Sanitary Service Company, Inc., and Nooksack Valley Disposal provide garbage pick-up services in the subarea. There are no open landfills in the county, so all non-recyclable solid waste is transported out of county for landfilling.

Page 81 (Transit Route Map 6.5) Remove the incorrectly labeled “bus stops”.

Page 109 (Community Facilities) As of Fall 2007, the Friends of the North Fork Community Library are planning to build a new library in the Kendall Small Town Commercial area to serve the growing population in the Columbia Valley UGA and to serve as a central location for library-goers in the Foothills Subarea. This new library would replace the library in Maple Falls.

The Whatcom County Library system is reviewing their hours and facilities county-wide in response to changing demographics.

~~As of Fall 2007, the Friends of the North Fork Library are in the preliminary stages of planning to build a new library in the Kendall Small Town to serve the growing population in the Columbia Valley UGA and serve as a central location for library-goers in the Foothills Subarea (this library would replace the library in Maple Falls). The Whatcom County Library System is in the process of reviewing their hours and facilities to determine if they will need to add staff, more facilities, or open libraries for longer hours.~~

Page 125 (Environment Chapter Goal - Goal EN1) Protect surface and ground water quality and quantity and sensitive habitat areas throughout the subarea, consistent with best available science.

Page 8 (Introduction Chapter) The ECONorthwest Population forecast report of December 1, 2006, page 11, suggested that the Baseline Growth Assumption be used in the Foothills Subarea Plan.

The Committee decided that this text would be in italics, below Table 1.6.

Page 71 (Transportation Chapter) Level of service standards indicate ~~the~~ how much vehicle traffic a road should be able to handle.

Page 83 (Economics Chapter) In 2005, the Foothills Subarea had 1,293 “covered”¹ jobs at 163 establishments, with an average of about 8 jobs per establishment. The majority of jobs - 66 percent - were within the Government sector. Approximately 39% of all jobs in the subarea are Tribal jobs.

Page 91 (Economics Chapter) Diversify the economy. The existing distribution of employment in the Foothills Subarea includes a disproportionately high share of government and Tribal employment.

Page 107 (Community Facilities Chapter) Mt Baker School District 507 primarily serves the Foothills and areas beyond. Its facilities within the subarea include the Kendall Elementary School (grades pre-K through 6, enrollment approx. ~~490600~~), Mt Baker Junior High (grades 7 & 8, enrollment approx. ~~370400~~), and Mt Baker High School (grades 9 through 12, enrollment approx. ~~721700~~). In fall 2007, the Mt. Baker School District created the Mt. Baker Academy,

assisting the educational needs of home-schooled children in the district. The district offices are located in Deming adjacent to the high school.

Page 109 (Community Facilities Chapter) Standards of Adequacy and Proposed Facilities

Page 121 (Environment Chapter) Forest habitat . . . OspreyOsprey

Page 46 (Housing Chapter) Camper's Paradise, The Glen at Maple Falls, and Black Mountain Ranch accommodate approximately 2,500 recreational units (RVs and park models).

The Committee decided that this text would be inserted below Table 3.4.

Page 8 (Introduction Chapter) Projections for population in most cities and counties are simple projections of past growth rates into the future. TheThey have no quantitative connection to the underlying factors that explain why and how much growth will occur.

Page 12 (Land Use Chapter) Move the "Industrial Land Demand" heading so that it is above the paragraph that starts with "There is now no industrially zoned land . . . "

Page 182 (Appendix A) Add a statement describing where the documents in the bibliography can be obtained.

Page 78 (Transportation Chapter) T10-B Use impact fees to provide transit infrastructure including but not limited to park and rides.

All of the above policy changes were by consensus.

Gary began the discussion on approval of the Subarea Plan by mentioning the business rules that state that all committee members will sign the plan. Gary went on to mention that the rules do not say that the committee will vote on it and also noted that he did not believe that a committee member could be forced to sign something they did not want to sign. Amy noted that she did not think the minority had reached a decision on whether to sign the plan. Gary asked Amy if they wanted to discuss and maybe qualify support. Amy noted that was one of the things they were talking about but they did not think they have reached a decision yet. Gary asked, how do we deal with it then. Phil suggested getting a hold of Royce. Sean noted that the business rules stated that the entire committee would sign off to the report. Anyone who had points of contention such as non-consensus or policy would be providing a minority report on those issues that they disagreed with subsequently within 10 days. Gary stated that the minority report was due in 10 days. Sean noted that there is a process in place to deal with this. The signatures do not indicate that they are signing off to the non-consensus portions. He did an analysis over the last week and he came up with 174 policies or decisions that the committee made in total in the record of decisions. Out of the 174 total, only 14 of them were not by consensus and half of those were population issues. A majority, 160 of the decisions made on this plan by the committee were made by consensus of the group. It seems that you would want to sign off and put your name to 160 decisions that it took two years to make.

Gary read item 10, 'Reporting to Whatcom County', of the business rules: All advisory committee members will sign the report containing advisory committee recommendations. Gary noted that the committee did agree to do this. Your hand can not be forced if you are not going to sign it.

Norma read what Lou had to say from his email and noted that he also made a report similar to what Sean was talking about. She stated that 94.9% of decisions were by consensus (Sean agreed). Lou specifically wanted to share his concerns pending the minority report, "my desire that the minority report deal only with the issues about which a vote was taken and not include any other issue that is decided by consensus. To that end, I had done some research and that is what I am talking about."

Gary asked if everyone agreed that in the business rules that there would just be issues regarding the issues specific report the way it was. He went on to note that last week there was

a discussion about this. He told those that were unwilling to sign that what he thought about it in terms of having their voices heard in the consensus process throughout this document and he feels like it is acting in good faith to support the document other than the issues that would be addressed in the minority report. Gary stated that he thought that was the intention of the rules; the committee members will sign the report, but it is not real specific on that. Gary would recommend in the future that whenever there is a committee there should be more specific rules regarding that.

Jan noted that the rules do offer contemplating a minority report. If they accept that there is a minority report, there is going to be some disagreement.

Gary noted that he thought that was the design of this idea, yes you sign it but it is recognized that you have a minority report voice that is also recognized in the same section. Gary read a business rule section, "a member may be chosen by the minority to present a minority report on specific issues at the meetings of the Planning Commission or the County Council that relate to the Foothills Subarea Plan." The committee is given that right. Gary noted that signing it is not necessarily full support by his interpretation of this and we can qualify what we sign. We can have a statement that says, 'I support this plan except for the issues addressed in the minority report.' Gary thought that was a fair enough statement.

Phil noted that was the point of the minority report. Gary stated that on any future committees, have very specific business rules and that there are other things that should be better addressed as well but that the committee did all right considering.

Gary again asked if the committee would sign on with the stated qualification.

Amy noted that they were still in the midst of drafting and finalizing the report. Gary noted that they have 10 days after the last meeting. Jan stated that they were still working through the plan and that they anticipated that the plan, when the day was done, would be different than what it is. Gary agreed and stated he was sure we all did. This is an amalgamation of many ideas. Gary didn't think anyone was completely happy with it and stated that he thought everyone could sign a statement that says 'I am not completely happy with this thing, it is not perfect.'

Sean stated that there were only 14 decisions out of 170 or more that the committee didn't agree on. There is 92 to 94% of the plan that the committee agreed to and he doesn't see how it can be such a bone of contention.

Amy responded, we are talking about the numbers of decisions which is different than talking about the actual plan itself and, respectfully, this is one of the reasons we are doing a minority report.

Phil noted that it was obvious from the week that they started that there would be a minority report and it was honored throughout the process and that it could have been more contentious but it was rather civil and he believes deliberated and debated the issues and comes right down to the fact that they have a minority report. There is still a need to approve the plan.

Gary stated that what the committee could do is those that want to sign it, sign it and those that don't have the opportunity to sign it at a later date. Lou and Allen are not here and they will have an opportunity to sign it at a later date.

Amy asked if they were expected to get signatures today. Bill responded that they did not have anything to sign today.

Gary said that the committee could defer it. It would be important to bring out at one point or another to the Planning Commission that this was mostly done by consensus even if all signatures are not present. One way or another, the fact that the record of decisions should be brought to the attention of the Planning Commission.

Sean noted that everything from how the process of this committee works and what the rules are right down to policy changes right from the very beginning. Phil noted that the greatest number of decisions that took place were in the policy decisions and that should be part of the plan.

Sean noted that the policy matrix alone was 106 policies and 104 were approved by consensus. That is only two policies that people disagreed with. I think a minority report is appropriate if they did not agree with it.

Gary stated that the minority has not made up their mind but haven't said no and there is nothing to sign anyway, I think we should defer the actual time that we sign.

Matt asked for clarification from the committee regarding signing the plan.

Norma asked if they were going to have to vote on it.

Gary thought that a signature would be the same as a vote. To him it was the validity of a signature and did not think a vote is necessary given that.

Sean noted that it seemed they already voted. Gary responded that it seemed that way if you wanted to look at it that way.

Gary strongly encouraged those who are considering not signing to sign just because of the good faith that was exhibited through the consensus.

Sean stated that he was frustrated by this whole thing. He did not think that anyone who doesn't sign off of this plan deserves the right to actually have rights to the minority report. The minority report is a response to this plan which has been participated in. If you can't follow the whole set of rules, then why follow half of them.

Gary stated that it was his frustration and he stated it last time and I'll say it again.

Sean stated that it was the whole point of the rules so that the game comes out right in the end and so that we have some solidarity with the portions of the plan that we agreed on and so that we have a voice for the portions of the plan that we didn't agree on. He went on to state that both were equally important and both need to be honored.

Matt stated that it is going to be labeled, 'draft Foothills Subarea Plan recommended by the Foothills Subarea Plan Advisory Committee.' Gary suggested a show of hands now so that it can be shown a majority supports the plan.

Gary asked if a vote should be taken in order to put that statement on the plan.

Gary stated that, if it is going to be put on the cover, we had better get it by consensus or by vote.

Amy said whatever you want to do.

Matt responded that if the committee did not want to do a vote, it is fine with him, but he wanted to make sure there was closure. Gary said he would rather not do a vote because he thought they had a majority that would sign it and he would rather have everybody sign it to validate the consensus process. He went on to state that the committee has worked hard together, we have actually done pretty well, except for some major issues, but we all knew they would be major issues. He would like the Planning Commission to know that the bulk of these policies are something that is agreed on. The policies are the meat of the document. That is what is important to Gary, that the Planning Commission get a real picture of how this works. We had fourteen times that a vote was needed and the rest was by consensus. The minority report will reflect what those issues are and the magnitude of those issues will be reflected in the minority report.

Matt stated that the committee names could be listed with two check boxes for selection: 1) I fully support this plan, or 2) I support this plan except for the issues identified in the minority report. You could check your selected statement and sign the plan.

Gary stated that he was all for that. Matt went on to say that if you did not want to sign it then don't sign it.

Amy noted that if they were going to sign it that different language would be used such as 'with reservation as set out in the minority report.'

Matt stated that he needs to know because the plan is going to print fairly soon.

Gary asked why they didn't just say, 'I support this plan with reservation.' Gary noted that there is language as to what consensus is and we could supply that in the statement. He read the following: 'Where possible decision making will be by consensus. Consensus means all of the following: a) that everyone on the committee can live with and support that decision, b) that everyone the committee feels that the best solution has been reached, c) that the positions of each member have been heard, respected and seriously considered, d) that no member had to give in on any strongly held convictions, values, or needs. Each committee member has the right to support consensus, block consensus as a last resort or stand down. Consensus blocking should be taken seriously and used sparingly.' Gary went on to note that if some of this language was incorporated into a statement he thought that the committee could define the support or lack of for the plan.

Sean stated that 160 times the group said they could live with what was in the plan. Fourteen times they said they could not.

Amy stated, with all due respect, this has been a very difficult process for some of us. She stated that there is an additional component that there have been occasions when the minority has not felt heard and yet they have gone along, and they accept that. They did not force votes when they, in hindsight, should have. Amy went on to state that the pressure you all are attempting to enforce right now is not necessary. She thinks that the committee knows where their positions are. They have stated that they are going to do the best they can. They are going to be discussing it. We know there are different options out there. We have acted and everything that we have done in the best of good faith.

Sean asked what organization that Amy was speaking on behalf of when you say we.

Amy responded Cindy, Jan, and herself. Sean stated that he wanted it for the record. Amy said she did not know who else she would be speaking for.

Jan said, that when you were talking about the consensus and the decision making process and the business rules, she discussed items 'c' and 'd' have been thrown back at Cindy and Amy and I time after time after time and that is all we need to say about it. She is tired of being made to feel that her opinions and suggestions have no merit and she agrees with Amy that we are trying to be forced into doing something tonight that they are not quite ready to do.

Gary said thank you and stated that he did not think anyone was trying to force them into anything. He went on to state that is how consensus works, pressure is just part of the deal.

Matt asked if he could work with Gary on the language of the signature page as the chair. Gary asked if that worked with everyone. Gary suggested that the committee members contact him with what language they would be willing to sign, he would be happy to listen and work with Matt on that.

Amy stated that they would be in touch with Gary sometime in the next week or so.

Matt noted that the document needs to be sent off to the printer so hopefully this can be resolved in the next week.

Amy said she was getting head nods so yes.

Matt said that would be great.

Foothills Subarea Plan - Final Recommendation: The majority of the committee recommended approval of the Subarea Plan. Amy, Jan, and Cindy will submit a minority report.

Advisory Committee Representative: The committee chose, by consensus, Gary Gehling to represent the Advisory Committee at Planning Commission and County Council meetings.

Opportunity for Committee Members to Discuss Items Not on the Agenda

Sean discussed review of the 2005 County Comprehensive Plan. At a FSPAC Subcommittee meeting, worksheets were distributed to the public in order to assist with some items for which direction was requested. A tally was submitted but the actual worksheets were not. He would like to now add the 26 worksheets to the record. Matt noted that some of the subcommittee recommendations will have to be dealt with through the County Comprehensive Plan.

The committee noted that the Planning Commission will probably hold one public hearing in the Foothills area in order to accommodate public comment on the subarea plan.

Jan brought up the issue that there are still no comments in the plan from Fire Districts 14 and 16. Fire District 14 encompasses the Columbia Valley area. It is important that their comments be an integral part of the plan.

Public Comment – Second Period

Larry Duncan discussed the session where the committee picked priorities for funding of different projects in the Foothills. At that time the way the projects were prioritized by individuals on the committee, I don't think that was a good reflection of what the citizens who live in the foothills were intending to have happen with this plan.

Rob Staveland this is in response to some comments regarding the huge opposition to the formation of the UGA. We have a complete copy of the records of that formation of the UGA and there were extensive public comments. It was preponderantly in favor of the creation of the UGA. As far as the critique about the preserving rural lands, the initial mandate that was given to the committee as a primary mission was to concentrate growth in the UGA, which is to say channel it to the UGA and to accommodate growth in the UGA, in order to preserve rural character. That is the function of that UGA and he felt like the committee actually understood that for the most part. About the population growth, I can't believe that issue came up again. The committee spent three months working on population growth. It was clearly demonstrated at that time that the real number for population growth showed that in the four year period since the 2002 ECONorthwest study, the population growth exceeded the five year projection. The real numbers are well in excess of high growth. He believes that was what the committee took in to consideration when it balanced against ECONorthwest baseline recommendations. He believes that if you put one in, you should have the other statement in too.

A committee member responded that he believes there will be a chance later in the process.

Rob continued that the statement about the power plant, Rob believes that the whole process never really addressed that issue. It is a very interesting project.

Gary stated that the committee did address power plants a few weeks ago and that Rob may not have been present. Gary went on to state that he felt there was a good policy regarding small scale power plants and that serving the needs of Seattle or other municipalities is not an interest.

Gary also commented on the resolution that created the committee. One of the resolution statements states "Whereas the Columbia Valley UGA/Kendall Urban Growth Area was

established in 1999. Whatcom County Comprehensive Plan Land Use Chapter action item #11 is to 'Revise county subarea plans to incorporate urban growth area boundaries as identified in the plan, ensure consistency with this plan, and eliminate any redundancy in policy'." Gary stated that this was one of the criteria they used to create this committee. It is not to say that the committee couldn't make recommendations one way or another. The committee did make a recommendation to reduce the size of the UGA. That is the key thing that the committee was instructed to do, incorporate it into the subarea plan.

Kevin Zender stated that he did not know what the rules were when people came on board two years ago but as far as he is concerned, he is going to look into the matter. If the rules did state that the committee had to sign off on the plan when they are done, then he believes that any minority reports of anyone who will not sign off, should be rejected and should not be included. Kevin and his associates are going to follow up on that with whatever laws are applicable to make sure that if that is the case, that the committee must sign off, that the report of those people not be included or given to the Planning Commission.

Possible Planning Commission Meeting: The date and time will be posted on the website. Possible meeting dates are November 29th and/or December 13th.

Meeting adjourned

Submitted by: Penny Harrison, Whatcom County Planning and Development Services