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VIA E-MAIL TO

JUN 18 2013

From: Brian Markee <bdkinc123@yahoo.com>
To: Peter Gill <pgill@co.whatcom.wa.us>, "marv.demilio.b0p3@statefarm.com" <marv.demilio.b0p3@statefarm.com>
CC: Sam Crawford <SCrawfor@co.whatcom.wa.us>, Greg Paul <gregpaul5@comcast.net>
Date: 6/17/2013 5:15 PM
Subject: Re: rain water runoff regulations

Dear Mr Gill,
 Thank you for your prompt and informative reply. I sincerely hope for the sake of all that what you have outlined is in fact the final word.
 Overregulating Sudden Valley into oblivion is just not the right answer at all.

Respectfully,
 Brian Markee

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 >From: Peter Gill <pgill@co.whatcom.wa.us>
 >To: Brian Markee <bdkinc123@yahoo.com>; "marv.demilio.b0p3@statefarm.com" <marv.demilio.b0p3@statefarm.com>
 >Cc: Sam Crawford <SCrawfor@co.whatcom.wa.us>; Greg Paul <gregpaul5@comcast.net>; 'Laurence Brown' <lwbrown_svca@icloud.com>; 'Russell Harlan' <callruss@msn.com>; Chris Weitzel <chrisweitzel@nwhomes.net>; "'bod@suddenvalley.com'" <bod@suddenvalley.com>; Jeff Schlaack <gm@suddenvalley.com>; 'Perry Eskridge' <perrye@wcar.net>; "Council@co.whatcom.wa.us" <Council@co.whatcom.wa.us>; Mark Personius <MPersoni@co.whatcom.wa.us>
 >Sent: Monday, June 17, 2013 4:52 PM
 >Subject: RE: rain water runoff regulations

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 >Dear Mr. Markee and DeMilio:
 >Thank you for your input on the new stormwater requirements. You may not know that we have worked, at the persistence of Sudden Valley's BOD and County Council, to come up with a set of rules that would relieve the pressure on individual lots and reduce the runoff into Lake Whatcom.

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 >The ordinance that is proposed would allow for community stormwater program in lieu of phosphorus mitigating systems on individual lots.

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 >This allowance is only for single family residences, in incorporated homeowner associations, see Exemptions, WCC 20.51.420 (1)(h). Page 18 & 19 of the .pdf linked below.
<http://www.co.whatcom.wa.us/council/0agendabills/ab2013-102a.pdf>. Individual lots would continue to build to the existing standards, similar to Ferndale UGA and Lynden, but not to the same level as City of Bellingham.

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 >Respectfully,

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 >Peter Gill
 >Whatcom County - Planning and Development Services
 >5280 Northwest Drive, Bellingham, Washington 98226
 >T: (360) 676-6907 E: pgill@co.whatcom.wa.us

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 >
 >From: Brian Markee [mailto:bdkinc123@yahoo.com]
 >Sent: Monday, June 17, 2013 1:58 PM

>To: Council@co.whatcom.wa.us

>Cc: Sam Crawford; Greg Paul; 'Laurence Brown'; 'Russell Harlan'; Chris Weitzel; Marv DeMilio; 'bod@suddenvalley.com'; Jeff Schlaack; 'Perry Eskridge'; Peter Gill

>Subject: Fw: rain water runoff regulations

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>To Whom it may concern:

>I have enclosed Mr. DeMilio's email as I fully agree with his position and concerns. I too have invested a substantial amount of money in Sudden Valley starting in 1988. I currently have 30 seemingly soon to be worthless building lots and 1 home in Sudden Valley. My plan was to expand my business interests a little bit into Home building over the next several years.

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>My plans seem to be falling apart. Obviously the economy has been horrible for the past several years, the housing and real estate market has taken a big hit. Our economy is finally starting to show some life, the housing and building industry is a very important part of the recovery process. Now, once again, Sudden Valley property owners appear to be in line for another big hit as well as the water shed property owners in general and all of Whatcom County most likely will feel the ripple effects.

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>I just received my 2nd quarter dues bill from Sudden Valley in the amount of \$5577.43. I'm quite sure I'm not the only vacant land owner to wonder if it is time to cut the losses and bail. In a few short months I will owe the 2nd half of the property taxes which amounts to another \$6000.00 or so. Of course I just paid the ULID payments just a couple of months ago.

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>So by the end of October 2013 I will owe or have paid about \$18k in SVCA dues, about \$12k in County taxes and about \$6k in ULID fees to Lake Whatcom Water District, About \$36000.00 total. The obvious question is when do I stop throwing good money after bad?? Should I stop now and set the \$18k that I haven't paid as yet into a legal fund or just bail and eat my huge losses????

>Sincerely,

>Brian Markee

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>----- Forwarded Message -----

>>From: Marv DeMilio <marv.demilio.b0p3@statefarm.com>

>>To: "pgill@co.whatcom.wa.us" <pgill@co.whatcom.wa.us>

>>Cc: "CHRISWEITZEL@NWHOMES.NET" <CHRISWEITZEL@NWHOMES.NET>; "bdkinc123@yahoo.com" <bdkinc123@yahoo.com>

>>Sent: Monday, June 17, 2013 8:43 AM

>>Subject: rain water runoff regulations

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>>Mr. Gill, We have owned 5 lots in Sudden Valley since 2004. When this water runoff concept hit the papers in 2011, I called the county to get an idea of what the impact would be in Sudden Valley. I was told at that time that Sudden Valley would NOT be included in this program because it did not contribute a significant amount of contaminants into Lake Whatcom, and the county was only concerned with new developments, not Sudden Valley which had been developed decades ago. Over the last several months I have spoken with just about everyone at the county that supervises a department that would be involved in something as drastic as the rain water runoff. Those people were either unaware of this contentious program or were not in favor of it when it came to lots in an established neighborhood like Sudden Valley. Keith, the tax assessor, was well aware of the probability of lot owners failing to continue to pay property taxes or ULID payments, let alone

assessments to Sudden Valley when faced with an additional \$20,000-\$30,000 in building costs when they can't sell their lots for \$12,000. We have five large lots that we purchased as a future investment. We paid a premium for those lots because of their locations and volume. At this point we are faced with one choice if this program includes Sudden Valley. They go back to the county in lieu of taxes. We write off the loss at \$3,000 a year for the rest of our lives unless we sell something else somewhere that creates a federal capital gain problem. Then we use the loss to soften the blow of that problem. We have a \$500,000 property on the market in Michigan right now. When it sells, the capital gain tax from the feds would be absorbed by the loss in Sudden Valley. Not a result we had in mind, but an eventuality if this law comes to pass.

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>>Our kids have lived in Sudden Valley since 2004. I will assuredly recommend that they sell their home and look elsewhere because sooner or later they and all the rest of the homeowners in the valley will be adversely impacted financially because there will be lost revenue due to the loss of lots on the tax and the assessment rolls in the valley. I may suggest they buy outside of Whatcom County because I think this will affect every property tax payer in the county. There are 800 lots in Sudden Valley yet to be built on. Many of them have ULID balances. Take them off the rolls and the trickle down loss will impact everyone. Let's assume each lot is taxed at \$500 a year. That's a \$400,000 loss of property tax revenue, not to mention the loss of ULID money. Add another \$553,000 in lost assessments to Sudden Valley and pretty soon you have an insurmountable problem for everyone. A class action law suit would be one result of this law. That would cost

thousands to the city and county and Sudden Valley and anyone else involved in the class action. I'm suggesting an injunction based on the new scientific evidence that puts the majority of the problem on the Nooksack River flow into the lake and the run off from the South Shore neighborhoods. Sudden Valley is insignificant in contributing to this phos problem To include us is shortsighted at best. I would hope that clearer heads prevail in your meetings and a more enlightened result will occur. Sincerely, Marv and Diane DeMilio Marquette, Michigan

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