

# Whatcom County Council Committee of the Whole

COUNTY COURTHOUSE  
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## Committee Minutes - Draft Minutes

VIRTUAL MEETING - ENDS NO LATER THAN 5 P.M. (TO  
PARTICIPATE, SEE INSTRUCTIONS AT  
[www.whatcomcounty.us/joinvirtualcouncil](http://www.whatcomcounty.us/joinvirtualcouncil) OR CALL 360.778.5010)  
**Tuesday, June 29, 2021**

**2:15 PM**

**Virtual Meeting**

### COUNCILMEMBERS

Rud Browne  
Barry Buchanan  
Tyler Byrd  
Todd Donovan  
Ben Elenbaas  
Carol Frazey  
Kathy Kershner

### CLERK OF THE COUNCIL

Dana Brown-Davis, C.M.C.

## Call To Order

Council Chair Barry Buchanan called the meeting to order at 12:17 p.m. in a virtual meeting.

## Roll Call

**Present:** 7 - Rud Browne, Barry Buchanan, Tyler Byrd, Todd Donovan, Carol Frazey, Ben Elenbaas and Kathy Kershner

**Absent:** None

## Announcements

## Committee Discussion

1. [AB2020-219](#) Discussion and update on strategies and other items related to COVID-19 (Council and Health Board)

Erika Lautenbach, Health Department Director, reported on the following:

- The vaccination rate is likely within half a percentage of the 70% State threshold of those 16 years and over as of today
- Case rates are the lowest since November 2020
- Reopening of the state on June 30 and what that will mean
- Transitions for the COVID-19 pandemic including work to collapse some of the Unified Command and overall response operations and not getting a briefing from her every two weeks as she has been doing

She answered questions and Councilmembers discussed whether there is concern about the COVID-19 Delta variant in the state and county, the effectiveness of the COVID-19 vaccine against variants, and vaccination of children ages 17 and under.

**This agenda item was DISCUSSED.**

2. [AB2021-382](#) Discussion regarding proposed Comprehensive Plan and Whatcom County Code (WCC) amendments, primarily relating to fossil fuel and renewable fuel facilities in the Cherry Point Area and various land uses on a countywide basis

The following people briefed the Councilmembers on proposed changes as noted in "Proposed amendments Exhibit A 6.24.2021" and "Proposed amendments Exhibit B" and answered questions:

- Matt Aamot, Planning and Development Services Department
- Karen Frakes, Prosecuting Attorney's Office

**TIMESTAMP: 00:27:32**

**Donovan moved** and Frazey seconded to amend Proposed WCC 16.08.160.F.1.b.i(c)(1) (“Proposed amendments Exhibit B”) to add “and lifecycle” to line 133 as follows:

“... indirect and lifecycle emissions. Voluntary additional mitigation may occur, per WAC 197-11-660(1)(d) ... “

Councilmembers discussed the motion.

**TIMESTAMP: 00:34:38**

The additional following people spoke and answered questions:

- Brad Brown, Philips 66
- Alex Ramel, Stand.earth
- Satpal Sidhu, County Executive
- Dennis McLerran, Cascadia Law Group

Donovan restated his motion.

The motion failed by the following vote:

**Aye:** 2 - Donovan and Frazey

**Nay:** 5 - Kershner, Browne, Buchanan, Byrd, and Elenbaas

**Donovan moved** to direct the Planning and Development Services Department to get this to the Council in a single clean document ready for introduction. The motion was seconded by Buchanan.

Aamot answered a question about the timeline of having a document ready for introduction.

The motion carried by the following vote:

**Aye:** 7 - Browne, Buchanan, Byrd, Donovan, Elenbaas, Frazey, and Kershner

**Nay:** 0

**This agenda item was DISCUSSED AND MOTION(S) APPROVED.**

3. [AB2021-378](#) Discussion and request for direction regarding hearing examiner contract for 2022  
Cathy Halka, Council Legislative Analyst, briefed the Councilmembers and answered questions.

**Kershner moved** to continue the contract with the current contractor and put it out for Request for Proposal (RFP) next year when it is required. The

motion was seconded by Browne.

Halka and Dana Brown-Davis, Clerk of the Council, answered whether there have been any law suits against the County with the current Hearing Examiner's services, and Councilmembers discussed the motion.

The motion carried by the following vote:

**Aye:** 7 - Buchanan, Byrd, Donovan, Elenbaas, Frazey, Kershner, and Browne

**Nay:** 0

**This agenda item was DISCUSSED AND MOTION(S) APPROVED.**

5. [AB2021-369](#) Discussion of proposed ordinance and program guide establishing a Commercial Assessed Clean Energy and Resiliency (C-PACER) Program in Whatcom County
- Donovan briefed the Councilmembers and they discussed how projects that come to the CPACER program would be evaluated for approval and how applications would be vetted.

The following people answered what obstacles may occur if this program is put in place, what risk there might be for the County, and whether this would be a hard sell for a bank:

- Rebecca Xczar, County Assessor
- Steve Oliver, County Treasurer

**This agenda item was DISCUSSED.**

### **Items Added by Revision**

There were no agenda items added by revision.

### **Other Business**

Tyler Schroeder, Executive's Office, answered whether the Executive has an update for Councilmembers regarding the Point Roberts grocery store which was discussed earlier in the Finance and Administrative Services Committee under Other Business. He stated it would be in the Executive's Report this evening.

### **Adjournment**

The meeting adjourned at 3:36 p.m.

ATTEST:

WHATCOM COUNTY COUNCIL  
WHATCOM COUNTY, WA

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Dana Brown-Davis, Council Clerk

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Barry Buchanan, Council Chair

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Kristi Felbinger, Minutes Transcription