

Whatcom County Council (Special)

**COUNTY COURTHOUSE
311 Grand Avenue, Ste #105
Bellingham, WA 98225-4038
(360) 778-5010**



Minutes - Draft Minutes

Tuesday, June 14, 2022

10:30 AM

Hybrid Meeting

**HYBRID MEETING (PARTICIPATE IN-PERSON, SEE REMOTE JOIN
INSTRUCTIONS AT www.whatcomcounty.us/joinvirtualcouncil, OR CALL
360.778.5010)**

COUNCILMEMBERS

Barry Buchanan
Tyler Byrd
Todd Donovan
Ben Elenbaas
Carol Frazey
Kaylee Galloway
Kathy Kershner

CLERK OF THE COUNCIL

Dana Brown-Davis, C.M.C.

Call To Order

Council Vice Chair Barry Buchanan called the meeting to order at 10:31 a.m. in a hybrid meeting.

Roll Call

Present: 7 - Barry Buchanan, Tyler Byrd, Todd Donovan, Ben Elenbaas, Carol Frazey, Kaylee Galloway, and Kathy Kershner

Absent: None

Announcements

Committee Discussion and Recommendation to Council

1. [AB2022-335](#) Request approval to send a letter to the State Building Code Council on residential energy code

Galloway briefed the Councilmembers and stated this is a second substitute version of the letter they discussed at the June 7, 2022 Council meeting and includes additional updates that Galloway and Byrd discussed about community resiliency and being thoughtful to our rural communities in transitioning to all-electric residential energy codes. She answered why the State will not allow the County to make stricter laws than the State on this issue.

Frazey moved to send the letter. The motion was seconded by Galloway.

Councilmembers discussed whether the Washington State Building Code Council (SBCC) has a proposal at this time that we are rallying to support or whether we are simply sending our ideas to them to consider, whether the SBCC has proposed energy codes that they want to implement and they are asking for comment (whether the Council is creating the reality or is the reality there and the Council is commenting on it), and that this letter would be a public comment on SBCC's proposed code changes.

Byrd stated that he has some proposed amendments to the third sentence of the second to final paragraph in the letter which states, "We want to recognize that some residents still depend on wood, natural gas, diesel, and other fossils fuels for backup energy during power outages."

He stated he would like to add "and severe weather" to the end of that sentence and then add something like, "The lack of traditional energy sources such as these would create potential life-threatening scenarios where individuals have a lack of ability to heat their homes, have access to communications, and/or prepare food during such times."

Councilmembers discussed Byrd's possible amendments. They discussed the power outage last winter in the Maple Falls area and that if they were all relying on electric they would not have been able to heat their homes, communicate or cook their food; whether that is a consequence they want to encourage; how electric heat pumps function in cold weather; whether all-electric should be mandated; being flexible as they transition and until new technologies come forward; support of the last two paragraphs of the proposed letter; whether there was anything in the article Kershner sent to Councilmembers from the Washington Policy Center regarding this issue that Galloway and Byrd felt compelling or interesting enough to take a closer look at since some data they have found may contradict some of the data in this letter; whether the letter represents the entire story and both sides of the equation; being deliberate and thoughtful so that they do not have consequences; and where the electricity will be coming from.

Byrd moved to amend the third sentence of the second to last paragraph of the letter as follows:

We want to recognize that some residents still depend on wood, natural gas, diesel, and other fossils fuels for backup energy during power outages and severe weather.

The motion was seconded by Galloway.

Councilmembers started to vote on the amendment but Elenbaas stated he was trying to make an amendment.

Elenbaas moved to amend the motion to change the word "severe" weather to "cold" weather. His motion was seconded by Kershner.

Byrd said he could take the motion as a friendly amendment but maybe with different wording.

Councilmembers discussed alternate language for Byrd's motion.

Byrd updated and substituted his original motion to amend the third sentence of the second to last paragraph of the letter as follows:

We want to recognize that some residents still depend on access to wood, natural gas, diesel, and other fossil fuels for ~~backup~~ energy during power outages when homes have limited, or no access caused by such things as power outages, severe weather, or location.

The motion was seconded by Galloway.

Councilmembers discussed the motion and where the language would go.

The motion to amend carried by the following vote:

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

Nay: 0

Byrd moved to add the following language directly after the language in motion one above so that it reads as follows:

We want to recognize that some residents still depend on access to wood, natural gas, diesel, and other fossil fuels for backup energy during power outages when homes have limited, or no access caused by such things as power outages, severe weather, or location. **The lack of traditional energy sources such as these can create life threatening situations where individuals have no, or limited, ability to heat their homes, prepare food, or access essential communications.**

The motion was seconded by Frazey.

Elenbaas suggested that Byrd add to the end of the sentence, “without traditional energy sources available.”

Byrd asked if that would be redundant and did not accept the friendly amendment.

The motion to amend carried by the following vote:

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

Nay: 0

The motion to send the letter as amended carried by the following vote:

Aye: 6 - Buchanan, Byrd, Donovan, Frazey, Galloway and Kershner

Nay: 1 - Elenbaas

Elenbaas stated he had another amendment to make. He wants to amend the final sentence of the letter as follows:

For all the reasons mentioned above, we believe the SBCC should move towards all-electric new residential construction when

feasible, and maybe now is not the time, ensuring that our communities are sustainable, affordable equitable, and healthy, now and in the future.

Clerk's note: Donovan had to leave the meeting.

Dana Brown-Davis, Clerk of the Council, answered what the process should be if Elenbaas would like to make a motion to amend the letter.

Byrd moved to reconsider the motion to send the amended letter. The motion was seconded by Kershner.

Councilmembers discussed the motion.

The motion to reconsider failed by the following vote:

Aye: 3 - Elenbaas, Kershner, and Byrd

Nay: 3- Frazey, Galloway, and Buchanan

Out of the Meeting: 1 - Donovan

Councilmembers discussed with the Council Clerk whether Elenbaas would not like his name included on the letter (as he stated at the last meeting), whether Councilmember names can be placed at the bottom of the letter as opposed to waiting for them to come in and sign it so the letter can get sent, what they have done in the past as far as leaving a Councilmember's name off, whether the Clerk could add a note to the letter saying that Councilmember Elenbaas did not sign because he is opposed to sending the letter, whether Elenbaas should send a dissenting letter, and whether this letter could be sent to Elenbaas before it is sent to make sure he does not have any concerns about the way it is formatted, and that this letter is time sensitive and needs to be sent prior to June 17, 2022.

This agenda item was AMENDED AND APPROVED BY THE COUNCILMEMBERS.

The third sentence in the second to last paragraph of version two of the substitute letter was amended, and a new sentence also added to read as follows:

We want to recognize that some residents still depend on access to wood, natural gas, diesel, and other fossils fuels for energy when homes have limited, or no access caused by such things as power outages, severe weather, or location. The lack of traditional energy sources such as these can create life threatening situations where individuals have no, or limited, ability to heat their homes, prepare food, or access essential communications.

Items Added by Revision

There were no agenda items added by revision.

Other Business

There was no other business.

Adjournment

The meeting adjourned at 11:26 a.m.

ATTEST:

WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WA

Dana Brown-Davis, Council Clerk

Todd Donovan, Council Chair

Kristi Felbinger, Minutes Transcription