

# Whatcom County Council

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



## Minutes - Draft Minutes

Tuesday, April 11, 2023

6 PM

Hybrid Meeting

HYBRID MEETING (PARTICIPATE IN-PERSON, SEE REMOTE JOIN INSTRUCTIONS AT [www.whatcomcounty.us/joinvirtualcouncil](http://www.whatcomcounty.us/joinvirtualcouncil), OR CALL 360.778.5010); AGENDA REVISED 4.6.2023.

### 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.

## COUNTY COUNCIL

### CALL TO ORDER

Council Chair Barry Buchanan called the meeting to order at 6:03 p.m. in a hybrid meeting.

### ROLL CALL

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

### FLAG SALUTE

### ANNOUNCEMENTS

### COUNTY EXECUTIVE'S REPORT

There was no report.

### MINUTES CONSENT

*Kershner moved* to accept the minutes consent items. The motion was seconded by Donovan (see votes on individual items below).

1. [MIN2023-027](#) Committee of the Whole for March 21, 2023

**Kershner moved and Donovan seconded that the Minutes Consent be APPROVED BY CONSENT. The motion carried by the following vote:**

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

**Nay:** 0

2. [MIN2023-028](#) Regular County Council for March 21,2023

**Kershner moved and Donovan seconded that the Minutes Consent be APPROVED BY CONSENT. The motion carried by the following vote:**

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

**Nay:** 0

### PUBLIC HEARINGS

1. [AB2023-174](#) Ordinance adopting various minor amendments to Whatcom County Code Title 20, Zoning; Title 21, Land Division Regulations, and; Title 22, Land Use and Development

Cliff Strong, Planning and Development Services Department, briefly described the Ordinance.

Buchanan opened the Public Hearing and, hearing no one, closed the Public Hearing.

***Donovan moved*** and Galloway seconded that the Ordinance Requiring a Public Hearing be ADOPTED. He thanked Strong for his work.

**Donovan's motion that the Ordinance Requiring a Public Hearing be ADOPTED carried by the following vote:**

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

**Nay:** 0

Enactment No: ORD 2023-018

2. [AB2023-200](#) Ordinance amending Whatcom County Code Section 1.14 Election Precinct Boundaries

Diana Bradrick, County Auditor, briefed the Councilmembers and answered whether any Council districts changed because of the precinct changes. She stated the Council districts are exactly as they were at the end of 2021.

Buchanan opened the Public Hearing and, hearing no one, closed the Public Hearing.

**Byrd moved and Frazey seconded that the Ordinance Requiring a Public Hearing be ADOPTED. The motion carried by the following vote:**

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

**Nay:** 0

Enactment No: ORD 2023-019

## **OPEN SESSION**

Buchanan read a statement into the record from the County's legal department concerning a potential conditional use permit for a gravel mining operation.

The following people spoke:

- John (last name not audible)
- Mark Hall
- James Isaac Welsh
- Elizabeth (last name not stated)
- Jim Klein
- Michael Feerer
- Carly Lloyd

- Sophie McMahon
- Maureen Cleveland
- Edward Bertran
- Ivy Little
- Rochelle Hallowell
- Daniel Harm
- Madeline Schwartz
- Marjolein Schermerhorn
- Laura Sheehan
- Emily Freudenberger
- Iliana Bradley
- Craig Knutson
- Alexander Harris
- White Miller
- Kyle Zandbergen
- Doug (Yoshe) Revelle
- Micah Anderson
- Howard Sharfstein
- Andrew Clarke
- Edward Wolf
- Richard Greenbaum
- Laura Weiss
- Rick Eggerth
- Jack McBride
- Brel Froebe
- Kathleen Greenbaum
- Elli Harron
- John Marshall
- Bo Bumford
- James Greinke
- Markis Dee
- Cliff Langley
- Natalie Chavez
- Name not given
- Lyle Sorenson
- Name not given
- Susan Kane-Ronning
- Laurie Poms Nelson
- Sandy Zeitel

- Misty Flowers
- Susan David
- (first name not stated) Johnson
- Rob Lewis
- Valery Anderson
- Name not given

Hearing no one else, Buchanan closed the Open Session.

*Clerk's note:* Councilmembers took a short break.

## **CONSENT AGENDA**

**(From Council Finance and Administrative Services Committee)**

***Kershner*** reported for the Finance and Administrative Services Committee and ***moved*** to approve Consent Agenda items one through sixteen. Councilmembers voted on those items (see votes on individual items below).

1. [AB2023-212](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and North Sound Behavioral Health Administrative Services Organization to acknowledge and fund Whatcom County's participation in the North Sound Integrated Care Network, in the amount of \$449,191.10

**Kershner reported for the Finance and Administrative Services Committee and moved that the Interlocal be AUTHORIZED BY CONSENT. The motion carried by the following vote:**

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

**Nay:** 0

2. [AB2023-218](#) Request authorization for the County Executive to enter into a contract amendment between Whatcom County and Lydia Place to provide housing case management services in the amount of \$75,000 for a total amended contract amount of \$452,157

**Kershner reported for the Finance and Administrative Services Committee and moved that the Contract be AUTHORIZED BY CONSENT. The motion carried by the following vote:**

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

**Nay:** 0

3. [AB2023-220](#) Request authorization for the County Executive to enter into a contract amendment between Whatcom County and the Administrative Office of the Courts in the increased amount of \$15,000 for a total amended contract amount of \$76,597.00

**Kershner reported for the Finance and Administrative Services Committee and moved that the Interlocal be AUTHORIZED BY CONSENT. The motion carried by the following vote:**

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

**Nay:** 0

4. [AB2023-223](#) Request authorization for the County Executive to enter into a grant agreement between Whatcom County and the Washington State Department of Commerce to provide funding to improve the Nooksack River gaging network, conduct a water storage study, and purchase and demolish up to four properties located in areas that are subject to inundation during flooding, in the amount of \$1,950,000.00

**Kershner reported for the Finance and Administrative Services Committee and moved that the Agreement be AUTHORIZED BY CONSENT. The motion carried by the following vote:**

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

**Nay:** 0

5. [AB2023-227](#) Request authorization for the County Executive to enter into a contract between Whatcom County and Taylor Made TDS Inc. to provide Class-A Commercial Driver's License training to Whatcom County Public Works employees, in the amount of \$100,000

**Kershner reported for the Finance and Administrative Services Committee and moved that the Contract be AUTHORIZED BY CONSENT. The motion carried by the following vote:**

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

**Nay:** 0

6. [AB2023-230](#) Request authorization for the County Executive to enter into an Interlocal Agreement between Whatcom County and the Port of Bellingham to establish procedures that will support the cooperative efforts to plan for a countywide high speed broadband system

**Kershner reported for the Finance and Administrative Services Committee and moved that the Interlocal be AUTHORIZED BY CONSENT. The motion carried by the following vote:**

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

**Nay:** 0

7. [AB2023-232](#) Request authorization for the County Executive to enter into a contract between Whatcom County and Pacific Security to provide Courthouse Security Services, in an

amount not to exceed \$200,000

**Kershner reported for the Finance and Administrative Services Committee and moved that the Contract be AUTHORIZED BY CONSENT. The motion carried by the following vote:**

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

**Nay:** 0

8. [AB2023-252](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and Western Washington University to assess the impact of forest cover on peak flows in the Nooksack River Basin, in the amount of \$30,054.00 (Council acting as the Whatcom County Flood Control Zone District Board of Supervisors)

**Kershner reported for the Finance and Administrative Services Committee and moved that the Contract (FCZDBS) be AUTHORIZED BY CONSENT. The motion carried by the following vote:**

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

**Nay:** 0

9. [AB2023-260](#) Request authorization for the County Executive to award bid #23-23 and enter into a contract between Whatcom County and Lake Union DryDock Company for the drydocking, repair, and maintenance of the Whatcom Chief in the amount of \$863,381

**Kershner reported for the Finance and Administrative Services Committee and moved that the Bid Award be AUTHORIZED BY CONSENT. The motion carried by the following vote:**

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

**Nay:** 0

10. [AB2023-261](#) Request authorization for the County Executive to enter into a collective bargaining agreement between Whatcom County and Teamsters Local 231 Corrections Deputies and Sergeants for the period of January 1, 2023 - December 31, 2025

**Kershner reported for the Finance and Administrative Services Committee and moved that the Contract be AUTHORIZED BY CONSENT. The motion carried by the following vote:**

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

**Nay:** 0

11. [AB2023-262](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and the City of Blaine for FY2021 Operation

Stonegarden (OPSG), in the amount of \$7,600.57

**Kershner reported for the Finance and Administrative Services Committee and moved that the Interlocal be AUTHORIZED BY CONSENT. The motion carried by the following vote:**

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

**Nay:** 0

12. [AB2023-263](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and the City of Everson for FY2021 Operation Stonegarden (OPSG), in the amount of \$10,448.00

**Kershner reported for the Finance and Administrative Services Committee and moved that the Interlocal be AUTHORIZED BY CONSENT. The motion carried by the following vote:**

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

**Nay:** 0

13. [AB2023-265](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and the City of Ferndale for FY2021 Operation Stonegarden (OPSG), in the amount of \$15,830.00

**Kershner reported for the Finance and Administrative Services Committee and moved that the Interlocal be AUTHORIZED BY CONSENT. The motion carried by the following vote:**

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

**Nay:** 0

14. [AB2023-266](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and the City of Lynden for FY2021 Operation Stonegarden (OPSG), in the amount of \$15,600.00

**Kershner reported for the Finance and Administrative Services Committee and moved that the Interlocal be AUTHORIZED BY CONSENT. The motion carried by the following vote:**

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

**Nay:** 0

15. [AB2023-267](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and the City of Sumas for FY2021 Operation Stonegarden (OPSG), in the amount of \$10,786.80

**Kershner reported for the Finance and Administrative Services Committee**



**and moved that the Interlocal be AUTHORIZED BY CONSENT. The motion carried by the following vote:**

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

**Nay:** 0

16. [AB2023-268](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and Washington Department of Fish and Wildlife for FY2021 Operation Stonegarden (OPSG), in the amount of \$6,527.13

**Kershner reported for the Finance and Administrative Services Committee and moved that the Interlocal be AUTHORIZED BY CONSENT. The motion carried by the following vote:**

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

**Nay:** 0

## **OTHER ITEMS**

**(From Council Climate Action and Natural Resources Committee)**

1. [AB2023-233](#) Request for motion to support Northwest Straits Marine Conservation Initiative Reauthorization

**Galloway reported for the Climate Action and Natural Resources Committee and moved that the Request for Motion be APPROVED. The motion carried by the following vote:**

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

**Nay:** 0

2. [AB2023-272](#) Request approval to send a letter regarding the North Cascades Ecosystem Grizzly Bear Restoration Plan/Environmental Impact Statement

**Galloway reported for the Climate Action and Natural Resources Committee and *moved* that the Request for Motion be APPROVED.**

Donovan explained why he abstained on this item in committee.

Dana Brown-Davis, Clerk of the Council, stated she heard from Skagit County and they are thinking that the letter is supposed to be from the multiple counties and not just from Whatcom.

Councilmembers discussed the motion.

**Galloway's motion that the Request for Motion be APPROVED carried by the following vote:**

**Aye:** 6 - Buchanan, Byrd, Elenbaas, Frazey, Galloway, and Kershner

**Nay:** 0

**Abstain:** 1 - Donovan

3. [AB2023-273](#) Request approval to send a letter regarding the Brokedown Palace timber sale

**Galloway** reported for the Climate Action and Natural Resources Committee and **moved** that the Request for Motion be APPROVED.

Elenbaas gave reasons why he opposed the letter in committee. He stated we are asking the Department of Natural Resources (DNR) to do what the law (Revised Code of Washington 36.70A.050) has already told them to do and that feels like we are interfering in the process.

Kershner spoke about the money (about \$900,000) from a timber sale that would go to the beneficiaries and stated the Council has a responsibility to consult with the schools and junior taxing districts to ensure they are not negatively impacted. She stated they should discuss how to replace this critical revenue if the Council takes action. We should wait to send this letter to find out what the Legislature is doing after they have adjourned and the County has consulted with the junior taxing districts. We should have a discussion on the vision of what we would like to send to DNR as far as how state trust lands are managed because there is State law about exactly how these lands have to be managed.

Donovan stated he would like to suggest an amendment to the first request in the letter and stated the Council is doing these letters on a sale by sale basis. He asked if they could just come up with a policy that states what they want from the DNR in terms of our county's role in having some input in these lands or our county's priorities about how these lands can be managed. He is also not sure of the timing.

**Donovan moved** to amend request number one on the second page of the letter to add language to the first sentence as follows:

1. Pause the Brokedown Palace Timber Sale until the current legislative session funds replacement revenues for beneficiary taxing districts in Whatcom County seeking reimbursement and until the legislature has provided guidance, authority, and funding to DNR regarding the management of mature, structurally-complex forests on state land...

The motion was seconded by Frazey.

Elenbaas stated there is no need for an amendment because the RCW lists out everything that the letter is stating.

Donovan restated his motion.

Kershner stated we should wait until the legislature is wrapped up so we know what they decide, wait and see what the permit process looks like, and allow the public to comment and then take action if necessary after those periods of time.

Galloway spoke about a recent court case on which the Supreme Court ruled and which opened up a conversation around how we are managing state forest lands, the requests included in the letter, the reasons for requesting a pause, and looking at how we can proactively be more engaging and figure out how to incorporate forest management practices into our climate solutions and not see them as two independent conversations.

Councilmembers continued to discuss the item.

***Kershner moved*** to hold. The motion was seconded by Byrd.

Elenbaas spoke about not telling the DNR what to do when it is already outlined in the law.

***Kershner*** asked if they need to have a date specific to hold the item and ***amended*** her motion to hold until May 9th.

Councilmembers discussed whether there is any value in holding it until DNR has an opportunity to start this project so that we know what we are asking them to pause, whether the Council wants to weigh in before the public comment to DNR, whether the Council might get into legal issues if they continue to deny these without specifying the reasons why which are laid out in the law (and whether the Council is actually denying them), whether the Council wants to water down their voice to the DNR by sending a letter for every sale, getting the letter in now so that it may have more opportunity to persuade the DNR than if the Council were reacting to an action they have already taken, and whether a conclusion could be drawn that the Council is designating resource lands on paper but functionally disallowing it.

**Kershner's motion that the Request for Motion be HELD IN COMMITTEE until May 9th carried by the following vote:**

**Aye:** 4 - Byrd, Donovan, Elenbaas, and Kershner

**Nay:** 3 - Buchanan, Frazey, and Galloway

4. [AB2023-275](#) Request approval to send a letter regarding the Pacific Northwest National Trail Comprehensive Plan

**Galloway** reported for the Climate Action and Natural Resources Committee and **moved** that the Request for Motion be APPROVED.

Councilmembers discussed the motion.

**Galloway's motion that the Request for Motion be APPROVED carried by the following vote:**

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

**Nay:** 0

**(From Council Finance and Administrative Services Committee)**

5. [AB2023-204](#) Ordinance amending the Whatcom County Budget, request no. 5, in the amount of \$631,850

**Kershner** reported for the Finance and Administrative Services Committee and **moved** that the Ordinance be ADOPTED.

Elenbaas stated if he votes no it does not mean that he does not support some of the things in here; he just does not support all of them so he cannot vote yes.

**Kershner's motion that the Ordinance be ADOPTED carried by the following vote:**

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

**Nay:** 1 - Elenbaas

Enactment No: ORD 2023-020

6. [AB2023-205](#) Ordinance amending the project based budget for the Lake Whatcom Park Trail Development Fund, request no. 2

**Kershner reported for the Finance and Administrative Services Committee and moved that the Ordinance be ADOPTED. The motion carried by the following vote:**

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

**Nay:** 0

Enactment No: ORD 2023-021

7. [AB2023-155](#) Ordinance amending Whatcom County Code 2.128, Business and Commerce Advisory Committee, to revise membership

Kershner stated this item was withdrawn (by agenda revision).

**This agenda item was WITHDRAWN.**

**(From Council Public Works and Health Committee)**

8. [AB2023-221](#) Discussion of the Whatcom County Food System Plan and request for Council approval

**Kershner** reported for the Public Works and Health Committee and ***moved*** that this item be held in Committee until April 25th to give the community an opportunity to comment on the plan.

Councilmembers discussed that all Input should go to Ali Jensen (staffer for the Food System Committee).

Kershner stated if the public has a comment on the food plan they can send an email to the Council and our Council staff will forward it to Ali Jensen.

Riley Sweeny, Food System Committee Chair, stated the plan and the committee staff's contact information is on the Food System Committee website.

The motion carried by the following vote:

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

**Nay:** 0

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

Motion approved 7-0 to Hold in Committee.

9. [AB2023-228](#) Request approval to send a letter regarding proposed legislation to increase truck size and weight

**Kershner reported for the Public Works and Health Committee and moved that the Request for Motion be HELD IN COMMITTEE until April 25th.**

**The motion carried by the following vote:**

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

**Nay:** 0

**(From Council Committee of the Whole)**

10. [AB2023-239](#) Request confirmation of the County Executive's appointment of Elizabeth Kosa as Director of Public Works effective April 12, 2023 pursuant to Whatcom County Code Section 2.75.020

**Buchanan** reported for the Committee of the Whole and **moved** that the Request for Motion be APPROVED and back-dated to March 13, 2023. The motion was seconded by Donovan.

Elizabeth Kosa, Public Works Department Director, addressed the Council.

**Buchanan's motion that the Request for Motion be APPROVED carried by the following vote:**

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

**Nay:** 0

Confirmation was back-dated to March 13, 2023.

### **COUNCIL APPOINTMENTS TO BOARDS, COMMISSIONS, AND COMMITTEES**

1. [AB2023-217](#) Appointment to vacancies on the Drayton Harbor Shellfish Protection District Advisory Committee, Applicant(s): Melissa Bomben

**Donovan moved** and Kershner seconded that the Council Appointment be APPOINTED.

Elenbaas asked if the applicant was available to address the Council but she was not.

**Donovan's motion that the Council Appointment be APPOINTED carried by the following vote:**

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

**Nay:** 0

2. [AB2023-256](#) Appointment to vacancies on the Sumas/Everson/Nooksack Flood Subzone Advisory Committee, Applicant(s): Joshua Clawson (Council acting as the Flood Control Zone District Board of Supervisors)

**Kershner moved** and Donovan seconded that the Council Appointment be APPOINTED.

Dana Brown-Davis, Clerk of the Council, answered how the application came to the Councilmembers and Councilmembers discussed the applicant.

**Kershner's motion that the Council Appointment be APPOINTED carried by the following vote:**

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

**Nay:** 0

### **ITEMS ADDED BY REVISION**

There were no agenda items added by revision, but AB2023-155 was withdrawn by revision.

### **INTRODUCTION ITEMS**

*Kershner moved* to introduce items one through twelve. The motion was seconded by Byrd.

Kershner stated she was asked to request that John Gargett, Division of Emergency Management, speak about Introduction item number two (AB2023-269) and he briefed the Councilmembers. He stated Whatcom County recently received about \$4.3 million for emergency response equipment but it has to be spent by June 30th and there is probably not enough time to be able to do that, so they will have to return the money unless they can find some way to do it. He spoke about the equipment that was on the list to purchase and answered questions.

Kershner stated the Ordinance states, “WHEREAS, the grant funds must be **obligated** by June 30, 2023” and asked whether that should say “**spent**” and Gargett stated it should.

Tyler Schroeder, Director of Administrative Services, stated technically it should be spent but for the purposes of the Ordinance and the intent of the Ordinance, which is an interfund loan from the General Fund to the Department of Emergency Management (DEM), it is okay.

Gargett answered whether there is any leeway with the Department of Commerce on getting the word “spent” changed to “obligated” and stated there is not. It is 2023 monies and they cannot carry it over into the 2024 biennium.

The speakers answered how they came up with such a precise number for the grant amount, whether we would be able to clear that whole \$4,294,850, whether they have a backup plan if they cannot get the purchase of automated sandbagging machines through because they cannot get the bid out quickly enough, and whether the sandbag machinery is technology we could purchase and own in-house.

Councilmembers voted on the introduction items (see votes on individual

items below).

1. [AB2023-264](#) Ordinance amending the project budget for the Public Safety Radio System Fund, request no. 3

**Kershner moved and Byrd seconded that the Ordinance be INTRODUCED.  
The motion carried by the following vote:**

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

**Nay:** 0

2. [AB2023-269](#) Ordinance authorizing an interfund loan for the purchase of flood response equipment

**Kershner moved and Byrd seconded that the Ordinance be INTRODUCED.  
The motion carried by the following vote:**

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

**Nay:** 0

3. [AB2023-270](#) Ordinance amending the 2023 Whatcom County Budget, request no. 6, in the amount of \$6,245,264

**Kershner moved and Byrd seconded that the Ordinance be INTRODUCED.  
The motion carried by the following vote:**

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

**Nay:** 0

4. [AB2023-231](#) Ordinance authorizing a revised system of assessment for Drainage Improvement District No. 7

**Kershner moved and Byrd seconded that the Ordinance Requiring a Public Hearing be INTRODUCED FOR PUBLIC HEARING. The motion carried by the following vote:**

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

**Nay:** 0

5. [AB2023-237](#) Ordinance establishing a temporary speed limit for Birch Bay Lynden Road

**Kershner moved and Byrd seconded that the Ordinance Requiring a Public Hearing be INTRODUCED FOR PUBLIC HEARING. The motion carried by the following vote:**

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

**Nay:** 0

6. [AB2023-240](#) Ordinance for temporary installation of stop signs on Birch Bay Lynden Road



**Kershner moved and Byrd seconded that the Ordinance Requiring a Public Hearing be INTRODUCED FOR PUBLIC HEARING. The motion carried by the following vote:**

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

**Nay:** 0

7. [AB2023-246](#) Ordinance establishing a temporary speed limit for Hannegan Road

**Kershner moved and Byrd seconded that the Ordinance Requiring a Public Hearing be INTRODUCED FOR PUBLIC HEARING. The motion carried by the following vote:**

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

**Nay:** 0

8. [AB2023-248](#) Ordinance establishing a temporary closure of Kelly Road and Van Wyck Road

**Kershner moved and Byrd seconded that the Ordinance Requiring a Public Hearing be INTRODUCED FOR PUBLIC HEARING. The motion carried by the following vote:**

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

**Nay:** 0

9. [AB2023-258](#) Ordinance amending Whatcom County Code 10.34, Ferry Rates

**Kershner moved and Byrd seconded that the Ordinance Requiring a Public Hearing be INTRODUCED FOR PUBLIC HEARING. The motion carried by the following vote:**

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

**Nay:** 0

10. [AB2023-259](#) Ordinance amending 2023 Whatcom County Unified Fee Schedule

**Kershner moved and Byrd seconded that the Ordinance Requiring a Public Hearing be INTRODUCED FOR PUBLIC HEARING. The motion carried by the following vote:**

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

**Nay:** 0

11. [AB2023-216](#) Appointment to a vacancy on the Horticulture Pest and Disease Board, Applicant(s):  
Isaiah Del Giorgio

**Kershner moved and Byrd seconded that the Council Appointment Requiring**

**Introduction be INTRODUCED. The motion carried by the following vote:**

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

**Nay:** 0

- 12. [AB2023-271](#) Resolution amending the 2023 Flood Control Zone District & Subzones Budget, request no. 1, in the amount of \$12,096,245 (Council acting as the Whatcom County Flood Control Zone District Board of Supervisors)

**Kershner moved and Byrd seconded that the Resolution (FCZDBS) be INTRODUCED. The motion carried by the following vote:**

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

**Nay:** 0

**COMMITTEE REPORTS, OTHER ITEMS, AND COUNCILMEMBER UPDATES**

Councilmembers gave committee reports and other updates.

Elizabeth Kosa, Public Works Department Director, answered questions about the status of stop signs that have been adopted by Ordinance and Elenbaas spoke about a possible solution to address public frustration about a recent stop sign.

Satpal Sidhu, County Executive, and Councilmembers discussed addressing public comments in open session and whether they could take care of staff business at the beginning of Council meetings.

Tyler Schroeder, Director of Administrative Services, spoke about discussions about upcoming legislative bills.

**ADJOURN**

The meeting adjourned at 10:39 p.m.

ATTEST:

WHATCOM COUNTY COUNCIL  
WHATCOM COUNTY, WA

\_\_\_\_\_  
Dana Brown-Davis, Council Clerk

\_\_\_\_\_  
Barry Buchanan, Council Chair

\_\_\_\_\_  
Kristi Felbinger, Minutes Transcription

