

Whatcom County Council (Special)

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



Minutes - Final

VIRTUAL MEETING - VIEW ONLINE

Thursday, December 17, 2020

11 AM

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 11:02 a.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

Council Consideration and Action

1. [AB2020-605](#) Resolution approving the development agreement between Whatcom County and Governors Point Land, LP

Amy Keenan, Planning and Development Services Department, briefed the Councilmembers on the proposed Resolution and stated that it gives authority to the Executive to sign the development agreement.

Royce Buckingham, Prosecuting Attorney's Office, addressed concerns about whether the public could participate again in this meeting, the open record hearing process, and receiving personal notice about hearings and Hearing Examiner decisions. He and Keenan answered questions about the code that addresses requirements for personal notice of hearings, how public comments allowed by Council figure in to the open record hearing law, whether the Council could be made aware in the future when an agenda item is a closed hearing, why these types of items come to the Council, how Council can access the full record for this item, how much of the agreement could possibly change since it is a draft agreement, whether they can approve everything but the dates, whether the highlighted dates in the agreement are substantive, whether the agreement would come back to the Council if a change were to occur, why this Resolution has to be done now, and whether there is anything different that was sent to Councilmembers for today than what was in the Council's packet for December 8, 2020.

Byrd moved that the Resolution be approved. The motion was seconded by Frazey.

Councilmembers discussed with staff where public comments can be found online and how the information can be better presented to the Council in the future.

Byrd's motion that the Resolution be APPROVED carried by the following vote:

Aye: 6 - Browne, Buchanan, Byrd, Donovan, Frazey and Elenbaas

Nay: 0

Absent: 0

Abstain: 1 - Kershner

Enactment No: RES 2020-056

Other Business

There was no other business.

Adjournment

The meeting adjourned at 11:25 a.m.

The County Council approved these minutes on January 12, 2021.

ATTEST:

WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WA

Barry Buchanan-via email 1/29/2021

Dana Brown-Davis, Council Clerk

Barry Buchanan, Council Chair

Kristi Felbinger, Minutes Transcription

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