

# **Whatcom County Council**

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



## **Action Summary**

**Tuesday, January 14, 2020**

**7 PM**

**Council Chambers**

### **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.

## COUNTY COUNCIL

### CALL TO ORDER

### ROLL CALL

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

**Absent:** None

### FLAG SALUTE

### ANNOUNCEMENTS

### MINUTES CONSENT

1. [MIN2020-001](#) Regular County Council for November 19, 2019

**APPROVED BY CONSENT**

**Aye:** 5 - Browne, Buchanan, Byrd, Donovan, and Frazey

**Nay:** 0

**Absent:** 0

**Abstain:** 2 - Elenbaas, and Kershner

2. [MIN2020-002](#) Special Committee of the Whole for November 19, 2019

**APPROVED BY CONSENT**

**Aye:** 5 - Browne, Buchanan, Byrd, Donovan, and Frazey

**Nay:** 0

**Absent:** 0

**Abstain:** 2 - Elenbaas, and Kershner

3. [MIN2020-003](#) Committee of the Whole - Executive Session for December 3, 2019

**APPROVED BY CONSENT**

**Aye:** 5 - Browne, Buchanan, Byrd, Donovan, and Frazey

**Nay:** 0

**Absent:** 0

**Abstain:** 2 - Elenbaas, and Kershner

4. [MIN2020-004](#) Regular County Council for December 3, 2019

**APPROVED BY CONSENT**

**Aye:** 5 - Browne, Buchanan, Byrd, Donovan, and Frazey

**Nay:** 0

**Absent:** 0

**Abstain:** 2 - Elenbaas, and Kershner

5. [MIN2020-006](#) Regular County Council for September 24, 2019 - REVISED

**APPROVED BY CONSENT**

**Aye:** 5 - Browne, Buchanan, Byrd, Donovan, and Frazey

**Nay:** 0

**Absent:** 0

**Abstain:** 2 - Elenbaas, and Kershner

**SPECIAL PRESENTATION**

1. [AB2020-023](#) County Executive Satpal Singh Sidhu will present remarks to Council on the commencement of his term as County Executive

**PRESENTED**

**PUBLIC HEARINGS**

Both hearings were kept open.

1. [AB2019-480](#) Ordinance amending Whatcom County Code Chapters 11.16 and 11.20 to protect Lake Samish shoreline properties and Lake Samish water recreation

**HEARD PUBLIC TESTIMONY**

Hearing continued to January 28, 2020

2. [AB2019-614](#) Ordinance amending Whatcom County Code 16.30, Lake Whatcom Stormwater Utility Funding Mechanism, changing the date for collection of Capital Facility Charges from January 1, 2020 to January 1, 2021

**HEARD PUBLIC TESTIMONY**

Hearing continued to January 28, 2020

**OPEN SESSION (20 MINUTES)**

**OTHER ITEMS**

(From Council Natural Resources Committee)

1. [AB2020-007](#) Resolution affirming the PDR Oversight Committee ranking and authorizing Whatcom

County Purchase of Development Rights administrator and Whatcom County executive to proceed with the acquisition of agricultural conservation easements on the Roper, McLeod, TeVelde, and Hirsch Korn Applications

**APPROVED**

**Aye:** 5 - Browne, Buchanan, Donovan, Frazey, and Kershner

**Nay:** 2 - Byrd, and Elenbaas

**Absent:** 0

Enactment No: RES 2020-002

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

2. [AB2020-010](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and the cities of Bellingham, Blaine, Everson, Ferndale, Lynden, Nooksack, and Sumas to govern the administration of surcharge funds generated as a result of substitute house bill 1406 and RCW 82.14.540

**AUTHORIZED**

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

**Nay:** 0

**Absent:** 0

3. [AB2020-019](#) Request authorization for the County Executive to enter into an Interlocal agreement between Whatcom County and Washington State Department of Social and Health Services for community based solutions for improving the ease of access to services and resources, in the amount of \$70,000

**AUTHORIZED**

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

**Nay:** 0

**Absent:** 0

4. [AB2020-005](#) Request authorization for the County Executive to enter into an intergovernmental agreement between Whatcom County and the State of Washington Office of the Secretary of State for the county's share of the costs of the VoteWA system in the amount of \$56,709 through June 30, 2025

**AUTHORIZED**

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

**Nay:** 0

**Absent:** 0

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

1. [AB2019-627](#) Appointment to fill a vacancy on the Board of Equalization - Applicant(s): John Bruton

**APPOINTED**

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

**Nay:** 0

**Absent:** 0

Appointed: John Bruton

2. [AB2020-011](#) Appointment to fill vacancies on the Climate Impact Advisory Committee - Applicants: William Harman, Katherine Kissinger, Kaylee Galloway, Erika Nuereberg, Stevan Harrell, Philip Thompson, David Kershner, Tim Miller, Cynthia Mitchell

**NOMINATED AND APPOINTED**

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

**Nay:** 1 - Elenbaas

**Absent:** 0

Appointed: William Harman, Katherine Kissinger, Kaylee Galloway, Erika Nuereberg, Philip Thomson, David Kershner, Cynthia Mitchell

3. [AB2020-012](#) Appointment to fill vacancies on Drayton Harbor Shellfish Protection District - Applicant(s) George Kaas

**APPOINTED**

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

**Nay:** 0

**Absent:** 0

Appointed: George Kaas

4. [AB2020-013](#) Appointment to fill vacancies on the Horticulture Pest and Disease Board - Applicant(s): Brett Pehl

**APPOINTED**

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

**Nay:** 0

**Absent:** 0

Appointed: Brett Pehl

5. [AB2020-014](#) Appointments to fill vacancies on the Incarceration Prevention and Reduction Task Force - Applicants: Stephen Gockley, Greg Winter, Arlene Feld

**APPOINTED**

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

**Nay:** 0

**Absent:** 0

Appointed: Stephen Gockley, Greg Winter, Arlene Feld

6. [AB2020-015](#) Appointment to fill vacancy on the Whatcom County Planning Commission - Applicant(s): Jim Hansen, Francis David Fitzgerald, Alvin Scott Van Dalen, Kathy Stanford, Jeff Chalfant, Towhee Wean

**NOMINATED AND APPOINTED**

Appointed: Jim Hanson 4 (Buchanan, Donovan, Browne, Frazey,) to 3 (Byrd, Elenbaas, and Kershner for Jeff Chalfant)

7. [AB2020-016](#) Appointment to fill vacancies on the Solid Waste Advisory Committee - Applicant(s): Larry McCarter, Rodd Pemble

**APPOINTED**

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

**Nay:** 0

**Absent:** 0

Appointed: Larry McCarter, Rodd Pemble

8. [AB2020-017](#) Appointment to fill vacancies on the Countywide Flood Control Zone District Advisory Committee - Applicant(s): Dale Buys, Ron Bronsema, Kyle Christensen, Holly O'Neil (Council acting as the Flood Control Zone District Board of Supervisors)

**APPOINTED**

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

**Nay:** 0

**Absent:** 0

Appointed: Dale Buys, Ron Bronsema, Kyle Christensen, Holly O'Neil

9. [AB2020-018](#) Appointment to fill vacancies on the Sumas/Everson/Nooksack Flood Control

Subzone Advisory Committee - Applicant(s): Ed Bosscher

**NOMINATED AND APPOINTED**

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

**Nay:** 0

**Absent:** 0

Appointed: Ed Bosscher

- 10. [AB2020-021](#) Appointment to fill vacancies on Lynden/Everson Flood Control Subzone District Advisory Committee - Applicant(s): Sherman Polinder (Council Acting as the Flood Control Zone District Board of Supervisors)

**NOMINATED AND APPOINTED**

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

**Nay:** 0

**Absent:** 0

Appointed: Sherman Polinder

- 11. [AB2020-025](#) Appointment to fill vacancies on Stakeholder Advisory Committee for Public Health, Safety, and Justice Facility Needs Assessment - applicants: Heather Flaherty, Arlene Feld, Joy Gilfilen

**HELD IN COUNCIL**

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

**Nay:** 0

**Absent:** 0

- 12. [AB2020-028](#) Appointments to fill vacancies on the Birch Bay Watershed and Aquatic Resources management Advisory Committee Applicant: Donald Brown

**APPOINTED**

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

**Nay:** 0

**Absent:** 0

Appointed: Donald Brown

**SPECIAL ORDER OF BUSINESS**

- 1. [AB2020-026](#) Approval of special standing Council meeting dates (Health Board and Water Work

Sessions)

**AMENDED AND APPROVED BY CONSENT**

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

**Nay:** 0

**Absent:** 0

**INTRODUCTION ITEMS**

1. [AB2020-020](#) Ordinance amending the 2020 Whatcom County Budget, request no. 3, in the amount of \$1,586,506

**INTRODUCED**

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

**Nay:** 0

**Absent:** 0

2. [AB2020-001](#) Resolution approving Whatcom County Parks & Recreation’s proposed lease of the Ostrom Conservation Site to the Nooksack Valley School District to maintain and operate the property as an outdoor education program and public site

**INTRODUCED FOR PUBLIC HEARING**

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

**Nay:** 0

**Absent:** 0

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

**ADJOURN**