

Whatcom County Council

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



Action Summary

Wednesday, November 9, 2022

6 PM

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.

COUNTY COUNCIL

CALL TO ORDER

ROLL CALL

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

Absent: None

FLAG SALUTE

ANNOUNCEMENTS

COUNTY EXECUTIVE'S REPORT

MINUTES CONSENT

1. [MIN2022-067](#) Committee of the Whole Executive Session for October 25, 2022

APPROVED BY CONSENT

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

Nay: 0

Absent: 0

Temp Absent: 1 - Elenbaas

2. [MIN2022-068](#) Committee of the Whole for October 25, 2022

APPROVED BY CONSENT

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

Nay: 0

Absent: 0

Temp Absent: 1 - Elenbaas

3. [MIN2022-070](#) Regular County Council for October 25, 2022

APPROVED BY CONSENT

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

Nay: 0

Absent: 0

Temp Absent: 1 - Elenbaas

INTRODUCTION ITEMS

1. [AB2022-581](#) Resolution to declare Whatcom County Real Property as Surplus and Approve Sale
INTRODUCED FOR PUBLIC HEARING
Aye: 6 - Buchanan, Byrd, Donovan, Frazey, Galloway, and Kershner
Nay: 1 - Elenbaas
Absent: 0
2. [AB2022-601](#) Ordinance amending the project based budget for the Courthouse Improvement Fund, request no. 2
INTRODUCED
Aye: 6 - Buchanan, Byrd, Donovan, Frazey, Galloway, and Kershner
Nay: 1 - Elenbaas
Absent: 0
3. [AB2022-604](#) Ordinance amending the Whatcom County Budget, request no. 15, in the amount of \$153,395
INTRODUCED
Aye: 6 - Buchanan, Byrd, Donovan, Frazey, Galloway, and Kershner
Nay: 1 - Elenbaas
Absent: 0
4. [AB2022-606](#) Ordinance Authorizing the Levy of Taxes for Conservation Futures Purposes for 2023
INTRODUCED FOR PUBLIC HEARING
Aye: 6 - Buchanan, Byrd, Donovan, Frazey, Galloway, and Kershner
Nay: 1 - Elenbaas
Absent: 0
5. [AB2022-607](#) Ordinance Authorizing the Levy of Taxes for County Road Purposes for 2023
INTRODUCED FOR PUBLIC HEARING
Aye: 6 - Buchanan, Byrd, Donovan, Frazey, Galloway, and Kershner
Nay: 1 - Elenbaas
Absent: 0
6. [AB2022-608](#) Ordinance Authorizing the Levy of Taxes for County and State Purposes in Whatcom County, Washington, for the Year of 2023

INTRODUCED FOR PUBLIC HEARING

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

Nay: 1 - Elenbaas

Absent: 0

7. [AB2022-609](#) Ordinance amending the project based budget for the Courthouse Building Envelope Fund, request no. 5

INTRODUCED

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

Nay: 1 - Elenbaas

Absent: 0

8. [AB2022-610](#) Ordinance adopting the Six-Year Capital Improvement Program for Whatcom County Facilities 2023-2028

INTRODUCED FOR PUBLIC HEARING

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

Nay: 1 - Elenbaas

Absent: 0

9. [AB2022-611](#) Resolution adopting the 2023-2024 budget for the Point Roberts Transportation Benefit District (Council acting as the governing body of the Point Roberts Transportation Benefit District)

INTRODUCED FOR PUBLIC HEARING

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

Nay: 1 - Elenbaas

Absent: 0

10. [AB2022-612](#) Ordinance amending the project budget for the Courthouse Improvement Fund, request no. 3

INTRODUCED

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

Nay: 1 - Elenbaas

Absent: 0

11. [AB2022-613](#) Ordinance amending the project budget for the Criminal Justice Integrated Case Management Systems Fund, request no. 1

INTRODUCED

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

Nay: 1 - Elenbaas

Absent: 0

12. [AB2022-614](#) Ordinance amending the project budget for the Finance System Software Fund, request no. 1

INTRODUCED

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

Nay: 1 - Elenbaas

Absent: 0

13. [AB2022-615](#) Ordinance amending the project budget for the Silver Lake Park Improvement Fund, request no. 4

INTRODUCED

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

Nay: 1 - Elenbaas

Absent: 0

14. [AB2022-616](#) Ordinance establishing the Bellingham Senior Center HVAC Replacement Fund and establishing a project based budget for the Bellingham Senior Center HVAC Replacement project

INTRODUCED

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

Nay: 1 - Elenbaas

Absent: 0

15. [AB2022-617](#) Ordinance establishing the Plantation Rifle Range Lead Reclamation & Capital Improvements Fund and establishing a project based budget for the Plantation Rifle Range Lead Reclamation & Capital Improvements project

INTRODUCED

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

Nay: 1 - Elenbaas

Absent: 0

16. [AB2022-618](#) Ordinance in the matter of the adoption of the final budget of Whatcom County for the Biennium 2023-2024

INTRODUCED FOR PUBLIC HEARING

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

Nay: 1 - Elenbaas

Absent: 0

17. [AB2022-620](#) Resolution adopting the 2023 budget for the Whatcom County Flood Control Zone District and Subzones (Council acting as the Flood Control Zone District Board of Supervisors)

INTRODUCED FOR PUBLIC HEARING

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

Nay: 1 - Elenbaas

Absent: 0

18. [AB2022-622](#) Resolution authorizing the levy of taxes for the Whatcom County Flood Control Zone District for 2023

INTRODUCED FOR PUBLIC HEARING

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

Nay: 1 - Elenbaas

Absent: 0

19. [AB2022-632](#) Ordinance Authorizing the Levy of Taxes for Countywide Emergency Medical Purposes for 2023

INTRODUCED FOR PUBLIC HEARING

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

Nay: 1 - Elenbaas

Absent: 0

20. [AB2022-637](#) Ordinance closing COVID-19 Emergency Response (CARES Act) Fund 134

INTRODUCED

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

Nay: 1 - Elenbaas

Absent: 0

21. [AB2022-638](#) Ordinance establishing a Capital Facilities Reserve Fund

INTRODUCED

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

Nay: 1 - Elenbaas

Absent: 0

PUBLIC HEARINGS

1. [AB2022-571](#) Ordinance amending the Whatcom County Code relating to Personal Wireless Service Facilities

ADOPTED

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

Nay: 0

Absent: 0

Enactment No: ORD 2022-069

OPEN SESSION

CONSENT AGENDA

(From Council Finance and Administrative Services Committee)

1. [AB2022-595](#) Request authorization for the County Executive to enter into a contract between Whatcom County and Washington State Military Department to purchase portable radios, in the amount of \$35,682

AUTHORIZED BY CONSENT

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

Nay: 0

Absent: 0

2. [AB2022-603](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and the State of Washington Puget Sound Partnership for water resources programs in the Whatcom County region, in the amount of \$375,000 (Council acting as the Whatcom County Flood Control Zone District Board of Supervisors)

This item was considered separately. See motion and vote below.

3. [AB2022-605](#) Request authorization for the County Executive to enter into a contract between Whatcom County and Geneva Consulting Services to coordinate the Whatcom Local Integrating Organization (LIO), in the amount of \$247,587.46 (Council acting as the Whatcom County Flood Control Zone District Board of Supervisors)

AUTHORIZED BY CONSENT

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

Nay: 0

Absent: 0

4. [AB2022-619](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and the Whatcom Conservation District for agriculture best management practices outreach and financial assistance, in the amount of \$66,000 (Council acting as the Whatcom County Flood Control Zone District Board of Supervisors)

AUTHORIZED BY CONSENT

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

Nay: 0

Absent: 0

5. [AB2022-623](#) Request authorization for the County Executive to enter into a contract amendment between Whatcom County and PeaceHealth to provide access to Epic in the amount of \$10,068 annually for a total amended contract amount of \$59,264

AUTHORIZED BY CONSENT

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

Nay: 0

Absent: 0

6. [AB2022-626](#) Request authorization for the County Executive to enter into an Interlocal Agreement modification between Whatcom County and the City of Bellingham for What-Comm Communications Center operations

AUTHORIZED BY CONSENT

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

Nay: 0

Absent: 0

7. [AB2022-628](#) Request authorization for the County Executive to enter into an Interlocal Agreement amendment between Whatcom County and Basic Life Support First Responder agencies in the amount of \$5,951,262.55

This item was considered separately. See motion and vote below.

8. [AB2022-629](#) Request authorization for the County Executive to enter into a contract amendment between Whatcom County and Hunt Forensics, LLC in the amount of \$89,028

AUTHORIZED BY CONSENT

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

Nay: 0

Absent: 0

9. [AB2022-631](#) Resolution approving a salary schedule and policies for Unrepresented Whatcom County employees effective January 1, 2023 through December 31, 2023

APPROVED

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

Nay: 0

Absent: 0

Enactment No: RES 2022-046

10. [AB2022-635](#) Request authorization for the County Executive to enter into a contract between Code Publishing, LLC and Whatcom County for legal code publishing services

AUTHORIZED BY CONSENT

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

Nay: 0

Absent: 0

CONSENT AGENDA ITEMS CONSIDERED SEPARATELY

7. [AB2022-628](#) Request authorization for the County Executive to enter into an Interlocal Agreement amendment between Whatcom County and Basic Life Support First Responder agencies in the amount of \$5,951,262.55

AUTHORIZED

Aye: 5 - Buchanan, Donovan, Elenbaas, Frazey, and Galloway

Nay: 2 - Byrd, and Kershner

Absent: 0

2. [AB2022-603](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and the State of Washington Puget Sound Partnership for water resources programs in the Whatcom County region, in the amount of \$375,000 (Council acting as the Whatcom County Flood Control Zone District Board of Supervisors)

AUTHORIZED

Aye: 5 - Buchanan, Donovan, Frazey, Galloway, and Kershner

Nay: 2 - Byrd, and Elenbaas

Absent: 0

OTHER ITEMS**(From Council Planning and Development Committee)**

1. [AB2022-586](#) Discussion and motion to approve the Public Participation Plan for Whatcom County Comprehensive Plan and Development Regulation Amendments

APPROVED REQUEST AS AMENDED

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

Nay: 0

Absent: 0

(No Committee Assignment)

2. [AB2022-639](#) Approval of Special Standing Meetings for 2023

SUBSTITUTE APPROVED BY THE COUNCILMEMBERS

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

Nay: 0

Absent: 0

COUNCIL APPOINTMENTS TO BOARDS, COMMISSIONS, AND COMMITTEES

1. [AB2022-538](#) Appointment to fill a vacancy on the Criminal Justice Treatment Account Panel, Substance Use Disorder Treatment Agency Position, Applicant(s): Julie Grendon

APPOINTED

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

Nay: 0

Absent: 0

2. [AB2022-592](#) Appointment to fill a vacancy on the Forestry Advisory Committee, Small Forest Landowner Position, Applicant(s): Holly Koon

APPOINTED

Appointed Koon with 5 votes (two for Tom Smith)

3. [AB2022-593](#) Appointment to fill a vacancy on Drainage District 3, Commissioner Position #3, Applicant(s): Paul Sangha

APPOINTED

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

Nay: 0

Absent: 0

**CONFIRMATION OF EXECUTIVE APPOINTMENTS TO BOARDS,
COMMISSIONS, AND COMMITTEES**

1. [AB2022-602](#) Request confirmation of the County Executive’s appointment of Jackie Dexter to the Marine Resources Committee

CONFIRMED

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

Nay: 0

Absent: 0

ITEMS ADDED BY REVISION

COMMITTEE REPORTS, OTHER ITEMS, AND COUNCILMEMBER UPDATES

ADJOURN