

Whatcom County Council

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



Action Summary

Tuesday, October 25, 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

Satpal Sidhu, County Executive, presented the 2023-2024 Whatcom County Budget Message.

MINUTES CONSENT

1. [MIN2022-063](#) Committee of the Whole Executive Session for October 11, 2022

APPROVED BY CONSENT

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

Nay: 0

Absent: 0

2. [MIN2022-064](#) Committee of the Whole for October 11, 2022

APPROVED BY CONSENT

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

Nay: 0

Absent: 0

3. [MIN2022-065](#) Regular County Council for October 11, 2022

APPROVED BY CONSENT

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

Nay: 0

Absent: 0

4. [MIN2022-066](#) Water Work Session for October 18, 2022

APPROVED BY CONSENT

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

Nay: 0

Absent: 0

PUBLIC HEARINGS

1. [AB2022-529](#) Ordinance approving a system of rates and charges for the Whatcom Conservation District

ADOPTED AS AMENDED

Aye: 4 - Buchanan, Donovan, Frazey, and Galloway

Nay: 3 - Byrd, Elenbaas, and Kershner

Absent: 0

Enactment No: ORD 2022-066

Amended Section 5 of the Ordinance so that it reads as follows:

Section 5. As provided in RCW 89.08.405(6), the County treasurer shall deduct an amount from the collected rates and charges, as established by the county legislative authority, to cover the costs incurred by the county assessor and county treasurer in spreading and collecting the rates and charges, but not to exceed the actual costs of such work.

2. [AB2022-545](#) Resolution adopting the 2023-2028 Six-Year Water Resources Improvement Program (WRIP) by the Whatcom County Council (Council acting as the Whatcom County Flood Control Zone District Board of Supervisors)

APPROVED

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

Nay: 0

Absent: 0

Enactment No: RES 2022-043

3. [AB2022-555](#) Resolution approving the Whatcom County 2023 Annual Construction Program

APPROVED

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

Nay: 0

Absent: 0

Enactment No: RES 2022-044

OPEN SESSION

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

1. [AB2022-563](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and Washington State Department of Commerce for Drug Task Force Justice Assistance Grant (JAG), in the amount of \$199,375.00

AUTHORIZED BY CONSENT

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

Nay: 1 - Elenbaas

Absent: 0

2. [AB2022-564](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and South Whatcom Fire Authority for fire protection services in an amount determined by the current levy rate and the assessed value of improvements on the park properties within the district

AUTHORIZED BY CONSENT

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

Nay: 1 - Elenbaas

Absent: 0

3. [AB2022-567](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and Washington State Health Care Authority to establish an alternative response team to respond to 911 calls that do not require law enforcement, in the amount of \$2,213,000

AUTHORIZED BY CONSENT

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

Nay: 1 - Elenbaas

Absent: 0

4. [AB2022-572](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and U.S. Department of Justice Drug Enforcement Administration for reimbursement of overtime for two Sheriff's Office detectives, in the amount of \$39,681.50

AUTHORIZED BY CONSENT

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

Nay: 1 - Elenbaas

Absent: 0

5. [AB2022-573](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and U.S. Department of Justice Organized Crime Drug Enforcement Task Forces (OCDETF) for reimbursement of overtime of Whatcom County Sheriff's Office deputies engaged in OCDETF investigation PA-WAW-0363, in the amount of \$2,500.00

AUTHORIZED BY CONSENT

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

Nay: 1 - Elenbaas

Absent: 0

6. [AB2022-574](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and U.S. Department of Justice Organized Crime Drug Enforcement Task Forces (OCDETF) for reimbursement of overtime of Whatcom County Sheriff's Office deputies engaged in OCDETF investigation PA-WAW-0362, in the amount of \$2,500.00

AUTHORIZED BY CONSENT

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

Nay: 1 - Elenbaas

Absent: 0

7. [AB2022-578](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and City of Bellingham for partial funding of the ongoing maintenance and operations of the Crisis Stabilization Center, in the amount of \$65,000

AUTHORIZED BY CONSENT

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

Nay: 1 - Elenbaas

Absent: 0

8. [AB2022-580](#) Request authorization for the County Executive to enter into an interlocal amendment between Whatcom County and the City of Bellingham to extend the term of the Jail Use Agreement until December 31, 2023

AUTHORIZED BY CONSENT

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

Nay: 1 - Elenbaas

Absent: 0

9. [AB2022-582](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and the City of Bellingham for design and construction

costs associated with the Meridian Birchwood Roundabout project in the amount of \$2,625,000

AUTHORIZED BY CONSENT

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

Nay: 1 - Elenbaas

Absent: 0

10. [AB2022-590](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and the City of Bellingham for joint support of the Whatcom Racial Equity Committee in the amount of \$600,000

AUTHORIZED BY CONSENT

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

Nay: 1 - Elenbaas

Absent: 0

OTHER ITEMS

(From Council Finance and Administrative Services Committee)

1. [AB2022-536](#) Ordinance amending Whatcom County Code 2.21.030 to increase the per diem amount paid to Board of Equalization members

ADOPTED

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

Nay: 0

Absent: 0

Enactment No: ORD 2022-067

2. [AB2022-554](#) Ordinance amending the 2022 Whatcom County Budget, request no. 14, in the amount of \$420,917

ADOPTED

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

Nay: 0

Absent: 0

Enactment No: ORD 2022-068

3. [AB2022-576](#) Request authorization for the County Executive to enter into a contract between Whatcom County and Opportunity Council to provide funding to support childcare stabilization, in the amount of \$1,489,509

AUTHORIZED

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

Nay: 2 - Byrd, and Elenbaas

Absent: 0

4. [AB2022-579](#) Request authorization for the County Executive to enter into a Subrecipient Agreement between Whatcom County and Opportunity Council for pass-through of a CDBG Public Services grant for the delivery of direct public services in the amount of \$131,000

AUTHORIZED

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

Nay: 1 - Byrd

Absent: 0

(From Council Public Works and Health Committee)

5. [AB2022-562](#) Resolution adopting Whatcom County Public Works policies as required by the County Road Administration Board

APPROVED

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

Nay: 0

Absent: 0

Enactment No: RES 2022-045

COUNCIL APPOINTMENTS TO BOARDS, COMMISSIONS, AND COMMITTEES

1. [AB2022-547](#) Appointments to fill two vacancies on the Forestry Advisory Committee, commercial forestry landowner positions, Applicants: John Gold and David Janicki

APPOINTED

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

Nay: 0

Absent: 0

2. [AB2022-556](#) Appointment to fill one vacancy on the Forestry Advisory Committee, citizen with forestry expertise, applicant(s): Charles Bagley Wright

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. [AB2022-577](#) Request confirmation of the County Executive’s appointments to the Whatcom County Commission on Salaries for Elected Officials

CONFIRMED

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

Nay: 0

Absent: 0

Abstain: 1 - Elenbaas

- 2. [AB2022-588](#) Request confirmation of the County Executive’s appointment of Russell Baird Tewskbury to the Civil Service Commission

CONFIRMED

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

Nay: 0

Absent: 0

ITEMS ADDED BY REVISION

INTRODUCTION ITEMS

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

INTRODUCED FOR PUBLIC HEARING

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

Nay: 0

Absent: 0

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

INTRODUCED

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

Nay: 0

Absent: 0

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

INTRODUCED

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

Nay: 0

Absent: 0

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

INTRODUCED

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

Nay: 0

Absent: 0

COMMITTEE REPORTS, OTHER ITEMS, AND COUNCILMEMBER UPDATES

Motion approved 7-0 to ask the Administration to come back to the Council with options for potential funding opportunities for a new correctional facility.

ADJOURN