

# **Whatcom County Council Committee of the Whole**

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



## **Committee Minutes - Draft Minutes**

**Tuesday, September 10, 2024**

**3:30 PM**

**Hybrid Meeting - Council Chambers**

**HYBRID MEETING - MAY BEGIN EARLY - ADJOURNS BY 4:30 PM  
(PARTICIPATE IN-PERSON, SEE REMOTE JOIN INSTRUCTIONS AT  
[www.whatcomcounty.us/joinvirtualcouncil](http://www.whatcomcounty.us/joinvirtualcouncil), OR CALL 360.778.5010)**

### **COUNCILMEMBERS**

Barry Buchanan  
Tyler Byrd  
Todd Donovan  
Ben Elenbaas  
Kaylee Galloway  
Jon Scanlon  
Mark Stremler

### **CLERK OF THE COUNCIL**

Cathy Halka, AICP, CMC

## Call To Order

Council Chair Barry Buchanan called the meeting to order at 3:36 p.m. in a hybrid meeting.

## Roll Call

**Present:** 7 - Barry Buchanan, Tyler Byrd, Todd Donovan, Ben Elenbaas, Kaylee Galloway, Jon Scanlon, and Mark Stremler

## Announcements

## Committee Discussion

1. [AB2024-336](#) Update from the investigative committee assigned to review recent employment law decisions

Donovan briefed the Councilmembers on a report from the investigative committee that summarizes what they heard in interviews and which they will hand off to the person that will be responding to the Request for Proposal (RFP). Up to this point, it has just been circulating among the three of them.

Councilmembers discussed how it should be formally presented to the other Councilmembers, whether they would want to put more specific recommendations in the report or leave it as a summary, whether it should be included in a Council packet, and whether Councilmembers would like to look at it first before doing that.

Byrd suggested they send it out to Councilmembers prior to the next meeting and then they can have it on the Committee of the Whole agenda for discussion. At that time, if anyone wants to make changes or add specific language, they can make a motion to do so.

Councilmembers discussed that suggestion, where they are at with having a definition of what they are looking for from outside help, the fact that there is a related budget supplemental request on the agenda tonight (**AB2024-521**), and whether the report should be included with the RFP.

**This agenda item was DISCUSSED.**

2. [AB2024-557](#) Discussion of a proposed ordinance adopting the 2020 Shoreline Management Program Periodic Update

Cliff Strong, Planning and Development Services Department, briefed the Councilmembers on the background of the ordinance adopting the Shoreline Management Program (SMP) update and stated for final approval, Council has to hold one more public hearing to consider the three

Department of Ecology-required amendments before adopting an ordinance codifying the update. He spoke about the three amendments.

He answered why the process has taken two years and whether it took that long last time, and stated Ecology held up their review awaiting Council's actions on short-term vacation rentals in Title 20. He answered whether they can now start implementing a registration system for vacation rentals in the Lake Whatcom watershed, and stated there would still be some code amendments for the Council to do to adopt the registration system and performance standards, but they are working toward that right now. He continued his briefing.

Councilmembers discussed meeting with Strong to do a deep dive on the SMP since it has been awhile, and whether the County should be spending funds on a vacation rental registration system.

**This agenda item was DISCUSSED.**

3. [AB2024-588](#) Request confirmation of the County Executive's appointment of Dr. Aldo Fusaro as Temporary Interim Medical Examiner effective September 11, 2024

Kayla Schott-Bresler, Executive's Office, briefed the Councilmembers and introduced Dr. Aldo Fusaro.

Dr. Fusaro, addressed the Councilmembers and he and Schott-Bresler answered how he would logistically split his time between Washington and Montana, how they would make sure the Charter responsibilities of the Medical Examiner would be covered if Dr. Fusaro was unavailable, making sure they have fulfilled the duties of the Charter in appointing a Medical Examiner at this point, what the Council should know for this appointment, and the doctor's philosophy about working with existing community groups.

Councilmembers asked questions about the permanent Medical Examiner position hiring process.

George Roche, Prosecuting Attorney's Office, asked that they not discuss the pending application process.

**This agenda item was DISCUSSED.**

### **Committee Discussion and Recommendation to Council**

1. [AB2024-573](#) Request approval of a joint Council/Executive letter to Whatcom County Search and Rescue regarding leasing building space

Buchanan briefed the Councilmembers and stated this letter is from Executive Sidhu (on behalf of the Executive's Office) and himself (on

behalf of the Council) affirming the details that have been negotiated between Search and Rescue and the Executive's Office regarding a new building.

Kayla Schott-Bresler, Executive's Office, stated they are committing to a ten-year lease to provide Search and Rescue with facility space.

***Buchanan moved*** to recommend approval of the joint letter. The motion was seconded by Galloway.

Schott-Bresler answered a question about a line in the letter which talks about "setting aside subsequent years of funding into a dedicated cost center in the County's Community Priorities Fund" and what that means. She stated they cannot commit past the biennial budget. They can commit themselves through a lease but the Council would not be actually appropriating the money for the last eight years of the lease until those budget processes have happened. They have revenue that is essentially cash in the Community Priorities Fund, and can park that revenue in a cost center and then draw upon it and budget for it as subsequent councils undertake their budget process. It will be a liability on the County's books since they will have a lease and the Finance Department will be tracking the obligations under the lease. She answered whether there will be other tenants in the building.

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

**Aye:** 7 - Buchanan, Byrd, Donovan, Elenbaas, Galloway, Scanlon, and Stremler

**Nay:** 0

### **Items Added by Revision**

There were no agenda items added by revision.

### **Other Business**

There was no other business.

### **Adjournment**

The meeting adjourned at 4:07 p.m.

ATTEST:

WHATCOM COUNTY COUNCIL  
WHATCOM COUNTY, WA

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Cathy Halka, Council Clerk

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Barry Buchanan, Council Chair

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Kristi Felbinger, Minutes Transcription