

Whatcom County Council

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



Action Summary

Tuesday, March 22, 2022

6 PM

Virtual Meeting

**HYBRID MEETING (PARTICIPATE IN-PERSON OR 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. [MIN2022-020](#) Committee of the Whole for March 8, 2022

APPROVED BY CONSENT

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

Nay: 0

Absent: 0

2. [MIN2022-021](#) Regular County Council for March 8, 2022

APPROVED BY CONSENT

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

Nay: 0

Absent: 0

3. [MIN2022-022](#) Water Work Session for March 15, 2022

APPROVED BY CONSENT

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

Nay: 0

Absent: 0

PUBLIC HEARINGS

1. [AB2022-121](#) Resolution vacating a portion of Horton Road

PUBLIC TESTIMONY RECEIVED

A public hearing was held and the Resolution was approved 6-1 with Byrd opposed. The item was later reconsidered below after AB2022-156.

2. [AB2022-122](#) Resolution vacating a portion of Boxwood Road

HEARD PUBLIC TESTIMONY AND REFERRED TO COMMITTEE

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

Nay: 0

Absent: 0

Another public hearing will be held on this item.

3. [AB2022-136](#) Ordinance changing the name of Bear Trap Road to Bear Spirit Road

ADOPTED

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

Nay: 0

Absent: 0

Enactment No: ORD 2022-022

4. [AB2022-137](#) Ordinance for temporary installation of a stop sign on Drayton Harbor Road

ADOPTED

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

Nay: 0

Absent: 0

Enactment No: ORD 2022-023

5. [AB2022-138](#) Ordinance for temporary installation of stop signs on South Pass Road

ADOPTED

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

Nay: 0

Absent: 0

Enactment No: ORD 2022-024

6. [AB2022-156](#) Ordinance repealing Ordinance 2022-005, temporary closure of Gulf Road

ADOPTED AS AMENDED

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

Nay: 3 - Byrd, Elenbaas, and Kershner

Absent: 0

Enactment No: ORD 2022-025

Motion carried 7-0 to amend to add the following whereas statement:

WHEREAS, Council recognizes private property rights and repealing Ordinance 2022-005 only affects the County right-of-way and does not invite trespass on adjacent private lands;

- 1. [AB2022-121](#) Resolution vacating a portion of Horton Road

RECONSIDERED

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

Nay: 0

Absent: 0

HELD - REFERRED TO COMMITTEE

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

Nay: 0

Absent: 0

Another public hearing will be held on this item.

OPEN SESSION (20 MINUTES)

CONSENT AGENDA

(From Council Finance and Administrative Services Committee)

- 1. [AB2022-139](#) 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 and providing for the option of supplemental services

AUTHORIZED BY CONSENT

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

Nay: 0

Absent: 0

- 2. [AB2022-158](#) Request authorization for the County Executive to enter into a contract amendment between Whatcom County and MSNW Group, LLC to provide Isolation & Quarantine Facility cleaning services in the amount of \$15,000 for a total amended

contract amount of \$70,000

AUTHORIZED BY CONSENT

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

Nay: 0

Absent: 0

3. [AB2022-161](#) Request authorization for the County Executive to enter into a lease agreement between Whatcom County and SpectraSite Communications to lease tower access at the Blaine-Harvey Road Water Tower Site for seven years for a total of \$189,559.07

AUTHORIZED BY CONSENT

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

Nay: 0

Absent: 0

4. [AB2022-168](#) Request authorization for the County Executive to enter into a Local Agency A&E Professional Services Agreement between Whatcom County and Trantech Engineering, LLC to provide on-call structural engineering support to the Whatcom County bridge program

AUTHORIZED BY CONSENT

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

Nay: 0

Absent: 0

5. [AB2022-169](#) Request authorization for the County Executive to enter into a Local Agency A&E Professional Services Agreement between Whatcom County and KPFF, Inc. to provide on-call professional structural engineering support for the Whatcom County bridge program in 2022

AUTHORIZED BY CONSENT

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

Nay: 0

Absent: 0

6. [AB2022-170](#) Request authorization for the County Executive to enter into Grant Amendment No. 7 between Whatcom County and the State of Washington Department of Ecology to provide for continued implementation of the Swift Creek Sediment Management Action Plan

AUTHORIZED BY CONSENT

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

Nay: 0

Absent: 0

7. [AB2022-174](#) Request authorization for the County Executive to award bid #22-06 and enter into a contract between Whatcom County and Lake Union Drydock Company for the annual dockside and maintenance repair of the Whatcom Chief Ferry in the amount of \$462,515.00

AUTHORIZED BY CONSENT

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

Nay: 0

Absent: 0

8. [AB2022-181](#) Request authorization for the County Executive to enter into a contract between Whatcom County and Felix Solomon to repair the Centennial Totem Pole, in the amount of \$56,500

AUTHORIZED BY CONSENT

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

Nay: 0

Absent: 0

9. [AB2022-182](#) Request approval for the County Executive to enter into an agreement with Whatcom Community Foundation in order to secure matching funds for the Jones Agricultural Conservation Easement through the Conservation Easement Program

AUTHORIZED BY CONSENT

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

Nay: 0

Absent: 0

10. [AB2022-185](#) Resolution amending Resolution 2021-048 for unrepresented Whatcom County employees

APPROVED

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

Nay: 0

Absent: 0

Enactment No: RES 2022-012

11. [AB2022-186](#) Request authorization for the County Executive to enter into a Letter of Understanding between Whatcom County and General Teamsters' Local Union 231 to amend the

Corrections Deputies and Sergeants Collective Bargaining Agreement for the period January 1, 2019 - December 31, 2022

AUTHORIZED BY CONSENT

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

Nay: 0

Absent: 0

- 12. [AB2022-187](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and Washington State Department of Veterans Affairs to provide Veteran Service Officer services to indigent veterans and their families, in the amount of \$48,825

AUTHORIZED BY CONSENT

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

Nay: 0

Absent: 0

OTHER ITEMS

(From Council Climate Action and Natural Resources Committee)

- 1. [AB2022-178](#) Resolution authorizing Whatcom County Executive Satpal Sidhu to act as the authorized representative on behalf of Whatcom County for Washington State Recreation and Conservation Office Farmland Preservation project grant

APPROVED

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

Nay: 0

Absent: 0

Enactment No: RES 2022-013

(From Council Finance and Administrative Services Committee)

- 2. [AB2022-153](#) Ordinance amending the 2022 Whatcom County Budget, request no. 6, in the amount of \$1,393,462

ADOPTED

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

Nay: 0

Absent: 0

Enactment No: ORD 2022-026

3. [AB2022-180](#) Request authorization for the County Executive to enter into a contract between Whatcom County and Whatcom Dispute Resolution Center to operate the Eviction Resolution Pilot Program, in the amount of \$74,800

AUTHORIZED

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

Nay: 0

Absent: 0

4. [AB2022-152](#) Resolution amending the Flood Control Zone District & Subzones 2022 budget, request no. 1, in the amount of \$1,421,000 (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 2022-014

(From Council Committee of the Whole)

5. [AB2021-594](#) Ordinance amending Whatcom County Code Chapter 2.02 (County Council) to define absence and temporary disability

ADOPTED

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

Nay: 0

Absent: 0

Enactment No: ORD 2022-027

(No Committee Assignment)

6. [AB2022-188](#) Resolution affirming the County Council and County Executive Expectations for Boards and Commissions

SUBSTITUTE APPROVED

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

Nay: 0

Absent: 0

Enactment No: RES 2022-015

7. [AB2022-183](#) Appoint councilmember representative to serve on the Climate Impact Advisory Committee

APPOINTED

Galloway was appointed.

8. [AB2022-191](#) Request authorization for Karen N. Frakes, Whatcom County Chief Civil Deputy Prosecuting Attorney, to sign the One Washington Memorandum of Understanding Between Washington Municipalities.

AUTHORIZED

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

Nay: 0

Absent: 0

Authorized 7-0 to authorize the county executive to sign the agreement

COUNCIL APPOINTMENTS TO BOARDS, COMMISSIONS, AND COMMITTEES

1. [AB2022-146](#) Appointment to a vacancy on the Forestry Advisory Committee, Small Forest Landowner position, Applicant: Tracy Petroske

APPOINTED

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

Nay: 0

Absent: 0

2. [AB2022-179](#) Appointment to a vacancy on the Climate Impact Advisory Committee, applicants Ted Clifton and Charles Bailey

APPOINTED

Charles Bailey was appointed.

EXECUTIVE APPOINTMENTS TO BOARDS, COMMISSIONS, AND COMMITTEES

1. [AB2022-175](#) Request confirmation of the County Executive's appointment of Sean Hopps to the Whatcom County Food System Committee

CONFIRMED

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

Nay: 0

Absent: 0

- 2. [AB2022-176](#) Request confirmation of the County Executive’s appointment of Katie Plewa Olvera to the Bellingham-Whatcom County Commission on Sexual and Domestic Violence

CONFIRMED

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

Nay: 0

Absent: 0

ITEMS ADDED BY REVISION

INTRODUCTION ITEMS

- 1. [AB2022-190](#) Ordinance amending Whatcom County Code 2.21, Board of Equalization

INTRODUCED

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

Nay: 0

Absent: 0

- 2. [AB2022-162](#) Ordinance Establishing Movement Restrictions on E. Hemmi Road at the Intersection with Hannegan Road

INTRODUCED FOR PUBLIC HEARING

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

Nay: 0

Absent: 0

- 3. [AB2022-163](#) Ordinance Removing a School Speed Zone on Hannegan Road

INTRODUCED FOR PUBLIC HEARING

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

Nay: 0

Absent: 0

- 4. [AB2022-164](#) Ordinance Establishing Parking Control on Eddie Lane within the Plat of Whisper Lake

INTRODUCED FOR PUBLIC HEARING

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

Nay: 0

Absent: 0

5. [AB2022-165](#) Ordinance Establishing a Speed Limit within the Plat of Whisper Lake

INTRODUCED FOR PUBLIC HEARING

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

Nay: 0

Absent: 0

6. [AB2022-166](#) Ordinance for Installation of a Stop Sign within the Plat of Whisper Lake

INTRODUCED FOR PUBLIC HEARING

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

Nay: 0

Absent: 0

7. [AB2022-177](#) Ordinance amending Whatcom County Code Section 1.14, Electoral Precincts, adjusting boundary lines based on decennial census information in the Legislative, Congressional and County Council districts

SUBSTITUTE INTRODUCED FOR PUBLIC HEARING

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

Nay: 0

Absent: 0

COMMITTEE REPORTS, OTHER ITEMS, AND COUNCILMEMBER UPDATES

ADJOURN