

**DISCLAIMER:** This document is a draft and is provided as a courtesy. This document is not to be considered as the final minutes. All information contained herein is subject to change upon further review and approval by the Whatcom County Council.

---

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40  
41  
42  
43  
44  
45  
46  
47  
48  
49  
50

Whatcom County Council  
**Surface Water Work Session**

January 22, 2019

**CALL TO ORDER**

Council Chair Rud Browne called the meeting to order at 10:30 a.m. in the Civic Center Garden Level Conference Room, 322 Commercial Avenue, Bellingham, Washington.

**ROLL CALL**

**Present:** Barbara Brenner, Rud Browne, Barry Buchanan, Tyler Byrd, Todd Donovan, Carol Frazey, and Satpal Sidhu.

**Absent:** None

The motion carried by the following vote:

**Ayes:** Brenner, Browne, Buchanan, Byrd, Donovan, Frazey, and Sidhu (7)

**Nays:** None (0)

**SURFACE WATER WORK SESSION**

Update on Lake Whatcom Stormwater Utility

Gary Stoyka, Public Works Department, updated the Council on the advisory committee meetings and preliminary recommendations on a rate structure and the consultant's work. He answered questions on options for a rate structure, options for a different structure depending on different factors, incentives for homeowners, and rates being comparable to similar charges for Bellingham homeowners.

Planning Unit Update on ESSB 6091 (RCW 90.94) Process

Stoyka reported on the Planning Unit discussions and the different versions of the plan updates from different caucuses. He would like to know how the Council wants him to vote at the next Planning Unit meeting. He answered questions.

The following Planning Unit members spoke and answered questions:

- Ann Russell, environmental caucus
- Loren VanderYacht, diking and drainage district caucus
- Skip Richards, nongovernmental water systems caucus
- Dick Whitmore, forestry caucus
- Dave Onkels, land development caucus
- Dan Eisses, water districts caucus
- Steven Jilk, Public Utilities District
- Ellen Baker, land use caucus

**DISCLAIMER: This document is a draft and is provided as a courtesy. This document is not to be considered as the final minutes. All information contained herein is subject to change upon further review and approval by the Whatcom County Council.**

---

1 Casey (inaudible), Washington State Department of Ecology, answered questions.

2  
3 Tyler Schroeder, Executive's Office, answered questions.

4  
5 Councilmembers, Planning Unit members, and staff discussed the approval process  
6 for updates; the initiating governments' participation on the Planning Unit; whether  
7 reaching a consensus is possible; the State Department of Ecology's process; whether the  
8 City and Tribes participate on the Watershed Management Board; the roles of the Planning  
9 Unit, initiating governments, County Council, and other agencies; the approval timeline; the  
10 best way to move forward; whether or not they should continue to work after the deadline  
11 on a plan that everyone can agree to; and the Department of Ecology changing its deadline.

12  
13 **Browne moved** to defer the overview of recent flood damages to a later meeting.

14  
15 The motion was seconded.

16  
17 The motion carried by the following vote:

18 **Ayes:** Brenner, Browne, Buchanan, Byrd, Donovan, Frazey, and Sidhu (7)

19 **Nays:** None (0)

20  
21 Councilmembers, Planning Unit members, and staff continued to discuss working on  
22 the content of the plan versus continuing to discuss the process; and allowing the Planning  
23 Unit to continue to work on the plan.

24  
25 **Byrd moved** that the Council instruct Mr. Stoyka to support whatever the Planning  
26 Unit majority agrees to regarding the plan at the next meeting.

27  
28 The motion was seconded.

29  
30 The motion carried by the following vote:

31 **Ayes:** Brenner, Browne, Byrd, and Sidhu (4)

32 **Nays:** Donovan, Frazey, and Buchanan (3)

33  
34 Councilmembers, Planning Unit members, and staff continued to discuss next steps  
35 at the Planning Unit; the effect of an abstention from a vote; the State's vote on the  
36 Planning Unit; and the impact of not coming up with a plan by the deadline.

37  
38 **Byrd moved** that the most recent version that comes out of the Planning Unit with  
39 majority approval by January 29 is the version that will come to the County Council for a  
40 vote to move forward.

41  
42 Browne stated that the Council can only schedule what the Planning Unit brings  
43 forward to the Council.

44  
45 Stoyka stated that since they haven't seen version four, he will abstain from any  
46 vote on that version at the January 23 Planning Unit meeting.

47  
48 Councilmembers discussed the impact of Mr. Stoyka's vote at the Planning Unit.

49  
50 Overview of Recent Flood Damages

**DISCLAIMER:** This document is a draft and is provided as a courtesy. This document is not to be considered as the final minutes. All information contained herein is subject to change upon further review and approval by the Whatcom County Council.

---

1  
2 This item was not discussed.  
3  
4 Browne moved to adjourn the meeting.  
5  
6 The motion was seconded.  
7  
8 The motion to adjourn carried by the following vote:  
9 **Ayes:** Brenner, Browne, Buchanan, Byrd, Donovan, Frazey, and Sidhu (7)  
10 **Nays:** None (0)  
11

12  
13 **ADJOURN**

14  
15 The meeting adjourned at 12:00 p.m.

16  
17 The Council approved these minutes on \_\_\_\_\_, 2019.

18  
19 ATTEST: WHATCOM COUNTY COUNCIL  
20 WHATCOM COUNTY, WASHINGTON  
21

22  
23  
24 \_\_\_\_\_  
25 Dana Brown-Davis, Council Clerk

26 \_\_\_\_\_  
27 Rud Browne, Council Chair

28  
29 \_\_\_\_\_  
30 Jill Nixon, Minutes Transcription