

**Whatcom County  
Council Committee of the Whole**

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



**Committee Minutes - Final**

**Tuesday, November 23, 2021**

**1:15 PM**

**Virtual Meeting**

**VIRTUAL MEETING - ADJOURNS BY 4:45 P.M. (TO PARTICIPATE, SEE  
INSTRUCTIONS AT [www.whatcomcounty.us/joinvirtualcouncil](http://www.whatcomcounty.us/joinvirtualcouncil) OR CALL  
360.778.5010); AGENDA REVISED 11.22.2021**

**COUNCILMEMBERS**

Rud Browne  
Barry Buchanan  
Tyler Byrd  
Todd Donovan  
Ben Elenbaas  
Carol Frazey  
Kathy Kershner

**CLERK OF THE COUNCIL**

Dana Brown-Davis, C.M.C.

## Call To Order

Council Chair Barry Buchanan called the meeting to order at 1:16 p.m. in a virtual meeting.

## Roll Call

**Present:** 7 - Rud Browne, Barry Buchanan, Tyler Byrd, Todd Donovan, Ben Elenbaas, Carol Frazey, and Kathy Kershner

**Absent:** None

## Announcements

### Special Presentation

1. AB2021-723 Update on the November 2021 Atmospheric River Flood

The following people reported and answered questions:

- Jon Hutchings, Public Works Department Director
- Erika Lautenbach, Health Department Director

They answered if there is an estimate of when water quality in Lake Whatcom will be ok for drinking, whether the County has a mechanism for the public to report road issues, how extensive and how long repairs will be on the levees, whether there are any other infrastructure or road projects or damage they should expect in the near future as far as budget and time resources go, whether we lost an early warning gage during this event, whether there are thoughts about improvements or additions to our capacity such as redundancies to our early warning system, whether there will be discussion about removing sediment from the river, and whether there are still areas in the county that are cut off because of the flood and road damage.

The following people continued the report and discussed the item with Councilmembers:

- John Gargett, Division of Emergency Management
- Satpal Sidhu, County Executive
- Tyler Schroeder, Executive's Office

They discussed whether farmers still only have two days of feed left, whether it would make sense to approve \$200,000 dedicated to waste disposal, possible protests about farms offering temporary housing for farm workers, what funds would be available to use for waste disposal, approving

\$500,00 for waste removal now, the County taking this on and adhering to the process for waste disposal, approving the funding for flood damage control management or a flood relief fund as opposed to just debris management in order to give the County flexibility, bringing forward an ordinance tonight that would approve \$500,000 for general flood response, which department debris removal would run through, and whether an ordinance should be a regular or emergency ordinance.

Dana Brown-Davis, Clerk of the Council, asked what account the money should come from.

*Donovan moved* that the Administration work with Byrd to prepare an ordinance for tonight.

*Donovan amended* his motion to recommend that the Administration prepare an ordinance for tonight to allocate \$500,000 from the General Fund for the purpose of flood response including debris removal.

Councilmembers and staff discussed issues of asbestos in Swift Creek and sediment removal from properties, and whether the ordinance would change anything for reimbursement depending on when it is adopted.

The motion carried by the following vote:

**Aye:** 6 - Kershner, Browne, Buchanan, Donovan, Elenbaas, and Frazey

**Nay:** 0

**Out of the meeting:** 1 - Byrd

Councilmembers and staff discussed whether this will be an emergency ordinance for consideration tonight, recognition of the significant community response to the flood, and the possibility of scheduling a Councilmember tour of affected areas.

**This agenda item was DISCUSSED AND MOTION(S) APPROVED.**

### **Committee Discussion**

1. AB2021-645 Discussion of the County Executive's recommended 2022 Biennium Budget Adjustments

Dana Brown-Davis, Clerk of the Council, answered whether they can make changes to supplemental requests for tonight without ordinances needing to be re-introduced.

The following people briefed the Councilmembers and answered questions:

- Tyler Schroeder, Executive's Office
- Satpal Sidhu, County Executive
- Gary Stoyka, Public Works Department

They answered questions about the position control changes, what the proposed Climate Action Planner would work on, and the Additional Services Request (ASR) for Collaborative Water Solutions Process 2022.

***Donovan moved*** to recommend to the full Council that they amend the budget to have an additional \$75,000 to go into water planning operations for technical studies that advance goals suggested at the Watershed Management Board meeting of October 15, 2021. The motion was seconded by Byrd.

Schroeder stated it would be cleaner to update the flood fund.

***Donovan restated his motion and moved*** to amend AB2021-622 (2022 budget for the Whatcom County Flood Control Zone District and Subzones) to have an additional \$75,000 into water planning operations for technical studies that would advance goals suggested at the October 15th Watershed Management Board meeting.

Councilmembers discussed the motion.

The motion carried by the following vote:

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

**Nay:** 0

Donovan spoke about the Ordinance authorizing the levy of taxes for conservation futures purposes for 2022 (AB2021-630) and the Alternate Proposed Ordinance (on file).

***Donovan moved*** to recommend to the full Council that they amend the Ordinance authorizing the levy of taxes for conservation futures purposes for 2022 (AB2021-630) to increase the levy rate in the amount of \$100,000, which is a percentage increase of 8.6% from the previous year. The motion was seconded by Frazey.

Councilmembers and Sidhu discussed the motion.

The motion carried by the following vote:

**Aye:** 4 - Buchanan, Donovan, Frazey, and Browne

**Nay:** 2 - Byrd and Elenbaas

**Abstain:**1 - Kershner

Councilmembers and Sidhu discussed the position of Director of Strategic Initiatives and whether people in the departments would have direct access to that person.

**Kershner moved** to remove the supplemental budget request number 3520, funding the Director of Strategic Initiatives, from the budget requests. The motion was seconded by Elenbaas.

Councilmembers discussed the motion with Sidhu and Schroeder.

The motion failed by the following vote:

**Aye:** 2 - Elenbaas and Kershner

**Nay:** 5 - Byrd, Donovan, Frazey, Browne, and Buchanan

Councilmembers, Sidhu, and Schroeder discussed Association Fees Increase under Non-Departmental to fund annual dues for the new 5 county advocacy group representing Snohomish, Whatcom, Island, Skagit and San Juan counties and known as SWISS in an amount of \$15,000; whether the Council had decided on their membership in the SWISS group; whether the group had discussed dues; and whether the budget request would still come to the Council for approval.

Buchanan recommended that they put together a resolution for the Dec 7, 2021 Council meeting in which they will give as much information as they have about the group so they can make a decision. He will work with Browne and Sidhu to come up with a resolution outlining the group, what they do, and what the Council's expectations will be.

Schroeder and Brad Bennett, Administrative Services Department Finance, answered questions about the amount of the Executive Contingency Fund under Non-Departmental, new proposed positions and whether they are long term, whether the requests noted on Exhibit A of AB2021-628 are new expenses, and where projected revenue for budget items is coming from.

**This agenda item was DISCUSSED AND MOTION(S) APPROVED.**

2. AB2021-548 Discussion and status update of proposed amendments to the Whatcom County Code regarding short-term rentals

Dana Brown-Davis, Clerk of the Council, briefed the Councilmembers.

Cliff Strong, Planning and Development Services Department, and Councilmembers discussed previous discussions on this item and what

should happen next.

Strong stated he will organize a presentation by the vendor Granicus for the Planning and Development Committee probably in January.

Councilmembers discussed getting an update on tiny homes and using a vendor like Granicus for this item.

**This agenda item was DISCUSSED.**

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

1. AB2021-696 Approval to send letter to Mayor of Bellingham regarding reinstating BTV broadcast of County Council meetings

Councilmembers discussed the wording in the letter.

Browne moved to strike the words "a basis we can support" and change it to provides "an explanation" and strike the words "our collective" but they did not yet have a main motion on the table.

***Kershner moved*** to approve the letter.

***Browne moved*** to strike the words "a basis we can support" and change it to provides "an explanation" and strike the words "our collective."

Kershner accepted the motion as a friendly amendment to the main motion.

Councilmembers discussed the motion.

The motion to approve as amended (and forward to the full Council) carried by the following vote:

**Aye:** 6 - Elenbaas, Frazey, Kershner, Browne, Buchanan, and Donovan

**Nay:** 0

**Out of meeting:** 1 - Byrd

**This agenda item was FORWARDED TO COUNCIL WITH RECOMMENDED MOTION(S).**

### **Items Added by Revision**

There were no agenda items added by revision.

### **Other Business**

Councilmembers discussed arriving early to the meeting on December 7 to get a picture of the Council taken via Zoom, when they will start meeting in

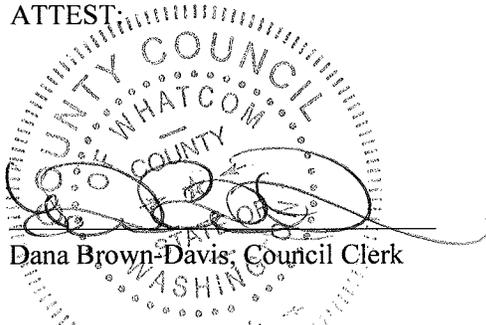
person, and staff support for Councilmembers.

**Adjournment**

The meeting adjourned at 4:35 p.m.

The County Council approved these minutes on January 11, 2022.

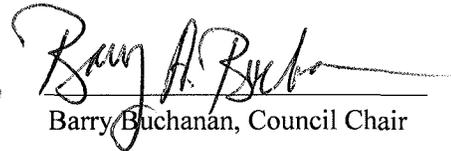
ATTEST:



The seal of the Whatcom County Council is circular with a dotted border. The text 'COUNTY COUNCIL' is at the top, 'WHATCOM COUNTY' is in the middle, and 'STATE OF WASHINGTON' is at the bottom. A signature is written across the seal.

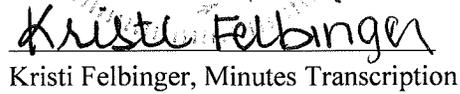
Dana Brown-Davis, Council Clerk

WHATCOM COUNTY COUNCIL  
WHATCOM COUNTY, WA



A handwritten signature in cursive script, reading 'Barry A. Buchanan', is written over a horizontal line.

Barry Buchanan, Council Chair



A handwritten signature in cursive script, reading 'Kristi Felbinger', is written over a horizontal line.

Kristi Felbinger, Minutes Transcription