

FOR MARCH 24, 2020

COUNTY COUNCIL MEETING  
OPEN SESSION COMMENTS FROM:

ALISON CALDER  
LOUISE CASSIDY  
REGARDING AB2020-110

CONTRACT BETWEEN WHATCOM COUNTY AND FREEDOM 2000, LLC,  
DBD CANDO RECYCLING AND DISPOSAL TO LEASE THE JOHNSON  
ROAD TRANSFER STATION FACILITY IN POINT ROBERTS  
LOUISE CASSIDY

JOHN LESOW  
REGARDING INITIATIVE VOTE ON PROPOSED DISCUSSION FOR THE  
PURCHASE OF POINT ROBERTS BY THE GOVERNMENT OF CANADA

## Dana Brown-Davis

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**From:** Council  
**Sent:** Tuesday, March 24, 2020 9:49 AM  
**To:** Carol Frazey; Tyler Byrd; Barry Buchanan; Todd Donovan; Rud Browne; Kathy Kershner; Ben Elenbaas; Dana Brown-Davis; Lisa Bruner; Cathy Halka  
**Subject:** FW: Transfer Station Lease

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**From:** Allison Calder  
**Sent:** Tuesday, March 24, 2020 9:48:53 AM (UTC-08:00) Pacific Time (US & Canada)  
**To:** Council  
**Subject:** Transfer Station Lease

My only concern has been Covid 19 as it should be for everyone and today I see a renewal for the transfer station lease for 5 years. Can the existing lease not just be extended on a month to month basis so that the public can have input? Thank you I'm so sorry to have to send this to you when it should be the LAST thing we should be talking about 😞

Allison Calder

## Dana Brown-Davis

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**From:** Council  
**Sent:** Tuesday, March 24, 2020 12:32 PM  
**To:** Carol Frazey; Tyler Byrd; Barry Buchanan; Todd Donovan; Rud Browne; Kathy Kershner; Ben Elenbaas; Dana Brown-Davis; Lisa Bruner; Cathy Halka  
**Subject:** FW: PR Transfer Station Lease  
**Importance:** High

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**From:** Louise Cassidy  
**Sent:** Tuesday, March 24, 2020 12:31:56 PM (UTC-08:00) Pacific Time (US & Canada)  
**To:** Council  
**Cc:** Tyler Byrd; Ben Elenbaas; Kathy Kershner; Barry Buchanan  
**Subject:** PR Transfer Station Lease

Dear Council Members

I am troubled to be having to talk to you about this issue when I know we are all working hard on Covid-19 issues.

Council's original docket for today included a public discussion on "Garbage in Point Roberts". This was all cancelled due to important issues relating to Covid-19.

Why is it that a five year contract with an automatic renewal of five years is before you today? The public does not know about this happening and has no ability to comment on the issue due to Covid-19.

I respectfully request that council vote to **extend** the current contract for one year.

This would give time for discussions about the future of Point Roberts garbage to take place , in public, at a latter date.

Thank you again for all you are doing to help our county.

Sincerely

Louise Cassidy  
Point Roberts

For open session related  
to AB 2020 - 110

**Dana Brown-Davis**

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**From:** Jeff Hegedus  
**Sent:** Tuesday, March 24, 2020 12:54 PM  
**To:** Dana Brown-Davis  
**Subject:** Re: Transfer Station Lease

Expires March 1, 2020 as on the agenda bill; this was not part of the below inquiry. No contract means no garbage service.

Sent from my mobile device

On Mar 24, 2020, at 11:53 AM, Dana Brown-Davis <[DBrown@co.whatcom.wa.us](mailto:DBrown@co.whatcom.wa.us)> wrote:

Jeff:

When does the current lease expire? I'm not seeing that information in your email.

Thank you.

Dana

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**From:** Jeff Hegedus  
**Sent:** Tuesday, March 24, 2020 11:48 AM  
**To:** Carol Frazey <[CFrazey@co.whatcom.wa.us](mailto:CFrazey@co.whatcom.wa.us)>; Tyler Byrd <[TByrd@co.whatcom.wa.us](mailto:TByrd@co.whatcom.wa.us)>; Barry Buchanan <[BBuchana@co.whatcom.wa.us](mailto:BBuchana@co.whatcom.wa.us)>; Todd Donovan <[TDonovan@co.whatcom.wa.us](mailto:TDonovan@co.whatcom.wa.us)>; Rud Browne <[RBrowne@co.whatcom.wa.us](mailto:RBrowne@co.whatcom.wa.us)>; Kathy Kershner <[KKershne@co.whatcom.wa.us](mailto:KKershne@co.whatcom.wa.us)>; Ben Elenbaas <[BElenbaa@co.whatcom.wa.us](mailto:BElenbaa@co.whatcom.wa.us)>; Dana Brown-Davis <[DBrown@co.whatcom.wa.us](mailto:DBrown@co.whatcom.wa.us)>; Lisa Bruner <[LBruner@co.whatcom.wa.us](mailto:LBruner@co.whatcom.wa.us)>; Cathy Halka <[CHalka@co.whatcom.wa.us](mailto:CHalka@co.whatcom.wa.us)>  
**Subject:** RE: Transfer Station Lease

Thank you, Dana. As requested, in response to the below public inquiry:

- As approved by the Washington Utilities and Transportation Commission (WUTC), Cando Recycling and Disposal (Cando) is, by law, the sole and exclusive provider of solid waste collection services in Point Roberts.
- The required solid waste collection services operate out of the County owned historic landfill site, as per leasehold agreement with Cando, which is renewed on a five year basis to provide stability of public service.
- As required by the leasehold agreement, the lessee must not only operate the transfer station, but also provide solid waste collection services.
- *The lessee is responsible to pay for site improvements; a month-to-month lease, as suggested below, provides for no payback period or incentive to implement necessary operational improvements.*
- Cando operates the transfer station under a conditional use permit, and no other light industrial zoning exists to accommodate service provision.
- Splitting apart transfer station operations from collection services would significantly reduce economies of scale, in an already challenged service location, and greatly increase the probability of a repeat performance of loss of service, as was experienced in 2009 when the previous service provider went out of business.

- When the previous service provider went out of business, and filed a lawsuit against the County, a settlement agreement of approximately \$120,000 was reached; the \$750 per month lease rate was implemented to pay off this settlement. Any increase to this rate will increase tipping fees in an already challenging service area.

Staff highly recommends continuation of the 5 year renewal term, as is implemented with SSC at the Cedarville Landfill and Birch Bay Lynden Rd drop box facilities, to provide for stable, viable, sustainable solid waste services in Point Roberts, which is currently being achieved through implementation the new local program and diligent, hard work by the service provider.

Thank you.

**Jeff Hegedus, RS, MS, MBA**  
Environmental Health Supervisor

<image002.png> **Whatcom County Health Department**

509 Girard Street, Bellingham, WA 98225  
Office: (360) 778-6000 | Direct: (360) 778-6044  
[jhegedus@co.whatcom.wa.us](mailto:jhegedus@co.whatcom.wa.us)  
[www.whatcomcounty.us/health](http://www.whatcomcounty.us/health)  
[www.facebook.com/WhatcomCountyHealth](https://www.facebook.com/WhatcomCountyHealth)

*My incoming and outgoing email communication is subject to public disclosure laws.*

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**From:** Dana Brown-Davis  
**Sent:** Tuesday, March 24, 2020 9:51 AM  
**To:** Arden Landry <[ALandry@co.whatcom.wa.us](mailto:ALandry@co.whatcom.wa.us)>  
**Subject:** FW: Transfer Station Lease

Hello, Arden  
Can you please send this to someone who can provide an answer to the Council?

Thank you.

Dana

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**To:** Carol Frazey <[CFrazey@co.whatcom.wa.us](mailto:CFrazey@co.whatcom.wa.us)>; Tyler Byrd <[TByrd@co.whatcom.wa.us](mailto:TByrd@co.whatcom.wa.us)>; Barry Buchanan <[BBuchana@co.whatcom.wa.us](mailto:BBuchana@co.whatcom.wa.us)>; Todd Donovan <[TDonovan@co.whatcom.wa.us](mailto:TDonovan@co.whatcom.wa.us)>; Rud Browne <[RBrowne@co.whatcom.wa.us](mailto:RBrowne@co.whatcom.wa.us)>; Kathy Kershner <[KKershne@co.whatcom.wa.us](mailto:KKershne@co.whatcom.wa.us)>; Ben Elenbaas <[BElenbaa@co.whatcom.wa.us](mailto:BElenbaa@co.whatcom.wa.us)>; Dana Brown-Davis <[DBrown@co.whatcom.wa.us](mailto:DBrown@co.whatcom.wa.us)>; Lisa Bruner <[LBruner@co.whatcom.wa.us](mailto:LBruner@co.whatcom.wa.us)>; Cathy Halka <[CHalka@co.whatcom.wa.us](mailto:CHalka@co.whatcom.wa.us)>  
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Environmental Health Supervisor

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**From:** Council  
**Sent:** Tuesday, March 24, 2020 12:42 PM  
**To:** Carol Frazey; Tyler Byrd; Barry Buchanan; Todd Donovan; Rud Browne; Kathy Kershner; Ben Elenbaas; Dana Brown-Davis; Lisa Bruner; Cathy Halka  
**Subject:** FW: Written Comments for Open Session - Tuesday, March 24, 2020 - Initiative Vote on Proposed Discussions for the Purchase of Point Roberts by the Government of Canada

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From: john lesow  
Sent: Tuesday, March 24, 2020 12:41:01 PM (UTC-08:00) Pacific Time (US & Canada)  
To: Council; john lesow  
Subject: Written Comments for Open Session - Tuesday, March 24, 2020 - Initiative Vote on Proposed Discussions for the Purchase of Point Roberts by the Government of Canada

Members of Council:

Further to my comments at Open Session at the regular meeting of Whatcom County Council on March 10,2020:

1. I have not received a retraction from Pat Grubb, Editor and Publisher of the All Point Bulletin Newspaper in Point Roberts that I "still own property in Point Roberts". Nor do I expect any retraction from the print or online editions of the All Point Bulletin, April edition.
2. All communications from Point Roberts residents, including Pat Grubb, on the question of an Initiative vote have been forwarded to the Council Secretary today.
3. I will continue to keep County Council and the County Executive advised on the progress of the initiative proposal as we move ahead.  
This will be done either by resuming my personal attendance at Council meetings or thru virtual meetings.

Regards,

John Lesow

3519 Capilano Road

North Vancouver, B.C. V7R 4H9