

Whatcom County Council

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



Meeting Agenda

Tuesday, February 11, 2025

6 PM

Hybrid Meeting - Council Chambers

SECOND AGENDA REVISION 2.10.2025 - AGENDA REVISED 2.7.2025 - HYBRID MEETING (PARTICIPATE IN-PERSON, SEE REMOTE JOIN INSTRUCTIONS AT 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

COUNTY COUNCIL

CALL TO ORDER

ROLL CALL

FLAG SALUTE

ANNOUNCEMENTS

The Council is currently holding meetings in hybrid format with options for in-person or remote viewing and participation. For instructions on remote participation, visit www.whatcomcounty.us/joinvirtualcouncil and register by 4 p.m. the day of the meeting to speak remotely. Individuals who require special assistance to participate in the Council's meetings are asked to contact the Council Office at 360.778-5010 at least 96 hours in advance.

Per RCW 42.17A.555 the use of public facilities to support or oppose candidates or ballot issues is prohibited. Members of the public and the legislative body are not allowed to speak in support of, or in opposition to, a ballot measure or individual candidacy during an open public meeting. Please refrain from raising campaign issues when addressing the Council.

The County is accepting applications from county residents to fill vacancies on several boards, commissions, and committees spanning a wide range of important local issues. For more information, visit the Boards and Commissions vacancy webpage on the County website or call the Council Office or County Executive's Office.

COUNTY EXECUTIVE'S REPORT

MINUTES CONSENT

1. [MIN2025-005](#) Committee of the Whole Executive Session for January 28, 2025
2. [MIN2025-006](#) Committee of the Whole for January 28, 2025
3. [MIN2025-007](#) Regular County Council for January 28, 2025

OPEN SESSION

Participants requesting to speak during open session may attend in person. To speak remotely, please visit www.whatcomcounty.us/joinvirtualcouncil and register by 4 p.m. the day of the meeting to receive a join link.

During open session, audience members may speak to the council on issues not scheduled for public hearing. All speakers are asked to state their name for the record and optionally include city of residence. When a large group of individuals supports the same position on an issue, we encourage the selection of one or two representatives to speak on behalf of the entire group. Speakers will be given three minutes to address the Council and will be notified when their three minutes are up. Speakers participating on-site in the Council Chambers will speak first, followed by those who have registered to speak remotely.

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Per RCW 42.36.060 Councilmembers are prohibited from engaging in ex parte communications in matters where the Council determines the legal rights, duties, or privileges of specific parties in a hearing or other contested case proceeding. Council serves in a quasi-judicial role as a decision-maker on major project permits, which cannot be discussed by members of the public at Council meetings. Examples of major project permits that cannot be discussed at Council meetings include MPP2024-00001 City of Bellingham Mitigation Bank, LSS2024-00001 R and R Acres Long Subdivision and Development Agreement, LSS2022-00001 Red Mountain Long Subdivision and Development Agreement, PUD2022-00001 Royal Emerald Motors Planned Unit Development, MPP2024-00002 ALA Energy, Ferndale Terminal Existing and Planned Improvements, and CUP2023-00003/DEV2024-00001 Ponderosa Estates Mobile Home Park.

CONSENT AGENDA

Items under this section of the agenda may be considered in a single motion. Councilmembers have received and studied background material on all items. Committee review has taken place on these items, as indicated. Any member of the public, administrative staff, or council may ask that an item be considered separately.

(From Council Finance and Administrative Services Committee)

1. [AB2025-117](#) Request authorization for the County Executive to enter into a contract between Whatcom County and Lake Whatcom Residential & Treatment Center to provide funding for HVAC system and window replacement at the Birchwood assisted living and treatment facility, in the amount of \$1,000,000
2. [AB2025-133](#) Request authorization for the County Executive to enter into a contract between Whatcom County and Rick Ackerman for the provision of evaluations and treatment services to youth referred or sentenced under the Special Sex Offender Disposition Alternative (SSODA) in Whatcom County Juvenile Court, in the amount of \$22,000

3. [AB2025-134](#) Request authorization for the County Executive to enter into a contract between Whatcom County and L&L Counseling and Consultation for the provision of evaluations and treatment services to youth referred or sentenced under the Special Sex Offender Disposition Alternative (SSODA) in Whatcom County Juvenile Court, in the amount of \$30,000
4. [AB2025-136](#) Request authorization for the County Executive to enter into a contract amendment between Whatcom County and North Sound Behavioral Health Administrative Services Organization to provide behavioral health services within the North Sound Integrated Care Network in the amount of \$104,295, for a total amended contract amount of \$3,025,135
5. [AB2025-150](#) Request authorization for the County Executive to enter into a contract between Whatcom County and the Whatcom Dispute Resolution Center (WDRC) to provide for the administration of the family law mediation program, fee subsidy for low income participants of mediation sessions and parenting seminars, and language interpretation for participants, in the amount of \$65,000
6. [AB2025-151](#) Request authorization for the County Executive to enter into an interlocal agreement with Diking District No. 3 and landowners John and Rich Appel to provide flood control/river improvement work on Cougar Creek for the Neveel Levee Cougar Creek Fish Passage Project, which includes a cost-share contribution from the landowners and an in-kind contribution from the Diking District, in the amount of \$350,927 (Council acting as the Whatcom County Flood Control Zone District Board of Supervisors)
7. [AB2025-153](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and the City of Ferndale for Correctional Services
8. [AB2025-158](#) Request authorization for the County Executive to enter into an Interlocal Agreement between Whatcom County and the City of Everson for Correctional Services
9. [AB2025-161](#) Request authorization for the County Executive to enter into a contract between Whatcom County and the Washington State Military Department to utilize Emergency Rapid Response Funds to aid in the recovery of qualified low-income individuals/households affected by the November 2024 Bomb Cylone, in the amount of \$135,000

OTHER ITEMS

COUNCIL APPOINTMENTS TO BOARDS, COMMISSIONS, AND COMMITTEES

1. [AB2025-138](#) Appointment to vacancies on the Portage Bay Shellfish Protection District Advisory Committee, Applicant(s): Fred Likkel, Albert deBoer (Council acting as the Flood Control Zone District Board of Supervisors)

CONFIRMATION OF EXECUTIVE APPOINTMENTS TO BOARDS, COMMISSIONS, AND COMMITTEES

Per Whatcom County Code 2.03.070(B), the council must confirm or reject executive appointments within 30 days of submission to the council. County code deems the appointee confirmed if council does not take action within this time.

1. [AB2025-116](#) Request confirmation of the County Executive's appointments of Paul Pelot and Robert Wilson to the Whatcom County Veterans Advisory Board
2. [AB2025-155](#) Request confirmation of the County Executive's appointment of Colin Wahl and Paul Meyer to the Whatcom County Marine Resources Committee
3. [AB2025-156](#) Request confirmation of the County Executive's appointment of Henry Bierlink, Paul D'Agnolo, and Mike Finger to the Whatcom County Conservation Easement Program Oversight Committee

ITEM REVISED 2.7.2025

ITEMS ADDED BY REVISION

1. [AB2025-163](#) Request authorization for the County Executive to enter into an agreement between Whatcom County and Sustainable Connections for the purpose of conducting a feasibility study for the development of an Office of Healthy Housing in the amount of \$190,000

ITEM ADDED 2.10.2025

INTRODUCTION ITEMS

Council action will not be taken. The council may accept these items for introduction (no action) in a single motion. Changes, in terms of committee assignment for example, may be made at this time.

1. [AB2025-030](#) Receipt of applications to a vacancy on the Incarceration Prevention & Reduction Task Force, health and social services provider, Applicant(s): Eve Smason-Marcus, Kristy Backer, Rob Sullivan, Alexis Hahs (Deadline for additional applications is 10:00 a.m. on Tuesday, February 18, 2025)
2. [AB2025-059](#) Ordinance adopting amendments to Whatcom County Code Titles 20 & 22 to enact SSB 5290 regarding local project review
3. [AB2025-120](#) Ordinance amending Whatcom County Code 2.123, Forestry Advisory Committee, to expand the committee's purpose and adjust member terms
4. [AB2025-140](#) Resolution vacating a portion of Camp 2 Road
5. [AB2025-145](#) Ordinance authorizing a revision to the Unified Fee Schedule
6. [AB2025-147](#) Ordinance amending Whatcom County Code 2.27A, Aquatic Invasive Species (AIS)

7. [AB2025-149](#) Ordinance adopting amendments to Whatcom County Code 24.05, Onsite Sewage System Regulations
8. [AB2025-160](#) Ordinance closing the Shallow Shore Culvert Relocation Fund 3917
9. [AB2025-162](#) Ordinance amending the project budget for the new Public Health, Safety and Justice Facility, request no. 7
10. [AB2025-164](#) Ordinance amending the 2025 Whatcom County Budget, request no. 2, in the amount of \$4,751,265

ITEM REVISED 2.7.2025

COMMITTEE REPORTS, OTHER ITEMS, AND COUNCILMEMBER UPDATES

ADJOURN