

# **Whatcom County Council**

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



## **Council Action Summary - Final**

**Tuesday, May 21, 2019**

**7 PM**

**Council Chambers**

### **COUNCILMEMBERS**

Barbara Brenner  
Rud Browne  
Barry Buchanan  
Tyler Byrd  
Todd Donovan  
Carol Frazey  
Satpal Sidhu

### **CLERK OF THE COUNCIL**

Dana Brown-Davis, C.M.C.

## COUNTY COUNCIL

### CALL TO ORDER

### ROLL CALL

**Present:** 7 - Barbara Brenner, Rud Browne, Barry Buchanan, Tyler Byrd, Todd Donovan, Carol Frazey, and Satpal Sidhu

**Absent:** None

### FLAG SALUTE

### ANNOUNCEMENTS

### MINUTES CONSENT

1. [MIN2019-034](#) Committee of the Whole for April 9, 2019

**APPROVED BY CONSENT**

**Aye:** 7 - Brenner, Browne, Buchanan, Byrd, Donovan, Frazey, and Sidhu

**Nay:** 0

**Absent:** 0

2. [MIN2019-035](#) Regular County Council for April 9, 2019

**APPROVED BY CONSENT**

**Aye:** 7 - Brenner, Browne, Buchanan, Byrd, Donovan, Frazey, and Sidhu

**Nay:** 0

**Absent:** 0

3. [MIN2019-036](#) Surface Water Work Session for April 16, 2019

**APPROVED BY CONSENT**

**Aye:** 7 - Brenner, Browne, Buchanan, Byrd, Donovan, Frazey, and Sidhu

**Nay:** 0

**Absent:** 0

4. [MIN2019-037](#) Committee of the Whole for April 23, 2019

**APPROVED BY CONSENT**

**Aye:** 7 - Brenner, Browne, Buchanan, Byrd, Donovan, Frazey, and Sidhu

**Nay:** 0

**Absent:** 0

5. [MIN2019-038](#) Regular County Council for April 23, 2019

**APPROVED BY CONSENT**

**Aye:** 7 - Brenner, Browne, Buchanan, Byrd, Donovan, Frazey, and Sidhu

**Nay:** 0

**Absent:** 0

6. [MIN2019-039](#) Regular County Council for May 7, 2019

**APPROVED BY CONSENT**

**Aye:** 7 - Brenner, Browne, Buchanan, Byrd, Donovan, Frazey, and Sidhu

**Nay:** 0

**Absent:** 0

**PUBLIC HEARINGS**

1. [AB2019-249](#) Ordinance amending Whatcom County Code to restructure the Public Health Advisory Board

**Ordinance 2019-040**

**ADOPTED AS AMENDED**

**Aye:** 6 - Brenner, Browne, Buchanan, Donovan, Frazey, and Sidhu

**Nay:** 1 - Byrd

**Absent:** 0

Enactment No: ORD 2019-040

**OPEN SESSION (20 MINUTES)**

**CONSENT AGENDA**

**(From Council Finance and Administrative Services Committee)**

1. [AB2019-172](#) Request authorization for the County Executive to enter into a contract between Whatcom County and Meridian School District for a five year lease of the Sheriff's Office sub-station at 194 W. Laurel with a total cost of \$59,977

**AUTHORIZED BY CONSENT**

**Aye:** 7 - Brenner, Browne, Buchanan, Byrd, Donovan, Frazey, and Sidhu

**Nay:** 0

**Absent:** 0

2. [AB2019-286](#) Request authorization for the County Executive to enter into a contract between Whatcom County and Herrera Environmental Consultants to do a Comprehensive

Bioinfiltration Swale Evaluation of the Geneva Retrofits in the amount of \$99,821

**AUTHORIZED BY CONSENT**

**Aye:** 6 - Brenner, Browne, Buchanan, Donovan, Frazey, and Sidhu

**Nay:** 0

**Absent:** 0

**Abstain:** 1 - Byrd

3. [AB2019-290](#) Request authorization for the County Executive to enter into an agreement between Whatcom County and the County Road Administrative Board in order to receive Rural Arterial Preservation grant funding for the Birch Bay/Lynden Road Pavement Rehabilitation project, Enterprise Road to Rathbone Road, in the amount of \$165,000

**AUTHORIZED BY CONSENT**

**Aye:** 7 - Brenner, Browne, Buchanan, Byrd, Donovan, Frazey, and Sidhu

**Nay:** 0

**Absent:** 0

4. [AB2019-291](#) Request authorization for the County Executive to enter into an agreement between Whatcom County and the County Road Administrative Board in order to receive Rural Arterial Preservation grant funding for the East Smith Road Pavement Rehabilitation project, Hannegan Road to Everson-Goshen Road, in the amount of \$1,035,000

**AUTHORIZED BY CONSENT**

**Aye:** 7 - Brenner, Browne, Buchanan, Byrd, Donovan, Frazey, and Sidhu

**Nay:** 0

**Absent:** 0

5. [AB2019-298](#) Request authorization for the County Executive to enter into the 2019-2020 collective bargaining agreement between Whatcom County and Professional and Technical Employees, Local 17

**AUTHORIZED BY CONSENT**

**Aye:** 7 - Brenner, Browne, Buchanan, Byrd, Donovan, Frazey, and Sidhu

**Nay:** 0

**Absent:** 0

**OTHER ITEMS**

**(From Council Natural Resources Committee)**

1. [AB2019-296](#) Resolution affirming the PDR Oversight Committee ranking and authorizing Whatcom County Purchase of Development Rights Administrator and Whatcom County Executive to proceed with the acquisition of a forestry conservation easement on the Seed Orchard application

**Resolution 2019-026**

**APPROVED AS AMENDED**

**Aye:** 7 - Brenner, Browne, Buchanan, Byrd, Donovan, Frazey, and Sidhu

**Nay:** 0

**Absent:** 0

Enactment No: RES 2019-026

2. [AB2019-297](#) Resolution authorizing Whatcom County Executive Jack Louws to act as the authorized representative on behalf of Whatcom County for Washington State Recreation and Conservation Office Washington Wildlife and Recreation Farmland and Forestland Preservation project grants

**Resolution 2019-027**

**APPROVED**

**Aye:** 7 - Brenner, Browne, Buchanan, Byrd, Donovan, Frazey, and Sidhu

**Nay:** 0

**Absent:** 0

Enactment No: RES 2019-027

**(From Council Finance and Administrative Services Committee)**

3. [AB2019-263](#) Ordinance amending the 2019 Whatcom County Budget, request no. 7, in the amount of \$907,787

**Ordinance 2019-041**

**ADOPTED**

**Aye:** 7 - Brenner, Browne, Buchanan, Byrd, Donovan, Frazey, and Sidhu

**Nay:** 0

**Absent:** 0

Enactment No: ORD 2019-041

4. [AB2019-265](#) Ordinance amending the project budget for the Public Safety Radio System Fund, request no. 1

**Ordinance 2019-042**

**ADOPTED**

**Aye:** 7 - Brenner, Browne, Buchanan, Byrd, Donovan, Frazey, and Sidhu

**Nay:** 0

**Absent:** 0

Enactment No: ORD 2019-042

5. [AB2019-280](#) Request authorization for the County Executive to enter into an interlocal between Whatcom County and Whatcom County Fire Protection District #11 to provide a supplementary notification system, in the amount of \$285 a year for six years

**AUTHORIZED**

**Aye:** 7 - Brenner, Browne, Buchanan, Byrd, Donovan, Frazey, and Sidhu

**Nay:** 0

**Absent:** 0

6. [AB2019-281](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and Whatcom County Fire Protection District #8 to provide fire protection services, in the amount of \$2500 for 2019 and 2020 and in the amount of \$2625 for 2021 and 2022

**AUTHORIZED**

**Aye:** 7 - Brenner, Browne, Buchanan, Byrd, Donovan, Frazey, and Sidhu

**Nay:** 0

**Absent:** 0

7. [AB2019-276](#) Resolution in the matter of the sale of surplus personal property and setting a date for public hearing, pursuant to WCC 1.10

**Resolution 2019-028**

**APPROVED**

**Aye:** 6 - Browne, Buchanan, Byrd, Donovan, Frazey, and Sidhu

**Nay:** 0

**Absent:** 0

**Abstain:** 1 - Brenner

Enactment No: RES 2019-028

**(From Council Planning and Development Committee)**

8. [AB2019-295](#) Request Council review and approval of the proposed Public Participation Plan for the 2020 Shoreline Master Program Periodic Update

**APPROVED REQUEST**

**Aye:** 7 - Brenner, Browne, Buchanan, Byrd, Donovan, Frazey, and Sidhu

**Nay:** 0

**Absent:** 0

**(No Committee Assignment)**

9. [AB2019-304](#) Discussion regarding future scheduling of AB2019-285, a proposed ordinance amending Whatcom County Code Title 3 to require that public funds used for construction projects do double duty by also providing apprentices with job training hours to meet the requirements necessary to become the next generation of skilled trades persons

**DISCUSSED**

10. [AB2019-303](#) Resolution identifying 2020-2021 salary and benefits for Whatcom County elected officials

Motion carried to notify the public that the Council received the approved salary adjustments from the Salary Commission.

**DISCUSSED**

**COUNCIL APPOINTMENTS TO BOARDS, COMMISSIONS, AND COMMITTEES**

1. [AB2019-261](#) Appointment to the Business and Commerce Advisory Committee, representing Health Care Industry, applicant: Debbie Ahl (committee advises the Whatcom County Council on issues that could impact local businesses, industry, or economic development)

**APPOINTED**

**Aye:** 6 - Brenner, Browne, Buchanan, Donovan, Frazey, and Sidhu

**Nay:** 0

**Absent:** 0

**Abstain:** 1 - Byrd

2. [AB2019-268](#) Appointment to the Surface Mining Advisory Committee, applicants: Leslie Dempsey (representing citizen who lives in close proximity to active mining or mineral overlay area), Harvill Freeland and Scott Hulse (civil or geo-technical engineer with no direct or indirect financial business ties to the industry), Brad Davis (surface mining material user). Christopher Secrist (Geologist) - (this committee advises the Whatcom County Planning and Development Services Department and the Whatcom County Council on implementing a surface mining regulatory program consistent with the comprehensive plan)

**NOMINATED AND APPOINTED**

**Aye:** 7 - Brenner, Browne, Buchanan, Byrd, Donovan, Frazey, and Sidhu

Nay: 0

Absent: 0

3. [AB2019-272](#) Appointment to the Forestry Advisory Committee, forest product manufacturer representative, term ending 1/31/2023, applicant: Eric Jacoby (committee provides review and recommendations to the Whatcom County Council on issues that affect the forestry industry)

**APPOINTED**

Aye: 7 - Brenner, Browne, Buchanan, Byrd, Donovan, Frazey, and Sidhu

Nay: 0

Absent: 0

**EXECUTIVE APPOINTMENTS TO BOARDS, COMMISSIONS, AND COMMITTEES**

1. [AB2019-294](#) Request confirmation of County Executive's appointment of Raquel Vernola to the Commission on Sexual & Domestic Violence

**CONFIRMED**

Aye: 7 - Brenner, Browne, Buchanan, Byrd, Donovan, Frazey, and Sidhu

Nay: 0

Absent: 0

**INTRODUCTION ITEMS**

1. [AB2019-278](#) Ordinance establishing a speed limit for several roads in the Bennett Drive area

**INTRODUCED FOR PUBLIC HEARING**

Aye: 7 - Brenner, Browne, Buchanan, Byrd, Donovan, Frazey, and Sidhu

Nay: 0

Absent: 0

2. [AB2019-288](#) Ordinance establishing a speed limit for Delta Line Road

**INTRODUCED FOR PUBLIC HEARING**

Aye: 7 - Brenner, Browne, Buchanan, Byrd, Donovan, Frazey, and Sidhu

Nay: 0

Absent: 0

3. [AB2019-289](#) Ordinance establishing a speed limit for several roads in the Northwest Drive area

**INTRODUCED FOR PUBLIC HEARING**



**Aye:** 7 - Brenner, Browne, Buchanan, Byrd, Donovan, Frazey, and Sidhu

**Nay:** 0

**Absent:** 0

4. [AB2019-306](#) Ordinance amending Whatcom County Code Chapters 11.16, 11.20, and 11.32 to protect Lake Samish water quality and shoreline properties

**INTRODUCED FOR PUBLIC HEARING**

**Aye:** 7 - Brenner, Browne, Buchanan, Byrd, Donovan, Frazey, and Sidhu

**Nay:** 0

**Absent:** 0

5. [AB2019-277](#) Resolution authorizing the sale of surplus personal property pursuant to WCC 1.10

**INTRODUCED FOR PUBLIC HEARING**

**Aye:** 7 - Brenner, Browne, Buchanan, Byrd, Donovan, Frazey, and Sidhu

**Nay:** 0

**Absent:** 0

**COMMITTEE REPORTS, OTHER ITEMS, AND COUNCILMEMBER UPDATES**

**ADJOURN**