

# **Whatcom County Council**

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



## **Minutes - Final**

**Tuesday, October 11, 2022**

**6 PM**

**Hybrid Meeting**

**HYBRID MEETING (PARTICIPATE IN-PERSON, SEE REMOTE JOIN  
INSTRUCTIONS AT [www.whatcomcounty.us/joinvirtualcouncil](http://www.whatcomcounty.us/joinvirtualcouncil), OR CALL  
360.778.5010)**

### **COUNCILMEMBERS**

Barry Buchanan  
Tyler Byrd  
Todd Donovan  
Ben Elenbaas  
Carol Frazey  
Kaylee Galloway  
Kathy Kershner

### **CLERK OF THE COUNCIL**

Dana Brown-Davis, C.M.C.

## COUNTY COUNCIL

### CALL TO ORDER

Council Chair Todd Donovan called the meeting to order at 6:01 p.m. in a hybrid meeting.

### ROLL CALL

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

**Absent:** None

### FLAG SALUTE

### ANNOUNCEMENTS

### COUNTY EXECUTIVE'S REPORT

Satpal Sidhu, County Executive, stated he wanted to congratulate all the Whatcom Racial Equity Commission excitement here in the Chambers as well as all the work they have done over a year. He stated the Administration is putting the finishing touches on the biennium budget, and he wants to give Council plenty of time to review it and to send questions.

### MINUTES CONSENT

*Buchanan moved* to accept the minutes consent items. The motion was seconded by Frazey (see votes on individual items below).

1. [MIN2022-058](#) Committee of the Whole Executive Session for September 27, 2022

**Buchanan moved and Frazey seconded that the Minutes Consent be APPROVED BY CONSENT. The motion carried by the following vote:**

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

**Nay:** 0

**Absent:** 0

2. [MIN2022-059](#) Committee of the Whole for September 27, 2022

**Buchanan moved and Frazey seconded that the Minutes Consent be APPROVED BY CONSENT. The motion carried by the following vote:**

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

**Nay:** 0

**Absent:** 0

3. [MIN2022-060](#) Regular County Council for September 27, 2022

**Buchanan moved and Frazey seconded that the Minutes Consent be APPROVED BY CONSENT. The motion carried by the following vote:**

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

**Nay:** 0

**Absent:** 0

4. [MIN2022-061](#) Joint Health Board and PHAB for October 4, 2022

**Buchanan moved and Frazey seconded that the Minutes Consent be APPROVED BY CONSENT. The motion carried by the following vote:**

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

**Nay:** 0

**Absent:** 0

5. [MIN2022-062](#) Special Council for October 4, 2022

**Buchanan moved and Frazey seconded that the Minutes Consent be APPROVED BY CONSENT. The motion carried by the following vote:**

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

**Nay:** 0

**Absent:** 0

## **PUBLIC HEARINGS**

1. [AB2022-510](#) Ordinance authorizing acquisition of certain property rights by eminent domain for the County's E. Smith Road and Hannegan Road Intersection Improvements Project

Jim Karcher, Public Works Department, stated he was available for questions.

Donovan opened the Public Hearing and, hearing no one, closed the Public Hearing.

***Kershner moved*** and Frazey seconded that the Ordinance Requiring a Public Hearing be ADOPTED.

Karcher answered why they need to use eminent domain on this instead of purchasing the property outright from the owner, when the property owner (who had not responded to any contact by Public Works for seven months) reached out to the County and how many conversations they have had, which

property it is, how Public Works tried to contact the property owner, and whether anyone talked to the owner in person.

Jon Hutchings, Public Works Department Director, stated that condemnation proceedings have never, in the history of Public Works since he has been involved, been a conversation that they take lightly nor is it anything but the last resort to get attention of the property owners. He spoke about what Public Works has done to contact and engage the property owner and past discussions with Council on a similar situation.

Byrd stated he would like to give the owner some more time to respond by a certain time.

Hutchings stated there is perhaps a conversation that needs to be had by the Council about how they would like to approach these kinds of construction projects from the standpoint of property acquisition and he addressed Byrd's comments.

Councilmembers discussed the motion and discussed with staff whether it would make sense to have another executive session to discuss it further.

***Buchanan moved*** to hold for two weeks. He would like to have a thorough discussion and a work session during the day in two weeks. The motion was seconded by Byrd.

**Buchanan's motion that the Ordinance Requiring a Public Hearing be HELD for two weeks carried by the following vote:**

**Aye:** 4 - Buchanan, Byrd, Elenbaas, and Galloway

**Nay:** 3 - Donovan, Frazey, and Kershner

**Absent:** 0

2. [AB2022-521](#) Ordinance adding a new Chapter 2.107 to the Whatcom County Code to create a Whatcom Racial Equity Commission

The following people presented (presentation on file):

- Heather Flaherty, Chuckanut Health Foundation Executive Director
- Shu-Ling Zhao, Chuckanut Health Foundation

Donovan opened the Public Hearing and the following people spoke:

- Cynthia Ripke-Kutsagoitz
- Terrance Morris

- Hollie Huthman
- Eliana Steele
- Derivon Merritt
- Alan Friedlob
- Dean Merritt
- Vernon Johnson
- Name not stated
- Bodi Hallett
- Grandma Valerie
- Donnell Tanksley
- Seth Fleetwood
- Devyn Nixon
- Batool Abdi
- Cindy Wadkins
- John Korsmo
- Heather Brown
- Debbi Anderson-Frey
- Tessa Whitlock
- Ramona Garcia Slagle
- Josh Cerretti
- Aaron Ball
- Dan Records
- Aurora Ann Fox
- Cliff Langley
- Shean Halley
- Dam Pham
- Barbara Powers
- Alex Smith
- Lindy McDonough
- Name not stated
- Natalie Chavez
- Satpal Sidhu
- Kelley Bouma
- Misty Flowers
- Michele Cameron
- Monica Koller
- Vesla Tonnessen
- Paul Homer
- Sara Rose

- Stephen Gockley
- Richard Johnson
- Enoch Mann

Hearing no one else, Donovan closed the Public Hearing.

***Kershner moved*** that they table the decision until December sixth. She would like the Council to contemplate what they have heard. The motion was seconded by Byrd.

The motion failed by the following vote:

**Aye:** 3 - Byrd, Elenbaas, and Kershner

**Nay:** 4 - Buchanan, Donovan, Frazey, and Galloway

***Buchanan moved*** and Galloway seconded that the Ordinance be ADOPTED.

Zhao and Eric Richey, Whatcom County Prosecuting Attorney, gave closing comments.

***Kershner moved*** to amend the Ordinance by asking that we return the Ordinance to the stakeholder workgroup and ask them to rework it and bring it back with a focus on equity for all. So basically, I am bringing back the motion to remove the racial component of this and make this a commission that will focus on equity for all. The motion was seconded by Byrd.

***Kershner restated*** the motion to return the Ordinance to the stakeholder workgroup and ask them to remove the racial component and bring it back with a focus on equity for all.

Councilmembers discussed the motion.

The motion failed by the following vote:

**Aye:** 3 - Byrd, Elenbaas, and Kershner

**Nay:** 4 - Donovan, Frazey, Galloway, and Buchanan

Christopher Quinn, Prosecuting Attorney's Office, answered whether there can be members under 18 years old serving on the commission and stated that may be an issue. He would have to look into that further.

Karen Frakes, Prosecuting Attorney's Office, stated she will have to check the Whatcom County Charter and Whatcom County Code but she recalls something about needing to be a registered voter. She will check.

Zhao stated they considered the language about being a registered voter and stated someone can actually register to vote at age 16 though they cannot cast their first ballot until age 17 and a half. They intentionally considered that rule.

She and Flaherty answered more questions.

Elenbaas asked how many naysayers they had in the room when they came up with their group and the plan forward.

Kershner asked whether they have identified any policies, procedures, or practices that are promoting systemic racism in County government. She asked whether they know what they are going to work on or what is not working.

Galloway stated we are asking for formation of a commission to do the investigation and research on the questions asked tonight.

Elenbaas spoke about diversity and equity and inclusion having to do with more than just the color of your skin and he wants to get it right. He would feel much more comfortable about the Ordinance if it was an equity commission.

Frazezy stated she is going to support this. Take the ideas from the community and find those problems and allow the commission to start working on that.

***Kershner moved*** to amend Section 2.107.110 of Exhibit A of the Ordinance to remove lines six through eight on page eight as follows (to remove the 501(c) language):

~~As may be permissible under law, the Commission, including its staff and operations, may seek fiscal sponsorship by a 501(c)(3) nonprofit entity for the purpose of advancing its work.~~ Additionally, and as may be permissible under law, the Commission may seek additional funds from public and private grant-offering bodies for purposes of advancing its functions.

The motion was seconded by Byrd.

Councilmembers discussed the motion.

Zhao and Quinn answered whether there are existing systems that lean on

this model, whether the ability to seek grants or support from a 501(c)(3) opens the commission up to being bias to whatever that 501(c)(3) or grant offering operation is doing, and whether grants would have to be approved by Council if an advisory board did seek 501(c)(3) funding or whether the group could receive those on their own.

***Kershner withdrew*** her motion.

Councilmembers and Zhao discussed whether this should just be an equity commission and whether the conversation has included all sides.

***Kershner moved*** to have a sunset clause at five years to see if they want to review and renew the commission.

Councilmembers discussed whether it was a clause to review or renew.

***Kershner re-stated the motion*** to amend the Ordinance to add language that would include a sunset clause at five years.

The motion was seconded by Elenbaas.

Satpal Sidhu, County Executive, stated five years is too soon and not a wise thing to do and he spoke about recent experiences of farmers.

Councilmembers discussed the motion, whether other boards or commissions have sunset clauses, and whether they should.

The motion failed by the following vote:

**Aye:** 3 - Elenbaas, Kershner, and Byrd

**Nay:** 4 - Frazey, Galloway, Buchanan, and Donovan

***Galloway moved*** to call the question then ***withdrew*** her motion.

Councilmembers discussed the main motion.

**Buchanan's motion that the Ordinance be ADOPTED carried by the following vote:**

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

**Nay:** 3 - Byrd, Elenbaas, and Kershner

**Absent:** 0

Enactment No: ORD 2022-065



**OPEN SESSION**

*Clerk's note:* Councilmembers took a short recess.

The following people spoke:

- Kai Clark
- Sarah Bosch
- Barbara Powers
- Name not stated
- Natalie Chavez
- Name not stated
- Misty Flowers
- Sara Rose
- Rob Lewis
- Enoch Mann
- Lindy (last name not stated)
- Cliff (last name not stated)

Hearing no one else, Donovan closed the Open Session.

**CONSENT AGENDA**

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

***Byrd*** reported for the Finance and Administrative Services Committee and ***moved*** to approve Consent Agenda items one through nine.

Donovan stated he is hoping the Administration can think of a different funding model (instead of a flat amount) next time for the senior activity centers.

Councilmembers voted on those items (see votes on individual items below).

1. [AB2022-524](#) Request authorization for the County Executive to enter into an agreement between Whatcom County and the Camp Horizon Foundation for use of the buildings at Bay Horizon Park to operate a residential camp serving disabled teens and adults

**Byrd reported for the Finance and Administrative Services Committee and moved that the Agreement be AUTHORIZED BY CONSENT. The motion carried by the following vote:**

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

Nay: 0

Absent: 0

2. [AB2022-528](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and the City of Blaine for staffing and operation of the Blaine Senior Activity Center, in the amount \$127,460 over two years

**Byrd reported for the Finance and Administrative Services Committee and moved that the Interlocal be AUTHORIZED BY CONSENT. The motion carried by the following vote:**

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

Nay: 0

Absent: 0

3. [AB2022-539](#) Request authorization for the County Executive to enter into an interlocal amendment between Whatcom County and the City of Sumas to extend the term of the Jail Use Agreement until December 31, 2023

**Byrd reported for the Finance and Administrative Services Committee and moved that the Interlocal be AUTHORIZED BY CONSENT. The motion carried by the following vote:**

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

Nay: 0

Absent: 0

4. [AB2022-540](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and the City of Lynden for staffing and operation of the Lynden Senior Activity Center, in the amount \$127,460 over two years

**Byrd reported for the Finance and Administrative Services Committee and moved that the Interlocal be AUTHORIZED BY CONSENT. The motion carried by the following vote:**

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

Nay: 0

Absent: 0

5. [AB2022-542](#) Request authorization for the County Executive to enter into an agreement between Whatcom County and the Whatcom Council on Aging for staffing and operation of the Bellingham Senior Activity Center, in the amount \$127,460 over two years

**Byrd reported for the Finance and Administrative Services Committee and**

**moved that the Agreement be AUTHORIZED BY CONSENT. The motion carried by the following vote:**

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

**Nay:** 0

**Absent:** 0

6. [AB2022-543](#) Request authorization for the County Executive to enter into an agreement between Whatcom County and the Jet Oldsters Association of Ferndale for staffing and operation of the Ferndale Senior Activity Center, in the amount \$127,460 over two years

**Byrd reported for the Finance and Administrative Services Committee and moved that the Agreement be AUTHORIZED BY CONSENT. The motion carried by the following vote:**

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

**Nay:** 0

**Absent:** 0

7. [AB2022-544](#) Request authorization for the County Executive to enter into an agreement between Whatcom County and the Jet Oldsters Association of Ferndale to provide custodial services and supervision when the Ferndale Senior Activity Center is reserved after program hours, in exchange for 75% of the revenue generated from the facility reservation

**Byrd reported for the Finance and Administrative Services Committee and moved that the Agreement be AUTHORIZED BY CONSENT. The motion carried by the following vote:**

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

**Nay:** 0

**Absent:** 0

8. [AB2022-557](#) Request authorization for the County Executive to enter into a contract amendment between Whatcom County and The Master's Touch, LLC to provide printing and mailing services for real and personal property revaluation notices and personal property renditions in the amount of \$22,600 for a total amended contract amount of \$67,800

**Byrd reported for the Finance and Administrative Services Committee and moved that the Contract be AUTHORIZED BY CONSENT. The motion carried by the following vote:**

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

Nay: 0

Absent: 0

9. [AB2022-561](#) Request authorization for the County Executive to enter into a contract between Whatcom County and United Way of Whatcom County to coordinate Help Me Grow planning and implementation, in the amount of \$59,400

**Byrd reported for the Finance and Administrative Services Committee and moved that the Contract be AUTHORIZED BY CONSENT. The motion carried by the following vote:**

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

Nay: 0

Absent: 0

## **OTHER ITEMS**

(No Committee Assignment)

1. [AB2022-534](#) Resolution establishing regular Whatcom County Council meeting dates for 2023

***Kershner moved*** and Buchanan seconded that the Resolution be APPROVED.

Dana Brown-Davis, Clerk of the Council, answered a question about the schedule.

**Kershner's motion that the Resolution be APPROVED carried by the following vote:**

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

Nay: 0

Absent: 0

Enactment No: RES 2022-042

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

1. [AB2022-465](#) Appointments to fill three vacancies on the Child and Family Well-Being Task Force, applicants: Barbie Jimenez, Tilda Doughty, Sarah Kidd, Monika Mahal, Katherine Orlowski, Christina Jackson, Allison Bishop, Abby Franklin, and Netta Darling

***Kershner moved*** to nominate all applicants. The motion was seconded by Galloway.

Councilmembers voted as follows:

**Buchanan:** Christina Jackson, Allison Bishop, and Barbie Jimenez

**Byrd:** Allison Bishop, Abby Franklin, and Netta Darling

**Donovan:** Tilda Doughty, Monika Mahal, and Netta Darling

**Elenbaas:** Sarah Kidd, Allison Bishop, and Netta Darling

**Frazezy:** Netta Darling, Allison Bishop, and Monika Mahal

**Galloway:** Tilda Doughty, Sarah Kidd, and Allison Bishop

**Kershner:** Abby Franklin, Sarah Kidd, and Allison Bishop

This gave the nominees the following number of votes:

**Allison Bishop:** 6

**Netta Darling:** 4

**Sarah Kidd:** 3

**Tilda Doughty, Abby Franklin, and Monika Mahal:** 2

**Christina Jackson and Barbie Jimenez:** 1

*Kershner moved* to move forward the nominees that got two or three votes (Sarah Kidd, Tilda Doughty, Abby Franklin, and Monika Mahal).

Councilmembers voted on those as follows:

**Byrd:** Abby Franklin

**Donovan:** Tilda Doughty

**Elenbaas:** Sarah Kidd

**Frazezy:** Monika Mahal

**Galloway:** Sarah Kidd

**Kershner:** Sarah Kidd

**Buchanan:** Sarah Kidd

They appointed Allison Bishop, Netta Darling, and Sarah Kidd.

**This agenda item was APPOINTED.**

2. [AB2022-469](#) Appointment to fill a vacancy on the Climate Impact Advisory Committee, applicant(s): Fletcher Wilkinson, Tracy Petroske, Irena Lambrou, and Derek Gremban

*Elenbaas moved* to appoint Derek Gremban. The motion was seconded by Kershner.

Councilmembers discussed the motion.

The motion carried by the following vote:

**Aye:** 4 - Donovan, Elenbaas, Kershner, and Byrd

**Nay:** 3 - Frazezy, Galloway, and Buchanan

**This agenda item was APPOINTED.**

3. [AB2022-546](#) Appointments to vacancies on the Forestry Advisory Committee, harvester position and forest product manufacturer position, Applicants: Susan David and Quentin Dills  
*Kershner moved* to appoint Susan David to the forest product manufacturer position. The motion was seconded by Buchanan.

The motion carried by the following vote:

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

**Nay:** 0

*Kershner moved* that Quentin Dills transfer to the harvester position. The motion was seconded by Buchanan.

The motion carried by the following vote:

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

**Nay:** 0

**This agenda item was APPOINTED.**

4. [AB2022-559](#) Appointments to fill up to 11 vacancies on the Public Health Advisory Board, applicants: Christopher Brown, Teri Bryant, Christine Espina, R. Michael Massanari, Emily O'Connor, Vesla Tonnessen

*Buchanan moved* to nominate the six applicants. The motion was seconded by Galloway.

Jill Nixon, Council Office Staff, spoke about whether and how the terms have to be chosen.

*Kershner moved* that Emily O'Connor is slotted for the partial term ending in 2024 which potentially gives her seven years, and that all other applicants will end in 2026. The motion was seconded by Byrd.

Councilmembers discussed the motion and Nixon answered questions about which term to fill.

Nixon answered whether any applicants have a particular position qualification and whether the person appointed to the partial term would have to fill the role of business and philanthropy.

The motion carried by the following vote:

**Aye:** 6 - Kershner, Buchanan, Byrd, Donovan, Frazey, and Galloway

Nay: 1 - Elenbaas

**This agenda item was APPOINTED.**

### **ITEMS ADDED BY REVISION**

There were no agenda items added by revision.

### **INTRODUCTION ITEMS**

*Frazey moved* to introduce items one through six. The motion was seconded by Buchanan.

Kershner stated she would like to vote on item number one separately so Councilmembers voted on Introduction items two through six (see votes on individual items below).

1. [AB2022-536](#) Ordinance amending Whatcom County Code 2.21.030 to increase the per diem amount paid to Board of Equalization members

Enactment No: ORD 2022-067

This item was considered separately. See below.

2. [AB2022-554](#) Ordinance amending the 2022 Whatcom County Budget, request no. 14, in the amount of \$420,917

**Frazey moved and Buchanan seconded that the Ordinance be INTRODUCED. The motion carried by the following vote:**

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

**Nay:** 0

**Absent:** 0

Enactment No: ORD 2022-068

3. [AB2022-547](#) Appointments to fill two vacancies on the Forestry Advisory Committee, commercial forestry landowner positions, Applicants: John Gold and David Janicki

**Frazey moved and Buchanan seconded that the Council Appointment Requiring Introduction be INTRODUCED. The motion carried by the following vote:**

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

**Nay:** 0

**Absent:** 0

4. [AB2022-556](#) Appointment to fill one vacancy on the Forestry Advisory Committee, citizen with

forestry expertise, applicant(s): Charles Bagley Wright

**Frazey moved and Buchanan seconded that the Council Appointment Requiring Introduction be INTRODUCED. The motion carried by the following vote:**

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

**Nay:** 0

**Absent:** 0

5. [AB2022-555](#) Resolution approving the Whatcom County 2023 Annual Construction Program

**Frazey moved and Buchanan seconded that the Resolution Requiring a Public Hearing be INTRODUCED FOR PUBLIC HEARING. The motion carried by the following vote:**

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

**Nay:** 0

**Absent:** 0

Enactment No: RES 2022-044

6. [AB2022-545](#) Resolution adopting the 2023-2028 Six-Year Water Resources Improvement Program (WRIP) by the Whatcom County Council (Council acting as the Whatcom County Flood Control Zone District Board of Supervisors)

**Frazey moved and Buchanan seconded that the Resolution (FCZDBS) Requiring a Public Hearing be INTRODUCED FOR PUBLIC HEARING. The motion carried by the following vote:**

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

**Nay:** 0

**Absent:** 0

Enactment No: RES 2022-043

### **INTRODUCTION ITEM CONSIDERED SEPARATELY**

1. [AB2022-536](#) Ordinance amending Whatcom County Code 2.21.030 to increase the per diem amount paid to Board of Equalization members

***Kershner moved*** to increase the per diem rate to \$150 per day rather than the \$125 per day. The motion was seconded by Byrd.

Councilmembers discussed the motion and Dana Brown-Davis, Clerk of the Council, answered whether this is under the Council budget and whether



there is enough money.

The motion to amend the item carried by the following vote:

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

**Nay:** 0

**Kershner moved and Donovan seconded that the Ordinance be INTRODUCED AS AMENDED. The motion carried by the following vote:**

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

**Nay:** 0

**Absent:** 0

Enactment No: ORD 2022-067

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

Councilmembers gave committee reports.

**Kershner** reported for Committee of the Whole Executive Session and **moved** to authorize the County Executive, acting on behalf of the Whatcom County Flood Control Zone District, to move forward with and complete the acquisition of the property as long as the purchase price of the property does not exceed the amount discussed in Executive Session. The motion was seconded by Buchanan.

The motion carried by the following vote:

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

**Nay:** 0

Dana Brown-Davis, Clerk of the Council, answered what the schedule is for the Ordinance approving a system of rates and charges for the Whatcom County Conservation District.

**Galloway moved** to designate Councilmember Kershner as an alternate for the Whatcom Council of Governments Executive and Transportation Policy Board particularly for the October 12th meeting and the rest of this year as needed. The motion was seconded by Frazey.

Dana Brown-Davis, Clerk of the Council, answered whether they could do this without going through the re-organization of the Council. She asked Galloway about how voting would work.

The motion carried by the following vote:

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

**Nay:** 0

Councilmembers gave Councilmember updates.

MOTIONS APPROVED UNDER THIS AGENDA ITEM:

From Committee of the Whole Executive Session:

Motion approved 7-0 to authorize the County Executive, acting on behalf of the Whatcom County Flood Control Zone District, to move forward with and complete the acquisition of the property as long as the purchase price of the property does not exceed the amount discussed in Executive Session.

Motion approved 7-0 to designate Councilmember Kershner as an alternate for the Whatcom Council of Governments Executive and Transportation Policy Board particularly for the October 12th meeting and the rest of this year as needed.

**ADJOURN**

The meeting adjourned at 11:24 p.m.

The County Council approved these minutes on October 25, 2022.

ATTEST:

WHATCOM COUNTY COUNCIL  
WHATCOM COUNTY, WA

\_\_\_\_\_  
Dana Brown-Davis, Council Clerk

\_\_\_\_\_  
Todd Donovan, Council Chair

\_\_\_\_\_  
Kristi Felbinger, Minutes Transcription

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