

# **Whatcom County Council**

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



## **Minutes - Final**

**VIRTUAL MEETING (TO PARTICIPATE, SEE INSTRUCTIONS AT  
[www.whatcomcounty.us/joinvirtualcouncil](http://www.whatcomcounty.us/joinvirtualcouncil) OR CALL 360.778.5010)**

**Tuesday, February 23, 2021**

**6 PM**

**Virtual Meeting**

### **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.

## COUNTY COUNCIL

### CALL TO ORDER

Council Chair Barry Buchanan called the meeting to order at 6 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

### FLAG SALUTE

### ANNOUNCEMENTS

Buchanan announced the following:

- The Council is accepting applications for county residents to fill vacancies on several boards and commissions
- The retirement and Council staff NaDean Hanson this week and appreciation for her 27 years of service

### COUNTY EXECUTIVE'S REPORT

Satpal Sidhu, County Executive, urged the Council to choose two or three topics and work on them throughout 2021 and gave the issue of affordable housing as an example. He stated he would like to work with the Council and provide more information on inclusionary zoning, House Bill 1590, and revising the Economic Development Investment (EDI) Program application to add affordable housing as a line item. He also suggested that the Council increase the membership of the Health Board from seven to nine to add representation from cities, health experts and the business community.

He answered questions about his suggestion for revising the Health Board.

### MINUTES CONSENT

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

1. [MIN2021-010](#) Health Board for February 2, 2021

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

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

**Nay:** 0

Absent: 0

2. [MIN2021-011](#) Committee of the Whole Executive Session for February 9, 2021

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

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

**Nay:** 0

Absent: 0

3. [MIN2021-012](#) Committee of the Whole for February 9, 2021

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

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

**Nay:** 0

Absent: 0

4. [MIN2021-013](#) Regular County Council for February 9, 2021

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

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

**Nay:** 0

Absent: 0

## **PUBLIC HEARINGS**

Council staff played a short instructional video on how to speak at the meeting.

1. [AB2021-096](#) Ordinance adopting amendments to Whatcom County Code Title 15 (Buildings & Construction) to adopt by reference the 2018 Editions of the International Building and other associated codes

Curtis Metz, Planning and Development Services Department, stated he was available for questions.

Buchanan opened the Public Hearing and the following person spoke:

- Wendy Harris

Hearing no one else, Buchanan closed the Public Hearing.

**Byrd moved** and Donovan seconded that the Ordinance Requiring a Public Hearing be ADOPTED.

Councilmembers discussed the motion and being able to see the proposed code changes in the file online.

**Byrd's motion that the Ordinance Requiring a Public Hearing be ADOPTED carried by the following vote:**

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

**Nay:** 2 - Elenbaas, and Kershner

**Absent:** 0

Enactment No: ORD 2021-007

2. [AB2021-109](#) Public hearing to review final project performance on CDBG grant for public services and emergency response related to COVID19 impacts in Whatcom County

The following people briefed the Councilmembers and answered questions:

- Tyler Schroeder, Executive's Office
- Greg Winter, Opportunity Council Executive Director

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

*Clerk's note:* Wendy Harris was called on to speak but clarified that she did not have her hand up to speak on this item.

No Council action was required for this item.

**PUBLIC TESTIMONY WAS RECEIVED for this agenda item.**

### **OPEN SESSION (20 MINUTES)**

Council staff played a short instructional video on how to speak at the meeting and the following people spoke:

- Name not given, going by "Sin"
- Markis Dee Stidham
- Trevor Smith
- Doug Revelle (Yoshe)
- Melissa Greg-Wisener
- Roza (last name inaudible)

- Kai (last name not given)
- Louis Burrell
- Name not given, going by "Carol"
- Ben Still
- Tess O'Reilly
- Natalie Chavez
- Sarah Mueller

Hearing no one else, Buchanan closed the Open Session.

## **CONSENT AGENDA**

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

*Browne* reported for the Finance and Administrative Services Committee and *moved* to approve Consent Agenda items one through six. Councilmembers discussed and voted on those items (see votes on individual items below).

1. [AB2021-107](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and the City of Marysville for Mini Chain Services in the amount of \$42,872.00

**Browne 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:** 6 - Browne, Buchanan, Byrd, Donovan, Frazey, and Kershner

**Nay:** 1 - Elenbaas

**Absent:** 0

2. [AB2021-108](#) Request authorization for the County Executive to enter into a contract amendment between Whatcom County and Northwest Washington Fairgrounds and Event Center to provide a COVID-19 testing site in the amount of \$6,000 for a total amended contract amount of \$45,200

**Browne 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:** 6 - Browne, Buchanan, Byrd, Donovan, Frazey, and Kershner

**Nay:** 1 - Elenbaas

**Absent:** 0

3. [AB2021-118](#) Request authorization for the County Executive to enter into a Local Agency

Agreement & Project Prospectus between Whatcom County and Washington State Department of Transportation for Hampton Road 2020 Emergency Shoulder Repairs, in the amount of \$29,001.00

**Browne 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:** 6 - Browne, Buchanan, Byrd, Donovan, Frazey, and Kershner

**Nay:** 1 - Elenbaas

**Absent:** 0

4. [AB2021-119](#) Request authorization for the County Executive to enter into a Local Agency Agreement & Project Prospectus between Whatcom County and Washington State Department of Transportation for Hannegan Road 2020 Emergency Shoulder Repairs, in the amount of \$18,813.00

**Browne 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:** 6 - Browne, Buchanan, Byrd, Donovan, Frazey, and Kershner

**Nay:** 1 - Elenbaas

**Absent:** 0

5. [AB2021-120](#) Request authorization for the County Executive to enter into a contract amendment between Whatcom County and Opportunity Council to provide funding for emergency shelter in motels in the amount of \$100,000 for a total amended contract amount of \$896,701

**Browne 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:** 6 - Browne, Buchanan, Byrd, Donovan, Frazey, and Kershner

**Nay:** 1 - Elenbaas

**Absent:** 0

6. [AB2021-122](#) Request authorization for the County Executive to enter into a contract between Whatcom County and Bellingham Food Bank to provide reimbursement of COVID-related expenses, in the amount of \$95,000

**Browne 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:** 6 - Browne, Buchanan, Byrd, Donovan, Frazey, and Kershner

**Nay:** 1 - Elenbaas

**Absent:** 0

## **OTHER ITEMS**

(From Council Finance and Administrative Services Committee)

1. [AB2021-092](#) Ordinance amending the 2021 Whatcom County Budget, request no. 3, in the amount of \$7,854,280

**Browne reported for the Finance and Administrative Services Committee and moved that the Ordinance be ADOPTED. The motion carried by the following vote:**

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

**Nay:** 0

**Absent:** 0

Enactment No: ORD 2021-008

2. [AB2021-124](#) Request authorization for the County Executive to enter into a contract between Whatcom County and Opportunity Council to administer rental and utility assistance to eligible recipients, in the amount of \$6,807,911

**Browne** reported for the Finance and Administrative Services Committee and **moved** that the Contract be AUTHORIZED.

Councilmembers discussed the motion.

The following people answered questions about whether this money can be used for help with utilities and the process for using the money:

- Erika Lautenbach, Health Department Director
- Satpal Sidhu, County Executive

**Browne's motion that the Contract be AUTHORIZED carried by the following vote:**

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

**Nay:** 0

**Absent:** 0

3. [AB2021-125](#) Request authorization for the County Executive to enter into a contract between Whatcom County and DH to implement a COVID-19 social marketing campaign

plan and messaging platform, in the amount of \$200,000

**Browne reported** for the Finance and Administrative Services Committee and **moved** that the Contract be AUTHORIZED.

Councilmembers discussed the motion.

Erika Lautenbach, Health Department Director, answered a question about the difference in the degree of contagiousness or R-naught (R0) between COVID-19 and the B.1.1.7 Coronavirus variant.

**Browne's motion that the Contract be AUTHORIZED carried by the following vote:**

**Aye:** 5 - Browne, Buchanan, Donovan, Frazey, and Kershner

**Nay:** 2 - Byrd, and Elenbaas

**Absent:** 0

**(From Committee of the Whole)**

4. [AB2021-116](#) Resolution docketing comprehensive plan and development regulation amendments

**Buchanan** reported for the Committee of the Whole and **moved** that the SUBSTITUTE Resolution be AMENDED AND APPROVED. The motion was seconded by Browne.

Councilmembers discussed the motion and the recommendation for an amendment to PLN2021 -00002 TDR Receiving Area to limit development to three dwelling units.

**Buchanan's motion that the SUBSTITUTE Resolution be AMENDED AND APPROVED carried by the following vote:**

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

**Nay:** 1 - Donovan

**Absent:** 0

Enactment No: RES 2021-007

**(No Committee Assignment)**

5. [AB2021-117](#) Letter to Department of Health requesting information on COVID-19 vaccine rollout (the only action to be taken on this item is to approve that the letter with "Clerk's Note" be added to the Chair's correspondence file and the agenda bill file)

Dana Brown-Davis, Clerk of the Council, explained the letter and the action they might take tonight.



*Donovan moved* to approve that the letter with "Clerk's Note" be added to the Chair's correspondence file and the agenda bill file. The motion was seconded by Byrd.

Councilmembers and Brown-Davis discussed the fact that the hand-written clerk's note is not currently online. They temporarily held the item and moved on to the next agenda item before voting to give the Clerk of the Council time to post the document. See motion and vote on this item below.

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

1. [AB2021-123](#) Request confirmation of the County Executive's appointment of Gina Bring, Raegan Miller, Caroline Applebee and Artemis Langford to the Developmental Disabilities Advisory Board

*Kershner moved* and Frazey seconded that the Executive Appointment be CONFIRMED.

Elenbaas asked if any appointees were present to speak but there were none and Councilmembers discussed the motion.

**Kershner's motion that the Executive Appointment be CONFIRMED carried by the following vote:**

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

**Nay:** 0

**Absent:** 0

### **ITEMS ADDED BY REVISION**

There were no agenda items added by revision.

### **INTRODUCTION ITEMS**

1. [AB2021-115](#) Ordinance regarding temporary installation of stop signs on Marshall Hill Road

**Browne moved and Donovan seconded that the Ordinance Requiring a Public Hearing be INTRODUCED FOR PUBLIC HEARING. The motion carried by the following vote:**

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

**Nay:** 0

**Absent:** 0

Enactment No: ORD 2021-009

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

Councilmembers gave reports from the various committees.

*Clerk's note:* Councilmembers gave COMMITTEE REPORTS and then went back to AB2021-117. They then discussed OTHER ITEMS AND COUNCILMEMBER UPDATES (see below).

**(No Committee Assignment)**

5. [AB2021-117](#) Letter to Department of Health requesting information on COVID-19 vaccine rollout (the only action to be taken on this item is to approve that the letter with "Clerk's Note" be added to the Chair's correspondence file and the agenda bill file)

Councilmembers returned to AB2021-117.

*Donovan moved* to approve that the letter with "Clerk's Note" be added to the Chair's correspondence file and the agenda bill file. The motion was seconded by Kershner.

The motion carried by the following vote:

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

**Nay:** 0

**Abstain:** 1 - Byrd

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

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

Councilmembers discussed other items of business and Councilmember updates.

They and Council staff discussed why speakers at open session cannot share their screen and whether Councilmembers can answer questions of speakers during a public comment period.

*Kershner moved* that the Council ask the Council staff to schedule a retreat for them and come up with ideas of things they would like to work on as priorities as Sidhu suggested in his Executive Report. She suggested they start with a plan they started last summer and come up with shared goals. The motion was seconded by Byrd.

Councilmembers discussed the motion.

The motion failed by the following vote:

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

**Nay:**0

**Abstain:** 3 - Elenbaas, Frazey and Browne

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

Councilmembers thanked NaDean Hanson again for her work, discussed the use of the Conservation Futures Fund To fund Glenning Park Project and continued to give reports and updates.

**ADJOURN**

The meeting adjourned at 8:23 p.m.

The County Council approved these minutes on March 9, 2021.

ATTEST:

WHATCOM COUNTY COUNCIL  
WHATCOM COUNTY, WA

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

\_\_\_\_\_  
Barry Buchanan, Council Chair

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

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