

Whatcom County Council

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



Minutes - Final

**VIRTUAL MEETING - VIEW ONLINE
AGENDA REVISED 10.26.2020**

Tuesday, October 27, 2020

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, Carol Frazey, Ben Elenbaas, and Kathy Kershner

Absent: None

FLAG SALUTE

ANNOUNCEMENTS

COUNTY EXECUTIVE'S REPORT

Tyler Schroeder, Executive's Office, stated that the Executive did not have updates at this time.

MINUTES CONSENT

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

1. [MIN2020-097](#) Health Board for October 6, 2020

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, Frazey, Elenbaas, and Kershner

Nay: 0

Absent: 0

2. [MIN2020-098](#) Special Joint Health Board/PHAB Meeting for October 6, 2020

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, Frazey, Elenbaas, and Kershner

Nay: 0

Absent: 0

3. [MIN2020-099](#) Committee of the Whole Executive Session for October 13, 2020

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, Frazey, Elenbaas, and Kershner

Nay: 0

Absent: 0

4. [MIN2020-100](#) Committee of the Whole a.m. for October 13, 2020

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, Frazey, Elenbaas, and Kershner

Nay: 0

Absent: 0

5. [MIN2020-101](#) Committee of the Whole p.m. for October 13, 2020

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, Frazey, Elenbaas, and Kershner

Nay: 0

Absent: 0

6. [MIN2020-102](#) Regular County Council for October 13, 2020

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, Frazey, Elenbaas, and Kershner

Nay: 0

Absent: 0

PUBLIC HEARINGS

1. [AB2020-308](#) Resolution vacating a portion of Horton Road

Andrew Hester, Public Works Department, briefed the Councilmembers.

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

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

Donovan moved and Byrd seconded that the SUBSTITUTE Resolution Requiring a Public Hearing be APPROVED. The motion carried by the

following vote:

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

Nay: 0

Absent: 0

Enactment No: RES 2020-042

2. [AB2020-310](#) Ordinance granting Gordon Montgomery and John Milobar, a non-exclusive franchise for the provision of sewer services

Chris Quinn, Prosecuting Attorney's Office, briefed the Councilmembers, recommended that Councilmembers not take action on this item tonight, and answered when it might be ready.

Donovan moved to hold the item in Council for two weeks.

Dannon Traxler, attorney for the applicant, stated they are not opposed to holding the item.

Dana Brown-Davis, Clerk of the Council, suggested they still have the public hearing tonight and keep it open whether or not they hold it in Council.

Donovan withdrew his motion.

Buchanan opened the public hearing and, hearing no one, closed the Public Hearing. The public record was held open.

Donovan moved again and Byrd seconded that the Ordinance Requiring a Public Hearing be HELD IN COUNCIL. The motion carried by the following vote:

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

Nay: 0

Absent: 0

Enactment No: ORD 2020-057

3. [AB2020-373](#) Ordinance adopting interim zoning regulations for the siting, establishment, and operation of temporary homeless facilities

Cathy Halka, Council Legislative Analyst, briefed the Councilmembers.

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

Browne moved that the Ordinance be adopted. The motion was seconded by Kershner.

Browne moved that Section Four, item Q of the Ordinance be amended as follows:

Q. The sponsor and the managing agency shall take ~~all~~ reasonable and legal steps to obtain verifiable identification information (recognizing this may not be possible if a homeless individual's identification documents have been lost or stolen), to include...

The motion was seconded by Kershner.

Councilmembers discussed the motion.

The motion to amend carried by the following vote:

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

Nay: 0

Browne moved that Section Five, item C of the Ordinance be amended as follows:

C. Temporary tent encampments may be approved for a period not to exceed ~~180~~190 days. The director may grant one ~~180~~190-day extension

The motion was seconded by Buchanan.

Councilmembers discussed the motion.

The motion to amend carried by the following vote:

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

Nay: 0

Browne moved that Section Seven, item E of the Ordinance be amended as follows:

E. Statement of actions that the applicant will take reasonable steps to obtain verifiable identification from ~~all~~-encampment residents and to use the identification to obtain sex offender and warrant checks from appropriate agencies;

The motion was seconded by Kershner.

The motion to amend carried by the following vote:

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

Nay: 0

Browne's motion that the Ordinance Requiring a Public Hearing be ADOPTED AS AMENDED carried by the following vote:

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

Nay: 0

Absent: 0

Enactment No: ORD 2020-053

4. [AB2020-428](#) Resolution authorizing the sale of surplus personal property pursuant to WCC 1.10
Buchanan opened the public hearing and, hearing no one, closed the Public Hearing.

Frazey moved and Byrd seconded that the Resolution Requiring a Public Hearing be APPROVED. The motion carried by the following vote:

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

Nay: 0

Absent: 0

Enactment No: RES 2020-043

5. [AB2020-435](#) Resolution adopting the 2021 Annual Road Construction Program (ACP)
Jim Karcher, Public Works Department, briefed the Councilmembers.

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

Donovan moved and Frazey seconded that the Resolution Requiring a Public Hearing be APPROVED. The motion carried by the following vote:

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

Nay: 0

Absent: 0

Enactment No: RES 2020-044

OPEN SESSION (20 MINUTES)

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

- Linda Hughes spoke about garbage services in Point Roberts.
- Shari Lapof spoke about shelter for homeless people and palletshelter.com.
- Tamra Hansen spoke about garbage services in Point Roberts.
- Trevor Smith spoke about the Council's withdrawal of AB2020-409 (Ordinance increasing community oversight and transparency to establish fair contract negotiations), and how the Cherry Point industrial zone affects the community.
- Markis Dee Stidham spoke about tiny home villages and emergency shelters.
- Heather Katahdin spoke about homeless shelters being at capacity and the need for more shelter.
- Valerie Rupp Hauer spoke about the need to house people in cold weather.

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

1. [AB2020-408](#) Request authorization for the County Executive to enter into a contract amendment between Whatcom County and SeaMar Community Health Centers in the amount of \$470,793 for a total amended contract amount of \$759,571

Byrd moved that the Contract be AUTHORIZED BY CONSENT. The motion carried by the following vote:

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

Nay: 0

Absent: 0

2. [AB2020-436](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and the Blaine Birch Bay Park & Recreation District No. 2 for use of the gymnasium at Bay Horizon Park

Byrd moved that the Interlocal be AUTHORIZED BY CONSENT. The motion carried by the following vote:

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

Nay: 0

Absent: 0

3. [AB2020-441](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and City of Bellingham for partial funding of maintenance and operations of the Crisis Stabilization Center, in the amount of \$65,000

Byrd moved that the Interlocal be AUTHORIZED BY CONSENT. The motion carried by the following vote:

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

Nay: 0

Absent: 0

4. [AB2020-443](#) Request authorization for the County Executive to enter into a contract between Whatcom County and Bayside Pathology, Inc. for the provision of all medical examiner services consistent with the Whatcom County Code, Charter, and Washington State Law in the amount of \$605,000

Byrd moved that the Contract be AUTHORIZED BY CONSENT. The motion carried by the following vote:

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

Nay: 0

Absent: 0

5. [AB2020-451](#) Request authorization for the County Executive to enter into a subrecipient agreement between Whatcom County and the Port of Bellingham for costs associated with responding to the COVID-19 emergency in an amount not to exceed \$238,172

Donovan moved and Frazey seconded that the Contract be AUTHORIZED BY CONSENT. The motion carried by the following vote:

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

Nay: 1 - Elenbaas

Absent: 0

Abstain: 1 - Byrd

6. [AB2020-452](#) Request authorization for the County Executive to enter into a contract between Whatcom County and Northwest Workforce Council to provide reimbursement of wages and benefits for eligible temporary employees working in various COVID-related positions, for a total estimated contract amount of \$112,000

Browne moved and Frazey seconded that the Contract be authorized by

consent.

The following staff answered whether there are any County employees that are paid by another jurisdictions, whether funding for these salaries is until the end of the year, who the employees would be employed by, and whether the positions are full or part-time.

- Tyler Schroeder, Executive's Office
- Erika Lautenbach, Health Department Director
- Satpal Sidhu, County Executive

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

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

Nay: 0

Absent: 0

7. [AB2020-454](#) Request authorization for the County Executive to enter into a contract between Whatcom County and Elliott Bay Design Group for the purposes of providing engineering services for the annual dry dock for the Whatcom Chief Ferry

Donovan moved and Byrd seconded that the Contract be authorized by consent.

Councilmembers discussed dry-dock costs, the need for a new ferry, and whether a ferry could be set up to run to multiple locations.

Donovan's motion that the Contract be AUTHORIZED BY CONSENT carried by the following vote:

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

Nay: 0

Absent: 0

8. [AB2020-456](#) Request authorization for the County Executive to enter into a contract amendment between Whatcom County and Lynden School District to increase the allocation of CARES Act funding by \$100,000 in an amount not to exceed \$230,000

Browne moved and Frazey seconded that the Contract be authorized by consent.

The following people discussed with Councilmembers and answered whether this is in addition to the I.T. funds that were approved earlier, why additional funds are needed, and whether the Councilmembers could get a

breakdown on what the money is being used for.

- Tyler Schroeder, Executive's Office
- Satpal Sidhu, County Executive

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

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

Nay: 1 - Elenbaas

Absent: 0

9. [AB2020-457](#) Request authorization for the County Executive to enter into a contract amendment between Whatcom County and Blaine School District to increase the allocation of CARES Act Funding by \$100,000 in an amount not to exceed \$230,000

Frazey moved and Browne seconded 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

10. [AB2020-458](#) Request authorization for the County Executive to enter into a contract amendment between Whatcom County and Ferndale School District to increase the allocation of CARES Act funding by \$100,000 in amount not to exceed \$230,000

Browne moved and Kershner seconded 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

11. [AB2020-459](#) Request authorization for the County Executive to enter into a contract amendment between Whatcom County and Meridian School District to increase the allocation of CARES Act funding by \$100,000 in an amount not to exceed \$230,000

Byrd moved and Frazey seconded 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

12. [AB2020-460](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and North Whatcom Fire and Rescue for the cost of two students to participate in the paramedic training program in an amount not to exceed \$232,436.88

Donovan moved and Frazey seconded that the Interlocal be authorized by consent.

Mike Hilley, Emergency Medical Services (EMS) Manager, answered whether the funds are coming out of the EMS levy and whether students have to pay a portion of the training costs back if they leave the program early.

Donovan's motion that the Interlocal be AUTHORIZED BY CONSENT carried by the following vote:

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

Nay: 1 - Byrd

Absent: 0

13. [AB2020-461](#) Request authorization for the County Executive to enter into a contract amendment between Whatcom County and Mount Baker School District to increase the allocation of CARES Act funding by \$100,000 in an amount not to exceed \$230,000

Kershner moved and Donovan seconded 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

14. [AB2020-462](#) Request authorization for the County Executive to enter into a contract amendment between Whatcom County and Nooksack Valley School District to increase the CARES Act funding allocation by \$100,000 in an amount not to exceed \$230,000

Frazey moved and Browne seconded 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

15. [AB2020-467](#) Request authorization for the County Executive to enter into a contract between Whatcom County and Michael Bobbink for hearing examiner services

Browne moved and Kershner seconded that the Contract be authorized by

consent.

Councilmembers discussed the motion and Dana Brown-Davis, Clerk of the Council, answered whether the Council could amend the contract.

Byrd moved to amend the contract amount to the previous contractual amount of \$88,783.32. The motion was seconded by Donovan.

The following people discussed the motion with Councilmembers and answered questions:

- Cathy Halka, Council Legislative Analyst
- Dana Brown-Davis, Clerk of the Council
- Satpal Sidhu, County Executive

Councilmembers and the speakers discussed how many counties the Hearing Examiner works with, whether there are any comparisons of Hearing Examiners in counties our size and with similar caseloads, whether there is data on the Hearing Examiner's record of appeals, whether we specified how much money we were looking to pay when we put out the Request for Proposal (RFP) and where we got the proposed amount for this contract, whether the Council office reached out to the Hearing Examiner and negotiated with him a five percent reduction in pay, and how other County departments have incorporated reductions by using furloughs for County staff.

The motion to amend failed by the following vote:

Aye: 3 - Byrd, Donovan, and Elenbaas

Nay: 4 - Browne, Buchanan, Frazey, and Kershner

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

Aye: 4 - Browne, Buchanan, Frazey, and Kershner

Nay: 2 - Byrd, and Elenbaas

Absent: 0

Abstain: 1 - Donovan

16. [AB2020-464](#) Request approval for the County Executive to award Bid #20-61 for the purchase of furnishings for the Lighthouse Mission Ministries Base Camp to Norix Group, Inc., in an amount not to exceed \$329,645.45

Browne moved and Donovan seconded that the Bid Award be authorized by consent.

Councilmembers discussed a request to get more information in the packet about what they are getting for the money and the following staff briefed the Councilmembers and answered questions:

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

The speakers answered questions about the life expectancy of the mattresses and how it relates to the length of the Base Camp contract, what they are currently using for beds, how many beds this will purchase, how many people will be housed, whether the money could be used to buy independent pallet shelters, whether people that stay at Base Camp are assigned a bed and can leave their possessions there, and the cost of the mattresses over three years.

Councilmembers continued to discuss the motion with Deacon.

Browne's motion that the Bid Award be AUTHORIZED BY CONSENT carried by the following vote:

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

Nay: 1 - Byrd

Absent: 0

17. [AB2020-473](#) Request authorization for the County Executive to enter into an Interlocal Agreement amendment between Whatcom County and City of Bellingham for a cost sharing related to the COVID-19 health crisis

Frazey moved and Browne seconded that the substitute Interlocal be authorized by consent.

Tyler Schroeder, Executive's Office, stated this is a substitute version changing the Whatcom County not to exceed amount from \$1 million to \$1.2 million. He and Anne Deacon, Health Department, answered why the amount is increased.

Frazey's motion that the SUBSTITUTE Interlocal be AUTHORIZED BY CONSENT carried by the following vote:

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

Nay: 2 - Byrd, and Elenbaas

Absent: 0

OTHER ITEMS

(From Council Finance and Administrative Services Committee)

Report on a discussion that took place in the Finance and Administrative Services Committee

[AB2020-468](#) Discussion of utilizing Cares Act funding to assist Whatcom County Water Districts

Byrd Reported on a discussion that took place in the Finance and Administrative Services Committee regarding AB2020-468 and *moved* to approve a motion to request that the Administration look into supporting water districts which are suffering under the COVID-19 crisis in an amount up to \$400,000.

The following people discussed the item with Councilmembers:

- Tyler Schroeder, Executive's Office
- Satpal Sidhu, County Executive

The speakers answered whether CARES Act dollars can go directly to the water districts or would require an intermediary such as the Opportunity Council, whether there is an established process or mechanism to ensure that the funds will be taken from the CARES Act money, whether there is money available for the proposed purpose, how long the County has to spend the CARES Act money, whether there are still undesignated funds, whether it would be better to plan for the long-term for a second wave of stimulus money, whether the Opportunity Council can offer help for utilities other than electricity, and whether assistance would be income-related.

Councilmembers discussed the motion and whether they should make the motion general for now to say they want to move in that direction or hold the motion until the budget work session on Thursday.

Byrd amended his motion and *moved* to approve moving forward to the next milestone which will be a deadline of Thursday's meeting where we will need to have a criterion for qualifying as an individual or household, an application form to do so, and whether or not CARES Act funding could be used for this.

Councilmembers discussed the motion.

Byrd restated the motion to approve moving forward with potentially providing relief to water districts and associations by presenting at

Thursday's meeting a minimum of whether CARES Act dollars could be used, an application for approval, a set criterion to qualify, and an estimated need which would include water associations and districts.

Dana Brown-Davis, Clerk of the Council, clarified the date of the meeting he was referring to.

The motion was seconded by Donovan.

The motion carried by the following vote:

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

Nay: 0

Abstain: 1 - Elenbaas

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

1. [AB2020-430](#) Ordinance amending the project budget for the Birch Bay Drive and Pedestrian Facility Project Fund, Request No. 6, in the amount of \$841,786

Clerk's note: Elenbaas voted to oppose this item but later stated that he intended to vote in the affirmative.

Byrd 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, Frazey, Elenbaas, and Kershner

Nay: 0

Absent: 0

Enactment No: ORD 2020-054

2. [AB2020-433](#) Ordinance amending the 2020 Whatcom County Budget, request no. 19, in the amount of \$7,904,575

Byrd reported for the Finance and Administrative Services Committee.

Donovan moved and Browne seconded that the Ordinance be adopted.

Councilmembers discussed the motion.

Elenbaas moved to amend the motion to adopt to vote on each line item separately. The motion was seconded by Byrd.

The following people answered questions about the Ordinance and Elenbaas' motion:

- Dana Brown-Davis, Clerk of the Council
- Tyler Schroeder, Executive's Office
- Satpal Sidhu, County Executive

The motion to amend failed by the following vote:

Aye: 3 - Kershner, Byrd, and Elenbaas

Nay: 4 - Browne, Buchanan, Donovan, and Frazey

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

Aye: 4 - Browne, Buchanan, Donovan, and Frazey

Nay: 3 - Byrd, Elenbaas, and Kershner

Absent: 0

Enactment No: ORD 2020-055

3. [AB2020-442](#) Request authorization for the County Executive to enter into a contract between Whatcom County and Geneva Consulting Services for coordination of the Whatcom Lead Integrating Organization, in the amount of \$79,615.00 (Council acting as the Whatcom County Flood Control District Board of Supervisors)

Byrd reported for the Finance and Administrative Services Committee and moved that the Contract (FCZDBS) be AUTHORIZED. The motion carried by the following vote:

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

Nay: 1 - Elenbaas

Absent: 0

4. [AB2020-444](#) Request authorization for the County Executive to enter into an Interlocal Agreement with the US Department of Interior Geological Survey Joint Funding Agreement for Stream Gaging (Council acting as the Whatcom County Flood Control Zone District Board of Supervisors)

Byrd reported for the Finance and Administrative Services Committee and moved that the Contract (FCZDBS) be AUTHORIZED. The motion carried by the following vote:

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

Nay: 0

Absent: 0

(No Committee Assignment)

5. [AB2020-471](#) Resolution approving Whatcom County Council meeting dates for 2021

Browne moved and Frazey seconded that the Resolution be approved.

Dana Brown-Davis, Clerk of the Council, answered a question about the proposed meeting dates.

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

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

Nay: 0

Absent: 0

Enactment No: RES 2020-045

COUNCIL APPOINTMENTS TO BOARDS, COMMISSIONS, AND COMMITTEES

1. [AB2020-432](#) Application to the Drainage Improvement District #6, Supervisor Position 3 - Applicant(s): Thomas Shaffer

Byrd moved and Donovan seconded that the applicant be appointed.

Dana Brown-Davis, Clerk of the Council, clarified that this is an appointment and not a receipt of application.

Byrd's motion that the applicant be APPOINTED carried by the following vote:

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

Nay: 0

Absent: 0

ITEMS ADDED BY REVISION

1. [AB2020-485](#) Approval to send letter of support for the Washington State Parks Winter Recreation Program sno-parks and trails maintenance grant application

Kershner moved and Donovan seconded that the REQUEST be APPROVED. The motion carried by the following vote:

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

Nay: 0

Absent: 0

Abstain: 1 - Elenbaas

2. [AB2020-431](#) Resolution affirming racism as a Public Health Crisis

Donovan moved to approve the Resolution that was provided to the Council by the Public Health Advisory Board (PHAB). The motion was seconded by Frazey.

Councilmembers discussed the Resolution and whether it should be approved tonight with the following people:

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

Councilmembers continued to discuss the Resolution with staff, the intentions of the PHAB, and the process for continuing to work on it.

Donovan withdrew his motion to approve the Resolution.

Sidhu spoke about the possibility of doing a joint acclamation with the City of Bellingham.

Elenbaas stated he would like to continue on the path he has been going, get his thoughts succinct, pass it to Councilmember Browne, talk about it more, and then take it to the PHAB.

Donovan did not make a new motion but Councilmembers concurred to hold for two weeks with the understanding that the two Council representatives will be able to meet with the PHAB representatives. Lautenbach stated she would be able to help with scheduling a time.

Councilmembers discussed what they would like to see in the Resolution.

This agenda item was HELD. Clerk's note: It was sent back to Committee.

Enactment No: RES 2020-054

3. [AB2020-487](#) Ordinance amending Whatcom County Code 8.10, Solid Waste and Residential Recycling Collection, regarding solid waste collection in Point Roberts, WA

Barry stated he would like to remove this item from Introduction and vote on it separately.

Dana Brown-Davis, Clerk of the Council, confirmed that it was an agenda revision and that a related file was in Committee as a discussion item.

Elenbaas moved to withdraw the item from introduction until after they have a discussion (AB2020-486) in Public Works Committee in two weeks. The motion was seconded by Browne.

Brown-Davis answered whether the item needs a public hearing and laid out the schedule for that.

Councilmembers discussed the motion.

Elenbaas's motion that the Ordinance be WITHDRAWN from Introduction (and may be introduced at a later date) and that AB2020-486 be discussed in the Public Works Committee carried by the following vote:

Aye: 5 - Browne, Buchanan, Donovan, Frazey, and Elenbaas

Nay: 2 - Byrd, and Kershner

Absent: 0

INTRODUCTION ITEMS

Donovan moved to introduce items one through five. The motion was seconded by Browne (see votes on individual items below).

1. [AB2020-445](#) Ordinance adopting amendments to Whatcom County Code 20.72, Point Roberts Special District

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

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

Nay: 1 - Elenbaas

Absent: 0

Enactment No: ORD 2020-056

2. [AB2020-447](#) Ordinance adopting the Six-Year Capital Improvement Program (CIP) for Whatcom County Facilities (2021-2026) and repealing the Six-Year CIP for Whatcom County Facilities (2019-2024)

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

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

Nay: 1 - Elenbaas

Absent: 0

Enactment No: ORD 2020-061

3. [AB2020-448](#) Ordinance designating a Commercial Property Assessed Clean Energy and Resiliency (C-PACER) Program within Whatcom County

Donovan moved and Browne seconded that the Ordinance be INTRODUCED. The motion carried by the following vote:

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

Nay: 1 - Elenbaas

Absent: 0

4. [AB2020-449](#) Ordinance amending the project budget for the Civic Center Improvement Fund, Request No. 1 in the amount of \$4,350,000

Donovan moved and Browne seconded that the Ordinance be INTRODUCED. The motion carried by the following vote:

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

Nay: 1 - Elenbaas

Absent: 0

Enactment No: ORD 2020-058

5. [AB2020-450](#) Ordinance amending the 2020 Whatcom County Budget, request no. 20, in the amount of \$4,476,128

Donovan moved and Browne seconded that the Ordinance be INTRODUCED. The motion carried by the following vote:

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

Nay: 1 - Elenbaas

Absent: 0

Enactment No: ORD 2020-059

COMMITTEE REPORTS, OTHER ITEMS, AND COUNCILMEMBER UPDATES

Councilmembers gave committee reports and updates on recent activities and upcoming events.

Dana Brown-Davis, Clerk of the Council, updated the Councilmembers about upcoming meetings.

ADJOURN

The meeting adjourned at 11:51 p.m.

The County Council approved these minutes on November 24, 2020.

ATTEST:

WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WA

Dana Brown-Davis, Council Clerk

Barry Buchanan, Council Chair

Kristi Felbinger, Minutes Transcription

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