

Whatcom County Council

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



Action Summary

Tuesday, June 6, 2023

6 PM

Hybrid Meeting

HYBRID MEETING (PARTICIPATE IN-PERSON, SEE REMOTE JOIN INSTRUCTIONS AT www.whatcomcounty.us/joinvirtualcouncil, OR CALL 360.778.5010), AGENDA REVISED 6.5.2023

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

ROLL CALL

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

FLAG SALUTE

ANNOUNCEMENTS

COUNTY EXECUTIVE'S REPORT

MINUTES CONSENT

1. [MIN2023-036](#) Committee of the Whole Executive Session for May 9, 2023

APPROVED BY CONSENT

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

Nay: 0

2. [MIN2023-037](#) Committee of the Whole for May 9, 2023

APPROVED BY CONSENT

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

Nay: 0

3. [MIN2023-038](#) Regular County Council for May 9, 2023

APPROVED BY CONSENT

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

Nay: 0

4. [MIN2023-039](#) Committee of the Whole for May 23, 2023

APPROVED BY CONSENT

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

Nay: 0

5. [MIN2023-040](#) Regular County Council for May 23, 2023

APPROVED BY CONSENT

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

Nay: 0

SPECIAL PRESENTATION

1. [AB2023-359](#) Whatcom County Executive Sidhu's "State of the County" address

WITHDRAWN

PUBLIC HEARINGS

1. [AB2023-309](#) Ordinance adopting amendments to Whatcom County Code Title 20, Zoning, to regulate short-term vacation rentals

FAILED

Aye: 2 - Elenbaas, and Kershner

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

Abstain: 1 - Galloway

Clerk's note: There were technical difficulties in the middle of this item. Councilmembers made a motion and began to discuss the item, then there was a break for just over 30 minutes, and then they continued with the discussion and the vote. The meeting has "pause" space from about time mark 00:17:00 when the difficulties began, to 00:25:42 when the recording was re-started (some of the pause was not recorded).

OPEN SESSION**CONSENT AGENDA**

(From Council Finance and Administrative Services Committee)

1. [AB2023-345](#) Request authorization for the County Executive to enter into a contract between Whatcom County and Whatcom Dispute Resolution Center to provide eviction prevention resolution services, in the amount of \$69,000

AUTHORIZED BY CONSENT

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

Nay: 0

2. [AB2023-363](#) Request authorization for the County Executive to enter into a contract between Whatcom County and the Lighthouse Mission Ministries for the provision of kitchen equipment and room furnishings in the amount of \$750,000

This item was considered separately (see below).

3. [AB2023-366](#) Request authorization for a Letter of Understanding between Whatcom County and the Fraternal Order of Police, Matt Herzog Memorial Lodge #24, to amend the Collective Bargaining Agreement for the period January 1, 2022 - December 31, 2024

AUTHORIZED BY CONSENT

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

Nay: 0

4. [AB2023-367](#) Request authorization for the County Executive to enter into a Collective Bargaining Agreement between Whatcom County and General Teamsters' Local Union 231 Master Collective Bargaining Unit for the period January 1, 2023 - December 31, 2025

AUTHORIZED BY CONSENT

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

Nay: 0

5. [AB2023-352](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and Washington Traffic Safety Commission for Drug Recognition Expert (DRE) overtime funding, in the amount of \$3,000.00

AUTHORIZED BY CONSENT

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

Nay: 0

6. [AB2023-371](#) Request authorization for the County Executive to enter into an interlocal loan and grant agreement between Whatcom County and Whatcom County Drainage Improvement District 7 in support of the Atwood Road Culvert Replacement project in the amount of \$500,000

AUTHORIZED BY CONSENT

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

Nay: 0

CONSENT AGENDA ITEMS CONSIDERED SEPARATELY

2. [AB2023-363](#) Request authorization for the County Executive to enter into a contract between Whatcom County and the Lighthouse Mission Ministries for the provision of kitchen equipment and room furnishings in the amount of \$750,000

AUTHORIZED

Aye: 4 - Buchanan, Byrd, Elenbaas, and Kershner

Nay: 1 - Frazey

Abstain: 2 - Donovan, and Galloway

OTHER ITEMS

(From Council Finance and Administrative Services Committee)

1. [AB2023-378](#) Request approval of letter of support for Mental Health Court

APPROVED REQUEST

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

Nay: 0

(No Committee Assignment)

2. [AB2023-155](#) Ordinance amending Whatcom County Code 2.128, Business and Commerce Advisory Committee, to revise membership

SUBSTITUTE ADOPTED AS AMENDED

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

Nay: 2 - Byrd, and Elenbaas

Enactment No: ORD 2023-034

Adopted Kershner's alternate Ordinance with an amendment to add one non-voting member from K-12 to Subsection D (2) as part of the contingencies representing education (making the total number of members 23)

COUNCIL APPOINTMENTS TO BOARDS, COMMISSIONS, AND COMMITTEES

1. [AB2023-377](#) Appointment of one Councilmember to serve on the North Cascades Interagency Grizzly Bear Committee

APPOINTED

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

Nay: 0

Councilmember Elenbaas was appointed.

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

1. [AB2023-360](#) Request confirmation of the County Executive's appointments of Alana Pattermann and Terry Bornemann to the Housing Authority of Whatcom County

CONFIRMED

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

Nay: 0

2. [AB2023-373](#) Request confirmation of the County Executive's appointment of Loraine Boland to the Public Facilities District

CONFIRMED

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

Nay: 0

ITEMS ADDED BY REVISION

1. [AB2023-372](#) Resolution adopting an amendment to the Unified Fee Schedule increasing the fees at the Birch Bay Lynden and Cedarville drop box facilities

APPROVED

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

Nay: 0

Enactment No: RES 2023-014

INTRODUCTION ITEMS

1. [AB2023-374](#) Ordinance amending the 2023 Whatcom County Budget, request no. 9, in the amount of \$842,550

INTRODUCED

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

Nay: 0

2. [AB2023-375](#) Ordinance amending the project budget for the Hovander Park Building Improvements Project, request no. 1

INTRODUCED

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

Nay: 0

3. [AB2023-354](#) Ordinance adopting amendments to the Six-Year Capital Improvement Program for Whatcom County Facilities 2023-2028

INTRODUCED FOR PUBLIC HEARING

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

Nay: 0

4. [AB2023-356](#) Ordinance adopting Zoning Code amendments relating to density, lot size, setbacks, public water and sewer, and reasonable measures for the Birch Bay UGA

INTRODUCED FOR PUBLIC HEARING

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

Nay: 0

5. [AB2023-361](#) Receipt of applications to a vacancy on the Public Health Advisory Board,

Applicant(s): Matthew Durkee, Madison Emry, Robyn Phillips-Madson (Deadline for additional applications is 10:00 a.m. on Tuesday, June 13, 2023)

INTRODUCED

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

Nay: 0

6. [AB2023-349](#) Resolution granting a Quitclaim Right of Way Deed to the City of Lynden

INTRODUCED FOR PUBLIC HEARING

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

Nay: 0

7. [AB2023-387](#) Ordinance adopting amendments to Whatcom County Code Title 20 (Zoning) to regulate short-term/vacation rentals

This item was considered separately below.

INTRODUCTION ITEMS CONSIDERED SEPARATELY

7. [AB2023-387](#) Ordinance adopting amendments to Whatcom County Code Title 20 (Zoning) to regulate short-term/vacation rentals

REFERRED TO COMMITTEE

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

Nay: 1 - Elenbaas

Introduced and sent to the Planning and Development Committee before being scheduled for a public hearing

COMMITTEE REPORTS, OTHER ITEMS, AND COUNCILMEMBER UPDATES

ADJOURN