

Whatcom County Council

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



Minutes - Draft Minutes

Tuesday, March 21, 2023

6 PM

Hybrid Meeting

**HYBRID MEETING (PARTICIPATE IN-PERSON AT 311 GRAND AVENUE SUITE
101, SEE REMOTE JOIN INSTRUCTIONS AT
www.whatcomcounty.us/joinvirtualcouncil, OR CALL 360.778.5010), AGENDA
REVISED 3.16.2023**

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

Council Chair Barry Buchanan called the meeting to order at 6:02 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

FLAG SALUTE

ANNOUNCEMENTS

COUNTY EXECUTIVE'S REPORT

There was no report.

MINUTES CONSENT

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

1. [MIN2023-022](#) Committee of the Whole Executive Session for March 7, 2023

Byrd 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

2. [MIN2023-023](#) Committee of the Whole for March 7, 2023

Byrd 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

3. [MIN2023-024](#) Regular County Council for March 7, 2023

Byrd 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

4. [MIN2023-026](#) Water Work Session for March 14, 2023

Byrd 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

PUBLIC HEARINGS

1. [AB2022-641](#) Ordinance adopting the Buildable Lands Report

Matt Aamot, Planning and Development Services Department, briefed the Councilmembers.

Buchanan opened the Public Hearing and the following people spoke:

- Perry Eskridge
- Darcy Jones

Hearing no one else, Buchanan closed the Public Hearing.

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

Kershner stated she is happy to be supporting this and thanked the Planning and Development Committee, Buchanan thanked Councilmember Elenbaas for his work in the Planning Committee, and Elenbaas thanked Councilmembers for their collaboration.

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

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

Nay: 0

Enactment No: ORD 2023-010

2. [AB2023-127](#) Resolution adopting the Healthy Children's Fund Implementation Plan

Buchanan stated a hearing was held at the last meeting and kept open. They will allow people who spoke on this item during the public hearing at the last meeting to speak again if they wish since there were some changes to the Resolution.

Buchanan opened the Public Hearing and the following people spoke:

- Emily O'Connor

- Cliff Langley
- Name not stated
- Natalie Chavez
- John Marshall
- Lindy (last name not stated)
- Hannah (last name not stated)
- Christina Jackson
- Name not stated

Hearing no one else, Buchanan closed the Public Hearing.

Frazey moved and Galloway seconded that the SUBSTITUTE Resolution Requiring a Public Hearing be APPROVED.

Dana Brown-Davis, Clerk of the Council, stated there is a revised version after committee.

Elenbaas moved to amend the implementation plan to include \$1 million per year worth of funding toward the food bank. The motion was seconded by Kershner.

Elenbaas gave his reasons for the motion and Councilmembers discussed the motion and whether it falls within the scope of the Healthy Children's Fund.

The motion failed by the following vote:

Aye: 2 - Elenbaas and Kershner

Nay: 5 - Donovan, Frazey, Galloway, Buchanan, and Byrd

Kershner moved to amend page 12 of the plan to add the following language:

Whatcom County Government will apply equity values, practices, and commitments to all aspects of the Healthy Children's Fund, including data collection, identification of service priorities, contracting, program and service implementation, engagement, communication, and evaluation. No individual or provider receiving or offering services shall be required to be vaccinated for COVID-19 to participate Additionally,...

The motion was seconded by Elenbaas.

Galloway asked whether there is going to be a vaccine requirement or if this would be duplicative.

Kershner stated because there are some organizations that still have vaccine mandates outside of County government, and this would be County-funded services, she would like to make this statement in the plan so that organizations that are participating would know that they cannot require a mandate on their customers and/or employees whether they are receiving or offering services from County funds.

Donovan asked whether it applies to specific or all vaccines and Kershner stated it would be for COVID-19 specifically.

The motion carried by the following vote:

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

Nay: 0

Abstain: 1 - Donovan

Frazey's motion that the SUBSTITUTE Resolution Requiring a Public Hearing be APPROVED AS AMENDED carried by the following vote:

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

Nay: 0

Enactment No: RES 2023-007

3. [AB2023-158](#) Ordinance declaring public necessity for and the authorization to acquire certain property rights by eminent domain for the E. Smith Road and Hannegan Road Intersection Improvements Project

Andrew Hester, Public Works Department, stated he is available for questions.

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

Kershner moved and Byrd seconded that the Ordinance Requiring a Public Hearing be ADOPTED. The motion carried by the following vote:

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

Nay: 1 - Elenbaas

Enactment No: ORD 2023-011

4. [AB2023-172](#) Ordinance adopting amendments to Whatcom County Code Chapter 16.50, Commercial Property Assessed Clean Energy and Resiliency (C-PACER) Program
Cliff Strong, Planning and Development Services Department, briefed the

Councilmembers.

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

Galloway moved and Donovan seconded that the Ordinance Requiring a Public Hearing be ADOPTED. The motion carried by the following vote:

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

Nay: 0

Enactment No: ORD 2023-012

OPEN SESSION

The following people spoke:

- Dan Gentry
- Paul Burrill
- Lyle Sorenson
- Cliff Langley
- Daniel (last name not audible)
- (first name not audible) Price Jr.
- Natalie Chavez
- Hannah (last name not stated)

Hearing no one else, Buchanan closed the Open Session.

CONSENT AGENDA

(From Council Finance and Administrative Services Committee)

Kershner reported for the Finance and Administrative Services Committee and *moved* to approve Consent Agenda items one through three and five through eight (item four to be voted on separately).

Elenbaas requested they consider Consent Agenda item number six separately.

Councilmembers voted on items one through three, five, seven, and eight (see votes on individual items below).

1. [AB2023-177](#) Request authorization for the County Executive to enter into a contract amendment between Whatcom County and S. S. Papadopulos & Associates, Inc. to make refinements and modifications to the Whatcom County Groundwater Model, in the amount of \$210,640 for a total contract amount of \$496,656 (Council acting as the

Whatcom County Flood Control Zone District Board of Supervisors)

Kershner reported for the Finance and Administrative Services Committee and moved that the Contract (FCZDBS) be AUTHORIZED BY CONSENT.

The motion carried by the following vote:

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

Nay: 0

2. [AB2023-196](#) Request authorization for the County Executive to enter into a contract between Whatcom County and Heston Hauling LLC to provide towing, removal and disposal services for abandoned vehicles that have been declared as junk on the county right of way in the amount of \$32,000

Kershner 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

3. [AB2023-198](#) Request authorization for the County Executive to enter into a contract amendment between Whatcom County and Washington State Department of Ecology to the 2021-2023 Biennial Stormwater Capacity Grant in the amount of \$25,000.00 for a total amended contract amount of \$75,000.00

Kershner 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

4. [AB2023-206](#) Request authorization for the County Executive to enter into a contract amendment between Whatcom County, the City of Bellingham and Port of Bellingham for increased cost of joint consultation and government affairs services in the amount of \$48,000 per year

This item was considered separately (see below after the Consent Agenda).

5. [AB2023-208](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and the City of Blaine in support of the Wellfield Pump Station Infrastructure Project in the amount of a \$375,000 grant and a \$125,000 loan

Kershner 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

6. [AB2023-209](#) Request authorization for the County Executive to enter into a contract amendment between Whatcom County and Pyramid Communications for public communications for the Incarceration Prevention and Reduction Task Force in the amount of \$138,850, for a total amended amount of \$227,650.

This item was considered separately (see below after the Consent Agenda).

7. [AB2023-210](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and the City of Blaine for the G Street Sewer improvement project in the amount of a \$1,875,000 grant and a \$625,000 loan

Kershner 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

8. [AB2023-215](#) Request authorization for County Executive to enter into a contract with PFM Financial Advisors, LLC for financial advisor services in the amount of \$39,000

Kershner 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

CONSENT AGENDA CONSIDERED SEPARATELY

4. [AB2023-206](#) Request authorization for the County Executive to enter into a contract amendment between Whatcom County, the City of Bellingham and Port of Bellingham for increased cost of joint consultation and government affairs services in the amount of \$48,000 per year

Kershner reported for the Finance and Administrative Services Committee and **moved** that the Interlocal be AUTHORIZED.

Frazey stated she would like the County to put a Request for Proposal (RFP) out again and just see what is out there.

Kershner spoke more about the discussion that took place in Committee.

Satpal Sidhu, County Executive, answered whether the County will be considering an RFP next year or in ten years. He stated the discussion in Committee was that we will be having the lobbyist come and give a report in April and the Administration can make this a one-year contract.

Galloway stated a year from now we will be in the middle of the legislative session again so if they were going to consider an RFP for someone to start in 2024, then we should be putting the RFP out in a few months. She requested that they schedule a discussion on session strategy at the first meeting in May so they can start thinking about 2024 and what their timeline is. She wants to make sure the scope of work is looked at and updated if necessary.

Frazezy asked whether the Executive would be talking to the City and the Port and stated for the past ten years the Council was supposed to have updates. She wants to make sure, if we are going to keep the same contract, that everyone is following it. She would like to recommend we do an RFP.

Sidhu stated when he was on the Council there were two presentations by the lobbyists to the Council. There was not much activity during the COVID-19 pandemic but we were satisfied with their performance. When they come to Council in April we will bring a list of all the things we have been able to do over the last few years and where we have been successful. But there are two other bodies involved and they have to consider this too. He requested they give them some time. There will be plenty of time to put an RFP out so that they can assign somebody by December before the January session.

Frazezy stated Council has only seen this contract because the cost went above the \$40,000 threshold and she wonders if the City Council or Port Commissioners have seen it. She can't see where they have presented to the Council for the last 10 years and they were supposed to.

Buchanan stated he brought this up about nine years ago to the County Executive at that time. When he was on the Bellingham City Council they had meetings about it and there was a real consolidated set of priorities that came out of those meeting from the City.

Kershner asked what the County's share of the amended costs are, and whether the \$48,000 is just a replacement of the previous cost and not an additional amount. She stated before we find someone new, let's get this presentation in April to see what they have been doing for us and we can go

from there.

Kershner's motion that the Interlocal be AUTHORIZED carried by the following vote:

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

Nay: 2 - Byrd, and Frazey

Abstain: 1 - Galloway

6. [AB2023-209](#) Request authorization for the County Executive to enter into a contract amendment between Whatcom County and Pyramid Communications for public communications for the Incarceration Prevention and Reduction Task Force in the amount of \$138,850, for a total amended amount of \$227,650.

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

Elenbaas asked whether some of these things could be done by County staff or by volunteers.

Buchanan answered what the message is that this group is putting out, and whether they are working for the Stakeholder Advisory Committee or just the Incarceration Prevention and Reduction Task Force.

Byrd stated this is a very important skill set that they contract out but the rates they are charging are on the pricey side. He stated it would be worth them reaching out and looking at some other sources as well and also looking at whether we are getting paid media buys at cost.

Kershner asked whether they could have this group come to a Committee meeting in a couple weeks to give an overview of what they are doing and what messages they are putting out. She asked if the contract could wait for a couple weeks.

Frazey asked if this was time sensitive and Buchanan stated the contract expires March 31st.

Galloway spoke about maybe taking the paid media buys off of the vendor's obligations and doing it in-house to bring the total cost down.

Satpal Sidhu, County Executive, answered whether the contract could be extended for two weeks and stated this is important work.

Councilmembers and Sidhu discussed that the Council will not have a

meeting for three weeks (as opposed to two) because of spring break, finding out whether the vendor is resourced past the end of the contract so they could keep working, and whether there is a better way to do this.

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

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

Nay: 2 - Elenbaas, and Kershner

OTHER ITEMS

(From Council Finance and Administrative Services Committee)

1. [AB2023-149](#) Ordinance amending the project budget for the Academy Road Stormwater Improvements Project Fund, request no. 3

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

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

Nay: 0

Enactment No: ORD 2023-013

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

Kershner reported for the Finance and Administrative Services Committee and ***moved*** that the Substitute Ordinance be ADOPTED.

Kershner moved to change the amended version to read, “two of the largest for-profit employers in Whatcom County.” The motion was seconded by Elenbaas.

Councilmembers discussed the motion, that there is more conversation to be had on this, whether the employers should be for- or non-profit, whether this item should be held, what the Business and Commerce Advisory Committee suggested as far as adding positions, the fact that employers value good school districts when they are recruiting, whether someone from the Business and Commerce Advisory Committee could come and present to the Council on April 11th.

Buchanan moved to hold to April 11th, 2023. The motion was seconded by Donovan.

Kershner withdrew her motion.

Galloway suggested a friendly amendment to make it April 25th and *Buchanan accepted*. She stated she is interested in having the committee's feedback on what it would look like to add both a K-12 and an early learning/child care non-voting representative.

Donovan stated he would hope the Council would have a discussion, before hearing from the Business and Commerce Advisory Committee, who it is they want to be hearing from on this and what the goals of the Council are.

Councilmembers discussed having that discussion on April 11th, that the Business and Commerce Advisory Committee only asked for two positions, and an encouragement to review the establishing Ordinance which outlines the purpose and functions of the committee.

Buchanan's motion that the Ordinance be HELD (AND REFERRED TO COMMITTEE) carried by the following vote:

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

Nay: 0

Motion approved to hold until April 25 with a work session on April 11.

3. [AB2023-185](#) Ordinance amending the 2023 Whatcom County Budget, request no. 4, in the amount of \$7,015,999

Kershner reported for the Finance and Administrative Services Committee and *moved* that the Ordinance be ADOPTED.

Elenbaas stated in order to vote yes on items like this he needs to approve of every single thing in there. He much prefers to vote on them separately.

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

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

Nay: 0

Enactment No: ORD 2023-014

4. [AB2023-186](#) Ordinance amending the project based budget for the Courthouse Improvement Fund, request no. 4

Kershner reported for the Finance and Administrative Services Committee and moved that the Ordinance be ADOPTED. The motion carried by the

following vote:

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

Nay: 0

Temp Absent: 1 - Byrd

Enactment No: ORD 2023-015

5. [AB2023-189](#) Request for motion to approve the Criminal Justice Treatment Account (CJTA) Plan 2023-2025 Update

Kershner reported for the Finance and Administrative Services Committee and **moved** that the Request for Motion be APPROVED.

Councilmembers discussed whether they have to create this fund because of finding that is now available from the State, and whether it is incentivizing shorter sentences than should possibly be there by monetizing it.

Satpal Sidhu, County Executive, explained how this is part of the process for getting the County's grant.

Kershner's motion that the Request for Motion be APPROVED carried by the following vote:

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

Nay: 0

6. [AB2023-195](#) Request authorization for the County Executive to enter into a contract amendment between Whatcom County and Opportunity Council to support operations at the permanent supportive housing facility 22 North in the amount of \$25,000 for a total amended contract amount of \$268,950

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

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

Nay: 1 - Byrd

(From Council Public Works and Health Committee)

7. [AB2023-145](#) Ordinance amending Ordinance No. 2022-058 to change the due date of the Child and Family Well-Being Task Force Phase III report

Kershner reported for the Public Works and Health Committee and moved that the Ordinance be ADOPTED. The motion carried by the following vote:

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

Nay: 0

Enactment No: ORD 2023-016

8. [AB2023-166](#) Ordinance establishing a compost procurement policy

Kershner reported for the Public Works and Health Committee and moved that the Ordinance be ADOPTED. The motion carried by the following vote:

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

Nay: 0

Enactment No: ORD 2023-017

COUNCIL APPOINTMENTS TO BOARDS, COMMISSIONS, AND COMMITTEES

1. [AB2023-182](#) Appointment to fill a vacancy on the Child and Family Well-Being Task Force, Applicant(s): Samantha Cruz-Mendoza

Byrd moved and Frazey seconded that the Council Appointment Requiring Introduction be APPOINTED by acclamation.

Elenbaas asked whether the applicant was in attendance but no one responded.

Byrd's motion that the Council Appointment Requiring Introduction be APPOINTED carried by the following vote:

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

Nay: 0

2. [AB2023-188](#) Appointment to vacancies on the Wildlife Advisory Committee, applicant(s): Erin Deinzer, Cris Gonzalez, and Anne Johnson

Kershner moved and Galloway seconded that all three applicants be APPOINTED. The motion carried by the following vote:

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

Nay: 0

3. [AB2023-190](#) Appointment to fill vacancies on the Sumas/Everson/Nooksack Flood Subzone Advisory Committee, Applicant(s): Robert Bromley (Council acting as the Flood Control Zone District Board of Supervisors)

Kershner moved and Frazey seconded that the Council Appointment be APPOINTED.

Elenbaas spoke about the applicants.

Kershner's motion that the Council Appointment be APPOINTED carried by the following vote:

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

Nay: 0

4. [AB2023-194](#) Appointment of (1) councilmember to the Bellingham/Whatcom County Tourism board and discussion on adding this board to the annual council re-organization.

Kershner moved to nominate Galloway. The motion was seconded by Frazey.

Councilmembers discussed the motion and whether they should appoint someone else other than Galloway.

The motion carried by the following vote:

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

Nay: 1 - Elenbaas

Buchanan moved to add this board to the annual Council re-organization. The motion was seconded by Kershner.

The motion carried by the following vote:

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

Nay: 0

This agenda item was APPOINTED.

Appointed Galloway 6-1 with Elenbaas opposed and voted 7-0 to add this board to the annual Council re-organization.

CONFIRMATION OF EXECUTIVE APPOINTMENTS TO BOARDS, COMMISSIONS, AND COMMITTEES

1. [AB2023-201](#) Request confirmation of the County Executive's appointment of Adrienne Renz to the Whatcom County Housing Advisory Committee

Donovan moved and Kershner seconded that the Executive Appointment be CONFIRMED.

Elenbaas asked whether this was the only applicant.

Satpal Sidhu, County Executive, stated there were two and this applicant was recommended by the Housing Advisory Committee because of her

background and knowledge.

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

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

Nay: 0

2. [AB2023-207](#) Request confirmation of the County Executive's appointment of Richard Joss to the Whatcom County Bicycle Pedestrian Advisory Committee

Byrd moved and Frazey seconded that the Executive Appointment be CONFIRMED.

Elenbaas asked whether there was only one applicant.

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

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

Nay: 0

3. [AB2023-213](#) Request confirmation of the County Executive's appointment of Vanessa Bronsema to the Whatcom County Salary Commission

Frazey moved and Galloway seconded that the Executive Appointment be CONFIRMED.

Satpal Sidhu, County Executive, answered whether this is the commission that decides Councilmembers' salaries and stated it is.

Elenbaas stated he would recuse himself.

Sidhu described the specifications for who the Executive appoints and the process he followed, and answered questions.

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

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

Nay: 0

Abstain: 1 - Elenbaas

ITEMS ADDED BY REVISION

There were no agenda items added by revision, but Introduction item number 5 was withdrawn by the originator via an agenda revision.

INTRODUCTION ITEMS

Buchanan stated Introduction item number five was withdrawn.

Byrd moved to introduce items one through four. The motion was seconded by Galloway.

Dana Brown-Davis, Clerk of the Council, stated that Introduction item number four was a substitute. *Clerk's note:* Introduction item number one was also a substitute.

Councilmembers voted on items one through four (see votes on individual items below).

Councilmembers discussed whether amendments on a substitute version needed to be voted on separately but they do not.

1. [AB2023-200](#) Ordinance amending Whatcom County Code Section 1.14 Election Precinct Boundaries

Byrd moved and Galloway seconded that the SUBSTITUTE Ordinance 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

2. [AB2023-204](#) Ordinance amending the Whatcom County Budget, request no. 5, in the amount of \$631,850

Byrd moved and Galloway 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

3. [AB2023-205](#) Ordinance amending the project based budget for the Lake Whatcom Park Trail Development Fund, request no. 2

Byrd moved and Galloway 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

4. [AB2023-174](#) Ordinance adopting various minor amendments to Whatcom County Code Title 20, Zoning; Title 21, Land Division Regulations, and; Title 22, Land Use and

Development

Byrd moved and Galloway seconded that the SUBSTITUTE Ordinance 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

5. [AB2023-199](#) Ordinance to Repeal Ordinance 2023-004

This agenda item was WITHDRAWN.

COMMITTEE REPORTS, OTHER ITEMS, AND COUNCILMEMBER UPDATES

Councilmembers gave committee reports and other updates.

Galloway moved to recommend the SWISS (Skagit, Whatcom, Island, Snohomish, and San Juan Counties) Regional Partnership slate of Janet St. Clair from Island County for Chair and Ron Wesen from Skagit County as vice chair. The motion was seconded by Buchanan.

Councilmembers discussed the motion with Satpal Sidhu, County Executive.

The motion carried by the following vote:

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

Nay: 0

Abstain: 1 - Elenbaas

Councilmembers continued updates.

Sidhu reported on the closure of the Alcoa Intalco aluminum smelter.

ACTION SUMMARY: Motion approved 6-0-1, with Elenbaas abstaining, to recommend the SWISS (Skagit, Whatcom, Island, Snohomish, and San Juan Counties) Regional Partnership slate of Janet St. Clair from Island County for Chair and Ron Wesen from Skagit County as vice chair of SWISS.

ADJOURN

The meeting adjourned at 9:16 p.m.

ATTEST:

WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WA

Dana Brown-Davis, Council Clerk

Barry Buchanan, Council Chair

Kristi Felbinger, Minutes Transcription