

DISCLAIMER: This document is a draft and is provided as a courtesy. This document is not to be considered as the final minutes. All information contained herein is subject to change upon further review and approval by the Whatcom County Council.

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WHATCOM COUNTY COUNCIL
Regular County Council Meeting

March 26, 2019

CALL TO ORDER

Council Chair Rud Browne called the meeting to order at 7:02 p.m. in the Council Chambers, 311 Grand Avenue, Bellingham, Washington.

ROLL CALL

Present: Barbara Brenner, Rud Browne, Barry Buchanan, Tyler Byrd, Carol Frazey, and Satpal Sidhu.
Absent: Todd Donovan.

FLAG SALUTE

ANNOUNCEMENTS

MINUTES CONSENT

Buchanan moved to approve the Minutes Consent items.

The motion was seconded.

The motion carried by the following vote:

Ayes: Brenner, Browne, Buchanan, Byrd, Frazey, and Sidhu (6)
Nays: None (0)
Absent: Donovan (1)

1. **MIN2019-024** Regular County Council for January 29, 2019 (Amended)
2. **MIN2019-026** Special Committee of the Whole for March 12, 2019
3. **MIN2019-029** County Council for March 12, 2019

PUBLIC HEARINGS

1. **AB2019-153 ORDINANCE AMENDING WHATCOM COUNTY CODE 6.04 ANIMAL CONTROL, CHAPTER 6.04.020 DEFINITIONS AND 6.04.031 ADMINISTRATION AND ENFORCEMENT**

Browne opened the public hearing, and hearing no one, closed the public hearing.

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1
2 **Brenner moved** to adopt the ordinance.
3

4 The motion was seconded.
5

6 The motion carried by the following vote:

7 **Ayes:** Brenner, Browne, Buchanan, Byrd, Frazey, and Sidhu (6)

8 **Nays:** None (0)

9 **Absent:** Donovan (1)
10

11 **2. AB2019-158 RESOLUTION AND PUBLIC HEARING REGARDING SUPPORT**
12 **FOR A COMMUNITY DEVELOPMENT BLOCK GRANT FUNDING APPLICATION**
13

14 *(Clerk's Note: The CDBG required handouts were included in the Council's packet*
15 *and available to the public at the public hearing.)*
16

17 Browne opened the public hearing, and the following person spoke:

18 Sheri Emerson, Opportunity Council Associate Director, stated she supports the grant
19 and described the project.
20

21 Hearing no one else, Browne closed the public hearing.
22
23

24 **Brenner moved** to approve the resolution.
25

26 The motion was seconded.
27

28 The motion carried by the following vote:

29 **Ayes:** Brenner, Browne, Buchanan, Byrd, Frazey, and Sidhu (6)

30 **Nays:** None (0)

31 **Absent:** Donovan (1)
32

33 **3. AB2019-159 RESOLUTION REQUESTING COUNCIL AUTHORIZATION OF THE**
34 **RELEASE OF COVENANTS ON THE PROPERTY KNOWN AS THE PLAYGROUND**
35 **TRACT, BENNETT HILL SUPPLEMENTAL**
36

37 Browne opened the public hearing, and the following people spoke:

38 Tyler Schroeder, Executive's Office, gave a staff report and introduced
39 representatives of the school district.
40

41 Greg Baker and Ron Cowan, Bellingham School District, gave a PowerPoint
42 presentation on the location of the property, the covenant on the playground tract, and
43 challenges with the property to build a new school. They answered questions.
44
45

46 Councilmembers, staff, and the presenters discussed the valuation of the property,
47 the condition of the existing playground, feedback from the neighborhood, and permitting
48 and zoning with the County.
49

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1 Jacqueline Sterna stated she would like to know if there are plans for a school
2 garden on the property.
3

4 Hearing no one else, Browne closed the public hearing.
5

6 ***Brenner moved*** to approve the resolution.
7

8 The motion was seconded.
9

10 The motion carried by the following vote:

11 **Ayes:** Brenner, Browne, Buchanan, Byrd, Frazey, and Sidhu (6)

12 **Nays:** None (0)

13 **Absent:** Donovan (1)
14

15 ***Browne moved*** to accept the upgrade of the playground facilities as sufficient
16 consideration for releasing the easement.
17

18 The motion was seconded.
19

20 The motion carried by the following vote:

21 **Ayes:** Brenner, Browne, Buchanan, Byrd, Frazey, and Sidhu (6)

22 **Nays:** None (0)

23 **Absent:** Donovan (1)
24
25

26 **OPEN SESSION**

27
28 The following people spoke:

- 29 • Dana Briggs spoke about climate change demonstrations.
- 30 • Bob Burr submitted a handout (*on file*) and spoke about climate change
31 issues.
- 32 • Patrick Alesse spoke about the good work of people who work in public
33 institutions
34

35 **CONSENT AGENDA**

36
37
38 ***Sidhu*** reported for the Finance and Administrative Services Committee and
39 ***moved*** to approve Consent Agenda items two through six. Item one is withdrawn from
40 the agenda.
41

42 The motion carried by the following vote:

43 **Ayes:** Brenner, Browne, Buchanan, Byrd, Frazey, and Sidhu (6)

44 **Nays:** None (0)

45 **Absent:** Donovan (1)
46

- 47 1. **AB2019-164 REQUEST AUTHORIZATION FOR THE COUNTY EXECUTIVE TO**
48 **ENTER INTO AN AGREEMENT BETWEEN WHATCOM COUNTY AND WHATCOM**
49 **COUNSELING AND PSYCHIATRIC CLINIC, INC. AND T-MOBILE WEST LLC FOR**
50 **THIRD AMENDMENT TO SITE EASEMENT WITH OPTIONS**

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- 1
2 2. AB2019-165 REQUEST AUTHORIZATION FOR THE COUNTY EXECUTIVE TO
3 ENTER INTO A CONTRACT WHATCOM COUNTY AND REISNER
4 DISTRIBUTORS, INC., TO PROVIDE CARD LOCK FUEL SERVICES FOR
5 WHATCOM COUNTY FLEET VEHICLES AT PACIFIC PRIDE FUELING STATIONS
6 IN THE AMOUNT OF \$400,000
7
- 8 3. AB2019-166 REQUEST AUTHORIZATION FOR THE COUNTY EXECUTIVE TO
9 ENTER INTO A CONTRACT BETWEEN WHATCOM COUNTY AND MT.
10 CONSTITUTION SITES, INC, TO PROVIDE FOR THE MT. CONSTITUTION
11 RADIO TOWER LEASE, IN THE AMOUNT OF \$17,655.05
12
- 13 4. AB2019-170 REQUEST AUTHORIZATION FOR THE COUNTY EXECUTIVE TO
14 ENTER INTO A CONTRACT BETWEEN WHATCOM COUNTY AND WASHINGTON
15 STATE DEPARTMENT OF TRANSPORTATION TO OBLIGATE FEDERAL
16 CONSTRUCTION FUNDS FOR THE GUARDRAIL SAFETY PROGRAM, IN THE
17 AMOUNT OF \$805,000
18
- 19 5. AB2019-174 REQUEST AUTHORIZATION FOR THE COUNTY EXECUTIVE TO
20 ENTER INTO A CONTRACT BETWEEN WHATCOM COUNTY AND PUBLIC
21 SAFETY TESTING, INC. TO CONDUCT BACKGROUND INVESTIGATIONS ON
22 CANDIDATES FOR EMPLOYMENT WITH THE SHERIFF'S OFFICE, IN THE
23 AMOUNT OF \$42,000
24
- 25 6. AB2019-177 REQUEST AUTHORIZATION FOR THE COUNTY EXECUTIVE TO
26 ENTER INTO A CONTRACT BETWEEN WHATCOM COUNTY AND THE
27 WATERSHED COMPANY TO ASSIST IN THE PERIODIC REVIEW OF THE
28 SHORELINE MASTER PROGRAM IN THE AMOUNT OF \$100,000
29

30 OTHER ITEMS

- 31
32
33 1. AB2019-150 ORDINANCE INCREASING SHERIFF'S OFFICE PETTY CASH
34 FUND

35
36 *Sidhu* reported for the Finance and Administrative Services Committee and
37 *moved* to adopt the ordinance.

38
39 The motion carried by the following vote:

40 **Ayes:** Brenner, Browne, Buchanan, Byrd, Frazey, and Sidhu (6)

41 **Nays:** None (0)

42 **Absent:** Donovan (1)
43

- 44 2. AB2019-160 ORDINANCE AMENDING THE 2019 WHATCOM COUNTY
45 BUDGET, REQUEST NO. 4, IN THE AMOUNT OF \$2,260,652
46

47 *Sidhu* reported for the Finance and Administrative Services Committee, which
48 included one amendment approved by committee, to remove item 2701, funding for
49 repairs to the Plantation Rifle Range. He *moved* to adopt the ordinance.
50

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1 **Brenner moved** to amend to remove budget item five as shown on packet page 28,
2 in the amount of \$85,000, and hold it for two weeks to get more information.

3
4 The motion to amend was seconded.

5
6 Tyler Schroeder, Executive's Office, answered questions.

7
8 Councilmembers and staff discussed funding Point Roberts solid waste facilities
9 improvements, whether the storage building is a part of the contract, how long the County
10 has contracted the space to any solid waste disposal contractor, the acceptance of
11 hazardous materials, whether the County owns a building that Nooksack Disposal Services
12 uses, and the County subsidizing costs and guaranteeing revenue.

13
14 The motion to amend failed by the following vote:

15 **Ayes:** Buchanan, Brenner, and Byrd (3)

16 **Nays:** Sidhu, Browne, and Frazey (3)

17 **Absent:** Donovan (1)

18
19 **Frazey moved** to amend to remove item 2701, funding for repairs to the Plantation
20 Rifle Range.

21
22 The motion was seconded.

23
24 The following Parks Department staff answered questions:

- 25 • Christ Thomsen
- 26 • Mike McFarlane, Director

27
28 Councilmembers discussed the possibility of holding this item for two weeks for more
29 information and asking the administration to bring it forward in a new ordinance, the cost of
30 running the facility, whether the services can be provided at another gun range facility, the
31 possibility of transferring ownership or operation to a private non-profit, problems with
32 asbestos, and the use of grant funds.

33
34 The motion to amend carried by the following vote:

35 **Ayes:** Brenner, Browne, Buchanan, Byrd, Frazey, and Sidhu (6)

36 **Nays:** None (0)

37 **Absent:** Donovan (1)

38
39 The motion to adopt as amended carried by the following vote:

40 **Ayes:** Browne, Buchanan, Frazey, and Sidhu (4)

41 **Nays:** Brenner and Byrd (2)

42 **Absent:** Donovan (1)

43
44 **3. AB2019-156 ORDINANCE TO REPEAL ORDINANCE 2019-017**

45
46 **Sidhu** reported for the Finance and Administrative Services Committee and
47 **moved** to adopt the ordinance.

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1 The motion carried by the following vote:

2 **Ayes:** Brenner, Browne, Buchanan, Byrd, Frazey, and Sidhu (6)

3 **Nays:** None (0)

4 **Absent:** Donovan (1)

5
6 **4. AB2019-161 RESOLUTION CELEBRATING APRIL AS A MONTH OF SIKH**
7 **AWARENESS AND APPRECIATION IN WHATCOM COUNTY**

8
9 **Sidhu** reported for the Finance and Administrative Services Committee and
10 **moved** to approve the resolution.

11
12 Councilmembers spoke about supporting the Sikh community and whether it's wise
13 to support a specific religion or ethnic group through a resolution.

14
15 Sidhu moved to amend to what Councilmember Frazey said about identity. There
16 was no second to the motion.

17
18 **Sidhu moved** to hold in Council for two weeks. Councilmembers should submit
19 proposed amendments to the Clerk of the Council.

20
21 The motion was seconded.

22
23 The motion to hold in Council carried by the following vote:

24 **Ayes:** Brenner, Buchanan, Byrd, Frazey, Browne and Sidhu (6)

25 **Nays:** None (0)

26 **Absent:** Donovan (1)

27
28 **5. AB2019-191 RESOLUTION IN SUPPORT OF RETAINING THE ALASKA**
29 **MARINE HIGHWAY SYSTEM BETWEEN BELLINGHAM AND ALASKA**
30 **DESTINATIONS**

31
32 **Sidhu** reported for the Finance and Administrative Services Committee and
33 **moved** to approve the resolution.

34
35 Councilmembers discussed whether the letter would need to come back before the
36 Council for approval.

37
38 The motion carried by the following vote:

39 **Ayes:** Brenner, Browne, Buchanan, Byrd, Frazey, and Sidhu (6)

40 **Nays:** None (0)

41 **Absent:** Donovan (1)

42
43 **6. AB2019-163 REQUEST APPROVAL TO CHANGE THE START TIME OF HEALTH**
44 **BOARD MEETINGS TO 10 A.M.**

45
46 **Buchanan moved** to approve the request.

47
48 The motion was seconded.

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1 The motion carried by the following vote:

2 **Ayes:** Brenner, Browne, Buchanan, Byrd, Frazey, and Sidhu (6)

3 **Nays:** None (0)

4 **Absent:** Donovan (1)

5
6 **7. AB2019-199 RESOLUTION SUPPORTING HOUSE BILL 1023, ALLOWING**
7 **CERTAIN ADULT FAMILY HOMES TO INCREASE BED CAPACITY FROM SIX TO**
8 **EIGHT**

9
10 *Brenner moved* to approve the resolution.

11
12 The motion was seconded.

13
14 The motion carried by the following vote:

15 **Ayes:** Brenner, Browne, Buchanan, Byrd, Frazey, and Sidhu (6)

16 **Nays:** None (0)

17 **Absent:** Donovan (1)

18
19
20 **INTRODUCTION ITEMS**

21
22 *Brenner moved* to accept the Introduction Items, including the substitute for
23 item 4(a), the **ordinance amending the Business and Commerce Advisory**
24 **Committee (AB2019-187).**

25
26 The motion was seconded.

27
28 The motion carried by the following vote:

29 **Ayes:** Brenner, Browne, Buchanan, Byrd, Frazey, and Sidhu (6)

30 **Nays:** None (0)

31 **Absent:** Donovan (1)

32
33 **1. AB2019-167 ORDINANCE GRANTING GLENHAVEN LAKES CLUB INC. A**
34 **FRANCHISE AND THE RIGHT, PRIVILEGE, AND AUTHORITY THEREUNDER TO**
35 **LOCATE, SET, ERECT, LAY, CONSTRUCT, EXTEND, SUPPORT, ATTACH,**
36 **CONNECT, MAINTAIN, REPAIR, REPLACE, ENLARGE, OPERATE AND USE**
37 **FACILITIES IN, UPON, OVER, UNDER, ALONG, ACROSS AND THROUGH THE**
38 **FRANCHISE AREA TO ALLOW FOR THE PROVISION OF WATER SERVICES**

39
40 **2. AB2019-176 ORDINANCE AMENDING THE FERRY SYSTEM PETTY CASH**
41 **REVOLVING FUND FROM \$1800.00 TO \$3300.00**

42
43 **3. AB2019-184 ORDINANCE AMENDING THE PROJECT BUDGET FOR THE EAST**
44 **WHATCOM REGIONAL RESOURCE CENTER EXPANSION PROJECT IN THE**
45 **AMOUNT OF \$115,000**

46
47 **4(a). AB2019-187 ORDINANCE AMENDING WHATCOM COUNTY CODE CHAPTER**
48 **2.128, BUSINESS AND COMMERCE ADVISORY COMMITTEE, TO AMEND**
49 **MEMBERSHIP**

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1 4(b). AB2019-183 ORDINANCE AMENDING WHATCOM COUNTY CODE SECTION
2 1.14, CORRECTING CERTAIN PRECINCT BOUNDARYLINES AND PRECINCT
3 MAPS (SECOND AMENDMENT)
4

5
6 **COMMITTEE REPORTS, OTHER ITEMS, AND COUNCIL MEMBER UPDATES**
7

8 Committee Chairs reported on committee discussions.
9

10 Councilmembers gave updates on recent activities and upcoming events.
11

12
13 **ADJOURN**
14

15 The meeting adjourned at 8:50 p.m.
16

17 The County Council approved these minutes on _____, 2019.
18

19
20 ATTEST:

WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WASHINGTON

21
22
23
24
25 _____
26 Dana Brown-Davis, Council Clerk
27

Rud Browne, Council Chair

28
29
30 _____
31 Jill Nixon, Minutes Transcription