

**Whatcom County  
Council Committee of the Whole**

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



**Committee Minutes - Final**

**Tuesday, February 22, 2022**

**3 PM**

**Virtual Meeting**

VIRTUAL MEETING - ADJOURNS BY 4:45 P.M. (TO PARTICIPATE, SEE INSTRUCTIONS AT [www.whatcomcounty.us/joinvirtualcouncil](http://www.whatcomcounty.us/joinvirtualcouncil) OR CALL 360.778.5010); AGENDA REVISED 2.22.2022

**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.

## Call To Order

Council Chair Todd Donovan called the meeting to order at 3 p.m. in a virtual meeting.

## Roll Call

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

**Absent:** None

## Announcements

### Special Presentation

1. AB2022-102 Update on 2022 legislative objectives

Tom McBride, McBride Public Affairs, presented and answered questions about WA House Bill 1333 providing an extension through December 31, 2054 to the expiration of local sales and use tax for public facilities in rural counties, his relationship with the County and where his priorities come from, and whether there has been a clear investment for not only our state and junction culverts but also culverts the cities and counties are going to be responsible for and how to go about that coordinated effort to ensure that we are upholding our obligations.

Jon Hutchings, Public Works Department Director, spoke about funding for work on fish barriers.

**This agenda item was PRESENTED.**

2. AB2022-077 Presentation from Western Washington University regarding the Coast Salish Style Longhouse project

The following people presented:

- Sabah Randhawa, Western Washington University President
- Laural Ballew, Executive Director of American Indian/Alaska Native and First Nations Relations and Tribal Liaison to the President

Satpal Sidhu, County Executive, answered how the Council can support the project, stated there would be a proposal coming to the Council for their consideration, and answered whether a portion of the funding is included in the Supplemental Budget Request on the agenda today or whether there is another item he is planning to bring.

Randhawa answered how the fund raising is going for the remaining portion

of the requested dollar amount.

**This agenda item was PRESENTED.**

### **Committee Discussion and Recommendation to Council**

1. AB2022-111 Resolution establishing a Respectful Workplace Standard

Galloway and Frazey briefed the Councilmembers on the Resolution.

**Buchanan moved and Byrd seconded that the Resolution be RECOMMENDED FOR APPROVAL. The motion carried by the following vote:**

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

**Nay:** 0

**Absent:** 0

### **Items Added by Revision**

1. AB2022-142 Discussion and possible motion to recommend rescinding a previous action of the Council that temporarily closed Gulf Road to motorized vehicular traffic

Donovan updated the Councilmembers.

Karen Frakes, Prosecuting Attorney's Office, spoke about a provision in our code of parliamentary procedure that provides that when you do a motion to rescind you have to provide the same notice that you provided on the original notice, and stated the safest way to proceed in this case is to introduce an Ordinance to repeal Ordinance 2022-005.

The following people discussed the item with Councilmembers:

- Jim Karcher, Public Works Department
- Doug Chadwick, Undersheriff
- Jon Hutchings, Public Works Department Director

They discussed the history of the proposal to close the portion of Gulf Road, whether the action of the Council had been properly noticed, the reason for this item, whether what is actually happening on the ground is as severe as what was articulated in the Council packet, whether these areas are part of the Lummi Nation's usual and accustomed access points and whether the Nation was consulted, whether Council could get a map of the area with a delineation of the private and public land, whether the cultural areas are owned by the Tribe or by private property owners who then give access to the Tribe, what the 500 foot right of way is and whether there is any public

beach, how far the beach is from where they would put the gate, whether the land owners are willing to work with the public to continue access on foot or by bike, whether this is just closing vehicle access on a public road, whether Council had passed a temporary or permanent road closure, and how a temporary closure is defined.

Satpal Sidhu, County Executive, stated there is still a lot of accessibility and suggested that Councilmembers gather more information and concerns from the community members to see how concerns might be eliminated. Hutchings and his team can talk to the property owners, then come back with some sort of resolution.

Donovan stated that the path forward would be to introduce a new Ordinance.

Hutchings answered whether there is legal parking down at the beach. He suggested to schedule a committee discussion on this to hear from constituents. In the meantime, he will have a follow-up conversation with the proponent to let them know what happened today and they would go from there.

Councilmembers concurred that he will work with Council staff to schedule a discussion in the Public Works and Health Committee.

**This agenda item was DISCUSSED.**

**Other Business**

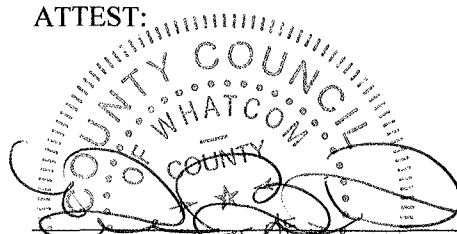
There was no other business.

**Adjournment**


The meeting adjourned at 4:11 p.m.

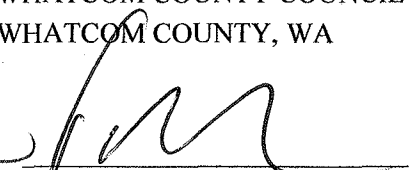
The County Council approved these minutes on March 8, 2022.

ATTEST:



WHATCOM COUNTY COUNCIL  
WHATCOM COUNTY, WA

  
Dana Brown-Davis, Council Clerk

  
Todd Donovan, Council Chair

  
Kristi Felbinger, Minutes Transcription