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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.

***Brenner moved*** to adopt the ordinance.

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 **2. AB2019-158 RESOLUTION AND PUBLIC HEARING REGARDING SUPPORT**  
2 **FOR A COMMUNITY DEVELOPMENT BLOCK GRANT FUNDING APPLICATION**  
3

4 *(Clerk's Note: The CDBG required handouts were included in the Council's packet*  
5 *and available to the public at the public hearing.)*  
6

7 Browne opened the public hearing, and the following person spoke:  
8

9 Sheri Emerson, Opportunity Council Associate Director, stated she supports the grant  
10 and described the project.  
11

12 Hearing no one else, Browne closed the public hearing.  
13

14 ***Brenner moved*** to approve the resolution.  
15

16 The motion was seconded.  
17

18 The motion carried by the following vote:  
19

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

22 **Nays:** None (0)  
23

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

26 **3. AB2019-159 RESOLUTION REQUESTING COUNCIL AUTHORIZATION OF THE**  
27 **RELEASE OF COVENANTS ON THE PROPERTY KNOWN AS THE PLAYGROUND**  
28 **TRACT, BENNETT HILL SUPPLEMENTAL**  
29

30 Browne opened the public hearing, and the following people spoke:  
31

32 Tyler Schroeder, Executive's Office, gave a staff report and introduced  
33 representatives of the school district.  
34

35 Greg Baker and Ron Cowan, Bellingham School District, gave a PowerPoint  
36 presentation on the location of the property, the covenant on the playground tract, and  
37 challenges with the property to build a new school. They answered questions.  
38

39 Councilmembers, staff, and the presenters discussed the valuation of the property,  
40 the condition of the existing playground, feedback from the neighborhood, and permitting  
41 and zoning with the County.  
42

43 Jacqueline Sterna stated she would like to know if there are plans for a school  
44 garden on the property.  
45

46 Hearing no one else, Browne closed the public hearing.  
47

48 ***Brenner moved*** to approve the resolution.  
49

50 The motion was seconded.  
51

52 The motion carried by the following vote:  
53

54 **Ayes:** Brenner, Browne, Buchanan, Byrd, Frazey, and Sidhu (6)  
55

56 **Nays:** None (0)  
57

58 **Absent:** Donovan (1)  
59

60 ***Browne moved*** to accept the upgrade of the playground facilities as sufficient  
61 consideration for releasing the easement.  
62

1 The motion was seconded.

2  
3 The motion carried by the following vote:

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

5 **Nays:** None (0)

6 **Absent:** Donovan (1)

7  
8 **OPEN SESSION**

9  
10 The following people spoke:

- 11 • Dana Briggs spoke about climate change demonstrations.
- 12 • Bob Burr submitted a handout (*on file*) and spoke about climate change
- 13 issues.
- 14 • Patrick Alesse spoke about the good work of people who work in public
- 15 institutions

16  
17 **CONSENT AGENDA**

18  
19 **Sidhu** reported for the Finance and Administrative Services Committee and  
20 **moved** to approve Consent Agenda items two through six. Item one is withdrawn from  
21 the agenda.

22 The motion carried by the following vote:

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

24 **Nays:** None (0)

25 **Absent:** Donovan (1)

- 26  
27  
28 **1. AB2019-164 REQUEST AUTHORIZATION FOR THE COUNTY EXECUTIVE TO**
- 29 **ENTER INTO AN AGREEMENT BETWEEN WHATCOM COUNTY AND WHATCOM**
- 30 **COUNSELING AND PSYCHIATRIC CLINIC, INC. AND T-MOBILE WEST LLC FOR**
- 31 **THIRD AMENDMENT TO SITE EASEMENT WITH OPTIONS**
- 32
- 33 **2. AB2019-165 REQUEST AUTHORIZATION FOR THE COUNTY EXECUTIVE TO**
- 34 **ENTER INTO A CONTRACT WHATCOM COUNTY AND REISNER**
- 35 **DISTRIBUTORS, INC., TO PROVIDE CARD LOCK FUEL SERVICES FOR**
- 36 **WHATCOM COUNTY FLEET VEHICLES AT PACIFIC PRIDE FUELING STATIONS**
- 37 **IN THE AMOUNT OF \$400,000**
- 38
- 39 **3. AB2019-166 REQUEST AUTHORIZATION FOR THE COUNTY EXECUTIVE TO**
- 40 **ENTER INTO A CONTRACT BETWEEN WHATCOM COUNTY AND MT.**
- 41 **CONSTITUTION SITES, INC, TO PROVIDE FOR THE MT. CONSTITUTION**
- 42 **RADIO TOWER LEASE, IN THE AMOUNT OF \$17,655.05**
- 43
- 44 **4. AB2019-170 REQUEST AUTHORIZATION FOR THE COUNTY EXECUTIVE TO**
- 45 **ENTER INTO A CONTRACT BETWEEN WHATCOM COUNTY AND WASHINGTON**
- 46 **STATE DEPARTMENT OF TRANSPORTATION TO OBLIGATE FEDERAL**
- 47 **CONSTRUCTION FUNDS FOR THE GUARDRAIL SAFETY PROGRAM, IN THE**
- 48 **AMOUNT OF \$805,000**
- 49
- 50 **5. AB2019-174 REQUEST AUTHORIZATION FOR THE COUNTY EXECUTIVE TO**
- 51 **ENTER INTO A CONTRACT BETWEEN WHATCOM COUNTY AND PUBLIC**
- 52 **SAFETY TESTING, INC. TO CONDUCT BACKGROUND INVESTIGATIONS ON**
- 53 **CANDIDATES FOR EMPLOYMENT WITH THE SHERIFF'S OFFICE, IN THE**
- 54 **AMOUNT OF \$42,000**
- 55

- 1 **6. AB2019-177 REQUEST AUTHORIZATION FOR THE COUNTY EXECUTIVE TO**  
2 **ENTER INTO A CONTRACT BETWEEN WHATCOM COUNTY AND THE**  
3 **WATERSHED COMPANY TO ASSIST IN THE PERIODIC REVIEW OF THE**  
4 **SHORELINE MASTER PROGRAM IN THE AMOUNT OF \$100,000**  
5

6 **OTHER ITEMS**  
7

- 8 **1. AB2019-150 ORDINANCE INCREASING SHERIFF'S OFFICE PETTY CASH**  
9 **FUND**

10  
11 *Sidhu* reported for the Finance and Administrative Services Committee and  
12 ***moved*** to adopt the ordinance.

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

21  
22 *Sidhu* reported for the Finance and Administrative Services Committee, which  
23 included one amendment approved by committee, to remove item 2701, funding for  
24 repairs to the Plantation Rifle Range. He ***moved*** to adopt the ordinance.

25  
26 ***Brenner moved*** to amend to remove budget item five as shown on packet page 28,  
27 in the amount of \$85,000, and hold it for two weeks to get more information.

28  
29 The motion to amend was seconded.

30  
31 Tyler Schroeder, Executive's Office, answered questions.  
32

33 Councilmembers and staff discussed funding Point Roberts solid waste facilities  
34 improvements, whether the storage building is a part of the contract, how long the County  
35 has contracted the space to any solid waste disposal contractor, the acceptance of  
36 hazardous materials, whether the County owns a building that Nooksack Disposal Services  
37 uses, and the County subsidizing costs and guaranteeing revenue.  
38

39 The motion to amend failed by the following vote:

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

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

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

44 ***Frazey moved*** to amend to remove item 2701, funding for repairs to the Plantation  
45 Rifle Range.

46  
47 The motion was seconded.  
48

49 The following Parks Department staff answered questions:

- 50
  - Christ Thomsen
  - Mike McFarlane, Director  
51  
52

53 Councilmembers discussed the possibility of holding this item for two weeks for more  
54 information and asking the administration to bring it forward in a new ordinance, the cost of  
55 running the facility, whether the services can be provided at another gun range facility, the

1 possibility of transferring ownership or operation to a private non-profit, problems with  
2 asbestos, and the use of grant funds.

3  
4 The motion to amend carried by the following vote:

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

6 **Nays:** None (0)

7 **Absent:** Donovan (1)

8  
9 The motion to adopt as amended carried by the following vote:

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

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

12 **Absent:** Donovan (1)

13  
14 **3. AB2019-156 ORDINANCE TO REPEAL ORDINANCE 2019-017**

15  
16 *Sidhu* reported for the Finance and Administrative Services Committee and  
17 **moved** to adopt the ordinance.

18  
19 The motion carried by the following vote:

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

21 **Nays:** None (0)

22 **Absent:** Donovan (1)

23  
24 **4. AB2019-161 RESOLUTION CELEBRATING APRIL AS A MONTH OF SIKH**  
25 **AWARENESS AND APPRECIATION IN WHATCOM COUNTY**

26  
27 *Sidhu* reported for the Finance and Administrative Services Committee and  
28 **moved** to approve the resolution.

29  
30 Councilmembers spoke about supporting the Sikh community and whether it's wise  
31 to support a specific religion or ethnic group through a resolution.

32  
33 *Sidhu* moved to amend to what Councilmember Frazey said about identity. There  
34 was no second to the motion.

35  
36 *Sidhu moved* to hold in Council for two weeks. Councilmembers should submit  
37 proposed amendments to the Clerk of the Council.

38  
39 The motion was seconded.

40  
41 The motion to hold in Council carried by the following vote:

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

43 **Nays:** None (0)

44 **Absent:** Donovan (1)

45  
46 **5. AB2019-191 RESOLUTION IN SUPPORT OF RETAINING THE ALASKA**  
47 **MARINE HIGHWAY SYSTEM BETWEEN BELLINGHAM AND ALASKA**  
48 **DESTINATIONS**

49  
50 *Sidhu* reported for the Finance and Administrative Services Committee and  
51 **moved** to approve the resolution.

52  
53 Councilmembers discussed whether the letter would need to come back before the  
54 Council for approval.

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

8  
9 *Buchanan moved* to approve the request.

10  
11 The motion was seconded.

12  
13 The motion carried by the following vote:

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

15 **Nays:** None (0)

16 **Absent:** Donovan (1)

17  
18 **7. AB2019-199 RESOLUTION SUPPORTING HOUSE BILL 1023, ALLOWING**  
19 **CERTAIN ADULT FAMILY HOMES TO INCREASE BED CAPACITY FROM SIX TO**  
20 **EIGHT**

21  
22 *Brenner moved* to approve the resolution.

23  
24 The motion was seconded.

25  
26 The motion carried by the following vote:

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

28 **Nays:** None (0)

29 **Absent:** Donovan (1)

30  
31 **INTRODUCTION ITEMS**

32  
33 *Brenner moved* to accept the Introduction Items, including the substitute for  
34 item 4(a), the **ordinance amending the Business and Commerce Advisory**  
35 **Committee (AB2019-187).**

36  
37 The motion was seconded.

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

50  
51 **2. AB2019-176 ORDINANCE AMENDING THE FERRY SYSTEM PETTY CASH**  
52 **REVOLVING FUND FROM \$1800.00 TO \$3300.00**

53  
54 **3. AB2019-184 ORDINANCE AMENDING THE PROJECT BUDGET FOR THE EAST**  
55 **WHATCOM REGIONAL RESOURCE CENTER EXPANSION PROJECT IN THE**  
56 **AMOUNT OF \$115,000**

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

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

**COMMITTEE REPORTS, OTHER ITEMS, AND COUNCILMEMBER UPDATES**

Committee Chairs reported on committee discussions.

Councilmembers gave updates on recent activities and upcoming events.

**ADJOURN**


The meeting adjourned at 8:50 p.m.

The County Council approved these minutes on April 9, 2019.


ATTEST:



  
Dana Brown-Davis, Council Clerk

  
Jill Nixon, Minutes Transcription

WHATCOM COUNTY COUNCIL  
WHATCOM COUNTY, WASHINGTON

  
Rud Browne, Council Chair