

Whatcom County Council

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



Action Summary

Tuesday, January 11, 2022

6 PM

Virtual Meeting

**VIRTUAL MEETING (TO PARTICIPATE, SEE INSTRUCTIONS AT
www.whatcomcounty.us/joinvirtualcouncil OR CALL 360.778.5010)**

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

Absent: None

FLAG SALUTE

ANNOUNCEMENTS

COUNTY EXECUTIVE'S REPORT

MINUTES CONSENT

1. [MIN2021-090](#) Committee of the Whole for November 23, 2021

APPROVED BY CONSENT

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

Nay: 0

Absent: 0

Abstain: 1 - Galloway

2. [MIN2021-091](#) Health Board for November 30, 2021

APPROVED BY CONSENT

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

Nay: 0

Absent: 0

Abstain: 1 - Galloway

3. [MIN2021-092](#) Regular County Council for November 23, 2021

APPROVED BY CONSENT

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

Nay: 0

Absent: 0

Abstain: 1 - Galloway

4. [MIN2021-093](#) Special Council for December 2, 2021

APPROVED BY CONSENT

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

Nay: 0

Absent: 0

Abstain: 1 - Galloway

5. [MIN2021-094](#) Committee of the Whole Executive Session for December 7, 2021

APPROVED BY CONSENT

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

Nay: 0

Absent: 0

Abstain: 1 - Galloway

6. [MIN2022-001](#) Committee of the Whole for December 7, 2021

APPROVED BY CONSENT

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

Nay: 0

Absent: 0

Abstain: 1 - Galloway

7. [MIN2022-002](#) Regular County Council for December 7, 2021

APPROVED BY CONSENT

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

Nay: 0

Absent: 0

Abstain: 1 - Galloway

8. [MIN2022-003](#) Special Council for December 22, 2021

APPROVED BY CONSENT

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

Nay: 0

Absent: 0

Abstain: 1 - Galloway

9. [MIN2022-004](#) Special Council for January 4, 2022

APPROVED BY CONSENT

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

Nay: 0

Absent: 0

Abstain: 1 - Galloway

PUBLIC HEARINGS

1. [AB2021-715](#) Ordinance granting Zayo Group, LLC, a franchise for the provision of telecommunications services

ADOPTED

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

Nay: 0

Absent: 0

Enactment No: ORD 2022-001

OPEN SESSION (20 MINUTES)

CONSENT AGENDA

(From Council Finance and Administrative Services Committee)

1. [AB2021-712](#) Request authorization for the County Executive to enter into a contract between Whatcom County and Sustainable Connections for costs to facilitate the Whatcom Housing Alliance in the amount of \$100,000

AUTHORIZED BY CONSENT

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

Nay: 0

Absent: 0

2. [AB2022-004](#) Request authorization for the County Executive to enter into a contract between Whatcom County and Northwest Youth Services to operate an overnight winter shelter for young adults experiencing homelessness, in the amount of \$81,000

AUTHORIZED BY CONSENT

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

Nay: 0

Absent: 0

3. [AB2022-009](#) Request authorization for the County Executive to enter into a contract between Whatcom County and BERK Consulting, Inc. to complete the COVID-19 Pandemic Response Review project for a total amount of \$71,458

AUTHORIZED BY CONSENT

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

Nay: 0

Absent: 0

4. [AB2022-014](#) Request authorization for the County Executive to enter into a contract amendment between Whatcom County and Pacific Security to continue providing building patrol security services at nine County buildings

AUTHORIZED BY CONSENT

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

Nay: 0

Absent: 0

5. [AB2022-015](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and Whatcom Council of Governments for the performance of duties related to the Boundary Review Board for Whatcom County, in the amount of \$5,000

AUTHORIZED BY CONSENT

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

Nay: 0

Absent: 0

6. [AB2022-016](#) Request authorization to amend the WA State Nurses Association Collective Bargaining Agreement for the period January 1, 2021 - December 31, 2022

AUTHORIZED BY CONSENT

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

Nay: 0

Absent: 0

7. [AB2022-017](#) Request authorization for the County Executive to enter into a Collective Bargaining Agreement between Whatcom County and the Fraternal Order of Police for the period of January 1, 2022 - December 31, 2024

AUTHORIZED BY CONSENT

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

Nay: 0

Absent: 0

OTHER ITEMS

(From Council Finance and Administrative Services Committee)

1. [AB2021-741](#) Request authorization for the County Executive to enter into a contract amendment between Whatcom County and Washington State University to continue the jointly shared costs for faculty positions and program support for WSU Extension in the amount of \$240,071 for a total amended contract amount of \$2,731,428.90

AUTHORIZED

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

Nay: 0

Absent: 0

2. [AB2021-751](#) Request authorization for the County Executive to enter into a contract amendment between Whatcom County and Aristo Healthcare Services to provide staffing at the COVID Isolation and Quarantine Facility in the estimated amount of \$125,000 for a total estimated amended contract amount of \$325,000

AUTHORIZED

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

Nay: 0

Absent: 0

3. [AB2021-752](#) Request authorization for the County Executive to enter into a contract amendment between Whatcom County and Road2Home to operate the COVID Isolation and Quarantine Facility in the amount of \$159,274 for a total amended contract amount of \$318,549

AUTHORIZED

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

Nay: 0

Absent: 0

4. [AB2021-753](#) Request authorization for the County Executive to enter into a contract amendment between Whatcom County and Pacific Security to provide security services at the COVID Isolation and Quarantine Facility and COVID Vaccine Clinics in the amount of \$52,521 for a total amended contract amount of \$176,009

AUTHORIZED

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

Nay: 0

Absent: 0

Abstain: 1 - Elenbaas

5. [AB2022-001](#) Request authorization for the County Executive to enter into a contract amendment between Whatcom County and Lewis Publishing Company, Inc. to publish COVID-19 related advertisements, in the amount of \$27,000 for a total amended contract amount of \$67,000

AUTHORIZED

Aye: 4 - Frazey, Galloway, Buchanan, and Donovan

Nay: 2 - Elenbaas, and Kershner

Absent: 0

Abstain: 1 - Byrd

6. [AB2022-002](#) Request authorization for the County Executive to enter into a contract amendment between Whatcom County and Cascade Radio Group to provide radio commercial spots for COVID-19 related advertisements in the amount of \$20,000 for a total amended contract amount of \$60,000

AUTHORIZED

Aye: 4 - Frazey, Galloway, Buchanan, and Donovan

Nay: 2 - Elenbaas, and Kershner

Absent: 0

Abstain: 1 - Byrd

7. [AB2022-003](#) Request authorization for the County Executive to enter into a contract amendment between Whatcom County and MSNW Group, LLC to provide cleaning services at the COVID-19 Isolation and Quarantine Facility in the amount of \$15,000 for a total amended contract amount of \$55,000

AUTHORIZED

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

Nay: 0

Absent: 0

8. [AB2022-006](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and the Washington State Department of Health for the delivery and funding of various public health services

AUTHORIZED

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

Nay: 0

Absent: 0

9. [AB2022-018](#) Request authorization for the County Executive to enter into a contract amendment between Whatcom County and Aristo Healthcare Services to provide COVID-19 vaccine administration services at community vaccine clinics in the amount of \$435,000 for a total amended contract amount of \$543,732

AUTHORIZED

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

Nay: 0

Absent: 0

(From Council Planning and Development Committee)

10. [AB2021-744](#) Resolution approving recommendations on three applications for Open Space Current Use Assessment

REFERRED TO COMMITTEE

(No Committee Assignment)

11. [AB2021-648](#) Ordinance adopting amendments to WCC Title 20 (Zoning) regulating the production, processing, and retail sales of recreational marijuana in Whatcom County and repealing Ordinance No. 2021-066

REFERRED TO COMMITTEE

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

Nay: 0

Absent: 0

COUNCIL APPOINTMENTS TO BOARDS, COMMISSIONS, AND COMMITTEES

1. [AB2022-011](#) Council appointment to fill a vacancy on the Stakeholder Advisory Committee for the Justice Project - Applicant: Jacob ("Jack") Hovenier

APPOINTED

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

Nay: 0

Absent: 0

2. [AB2022-019](#) Council appointment to the Flood Control Zone District Advisory Committee,

applicants: Candice Leonard, John Perry, Marcus Brooks, Bruce Bosch, Ron Bronsema, Jeff De Jong, Joni Hensley, Keith Hoekema, Thomas Brewster (Council Acting as the Flood Control Zone District Board of Supervisors)

APPOINTED

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

Nay: 0

Absent: 0

Motion approved to move Marcus Brooks to Geographic Area and add Keith Hoekema under Alternate (unlimited vacancies) and then appoint all by acclamation as follows:

Geographic Area (3 Vacancies)

- Candice Leonard
- Thomas Brewster, incumbent
- Marcus Brooks

Impacted Cities (2 Vacancies)

- John Perry, incumbent
- Bruce Bosch

Special Districts (2 Vacancies):

- Ron Bronsema, incumbent
- Jeff De Jong, incumbent

Alternate (unlimited vacancies):

- Joni Hensley
- Keith Hoekema

3. [AB2022-020](#) Council appointment to fill vacancies on the Acme/VanZandt Flood Control Subzone Advisory Committee, applicant(s): Alexander Harris (Council Acting as the Flood Control Zone District Board of Supervisors)

APPOINTED

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

Nay: 0

Absent: 0

4. [AB2022-021](#) Council appointment to fill vacancies on the Lynden/Everson Flood Control Subzone Advisory Committee, applicant(s): Ladd Shumway and Joel Vande Hoef (Council Acting as the Flood Control Zone District Board of Supervisors)

APPOINTED

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

Nay: 0

Absent: 0

5. [AB2022-022](#) Council appointment to fill vacancies on the Board of Equalization, applicant(s): Wes Van De Mark

APPOINTED

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

Nay: 0

Absent: 0

6. [AB2022-023](#) Council appointment to fill vacancies on the Drayton Harbor Shellfish Protection District Advisory Committee - Applicant(s): Richard Beauregard

APPOINTED

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

Nay: 0

Absent: 0

7. [AB2022-024](#) Council appointment to fill vacancies on the Forestry Advisory Committee - Applicant(s): Jed Dawson and David New

APPOINTED

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

Nay: 0

Absent: 0

8. [AB2022-025](#) Council appointment to fill vacancies on the Horticulture Pest and Disease Board - Applicant(s): Brett Pehl

APPOINTED

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

Nay: 0

Absent: 0

9. [AB2022-027](#) Council appointment to fill vacancies on the Lummi Island Ferry Advisory Committee - Applicant(s): Mary Marshall, William Johnson, Richard Frye, William Sager, Judy Olsen, Tom Philpot, Crispin Colburn, George Bock

APPOINTED

The following applicants were appointed:

Non-resident/non-landowner (2 or 3 vacancies*)

- Crispin Colburn with 6 votes
- Gregory Todd Lagestee with 4 votes

Resident/Landowner (2 or 3 vacancies*)

- William Johnson with 6 votes
- Richard Frye with 4 votes
- Judy Olsen, incumbent with 7 votes

10. [AB2022-028](#) Council appointment to fill vacancies on the Whatcom County Planning Commission -
Applicant(s): Rachel Vasak, Kelvin Barton, Rhayma Blake, Charles Bailey, Alvin
Scott Van Dalen, Julie Jefferson

APPOINTED

The following applicants were appointed:

Council District 4 (1 or 2 vacancies*):

- Alvin Scott Van Dalen with a vote of 7-0

Council District 5 (1 or 2 vacancies*):

- Julie Jefferson with 5 votes on the first round
- Kelvin Barton, incumbent with 3 votes on the first round and then 4 votes on the second round

11. [AB2022-029](#) Council appointment to fill vacancies on the Solid Waste Advisory Committee -
Applicant(s): Lisa Friend, Mike McQuarrie

APPOINTED

The following were appointed 7-0:

General Citizen (2 vacancies):

- Lisa Friend, incumbent
- Kenneth Domorod (late application)

Other: Mike McQuarrie

ITEMS ADDED BY REVISION

INTRODUCTION ITEMS

1. [AB2022-012](#) Ordinance establishing the Geneva Bioretention Pilot Project Fund and establishing a
project based budget for the Geneva Bioretention Pilot Project

INTRODUCED

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

Nay: 0

Absent: 0

2. [AB2022-013](#) Ordinance amending the 2022 Whatcom County Budget, request no. 4, in the amount of \$1,619,951

INTRODUCED

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

Nay: 0

Absent: 0

COMMITTEE REPORTS, OTHER ITEMS, AND COUNCILMEMBER UPDATES

ADJOURN