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WHATCOM COUNTY COUNCIL

Regular County Council Meeting

AMENDED

January 29, 2019

CALL TO ORDER

Council Chair Rud Browne called the meeting to order at 7:00 p.m. in the Council Chambers, 311 Grand Avenue, Bellingham, Washington.

ROLL CALL

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

Absent: None.

FLAG SALUTE

ANNOUNCEMENTS

COMMITTEE REPORTS, OTHER ITEMS, AND COUNCILMEMBER UPDATES

Buchanan reported on a young adult offender program and the joint meeting to select the replacement for the State Senate 40th District seat on Tuesday, February 5 at the Skagit County Commissioner meeting room.

PUBLIC HEARINGS

1. AB2019-032 RESOLUTION TO SELL TAX-TITLE PROPERTY BY PUBLIC AUCTION

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

Brenner moved to approve the resolution.

The motion carried by the following vote:

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

Nays: None (0)

2. AB2019-064 ORDINANCE IMPOSING AN INTERIM MORATORIUM ON THE ACCEPTANCE AND PROCESSING OF APPLICATIONS AND PERMITS FOR NEW OR EXPANDED FACILITIES IN THE CHERRY POINT UGA, THE PRIMARY PURPOSE OF WHICH WOULD BE THE SHIPMENT OF UNREFINED FOSSIL FUELS NOT TO BE PROCESSED AT CHERRY POINT

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

Dena Jenson spoke about reducing consumption of fossil fuels. Approve the moratorium.

1 Sandy Robson spoke about approving the moratorium and developing protections for
2 Cherry Point.

3
4 Todd Mitchell, Washington State Building and Construction Trades Council, spoke
5 about proposed amendments to the Comprehensive Plan for Cherry Point that will prevent
6 businesses from operating successfully.

7
8 Steve Garey spoke about extending the moratorium and the proposed amendments
9 to the Comprehensive Plan for Cherry Point. Ensure the safest and cleanest production from
10 the industries at Cherry Point.

11
12 Todd Tayler, Plumbers and Pipefitters Local 26 Business Manager, spoke about the
13 proposed amendments to the Comprehensive Plan for Cherry Point and stated do not
14 approve the moratorium.

15
16 Lane McElvoy spoke against the moratorium and its impact on local jobs.

17
18 Max Perry spoke about the resolution for resources and funding to allow Cascadia
19 Law Group related to legal ways the County may choose to limit the negative impacts on
20 public safety, transportation, the economy, and environment from crude oil, coal, liquefied
21 petroleum gases, and natural gas transshipments from the Cherry Point UGA.

22
23 Joe Wilson, Peterson Brothers Vice-President, spoke about the number of support
24 industries that support the businesses at Cherry Point and the lost jobs that will result from
25 the moratorium.

26
27 Jim Ace spoke in support of the moratorium.

28
29 Ronald Colson, Sierra Club Mt. Baker, spoke in support of the moratorium. The
30 Sierra Club supports existing production at Cherry Point, but there's no need to increase
31 capacity.

32
33 Shiloh Britt spoke in support of the moratorium to keep Whatcom County safe and
34 healthy.

35
36 Warren Sheay spoke about prioritizing safety over profits and jobs.

37
38 Erin Strang, Phillips 66 Environmental Specialist, spoke against the moratorium, as
39 it's unfair to Whatcom County businesses and about proposed amendments to the
40 Comprehensive Plan.

41
42 Jean Carmean spoke in support of the moratorium for environmental protection.

43
44 Tom Beck spoke against the moratorium because it will hurt jobs.

45
46 Alex Ramel spoke in support of the moratorium and about the resolution for
47 resources and funding to allow Cascadia Law Group related to legal ways the County may
48 choose to limit the negative impacts on public safety, transportation, the economy, and
49 environment from crude oil, coal, liquefied petroleum gases, and natural gas transshipments
50 from the Cherry Point UGA. He supports existing production at Cherry Point, but not
51 expansion.

52

1 Omar Favela stated he is against the moratorium and proposed changes to the
2 Comprehensive Plan because of the resulting loss of jobs and tax benefits to the community
3 from the industry.
4

5 Jane Bright stated she supports the moratorium and is opposed to expanding the
6 industry.
7

8 Jack McBride stated he supports the moratorium and the resolution for resources and
9 funding to allow Cascadia Law Group related to legal ways the County may choose to limit
10 the negative impacts on public safety, transportation, the economy, and environment from
11 crude oil, coal, liquefied petroleum gases, and natural gas transshipments from the Cherry
12 Point UGA.
13

14 Jayne Freudenberger spoke in support of the moratorium due to environmental
15 protection.
16

17 David Kershner stated he supports the moratorium for environmental and public
18 health protection.
19

20 Dirk Vermeeren stated he supports the moratorium and the proposed amendments
21 to the Comprehensive Plan.
22

23 Cheyenne Henrichsen stated she supports the moratorium and renewable resources.
24

25 Abe Jacobson stated he supports the moratorium and the proposed amendments to
26 the Comprehensive Plan to allow additional time and information to prepare for the future.
27

28 Gabby Brown stated she supports the moratorium.
29

30 Paula Rotondi stated she supports the moratorium because it benefits everyone who
31 lives in Whatcom County and will mitigate climate change problems.
32

33 Jeff Ten Pas, BAI Environmental Services, stated he is opposed the moratorium and
34 the proposed amendments to the Comprehensive Plan to protect local industries and jobs.
35

36 Sandy Lawrence stated he supports the moratorium to protect against problems from
37 climate change.
38

39 Barry Wenger stated he supports the moratorium. Keep the process transparent.
40

41 Virginia Malmquist stated she supports the moratorium to protect the environment.
42

43 Debbie Cantrell stated she supports the moratorium due to climate change problems
44 and increased health problems.
45

46 Mike Sennett stated he supports the proposed moratorium to mitigate negative
47 impacts to the environment and to health.
48

49 Pete Romero stated he is opposed to the moratorium, and the current regulations
50 are enough.
51

52 Joe Murphy stated he is opposed to the moratorium due to the impact to investors
53 who may want to upgrade.

1
2 Antonio Machado stated he is opposed to the moratorium and the proposed changes
3 to the Comprehensive Plan because additional restrictions are unnecessary and because
4 they must protect jobs.

5
6 Katie Dexter stated she supports the moratorium to protect against problem from
7 climate change.

8
9 Andronetta Douglass stated she supports the moratorium and the proposed
10 amendments to the Comprehensive Plan due to climate change problems.

11
12 Natalie McClendon stated she supports the moratorium and the proposed
13 amendments to the Comprehensive Plan in favor of renewable energy.

14
15 Robin Dexter stated he supports the moratorium, the proposed amendments to the
16 Comprehensive Plan, and the resolution for resources and funding to allow Cascadia Law
17 Group related to legal ways the County may choose to limit the negative impacts on public
18 safety, transportation, the economy, and environment from crude oil, coal, liquefied
19 petroleum gases, and natural gas transshipments from the Cherry Point UGA.

20
21 Jim Verburg spoke against the moratorium and the Comprehensive Plan
22 amendments, because the current regulations are enough.

23
24 Pam Brady, BP Cherry Point Refinery, stated the company is opposed to the
25 moratorium and the proposed amendments to the Comprehensive Plan. The restrictions are
26 unwarranted, and infrastructure maintenance permits will not be issued.

27
28 Holli Johnson, Western States Petroleum Association, stated they are opposed to the
29 moratorium, which will impact existing businesses.

30
31 Sean Kaylor stated he is opposed to the moratorium and the proposed amendments
32 to the Comprehensive Plan to protect the industry and jobs.

33
34 Pat Simons stated he is opposed to the moratorium and the proposed amendments
35 to the Comprehensive Plan to protect the industry and jobs.

36
37 Rob Hutchison stated he is opposed to the moratorium and the proposed
38 amendments to the Comprehensive Plan to protect the industry and jobs.

39
40 Michael Kirshenbaum stated he supports the moratorium to protect health and the
41 environment. The Council should take their time to get the final regulations right.

42
43 Chad Butenschoen stated he is opposed to the moratorium to protect the industry
44 and the environment, which will be endangered if the facility isn't allowed to evolve.

45
46 Terry Montonye submitted and read from a handout and stated he supports a
47 process to restore local fisheries.

48
49 Michelle Gitts stated she is opposed to the moratorium because they must protect
50 jobs and because additional regulations are unnecessary.

51
52 Brooks Tarter stated she is opposed to the moratorium because they must protect
53 jobs and because additional regulations are unnecessary.

1
2 Mike Llewellyn stated he is opposed to the moratorium and changes to the
3 Comprehensive plan because they must protect jobs. The Council must be transparent.
4

5 Trevor Smith stated he is opposed to the moratorium and changes to the
6 Comprehensive plan because they must protect jobs. There must be transparency and
7 everyone must be heard.
8

9 Michael Petrish stated he is opposed to the moratorium and changes to the
10 Comprehensive plan because they must protect jobs.
11

12 Michael Galleyos stated he is opposed to the moratorium and changes to the
13 Comprehensive plan because they must protect jobs. There must be transparency.
14

15 Hanna Holt stated she is opposed to the moratorium because they must protect jobs.
16

17 Miguel Perry, Pacific Northwest Region of Carpenters, stated he is opposed to the
18 moratorium and changes to the Comprehensive plan because the regulations are
19 unnecessary and everyone uses petroleum products.
20

21 Andrew Gamble stated he is opposed to the moratorium and changes to the
22 Comprehensive plan because they must protect jobs.
23

24 Bob Gay, Electrical Workers Union Local 191, stated he is opposed to the moratorium
25 and changes to the Comprehensive plan because they must protect jobs.
26

27 Kathy Sabel spoke about the discussion of the ordinance by the Climate Impact
28 Advisory Committee.
29

30 Eddy Ury, ReSources for Sustainable Communities, stated he supports the
31 moratorium to protect the environment and public safety and health.
32

33 John Mutchler, Ferndale Mayor, stated he is opposed to the moratorium because they
34 must protect businesses and jobs.
35

36 Rhea Bordian stated she is opposed to the moratorium and changes to the
37 Comprehensive plan because they must protect jobs. The Council must educate itself about
38 the local businesses and industry.
39

40 Kathleen Capson spoke about large pipeline expansions in North America and stated
41 she supports the moratorium to prevent further expansion.
42

43 Hannah Murphy stated she is opposed to the moratorium because there are no
44 problems with the environment.
45

46 Lynn Murphy, Puget Sound Energy, spoke about the power facilities owned by Puget
47 Sound Energy in the county. She is opposed to proposed Comprehensive Plan changes and
48 any changes that would prohibit them from providing service to their customers.
49

50 Jacob Peterson stated he supports the moratorium to protect Native American treaty
51 rights.
52

1 Garret Drake stated he is opposed to the moratorium and changes to the
2 Comprehensive plan because they must protect jobs.

3
4 Miguel Edmondson stated he is opposed to the moratorium and changes to the
5 Comprehensive plan because they must protect jobs.

6
7 Natalie Chavez stated she supports the moratorium and changes to the
8 Comprehensive plan to protect against environmental impacts and protects public health
9 and safety.

10
11 Joseph Canello stated he is opposed to the moratorium and changes to the
12 Comprehensive plan because they must protect jobs.

13
14 Carol Perry stated she is opposed to the moratorium and changes to the
15 Comprehensive plan because they must protect jobs.

16
17 Hearing no one else, Browne closed the public hearing.

18
19 **Donovan moved** to adopt the ~~resolution~~ ordinance.

20
21 The motion was seconded.

22
23 The motion carried by the following vote:

24 **Ayes:** Browne, Buchanan, Donovan, Frazey, and Sidhu (5)

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

26
27 *(Clerk's Note: The Council took a break at 10:12 p.m. for 15 minutes.*
28 *Councilmember Buchanan left the meeting.)*

29
30
31 **COMMITTEE REPORTS, OTHER ITEMS, AND COUNCILMEMBER UPDATES**

32
33 Browne reported for the Special Committee of the Whole on the resolution requesting
34 the County Executive provide staff resources and funding to allow Cascadia Law Group to
35 complete contract No. 201708008 related to legal ways the County may choose to limit the
36 negative impacts on public safety, transportation, the economy, and environment from
37 crude oil, coal, liquefied petroleum gases, and natural gas transshipments from the Cherry
38 Point UGA.

39
40 **Donovan moved** to approve the resolution.

41
42 The motion was seconded.

43
44 Councilmembers discussed whether the Cascadia Law Firm is unbiased, allowing
45 some general maintenance and facilities projects to not be restricted or delayed, and
46 expediting the process to avoid having to do another interim.

47
48 **Donovan moved** to amend the resolution, "Be it further resolved that the County
49 Council requests that Planning and Development Services (PDS) ~~be instructed to work with~~
50 Cascadia Law Group...."

51
52 The motion to amend was seconded.

1 The motion to amend carried by the following vote:
2 **Ayes:** Brenner, Byrd, Browne, Donovan, Frazey, and Sidhu (6)
3 **Nays:** None (0)
4 **Absent:** Buchanan (1)
5

6 **Donovan moved** to amend the resolution, "Be it further resolved that the County
7 Council requests the Planning and Development Services (PDS) department be instructed to
8 ensure...."
9

10 The motion to amend was seconded.
11

12 The motion to amend carried by the following vote:
13 **Ayes:** Brenner, Byrd, Browne, Donovan, Frazey, and Sidhu (6)
14 **Nays:** None (0)
15 **Absent:** Buchanan (1)
16

17 **Brenner moved** to amend page one, line 25, "Whereas, the Council recognizes that
18 the existing refineries have made recent investments in facilities such as renewable fuel
19 production and blending which it hopes believes will continue; and...."
20

21 The motion was seconded.
22

23 The motion to amend carried by the following vote:
24 **Ayes:** Brenner, Byrd, Browne, Donovan, Frazey, and Sidhu (6)
25 **Nays:** None (0)
26 **Absent:** Buchanan (1)
27

28 Councilmembers discussed rainfall amounts.
29

30 **Brenner moved** to amend page three, item g, to remove references to reduced
31 rainfall and snowpack.
32

33 The motion was seconded.
34

35 **Sidhu suggested a friendly amendment**, "g. At a minimum require local
36 mitigation of (such as carbon offset programs that are deployed within Whatcom County's
37 borders) Facility Emissions, above the Baseline to compensate for the climate changes
38 caused by such emissions including but not limited to: dryer summers, reduced rainfall and
39 snow pack, increased forest fires and reduced habitat for wildlife (especially endangered
40 species). Which collectively are degrading our quality of life, impacting the economic
41 viability of our fishing, forestry, recreational and agricultural industries, significantly
42 affecting summer air quality that is in turn increasing health care costs and health risks,
43 especially for the young and elderly. While also considering the prospects for mitigating the
44 broader consequences of greenhouse gas emissions; and"
45

46 **Brenner accepted** the friendly amendment.
47

48 The motion to amend carried by the following vote:
49 **Ayes:** Brenner, Byrd, Browne, Donovan, Frazey, and Sidhu (6)
50 **Nays:** None (0)
51 **Absent:** Buchanan (1)
52

53 Councilmembers discussed the timeline.

1
2 **Brenner moved** to amend the scope of work in Exhibit A, "The Contractor shall...and
3 environment from crude oil, coal, liquefied petroleum gases, and natural gas exports from
4 the Cherry Point UGA above levels in existence as of March 1, 2017..."

5
6 The motion was seconded.

7
8 Councilmembers discussed whether they can amend a scope of work that already
9 exists.

10
11 Karen Frakes, Prosecutor's Office, answered questions.

12
13 **Byrd suggested a friendly amendment** to remove the reference to Exhibit A,
14 "Whereas, in the 2017 budget the County allocated \$150,000 for legal assistance and
15 contracted to spend \$75,000 with Cascadia Law Group to undertake items (1) and (2) in the
16 Scope of Work as provided in EXHIBIT "A"; and...."

17
18 **Brenner accepted** the friendly amendment.

19
20 The motion to amend failed by the following vote:

21 **Ayes:** Browne, Donovan, and Frazey (3)

22 **Nays:** Sidhu, Brenner and Byrd (3)

23 **Absent:** Buchanan (1)

24
25 Councilmembers discussed whether the intent is for this resolution to supplant the
26 two versions of the Comprehensive Plan Update amendments dated October 9 and January
27 15.

28
29 **Brenner moved** to amend to add language, "Now therefore be it finally resolved
30 that the draft ordinance proposed on January 15 is withdrawn from being sent to the
31 Planning Commission."

32
33 Councilmembers discussed whether the October and January documents were draft
34 ordinances.

35
36 **Brenner withdrew** the motion.

37
38 Tyler Schroeder, Executive's Office, stated the resolution refers to the preliminary
39 draft containing proposed changes to the County Comprehensive Plan and County Code.

40
41 **Brenner moved** to amend to remove all references to the January 15 preliminary
42 draft containing proposed changes to the County Comprehensive Plan and County Code.

43
44 Councilmembers continued to discuss the references to the January 15 preliminary
45 draft containing proposed changes to the County Comprehensive Plan and County Code.

46
47 **Brenner withdrew** her motion to amend.

48
49 Councilmembers discussed whether this resolution will move forward with the
50 October and January versions of the Whatcom County Comprehensive Plan amendments
51 and the process for discussing and reviewing the preliminary draft changes to the
52 Comprehensive Plan.

1 The motion to approve as amended carried by the following vote:

2 **Ayes:** Browne, Donovan, Frazey, and Sidhu (4)

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

4 **Absent:** Buchanan (1)

5
6
7 **OPEN SESSION**

8
9 The following people spoke:

- 10 • Bobb Burr spoke about catastrophic environmental problems and declaring a
- 11 climate emergency.
- 12 • Mark Washke spoke about climate change and environmental impacts.
- 13 • Kathy Sabel spoke about Discussion/Approval of Water Resources Inventory
- 14 Area 1 Watershed Management Plan Update
- 15 • Bob Gay spoke about the Business and Commerce Advisory Committee
- 16 membership including a labor representative
- 17 • Eddy Ury, ReSources for Sustainable Communities, spoke about the resolution
- 18 requesting the County Executive provide staff resources and funding to allow
- 19 Cascadia Law Group to complete contract No. 201708008 related to legal
- 20 ways the County may choose to limit the negative impacts on public safety,
- 21 transportation, the economy, and environment from crude oil, coal, liquefied
- 22 petroleum gases, and natural gas transshipments from the Cherry Point UGA.

23
24
25 **CONSENT AGENDA**

26
27 **Sidhu** reported for the Finance and Administrative Services Committee and ***moved***
28 to approve Consent Agenda items one through four.

29
30 The motion carried by the following vote:

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

32 **Nays:** None (0)

33 **Absent:** Buchanan (1)

- 34
- 35 **1. AB2019-024 REQUEST AUTHORIZATION FOR THE COUNTY EXECUTIVE TO**
- 36 **ENTER INTO A CONTRACT BETWEEN WHATCOM COUNTY AND MARVIN**
- 37 **WAYNE, M.D., P.S. IN THE AMOUNT OF \$160,000**
- 38
- 39 **2. AB2019-025 REQUEST AUTHORIZATION FOR THE COUNTY EXECUTIVE TO**
- 40 **ENTER INTO A CONTRACT AMENDMENT BETWEEN WHATCOM COUNTY AND**
- 41 **WHATCOM HUMANE SOCIETY TO EXTEND THE TERM OF THE AGREEMENT TO**
- 42 **APRIL 30, 2019**
- 43
- 44 **3. AB2019-081 REQUEST AUTHORIZATION FOR THE COUNTY EXECUTIVE TO**
- 45 **ENTER INTO AN INTERLOCAL AGREEMENT BETWEEN WHATCOM COUNTY**
- 46 **AND OFFICE OF CRIME VICTIMS ADVOCACY TO INCREASE ADVOCACY FOR**
- 47 **CHILD VICTIMS OF ABUSE OR NEGLECT IN DEPENDENCY COURT APPOINTED**
- 48 **SPECIAL ADVOCATES PROGRAM, IN THE AMOUNT OF \$95,173.00**
- 49
- 50 **4. AB2019-068 RESOLUTION TO APPROVE ANNUAL PETITION FOR REFUNDS**
- 51 **PAID LIST CONSISTENT WITH RCW 84.69.020**
- 52
- 53

1 **OTHER ITEMS**

2
3 Sidhu reported for the Council Finance and Administrative Services Committee on the
4 following items.

5
6 **1. AB2019-033 ORDINANCE AMENDING THE 2019-2020 WHATCOM COUNTY**
7 **BUDGET, REQUEST NO. 1, IN THE AMOUNT OF \$778,500**

8
9 *Sidhu moved* to adopt the ordinance.

10
11 The motion to approve carried by the following vote:

12 **Ayes:** Brenner, Browne, Donovan, Frazey, and Sidhu (5)

13 **Nays:** Byrd (1)

14 **Absent:** Buchanan (1)

15
16 **2. AB2019-036 ORDINANCE AMENDING WHATCOM COUNTY CODE 2.108,**
17 **BELLINGHAM-WHATCOM COUNTY COMMISSION AGAINST DOMESTIC**
18 **VIOLENCE, EXPANDING THE SCOPE OF THE COMMISSION AND REFERRING**
19 **TO INTERLOCAL AGREEMENT WITH THE CITY OF BELLINGHAM**

20
21 *Sidhu moved* to adopt the ordinance.

22
23 The motion to approve carried by the following vote:

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

25 **Nays:** None (0)

26 **Absent:** Buchanan (1)

27
28 **3. AB2019-040 ORDINANCE AMENDING WHATCOM COUNTY CODE CHAPTER**
29 **2.128, BUSINESS AND COMMERCE ADVISORY COMMITTEE, TO ADD ONE**
30 **ADDITIONAL MEMBER**

31
32 *Sidhu moved* to adopt the ordinance.

33
34 Councilmembers discussed including a seat for the construction industry, whether
35 the real estate position can represent the construction industry, and managing the size of
36 the committee.

37
38 *Brenner moved* to hold in Council.

39
40 The motion to hold was seconded.

41
42 The motion to hold failed by the following vote:

43 **Ayes:** Byrd and Brenner (2)

44 **Nays:** Browne, Donovan, Frazey, and Sidhu (4)

45 **Absent:** Buchanan (1)

46
47 The motion to approve-adopt failed by the following vote:

48 **Ayes:** Browne, Frazey, and Sidhu (3)

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

50 **Absent:** Buchanan (1)

51 **Abstains:** Donovan (1)

52

1 **4. AB2019-082 REQUEST FOR COUNTY COUNCIL TO APPROVE THE CRIMINAL**
2 **JUSTICE TREATMENT ACCOUNT PLAN**

3
4 | *Sidhu moved* to ~~adopt the ordinance~~ approve the request.

5
6 Perry Mowery, Health Department, answered questions on the deadline and whether
7 this is an annual renewal.

8
9 | The motion to ~~approve~~ carried by the following vote:

10 **Ayes:** Byrd, Brenner, Browne, Donovan, Frazey, and Sidhu (6)

11 **Nays:** None (0)

12 **Absent:** Buchanan (1)

13
14 **5. AB2019-087 REQUEST AUTHORIZATION FOR THE COUNTY EXECUTIVE TO**
15 **ENTER INTO AN EDI INTERLOCAL LOAN AND GRANT AGREEMENT BETWEEN**
16 **WHATCOM COUNTY AND PORT OF BELLINGHAM IN THE AMOUNT OF**
17 **\$250,000**

18
19 Sidhu stated this item is held in committee.

20
21 **6. AB2019-089 REQUEST AUTHORIZATION FOR THE COUNTY EXECUTIVE TO**
22 **ENTER INTO A CONTRACT AMENDMENT BETWEEN WHATCOM COUNTY AND**
23 **WASHINGTON STATE UNIVERSITY TO CONTINUE THE JOINTLY SHARED**
24 **COSTS FOR FACULTY POSITIONS AND PROGRAM SUPPORT FOR WSU**
25 **EXTENSION IN THE AMOUNT OF \$215,951 FOR A TOTAL AMENDED**
26 **CONTRACT AMOUNT OF \$1,999,276.90**

27
28 | *Sidhu moved* to ~~adopt the ordinance~~ approve the request.

29
30 | The motion to ~~approve~~ carried by the following vote:

31 **Ayes:** Byrd, Brenner, Browne, Donovan, Frazey, and Sidhu (6)

32 **Nays:** None (0)

33 **Absent:** Buchanan (1)

34
35 **7. AB2019-037 REQUEST AUTHORIZATION FOR THE COUNTY EXECUTIVE TO**
36 **ENTER INTO AN INTERLOCAL AGREEMENT BETWEEN WHATCOM COUNTY**
37 **AND THE CITY OF BELLINGHAM REGARDING THE CITY OF BELLINGHAM-**
38 **WHATCOM COUNTY COMMISSION ON DOMESTIC & SEXUAL VIOLENCE**

39
40 | *Sidhu moved* to ~~adopt the ordinance~~ approve the request.

41
42 | The motion to ~~approve~~ carried by the following vote:

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

44 **Nays:** None (0)

45 **Absent:** Buchanan (1)

46
47 **8. AB2019-034 RESOLUTION AMENDING THE 2019 FLOOD CONTROL ZONE**
48 **DISTRICT AND SUBZONES BUDGET, REQUEST NO. 1, IN THE AMOUNT OF**
49 **\$35,000 (COUNCIL ACTING AS THE WHATCOM COUNTY FLOOD CONTROL**
50 **ZONE DISTRICT BOARD OF SUPERVISORS)**

51
52 | *Sidhu moved* to ~~adopt the ordinance~~ approve the resolution.

1 | The motion to approve carried by the following vote:

2 | **Ayes:** Brenner, Browne, Donovan, Frazey, and Sidhu (5)

3 | **Nays:** Byrd (1)

4 | **Absent:** Buchanan (1)

5 |
6 | **9. AB2019-049 RESOLUTION CANCELLING UNCOLLECTIBLE PERSONAL**
7 | **PROPERTY TAXES**

8 |
9 | ***Sidhu moved*** to adopt the ordinance approve the resolution.

10 | The motion to approve carried by the following vote:

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

12 | **Nays:** None (0)

13 | **Absent:** Buchanan (1)

14 |
15 |
16 | **10. AB2019-108 RESOLUTION ALLOWING APPOINTMENT OF ONE**
17 | **COUNCILMEMBER TO SERVE AS AN OPTIONAL ALTERNATE MEMBER OF THE**
18 | **WASHINGTON STATE ASSOCIATION OF COUNTIES BOARD OF DIRECTORS**
19 | **(AB2019-108)**

20 |
21 | Browne gave a staff report.

22 | ***Browne moved*** to approve the resolution.

23 | The motion was seconded.

24 | The motion to approve carried by the following vote:

25 | **Ayes:** Byrd, Brenner, Browne, Donovan, Frazey, and Sidhu (6)

26 | **Nays:** None (0)

27 | **Absent:** Buchanan (1)

28 |
29 |
30 | **COUNCIL APPOINTMENTS TO BOARDS, COMMISSIONS, AND COMMITTEES**

31 |
32 |
33 | **1. AB2019-052 APPOINTMENTS TO FILL VACANCIES ON THE FLOOD CONTROL**
34 | **ZONE DISTRICT ADVISORY COMMITTEE - APPLICANTS: GEOGRAPHIC AREA -**
35 | **DALE BLOK, ALBERT DEBOER, SCOTT HULSE, KENT ROORDA. SPECIAL**
36 | **DISTRICTS - RON BRONSEMA, JEFF DEJONG. IMPACTED CITIES - KYLE**
37 | **CHRISTENSEN, JOHN PERRY. COUNCIL ACTING AS THE WHATCOM COUNTY**
38 | **FLOOD CONTROL ZONE BOARD OF SUPERVISORS**

39 | ***Donovan moved*** to appoint: Geographic Area - Dale Blok, Albert DeBoer, Scott
40 | Hulse, Kent Roorda; Special Districts - Ron Bronsema, Jeff DeJong; Impacted Cities - Kyle
41 | Christensen, John Perry.

42 | The motion was seconded.

43 | The motion to approve carried by the following vote:

44 | **Ayes:** Byrd, Brenner, Browne, Donovan, Frazey, and Sidhu (6)

45 | **Nays:** None (0)

46 | **Absent:** Buchanan (1)

1 **Brenner moved** to appoint to the partial term the applicant to the geographical
2 area positions who submitted their application latest.

3
4 The motion was seconded.

5
6 The motion carried by the following vote:

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

8 **Nays:** None (0)

9 **Absent:** Buchanan (1)

10
11 **2. AB2019-092 APPOINTMENT TO FILL VACANCY ON PORTAGE BAY SHELLFISH**
12 **PROTECTION DISTRICT ADVISORY COMMITTEE. APPLICANT: ALAN**
13 **CHAPMAN**

14
15 **Donovan moved** to appoint Alan Chapman.

16
17 The motion was seconded.

18
19 The motion carried by the following vote:

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

21 **Nays:** None (0)

22 **Absent:** Buchanan (1)

23
24 **3. AB2019-093 APPOINTMENT TO FILL VACANCY ON THE**
25 **SUMAS/EVERSON/NOOKSACK FLOOD CONTROL SUB-ZONE ADVISORY**
26 **COMMITTEE. APPLICANT: JERRY JUERGENS**

27
28 **Donovan moved** to appoint Jerry Juergens.

29
30 The motion was seconded.

31
32 The motion carried by the following vote:

33 **Ayes:** Byrd, Brenner, Browne, Donovan, Frazey, and Sidhu (6)

34 **Nays:** None (0)

35 **Absent:** Buchanan (1)

36
37
38 **EXECUTIVE APPOINTMENTS TO BOARDS, COMMISSIONS, AND COMMITTEES**

39
40 **1. AB2019-086 COUNTY EXECUTIVE JACK LOUWS REQUESTS CONFIRMATION**
41 **OF HIS NEW APPOINTMENTS AND REAPPOINTMENTS TO EXECUTIVE**
42 **BOARDS AND COMMITTEES; APPOINTMENTS TO TAKE EFFECT ON FEBRUARY**
43 **1, 2019**

44
45 **Donovan moved** to confirm the appointment.

46
47 The motion was seconded.

48
49 The motion carried by the following vote:

50 **Ayes:** Byrd, Brenner, Browne, Donovan, Frazey, and Sidhu (6)

51 **Nays:** None (0)

52 **Absent:** Buchanan (1)

1
2 **INTRODUCTION ITEMS**
3

4 ***Donovan moved*** to accept the Introduction Items.
5

6 The motion was seconded.
7

8 The motion carried by the following vote:

9 **Ayes:** Byrd, Brenner, Browne, Donovan, Frazey, and Sidhu (6)

10 **Nays:** None (0)

11 **Absent:** Buchanan (1)
12

- 13 **1. AB2019-073 ORDINANCE REGARDING TEMPORARY INSTALLATION OF STOP**
14 **SIGNS ON CERTAIN COUNTY ROADS**
- 15
- 16 **2. AB2019-074 ORDINANCE ESTABLISHING A TEMPORARY SPEED LIMIT**
17 **CHANGE FOR BIRCH BAY DRIVE**
- 18
- 19 **3. AB2019-075 ORDINANCE ESTABLISHING TEMPORARY ONE-WAY TRAFFIC**
20 **ON BIRCH BAY DRIVE**
- 21
- 22 **4. AB2019-076 ORDINANCE AUTHORIZING THE TEMPORARY RE-OPENING OF**
23 **COTTONWOOD DRIVE AT MORGAN DRIVE TO VEHICULAR TRAFFIC**
- 24
- 25 **5. AB2019-018 ORDINANCE ADOPTING VARIOUS MINOR AMENDMENTS TO**
26 **WHATCOM COUNTY CODE TITLES 20 (ZONING), 21 (LAND DIVISION**
27 **REGULATIONS), AND 22 (LAND USE AND DEVELOPMENT PROCEDURES),**
28 **MAKING CORRECTIONS, UPDATES, AND CLARIFICATIONS**
29

30
31 **COMMITTEE REPORTS, OTHER ITEMS, AND COUNCILMEMBER UPDATES**
32

33 ***Donovan*** reported for the Natural Resources Committee and ***moved*** to recommend
34 that the County Council support the vote of the Planning Unit at its last meeting on January
35 23, which was to send the letters and the catalog of materials to Ecology and State
36 legislators.
37

38 The motion was seconded.
39

40 ***Brenner moved*** to amend to specify the "majority" of the Planning Unit.
41

42 The motion to amend was seconded.
43

44 The motion to amend carried by the following vote:

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

46 **Nays:** Donovan (1)

47 **Absent:** Buchanan (1)
48

49 ***Browne moved*** to reconsider the motion to amend.
50

51 The motion to reconsider was seconded.
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The motion to reconsider carried by the following vote:

- Ayes:** Browne, Donovan, Frazey, and Sidhu (4)
- Nays:** Brenner and Byrd (2)
- Absent:** Buchanan (1)

(Clerk's Note: The Council did not vote on the reconsidered motion to amend.)

Councilmember Donovan's main motion carried by the following vote:

- Ayes:** Byrd, Browne, Donovan, Frazey, and Sidhu (5)
- Nays:** Brenner (1)
- Absent:** Buchanan (1)

Council Chairs reported on committee discussions.

Councilmembers gave updates on recent activities and upcoming events.

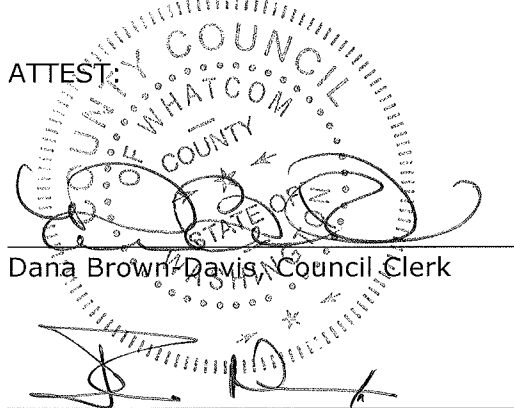
ADJOURN

The meeting adjourned at 12:10 a.m. on Wednesday, January 30, 2019.

The County Council approved these minutes on February 12, 2019.

The County Council amended these minutes on March 26, 2019.

ATTEST:



Dana Brown-Davis, Council Clerk

Jill Nixon, Minutes Transcription

WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WASHINGTON

A handwritten signature in black ink, appearing to read 'Rud Browne'.

Rud Browne, Council Chair

