

# **Whatcom County Council**

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



## **Minutes - Draft Minutes**

**Tuesday, April 9, 2024  
6 PM  
Hybrid Meeting**

**HYBRID MEETING (PARTICIPATE IN-PERSON, VIEW ONLINE, OR REGISTER  
TO SPEAK REMOTELY - PLEASE SEE AGENDA NOTES UNDER  
"ANNOUNCEMENTS", "OPEN SESSION", OR "PUBLIC HEARINGS" FOR MORE  
INFORMATION)**

### **COUNCILMEMBERS**

Barry Buchanan  
Tyler Byrd  
Todd Donovan  
Ben Elenbaas  
Kaylee Galloway  
Jon Scanlon  
Mark Stremmler

### **CLERK OF THE COUNCIL**

Dana Brown-Davis, C.M.C.

## COUNTY COUNCIL

### CALL TO ORDER

Council Chair Barry Buchanan called the meeting to order at 6:03 p.m. in a hybrid meeting.

### ROLL CALL

**Present:** 7 - Barry Buchanan, Tyler Byrd, Todd Donovan, Ben Elenbaas, Kaylee Galloway, Jon Scanlon, and Mark Stremler

### FLAG SALUTE

### ANNOUNCEMENTS

### COUNTY EXECUTIVE'S REPORT

There was no report.

### MINUTES CONSENT

***Donovan moved*** to accept the minutes consent items. The motion was seconded by Byrd (see votes on individual items below).

1. [MIN2024-015](#) Committee of the Whole for March 19, 2024

**Donovan moved and Byrd seconded that the Minutes Consent be APPROVED BY CONSENT. The motion carried by the following vote:**

**Aye:** 7 - Buchanan, Byrd, Donovan, Elenbaas, Galloway, Scanlon, and Stremler

**Nay:** 0

2. [MIN2024-016](#) Regular County Council for March 19, 2024

**Donovan moved and Byrd seconded that the Minutes Consent be APPROVED BY CONSENT. The motion carried by the following vote:**

**Aye:** 7 - Buchanan, Byrd, Donovan, Elenbaas, Galloway, Scanlon, and Stremler

**Nay:** 0

### PUBLIC HEARINGS

1. [AB2024-155](#) Resolution vacating a portion of County Road and an unnamed alley within the Amended Plat of South Wickersham

Buchanan opened the Public Hearing and hearing no one, closed the Public Hearing.

**Donovan moved and Byrd seconded that the Resolution Requiring a Public Hearing be APPROVED. The motion carried by the following vote:**

**Aye:** 7 - Buchanan, Byrd, Donovan, Elenbaas, Galloway, Scanlon, and Stremmler

**Nay:** 0

Enactment No: RES 2024-015

2. [AB2024-173](#) Ordinance adopting amendments to Whatcom County Code Title 15, Buildings & Construction, to adopt by reference the 2021 Editions of the International Building, Residential, Mechanical, Fuel gas, existing building, fire codes, and the national fuel gas, Washington State Energy, uniform plumbing, & liquified petroleum gas codes, and the 1997 uniform code for the abatement of dangerous buildings, as amended as set forth herein, as required by RCW Chapter 19.27

Curtis Metz, Planning and Development Services Department, stated he was available for questions.

Buchanan opened the Public Hearing and the following person spoke:

- Eddy Ury

Hearing no one else, Buchanan closed the Public Hearing.

***Galloway moved*** and Donovan seconded that the Ordinance Requiring a Public Hearing be ADOPTED.

Elenbaas stated he has a difference of opinion on the facts laid out by the speaker. He spoke about the motion and why he is voting no.

Metz answered how people buying property are going to be aware of the new Washington Wildland Urban Interface Code (WWUIC) or know they are in these areas, and he stated they will not be able to know because there is not a current map. He answered what he thinks the energy code has to do with the subject of natural gas and stated you can still use natural gas in the current energy code.

Galloway stated her understanding of this amendment is that it is to reference the updated State Building Code which is required by State law and which supersedes local regulations unless they are more rigorous.

Metz stated State law requires the state to abide by the international building codes and those went into effect on March 15th. What they are looking at tonight are the amendments from Whatcom County to those codes. The county is allowed to amend the administrative sections and to adopt or not adopt the appendices and that is what is being considered tonight.

Scanlon stated if someone is looking at our code, they are seeing what is currently mandated.

Elenbaas stated he is going to take a stand and tell the State no because he does not think it is right for the district he represents.

**Galloway's motion that the Ordinance Requiring a Public Hearing be ADOPTED carried by the following vote:**

**Aye:** 4 - Buchanan, Donovan, Galloway, and Scanlon

**Nay:** 3 - Byrd, Elenbaas, and Stremmer

Enactment No: ORD 2024-019

3. [AB2024-201](#) Ordinance adopting amendments to Whatcom County Code Section 1.14, Electoral Precincts, with newly established voting precinct boundaries for Whatcom County
- Stacy Henthorn, County Auditor, briefed the Councilmembers and stated this adjustment of electoral precincts is done throughout the year due to annexations, and the precincts this time were adjusted due to annexations from the cities in Blaine, Everson, Ferndale, and Nooksack. They are also adding two new precincts - one in Everson and one in Nooksack.

Buchanan opened the Public Hearing and hearing no one, closed the Public Hearing.

**Donovan moved and Galloway seconded that the Ordinance Requiring a Public Hearing be ADOPTED. The motion carried by the following vote:**

**Aye:** 7 - Buchanan, Byrd, Donovan, Elenbaas, Galloway, Scanlon, and Stremmer

**Nay:** 0

Enactment No: ORD 2024-020

4. [AB2024-208](#) Ordinance adopting Whatcom County Code Title 20, zoning code amendments relating to allowing propane reload, storage, and distribution facilities in the agriculture zone as a conditional use

Lucas Clark, Planning and Development Services Department, briefed the Councilmembers.

Buchanan opened the Public Hearing and the following people spoke:

- Dannon Traxler
- Atul Deshmane
- Eddy Ury

Hearing no one else, Buchanan closed the Public Hearing.

***Elenbaas moved*** and Stremmler seconded that the Ordinance Requiring a Public Hearing be ADOPTED.

Councilmembers discussed the motion, whether it is just about this one facility, and that the applicant followed the process they were given.

***Galloway moved*** to hold until the Planning and Development Services Department is able to prepare a substitute version that would allow propane reload, storage, and distribution facilities in the Agricultural District (AG), Light Impact Industrial (LII) District, Heavy Impact Industrial (HII) District, and Rural Industrial and Manufacturing (RIM) District with special conditions as applicable. The motion was seconded by Scanlon.

Councilmembers discussed the motion to hold.

The motion failed by the following vote:

**Aye:** 3 - Galloway, Scanlon, and Buchanan,

**Nay:** 4 - Stremmler, Byrd, Donovan, and Elenbaas

**Elenbaas's motion that the Ordinance Requiring a Public Hearing be ADOPTED carried by the following vote:**

**Aye:** 5 - Buchanan, Byrd, Elenbaas, Scanlon, and Stremmler

**Nay:** 2 - Donovan, and Galloway

Enactment No: ORD 2024-021

## **OPEN SESSION**

The following person spoke:

- Michael Chrzastowski

George Roche, Prosecuting Attorney's Office, stated he believes this comment has crossed over the line and is beginning to become ex parte communication at this point. He stated he believes the subject matter under discussion is probably directly related to the ABC project and it is inappropriate to hear this testimony at this time.

Buchanan stated there is a permit pending and the Council will be the ultimate deciders on the permit, based on what they call a quasi-judicial decision, which means the Council will act as judges so they cannot partake

in any conversation, pro or con, on the issue of ABC Recycling. They cannot take testimony either.

Roche gave further explanation and answered a question from Councilmember Donovan about another issue the Council discussed today in committee regarding Heavy Impact Industrial (HII) zoning in the Urban Growth Area (UGA). He also answered what word in the testimony was controversial and stated it was "lead" connected to the Alderwood neighborhood. He stated there will be a time and place for this discussion; it just does not happen to be today.

Chrzastowski finished his public comment.

Open Session continued and the following people spoke:

- Flo Simon
- Randy VanderHeiden
- Scott Ryckman
- Jeff Hindman
- Doug "Yoshe" Revelle
- Christopher Deile
- Eric Kingery
- Jeremiah Winchester
- Jeff Holmes
- Andrew Shelton
- Brian (last name not stated)

George Roche, Prosecuting Attorney's Office, interrupted the testimony and stated he is engaging in ex parte communication. He explained why the comment needed to be quashed.

Open session continued and the following people spoke:

- Natalie Chavez
- Robert Bystrom
- Jose Manuel Reta
- Lyle Sorenson
- Nick Lewis
- Misty Flowers

Hearing no one else, Buchanan closed the Open Session.

**CONSENT AGENDA****(From Council Finance and Administrative Services Committee)**

**Donovan** reported for the Finance and Administrative Services Committee and ***moved*** to approve Consent Agenda items one through nine, eleven and twelve. He stated they would consider item number ten separately.

Dana Brown-Davis, Clerk of the Council, stated there is a substitute contract for item number 11.

Councilmembers voted on the Consent items (see votes on individual items below).

1. [AB2024-200](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and Whatcom County Library System in support of the Birch Bay Library construction project in the amount of \$315,000

**Donovan reported for the Finance and Administrative Services Committee and moved that the Interlocal be AUTHORIZED BY CONSENT. The motion carried by the following vote:**

**Aye:** 7 - Buchanan, Byrd, Donovan, Elenbaas, Galloway, Scanlon, and Stremler

**Nay:** 0

2. [AB2024-204](#) Request authorization for the County Executive to enter into a contract between Whatcom County and PNW Plateful to distribute weekly meals to low-income households, in the amount of \$115,000

**Donovan reported for the Finance and Administrative Services Committee and moved that the Contract be AUTHORIZED BY CONSENT. The motion carried by the following vote:**

**Aye:** 7 - Buchanan, Byrd, Donovan, Elenbaas, Galloway, Scanlon, and Stremler

**Nay:** 0

3. [AB2024-221](#) Request authorization for the County Executive to enter into an Interlocal Agreement between Whatcom County and WA State Department of Commerce to provide funding for Justice Project management and Justice Project data work in the amount of \$245,903.00

**Donovan reported for the Finance and Administrative Services Committee and moved that the Interlocal be AUTHORIZED BY CONSENT. The motion carried by the following vote:**

**Aye:** 7 - Buchanan, Byrd, Donovan, Elenbaas, Galloway, Scanlon, and Stremler

Nay: 0

4. [AB2024-222](#) Request authorization for the County Executive to enter into a no cost interlocal agreement between Whatcom County and Bellingham School District to provide community immunization clinics

**Donovan reported for the Finance and Administrative Services Committee and moved that the Interlocal be AUTHORIZED BY CONSENT. The motion carried by the following vote:**

Aye: 7 - Buchanan, Byrd, Donovan, Elenbaas, Galloway, Scanlon, and Stremmer

Nay: 0

5. [AB2024-223](#) Request authorization for the County Executive to enter into Project Agreement Amendment No. 3 with the County Road Administration Board (CRAB), for the Hampton Road Pavement Rehabilitation Project, for Rural Arterial Program (RAP) funding in the amount of \$198,000

**Donovan reported for the Finance and Administrative Services Committee and moved that the Contract be AUTHORIZED BY CONSENT. The motion carried by the following vote:**

Aye: 7 - Buchanan, Byrd, Donovan, Elenbaas, Galloway, Scanlon, and Stremmer

Nay: 0

6. [AB2024-230](#) Request permission for the County Executive to enter into a contract between Whatcom County and Geo Test Services to provide on-call construction materials testing and inspection services for 2024 in the amount not to exceed \$200,000

**Donovan reported for the Finance and Administrative Services Committee and moved that the Contract be AUTHORIZED BY CONSENT. The motion carried by the following vote:**

Aye: 7 - Buchanan, Byrd, Donovan, Elenbaas, Galloway, Scanlon, and Stremmer

Nay: 0

7. [AB2024-232](#) Request authorization for the County Executive to enter into a contract between Whatcom County and Aspect Consulting to provide water rights adjudication technical assistance, in the amount of \$170,000.00 (Council acting as the Whatcom County Flood Control Zone District Board of Supervisors)

**Donovan reported for the Finance and Administrative Services Committee and moved that the Contract (FCZDBS) be AUTHORIZED BY CONSENT. The motion carried by the following vote:**

Aye: 7 - Buchanan, Byrd, Donovan, Elenbaas, Galloway, Scanlon, and Stremmer



Nay: 0

8. [AB2024-242](#) Request authorization for the County Executive to award bid # 24-23 and enter into a contract between Whatcom County and Lake Union Drydock Company for the annual drydocking, repair and maintenance of the Whatcom Chief Ferry, in the amount of \$1,180,380.00

**Donovan reported for the Finance and Administrative Services Committee and moved that the Bid Award be AUTHORIZED BY CONSENT. The motion carried by the following vote:**

Aye: 7 - Buchanan, Byrd, Donovan, Elenbaas, Galloway, Scanlon, and Stremmler

Nay: 0

9. [AB2024-243](#) Request authorization for the County Executive to enter into a contract between Whatcom County and MacWhinney Environmental Consulting LLC for third-party critical areas review, in the amount of \$60,000.00

**Donovan reported for the Finance and Administrative Services Committee and moved that the Contract be AUTHORIZED BY CONSENT. The motion carried by the following vote:**

Aye: 7 - Buchanan, Byrd, Donovan, Elenbaas, Galloway, Scanlon, and Stremmler

Nay: 0

10. [AB2024-244](#) Request authorization for the County Executive to enter into a contract amendment between Whatcom County and Opportunity Council to provide housing case management services in the amount of \$256,842 for a total amended contract amount of \$1,488,823

This item was considered separately below.

11. [AB2024-248](#) Request authorization for the County Executive to enter into a contract between Whatcom County and Puget Sound Energy for the Sheriff's Office to perform reimbursed overtime patrols, in the amount of \$18,216.00

**Donovan reported for the Finance and Administrative Services Committee and moved that the SUBSTITUTE Contract be AUTHORIZED BY CONSENT. The motion carried by the following vote:**

Aye: 7 - Buchanan, Byrd, Donovan, Elenbaas, Galloway, Scanlon, and Stremmler

Nay: 0

12. [AB2024-257](#) Request authorization for the County Executive to enter into an Economic Development Investment Program Interlocal Loan and Grant agreement between Whatcom County and the City of Bellingham to provide EDI loan and grant funding

support for the Old Town Urban Village Improvement Project in the amount of \$1,500,000 in grant funding and \$1,500,000 in loan funding for a total agreement amount of \$3,000,000

**Donovan reported for the Finance and Administrative Services Committee and moved that the Interlocal be AUTHORIZED BY CONSENT. The motion carried by the following vote:**

**Aye:** 7 - Buchanan, Byrd, Donovan, Elenbaas, Galloway, Scanlon, and Stremmler

**Nay:** 0

### **CONSENT AGENDA ITEMS CONSIDERED SEPARATELY**

10. [AB2024-244](#) Request authorization for the County Executive to enter into a contract amendment between Whatcom County and Opportunity Council to provide housing case management services in the amount of \$256,842 for a total amended contract amount of \$1,488,823

**Donovan reported for the Finance and Administrative Services Committee and moved that the Contract be AUTHORIZED. The motion carried by the following vote:**

**Aye:** 4 - Buchanan, Donovan, Galloway, and Scanlon

**Nay:** 3 - Byrd, Elenbaas, and Stremmler

### **OTHER ITEMS**

**(From Council Public Works and Health Committee)**

1. [AB2024-166](#) Ordinance amending Whatcom County Code 8.10, Solid Waste and Residential Recycling Collection

**This agenda item was WITHDRAWN.**

**(From Council Planning and Development Committee)**

2. [AB2024-245](#) Resolution docketing Comprehensive Plan and Development Regulation amendments  
*Elenbaas* reported for the Planning and Development Committee and *moved* that the Resolution be APPROVED.

*Donovan moved* to amend the docket to retain PLN2022-00005. The motion was seconded by Buchanan.

Councilmembers discussed the motion, that there may be another route to deal with this, and reevaluating height limitations on Lummi Island.

The motion carried by the following vote:

**Aye:** 7 - Buchanan, Byrd, Donovan, Elenbaas, Galloway, Scanlon, and Stremler

**Nay:** 0

**Elenbaas's motion that the Resolution be APPROVED AS AMENDED carried by the following vote:**

**Aye:** 7 - Buchanan, Byrd, Donovan, Elenbaas, Galloway, Scanlon, and Stremler

**Nay:** 0

Enactment No: RES 2024-016

Motion approved 7-0 to amend the docket to retain PLN2022-00005.

**(From Council Committee of the Whole)**

3. [AB2024-090](#) Resolution identifying Whatcom County approaches to the fentanyl emergency  
*Buchanan* reported for the Committee of the Whole and *moved* that the SUBSTITUTE Resolution be APPROVED.

Councilmembers thanked those involved in the resolution.

**Buchanan's motion that the SUBSTITUTE Resolution be APPROVED carried by the following vote:**

**Aye:** 7 - Buchanan, Byrd, Donovan, Elenbaas, Galloway, Scanlon, and Stremler

**Nay:** 0

Enactment No: RES 2024-017

4. [AB2024-252](#) Resolution supporting modernization of the Economic Development Investment (EDI) Board

*Donovan* briefed the Councilmembers and *moved* that the Resolution be APPROVED. The motion was seconded by Galloway.

*Scanlon moved* to amend the 7th whereas statement on page one to strike the word “for” before “housing” and add “to finance the construction of” so that it reads:

WHEREAS, in 2024, the Washington State Legislature passed HB 1987, clarifying that these funds may be used ~~for~~ to finance the construction of housing that is nonprofit owned and make it clear that land is an eligible project cost; and

The motion was seconded by Buchanan.

The motion carried by the following vote:

**Aye:** 7 - Donovan, Elenbaas, Galloway, Scanlon, Stremmer, Buchanan, and Byrd

**Nay:** 0

**Scanlon moved** to amend to add a new whereas statement immediately following the one above that reads:

WHEREAS, HB 1987 defines affordable housing as, “housing for single persons, families, or unrelated persons living together whose income is no more than 120 percent of the median income, adjusted for housing size, for the county where the housing is located”; and

Kayla Schott-Bresler, Executive's Office, stated Councilmember Scanlon's amendment makes sense and is consistent with the statute. She would like to have discussion with the Council about their policy preferences for investment in different types of affordable housing at different income levels.

The motion was seconded by Buchanan.

The motion to amend carried by the following vote:

**Aye:** 7 - Elenbaas, Galloway, Scanlon, Stremmer, Buchanan, Byrd, and Donovan

**Nay:** 0

Elenbaas asked if the makers of the resolution could give examples of some of the current board positions that could be eliminated and some of the people that could be added as new positions.

Donovan gave examples of adding people from housing construction, from the non-profit housing sector, and developers. He did not want specify positions to get rid of, but wants to make sure the group is not too big.

**Donovan's motion that the Resolution be APPROVED AS AMENDED carried by the following vote:**

**Aye:** 7 - Buchanan, Byrd, Donovan, Elenbaas, Galloway, Scanlon, and Stremmer

**Nay:** 0

Enactment No: RES 2024-018

Motion approved 7-0 to amend the 7th whereas statement to strike the word “for” before “housing” and add “to finance the construction of” so that it reads:

WHEREAS, in 2024, the Washington State Legislature passed HB 1987, clarifying that these funds may be used to finance the construction of housing that is nonprofit owned and make it clear that land is an eligible project cost; and

Motion approved 7-0 to amend to add a new whereas statement after the one above that reads:

WHEREAS, HB 1987 defines affordable housing as, “housing for single persons, families, or unrelated persons living together whose income is no more than 120 percent of the median income, adjusted for housing size, for the county where the housing is located”; and

5. [AB2024-254](#) Resolution repealing Resolution 2023-054 (a resolution establishing an independent review of countywide fire and emergency medical services structures)

***Stremler moved*** and Elenbaas seconded that the Resolution be APPROVED.

Councilmembers discussed the motion, why they were not collaborative first before going to an independent review process, and appreciation for the fire districts and all the work they do.

**Stremler's motion that the Resolution be approved FAILED by the following vote:**

**Aye:** 2 - Elenbaas, and Stremler

**Nay:** 5 - Buchanan, Byrd, Donovan, Galloway, and Scanlon

6. [AB2024-236](#) Request confirmation of the County Executive’s appointment of Kayla Schott-Bresler as Deputy Executive effective April 10, 2024

***Buchanan*** reported for the Committee of the Whole and ***moved*** that the Executive Appointment be CONFIRMED.

Councilmembers voted (see the vote below).

Kayla Schott-Bresler, Executive's Office, thanked the Councilmembers and staff in the Executive's Office.

**Buchanan's motion that the Executive Appointment be CONFIRMED carried by the following vote:**

**Aye:** 6 - Buchanan, Byrd, Elenbaas, Galloway, Scanlon, and Stremler

**Nay:** 0

**Temp Absent:** 1 - Donovan

**(No Committee Assignment)**

7. [AB2024-210](#) Ordinance calling for the election of Charter Review Commissioners at the November

## 2024 General Election

**Galloway moved and Stremmler seconded that the Ordinance be ADOPTED.**

**The motion carried by the following vote:**

**Aye:** 7 - Buchanan, Byrd, Donovan, Elenbaas, Galloway, Scanlon, and Stremmler

**Nay:** 0

Enactment No: ORD 2024-022

8. [AB2024-253](#) Resolution in support of expanding access to affordable and reliable internet for all residents of Whatcom County

**Galloway** briefed the Councilmembers and ***moved*** that the Resolution be APPROVED. The motion was seconded by Donovan.

Councilmembers discussed concerns regarding the proposed notification system to inform all interested parties of opportunities to coordinate construction activities, the fact that this is technology neutral, what “affordable” internet means and whether the County would be contributing to anyone’s monthly bill, a concern that there may be unintended consequences that are going to crush small companies and be advantageous to big ones, a concern that mandated policies may add costs to a small utility to the point that they will not want to do the work, a concern about this making internet required in order for someone to get a permit, and the fact that this resolution kicks off the conversation but the Council will have more opportunity to discuss any code changes.

Kayla Schott-Bresler, Executive's Office, thanked Galloway for how collaborative she has been and stated that implementation will be a phased approach. What she sees as being able to move forward sooner rather than later is integrating this into the conversations they are having about EDI program reform, integrating some policy statements into the Comprehensive Plan, and integrating it into franchise requirements.

Satpal Sidhu, County Executive, stated one thing the Administration can do is make sure it is open-source and not owned by only one company.

Galloway asked if the Councilmembers would prefer a potential amendment to insert the word "certain" in bullet point 2 after "within" so it would read:

Develop a notification system to inform all interested parties of opportunities to coordinate construction activities, including utility installation, within certain County Rights of-Way,

Councilmembers and Sidhu continued to discuss the resolution but no amendments were made.

**Galloway's motion that the Resolution be APPROVED carried by the following vote:**

**Aye:** 5 - Buchanan, Byrd, Donovan, Galloway, and Scanlon

**Nay:** 2 - Elenbaas, and Stremmler

Enactment No: RES 2024-019

### **COUNCIL APPOINTMENTS TO BOARDS, COMMISSIONS, AND COMMITTEES**

1. [AB2024-191](#) Appointment to a vacancy on the Surface Mining Advisory Committee, potable domestic groundwater supply representative, Applicant(s): Carl Isom-McDaniel

**Byrd moved and Scanlon seconded that the Council Appointment Requiring Introduction be APPOINTED. The motion carried by the following vote:**

**Aye:** 6 - Buchanan, Byrd, Donovan, Elenbaas, Scanlon, and Stremmler

**Nay:** 0

**Temp Absent:** 1 - Galloway

2. [AB2024-211](#) Clarification of Council appointment and appointment to vacancies on the Justice Project Oversight and Planning Committee, Applicant(s): Scott Ryckman, Richard Gleason, and Tawsha Thompson

Jill Nixon, Council Office Staff, briefed the Councilmembers on the Council action requested.

***Donovan moved*** to appoint Ryckman to the EMS Paramedic position for the term ending Jan 31, 2027. The motion was seconded by Byrd.

The motion carried by the following vote:

**Aye:** 7 - Elenbaas, Galloway, Scanlon, Stremmler, Buchanan, Byrd, and Donovan

**Nay:** 0

***Donovan moved*** to appoint Gleason and Thompson to the positions of criminal legal system users, including those formerly incarcerated. The motion was seconded by Byrd.

The motion carried by the following vote:

**Aye:** 6 - Galloway, Scanlon, Buchanan, Byrd, Donovan, and Elenbaas

**Nay:** 0

**Out of the Meeting:** 1 - Stremmler

**Galloway moved** to appoint Gleason to the term ending in 2027 and Thompson to the term ending in 2026. The motion was seconded by Elenbaas.

The motion carried by the following vote:

**Aye:** 6 - Scanlon, Buchanan, Byrd, Donovan, Elenbaas, and Galloway

**Nay:** 0

**Out of the Meeting:** 1 - Stremmler

**This agenda item was APPOINTED.**

Motion approved 7-0 to appoint Ryckman to the EMS Paramedic position for the term ending Jan 31, 2027.

Motion approved 6-0, with Stremmler out of the room, to appoint Gleason and Thompson to the positions of criminal legal system users, including those formerly incarcerated.

Motion approved 6-0, with Stremmler out of the room, to appoint Gleason to the term ending in 2027 and Thompson to the term ending in 2026.

3. [AB2024-212](#) Clarification of Council motion to change representation on the Surface Mining Advisory Committee from Committee Member Kathleen Greenbaum
- Jill Nixon, Council Office Staff, stated at a previous meeting Council approved a motion to allow the applicant to switch out of her position representing the potable domestic groundwater supply group but did not put her in a new position.

Councilmembers discussed the options.

**Galloway moved** to appoint Greenbaum to the Forestry representative position. The motion was seconded by Elenbaas.

The motion carried by the following vote:

**Aye:** 7 - Scanlon, Stremmler, Buchanan, Byrd, Donovan, Elenbaas, and Galloway

**Nay:** 0

**This agenda item was APPOINTED.**

Appointed 7-0 to the Forestry representative position.

4. [AB2024-224](#) Appointment to vacancies on the Wildlife Advisory Committee, Applicant(s): Jay Brueggeman

**Galloway moved and Buchanan seconded that the Council Appointment be**



**APPOINTED. The motion carried by the following vote:**

**Aye:** 7 - Buchanan, Byrd, Donovan, Elenbaas, Galloway, Scanlon, and Stremler

**Nay:** 0

5. [AB2024-234](#) Approval of request to change representation on the Board of Equalization from At-Large Alternate to District 2, from Board Member Tom Follis

**Galloway moved and Scanlon seconded that the Council Appointment be APPOINTED. The motion carried by the following vote:**

**Aye:** 7 - Buchanan, Byrd, Donovan, Elenbaas, Galloway, Scanlon, and Stremler

**Nay:** 0

**CONFIRMATION OF EXECUTIVE APPOINTMENTS TO BOARDS, COMMISSIONS, AND COMMITTEES**

1. [AB2024-215](#) Request confirmation of the County Executive's appointment of David Finet to the Housing Authority of Whatcom County

**Donovan moved and Galloway seconded that the Executive Appointment be CONFIRMED. The motion carried by the following vote:**

**Aye:** 7 - Buchanan, Byrd, Donovan, Elenbaas, Galloway, Scanlon, and Stremler

**Nay:** 0

2. [AB2024-225](#) Request confirmation of the County Executive's appointment of Alex Jeffers to the Conservation Easement Program Oversight Committee

***Galloway moved* and Buchanan seconded that the Executive Appointment be CONFIRMED.**

Tyler Schroeder, Director of Administrative Services, answered whether the applicant is filling a particular role on the Conservation Easement Program Oversight Committee and stated the member is one conservation easement holder entity and Alex Jeffers works for the Whatcom Land Trust.

Elenbaas asked whether the applicant is too close to the situation to be an unbiased participant on the committee and Satpal Sidhu, County Executive, stated that is the whole intent.

**Galloway's motion that the Executive Appointment be CONFIRMED carried by the following vote:**

**Aye:** 7 - Buchanan, Byrd, Donovan, Elenbaas, Galloway, Scanlon, and Stremler

**Nay:** 0

3. [AB2024-227](#) Request confirmation of the County Executive's appointment of Roger Hawley to the

Agricultural Advisory Committee

**Galloway moved and Stremmer seconded that the Executive Appointment be CONFIRMED. The motion carried by the following vote:**

**Aye:** 7 - Buchanan, Byrd, Donovan, Elenbaas, Galloway, Scanlon, and Stremmer

**Nay:** 0

4. [AB2024-246](#) Request confirmation of the County Executive's appointment of Andrew Shelton to the Marine Resources Committee

**Buchanan moved and Galloway seconded that the Executive Appointment be CONFIRMED. The motion carried by the following vote:**

**Aye:** 7 - Buchanan, Byrd, Donovan, Elenbaas, Galloway, Scanlon, and Stremmer

**Nay:** 0

5. [AB2024-250](#) Request confirmation of the County Executive's and Mayor of Bellingham's appointments to the Whatcom Racial Equity Commission; confirmation at a future City of Bellingham Council Meeting will occur after County Council confirmation

**Galloway moved** and Scanlon seconded that the Executive Appointment be CONFIRMED.

Galloway thanked everyone involved in the process and stated she is excited to serve on this commission with these members.

Satpal Sidhu, County Executive, stated he wants to recognize the work done by the Chuckanut Health Foundation. He spoke about the candidate selection process.

**Galloway's motion that the Executive Appointment be CONFIRMED carried by the following vote:**

**Aye:** 7 - Buchanan, Byrd, Donovan, Elenbaas, Galloway, Scanlon, and Stremmer

**Nay:** 0

### **ITEMS ADDED BY REVISION**

There were no agenda items added by revision.

### **INTRODUCTION ITEMS**

Buchanan stated that Introduction item number eight (AB2024-238) is a substitute version.

**Donovan moved** to introduce items one through nine. The motion was seconded Galloway (see votes on individual items below).

1. [AB2024-217](#) Ordinance establishing the project budget for the Austin Court Stormwater Improvements Fund, request no. 1  
  
**Donovan moved and Galloway seconded that the Ordinance be INTRODUCED. The motion carried by the following vote:**  
**Aye:** 7 - Buchanan, Byrd, Donovan, Elenbaas, Galloway, Scanlon, and Stremler  
**Nay:** 0
2. [AB2024-220](#) Ordinance amending WCC 2.106 to change reporting due date for the Child & Family Well-Being Task Force  
  
**Donovan moved and Galloway seconded that the Ordinance be INTRODUCED. The motion carried by the following vote:**  
**Aye:** 7 - Buchanan, Byrd, Donovan, Elenbaas, Galloway, Scanlon, and Stremler  
**Nay:** 0
3. [AB2024-229](#) Ordinance closing the Birch Bay Drive and Pedestrian Facility Fund and Project Based Budget  
  
**Donovan moved and Galloway seconded that the Ordinance be INTRODUCED. The motion carried by the following vote:**  
**Aye:** 7 - Buchanan, Byrd, Donovan, Elenbaas, Galloway, Scanlon, and Stremler  
**Nay:** 0
4. [AB2024-235](#) Ordinance amending the project budget for the new Public Health, Safety and Justice Facility, request no. 6  
  
**Donovan moved and Galloway seconded that the Ordinance be INTRODUCED. The motion carried by the following vote:**  
**Aye:** 7 - Buchanan, Byrd, Donovan, Elenbaas, Galloway, Scanlon, and Stremler  
**Nay:** 0
5. [AB2024-237](#) Ordinance amending the project budget for the Way Station Project Fund, request no. 3  
  
**Donovan moved and Galloway seconded that the Ordinance be INTRODUCED. The motion carried by the following vote:**  
**Aye:** 7 - Buchanan, Byrd, Donovan, Elenbaas, Galloway, Scanlon, and Stremler  
**Nay:** 0
6. [AB2024-239](#) Ordinance amending the 2024 Whatcom County Budget, request No. 6 in the amount of \$8,600,501

**Donovan moved and Galloway seconded that the Ordinance be INTRODUCED. The motion carried by the following vote:**

**Aye:** 7 - Buchanan, Byrd, Donovan, Elenbaas, Galloway, Scanlon, and Stremler

**Nay:** 0

7. [AB2024-157](#) Ordinance amending Whatcom County Code 12.24, Franchise Requirements, to update procedures for processing applications

**Donovan moved and Galloway seconded that the Ordinance Requiring a Public Hearing be INTRODUCED FOR PUBLIC HEARING. The motion carried by the following vote:**

**Aye:** 7 - Buchanan, Byrd, Donovan, Elenbaas, Galloway, Scanlon, and Stremler

**Nay:** 0

8. [AB2024-238](#) Ordinance Amending WCC 10.34 Ferry Rates

**Donovan moved and Galloway seconded that the SUBSTITUTE Ordinance Requiring a Public Hearing be INTRODUCED FOR PUBLIC HEARING. The motion carried by the following vote:**

**Aye:** 7 - Buchanan, Byrd, Donovan, Elenbaas, Galloway, Scanlon, and Stremler

**Nay:** 0

9. [AB2024-256](#) Appointment to a vacancy on the Board of Equalization, at-large alternate - Applicant(s): John Young

**Donovan moved and Galloway seconded that the Council Appointment Requiring Introduction be INTRODUCED. The motion carried by the following vote:**

**Aye:** 7 - Buchanan, Byrd, Donovan, Elenbaas, Galloway, Scanlon, and Stremler

**Nay:** 0

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

Councilmembers gave Committee reports.

**Buchanan** reported for the Criminal Justice and Public Safety Committee and **moved** that the Council does the appointment process for the Justice Project Oversight and Planning (JPOP) Committee. The motion was seconded by Donovan.

The motion carried by the following vote:

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

Stremmler

Nay: 0

Councilmembers continued committee reports and then gave other updates.

Kayla Schott-Bresler, Executive's Office, spoke about two potential legislative priorities for Whatcom County to submit through the Washington State Association of Counties (WSAC) process which is due in the next week. These topics include flexible behavioral health facility funding for counties, providers, or Tribes, and Medicaid reimbursement rates.

Motion approved 7-0 that the Council does the appointment process for the Justice Project Oversight and Planning (JPOP) Committee.

### **ADJOURN**

The meeting adjourned at 9:56 p.m.

ATTEST:

WHATCOM COUNTY COUNCIL  
WHATCOM COUNTY, WA

\_\_\_\_\_  
Dana Brown-Davis, Council Clerk

\_\_\_\_\_  
Barry Buchanan, Council Chair

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Kristi Felbinger, Minutes Transcription