

Whatcom County Council

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



Minutes - Draft Minutes

Tuesday, December 9, 2025

6 PM

Hybrid Meeting - Council Chambers

HYBRID MEETING (PARTICIPATE IN-PERSON, SEE REMOTE JOIN INSTRUCTIONS AT www.whatcomcounty.us/joinvirtualcouncil, OR CALL 360.778.5010); AGENDA REVISED 12.8.2025; AGENDA REVISED 12.9.2025

COUNCILMEMBERS

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

CLERK OF THE COUNCIL

Cathy Halka, AICP, CMC

COUNTY COUNCIL

CALL TO ORDER

Council Chair Kaylee Galloway 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

Galloway stated it is the last Council meeting for Councilmembers Donovan and Byrd and she presented them with a certificate.

COUNTY EXECUTIVE'S REPORT

Aly Pennucci, Executive's Office, stated the executive issued a proclamation of emergency earlier today after the Whatcom County Sheriff's Office Division of Emergency Management reported that severe winter storms, high winds, flooding, mudslides, and landslide risks continue. Conditions exist across the county. The current weather event last night had higher impacts for our area than we initially predicted, and from that we are seeing an increased forecast for increasing rainfall for the next couple of days, as well as river rise. She described what the proclamation of emergency authorizes County departments to do.

Galloway thanked her for her service since this is also her last Council meeting.

MINUTES CONSENT

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

1. [MIN2025-074](#) Committee of the Whole for November 5, 2025

Buchanan moved and Scanlon 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. [MIN2025-075](#) Regular County Council for November 5, 2025

Buchanan moved and Scanlon 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

3. [MIN2025-076](#) Committee of the Whole Executive Session for November 18, 2025

**Buchanan moved and Scanlon 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

4. [MIN2025-077](#) Committee of the Whole for November 18, 2025

**Buchanan moved and Scanlon 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

5. [MIN2025-078](#) Regular County Council for November 18, 2025

**Buchanan moved and Scanlon 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. [AB2025-812](#) Ordinance adopting amendments to Whatcom County Code Title 20 (Zoning) to comply with preemptive state regulations for accessory dwelling units and co-living standards

Galloway stated they would have a combined public hearing for this and **AB2025-838** since they are just two different versions of the ordinance.

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

Councilmembers considered each agenda bill separately, starting with AB2025-812.

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

Councilmembers discussed the item with the following people:

- Maddie Schacht, Planning and Development Services Department
- Mark Personius, Planning and Development Services Department Director

They discussed the motion, that requiring accessory dwelling units (ADUs) to be hooked to city services might functionally disallow them because cities do not service their urban growth areas (UGAs) until they are fully developed, that ADUs are an extremely popular topic right now that people are very interested in and that Planning processes a lot of ADU permits, that one of the things they have talked about is changing the zoning to nothing lower than R10 or R20 for areas that are potentially going to be UGAs that get developed out at too low of densities to be attractive for annexation, that county UGAs (Birch Bay and Columbia Valley) are served by sewer and so would allow a second ADU, the intention to not permit ADUs for which there is not capacity on the existing septic, and that expanding septic makes a property owner subject to setbacks and required reserve area so they would be using a lot of land which they would not need to when they were annexed in the future.

Donovan's motion that the Ordinance Requiring a Public Hearing be FAILED failed by the following vote:

Aye: 2 - Buchanan, and Donovan

Nay: 5 - Byrd, Elenbaas, Galloway, Scanlon, and Stremmer

2. [AB2025-838](#) Ordinance adopting amendments to Whatcom County Code Title 20 (Zoning) to comply with preemptive state regulations for accessory dwelling units and co-living standards

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

Aye: 5 - Byrd, Elenbaas, Galloway, Scanlon, and Stremmer

Nay: 2 - Buchanan, and Donovan

Enactment No: ORD 2025-060

OPEN SESSION

The following people spoke:

- Garrett Jeffery
- John Westerfield
- Austin Papritz

- Ethan Martez
- Wil Zuber
- Corby Brantner
- Daniel Harm
- Miriam Karamoko
- Gabe Graves
- Markis Dee
- Amber Oldham
- David Foreman
- Todd Lagestee
- Hannah Ordos
- Lyle Sorenson
- Lance Calloway
- Natalie Chavez

Hearing no one else, Galloway 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 40.

Cathy Halka, Clerk of the Council, requested that Consent Agenda item number 21 (**AB2025-854**), which had a motion in committee to hold, be considered separately, and she stated that item number 20 (**AB2025-853**) was a substitute.

Stremmler requested that item numbers 6 and 31 be considered separately.

Elenbaas requested that item number 15 also be considered separately.

Scanlon asked whether item numbers 34-38 (regarding Operation Stonegarden) could be held so he could get answers about alignment with the Keep Washington Working Act and whether the Federal grant has a provision that says they cannot change anything.

The following people answered about the Stonegarden items but further information was needed, so Scanlon requested to consider them separately:

- Kimberly Thulin, Prosecuting Attorney's Office
- Aly Pennucci, Executive's Office

Scanlon asked about Consent Agenda item number 1 and what they know about data sharing and what data privacy looks like with our contract around body-worn cameras.

Pennucci, Thulin, and the councilmembers discussed the question and the language on PDF page 22 of the contract on that subject.

Galloway spoke about items 34-39 and whether they could add language to the statement of work that says participating agencies shall uphold the Keep Washington Working Act and not enforce Title 8 U.S. immigration law.

Byrd responded to Galloway's suggestion.

Galloway stated the motion for consent is now on item numbers 1-5, 7-14, 16-20, 22-30, 32, 33, and 40.

They will consider Consent Agenda item numbers 6, 15, 21, 31, and 34-39 separately after this vote.

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

1. [AB2025-815](#) Request authorization for the County Executive to enter into a contract between Whatcom County and Axon Enterprise, Inc. for a five-year subscription of Axon Justice Premier for 41 users for storage and sharing of law enforcement body worn camera and other media evidence using Axon's cloud-based service, in the amount of \$302,588

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

2. [AB2025-824](#) Request authorization for the County Executive to enter into an amended agreement between Whatcom County and Shawna Bosman, ARNP for juvenile detention nurse practitioner services, in the amount of \$105,519

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

3. [AB2025-828](#) Request authorization for the County Executive to enter into a contract amendment between Whatcom County and Whatcom Dispute Resolution Center to provide eviction prevention resolution services, in the amount of \$72,760, for a total amended contract amount of \$282,519

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

4. [AB2025-829](#) Request authorization for the County Executive to enter into a contract amendment between Whatcom County and Ferndale Community Services to increase housing stability for families with young children in the amount of \$481,996, for a total amended contract amount of \$858,412

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

5. [AB2025-831](#) Request authorization for the County Executive to enter into a contract amendment between Whatcom County and Lydia Place to increase housing stability for families with young children in the amount of \$955,060 for a total amended contract amount of \$2,110,584

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

6. [AB2025-832](#) Request authorization for the County Executive to enter into a contract between Whatcom County and Opportunity Council to provide on-site supportive services to residents of the permanent supportive housing facility known as 22 North, in the amount of \$648,568

THIS ITEM WAS CONSIDERED SEPARATELY BELOW

7. [AB2025-833](#) Request authorization for the County Executive to enter into a contract between

Whatcom County and Sean Humphrey House to provide partial funding for the operating expenses of two adult family homes which are providing care solely for individuals living with HIV/AIDS and who are exiting housing instability, in the amount of \$59,000

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

8. [AB2025-834](#) Request authorization for the County Executive to enter into a contract amendment between Whatcom County and Lydia Place to expand mental health and parent support services to low-income families with children ages 0-5 in the amount of \$348,177, for a total amended contract amount of \$822,963

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

9. [AB2025-835](#) Request authorization for the County Executive to enter into a contract amendment between Whatcom County and Sustainable Connections to increase countywide solid waste reduction rates in the amount of \$136,875 for a total amended contract amount of \$322,292

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

10. [AB2025-836](#) Request authorization for the County Executive to enter into a contract to bind coverage with Midwest Employer Casualty in the amount of \$120,069 for renewal of insurance protection for the self-insured workers compensation program for calendar year 2026

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

11. [AB2025-839](#) Request authorization for the County Executive to enter into a contract between Whatcom County and Crossroads Consulting for facilitation of the Justice Project Oversight and Planning Committee, in the amount of \$39,900

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

12. [AB2025-844](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and Whatcom Conservation District for education, outreach, and technical assistance with Birch Bay Watershed and Aquatic Resources Management (BBWARM) stormwater programs, in the amount of \$119,000 (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 Stremmler

Nay: 0

13. [AB2025-845](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and Whatcom Conservation District for education, outreach, and technical assistance with Lake Whatcom Stormwater Utility (LWSU) stormwater programs, in the amount of \$90,000

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

14. [AB2025-846](#) Request authorization for the County Executive to enter into a subrecipient agreement amendment between Whatcom County and the Whatcom Conservation District to ensure ongoing technical support funded by the National Estuary Program for Pollution Identification and Correction Program efforts, in the amount of \$773,342 for a total amended amount of \$1,561,674 (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 Stremler

Nay: 0

15. [AB2025-847](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and the Whatcom Conservation District for Pollution Identification and Correction (PIC) Program technical assistance and cost share, in the amount of \$77,000 (Council acting as the Whatcom County Flood Control Zone District Board of Supervisors)

THIS ITEM WAS CONSIDERED SEPARATELY BELOW

16. [AB2025-848](#) Request authorization for the County Executive to enter into a contract between Whatcom County and Associated Earth Sciences, Inc. to complete the final phase of a four-year study of the timing and magnitude of groundwater pumping on streamflow depletion at three study locations, in the amount of \$147,532 (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 Stremler

Nay: 0

17. [AB2025-849](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and the City of Bellingham for partial funding of emergency medical services on Galbraith Mountain and nearby areas in the amount of \$49,000 in 2025 and \$49,191 in 2026

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

18. [AB2025-850](#) Request authorization for the County Executive to enter into a contract between Whatcom County and Associated Earth Sciences, Inc. to complete Phase 2 of an investigation into the impacts of agricultural tile drains on stream flows, in the amount of \$128,531 (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

19. [AB2025-852](#) Request authorization for the County Executive to enter into a contract between Whatcom County and the State of Washington Office of Public Defense to accept RCW 10.101 grant funds for the purpose of improving public defense services in Whatcom County in the amount of \$436,108

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

20. [AB2025-853](#) Request authorization for the County Executive to enter into a contract amendment between Whatcom County and Whatcom Fire District #7 to fund up to two lateral paramedic positions, in the amount of \$149,951 for a total amended contract amount of \$495,488

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 Stremmer

Nay: 0

21. [AB2025-854](#) Request authorization for the County Executive to enter into a contract amendment between Whatcom County and the City of Bellingham to eliminate funding for three lateral paramedic positions, decreasing the contracted amount by \$224,823 for a total amended contract amount of \$783,619

THIS ITEM WAS CONSIDERED SEPARATELY BELOW

22. [AB2025-855](#) Request authorization for the County Executive to enter into a contract amendment between Whatcom County and Just Appraised Inc. to extend the terms of Contract #202412018 for three years in the amount of \$123,094 for a total amended contract amount of \$183,369

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

23. [AB2025-856](#) Request authorization for the County Executive to enter into a contract between Whatcom County and Whatcom Dispute Resolution Center to provide mediation services, in the amount of \$120,000

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

24. [AB2025-857](#) Request authorization for the County Executive to award Bid #25-82 and enter into a contract between Whatcom County and CAMAO Construction, LLC for replacement of the roof of the maintenance garage at Maple Falls Community Park, in the amount of \$99,443

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 Stremler

Nay: 0

25. [AB2025-860](#) Request authorization for the County Executive to enter into a Collective Bargaining Agreement between Whatcom County and the Washington State Nurses Association for the period January 1, 2026 - December 31, 2028

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

26. [AB2025-861](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and the City of Bellingham for the County to provide probation services to the City

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

27. [AB2025-862](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and the City of Blaine for the County to provide probation services to the City

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

28. [AB2025-864](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and the City of Everson for the County to provide probation services to the City

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

29. [AB2025-865](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and the City of Lynden for the County to provide probation services to the City

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

30. [AB2025-866](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and the City of Sumas for the County to provide probation services to the City

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

31. [AB2025-868](#) Request authorization for the County Executive to enter into a contract between

Whatcom County and the Whatcom Community Foundation for administrative services for the Whatcom Racial Equity Commission in the amount of \$150,000

THIS ITEM WAS CONSIDERED SEPARATELY BELOW

32. [AB2025-869](#) Request authorization for the County Executive to enter into a Collective Bargaining Agreement between Whatcom County and American Federation of State, County and Municipal Employees (AFSCME) for the period of January 1, 2026 - December 31, 2027

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

33. [AB2025-870](#) Request authorization for the County Executive to award Bid #25-80 and enter into a contract between Whatcom County and Trico Office Interiors to supply and install a modular office furniture system in the Assessor's Office in the amount of \$114,725

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 Stremler

Nay: 0

ITEMS 34-39 WERE CONSIDERED BY CONSENT SEPARATELY BELOW UNDER AB2025-874

40. [AB2025-880](#) Request authorization for the County Executive to enter into a contract amendment between Whatcom County and Summit Law Group to provide legal services for matters related to collective bargaining, in the amount not to exceed \$164,076 in 2025 and not to exceed \$89,076 in 2026

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

CONSENT AGENDA CONSIDERED SEPARATELY

6. [AB2025-832](#) Request authorization for the County Executive to enter into a contract between Whatcom County and Opportunity Council to provide on-site supportive services to

residents of the permanent supportive housing facility known as 22 North, in the amount of \$648,568

Donovan reported for the Finance and Administrative Services Committee and **moved** that the Contract be AUTHORIZED.

Councilmembers discussed the motion, that voting no might help to affect change for 22 North, whether supportive housing is working, that packed businesses near 22 North show that we can have a facility like this in an area of downtown Bellingham and have thriving businesses nearby, that they are planning in the Comprehensive Plan for more permanent supportive housing in our community, making sure data and reporting coming in from County contracts is publicly accessible, and helping the people in this housing to really succeed.

Donovan's motion that the Contract be AUTHORIZED carried by the following vote:

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

Nay: 2 - Elenbaas, and Stremmler

15. [AB2025-847](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and the Whatcom Conservation District for Pollution Identification and Correction (PIC) Program technical assistance and cost share, in the amount of \$77,000 (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.

Elenbaas spoke about why he doesn't support this item. He spoke about how the Pollution identification and Correction (PIC) program has a negative connotation because it is asking landowners to fix something, while property owners in the watershed are incentivized through the Homeowner Incentive Program (HIP), even though the programs are shooting for the same outcome. He stated he thinks if the PIC program were run the same as the HIP, they would have a better outcome all the way around. He stated they would also have better buy-in if the end users had a part of determining the best management practices.

Donovan's motion that the Contract (FCZDBS) be AUTHORIZED carried by the following vote:

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

Nay: 2 - Elenbaas, and Stremmler

21. [AB2025-854](#) Request authorization for the County Executive to enter into a contract amendment

between Whatcom County and the City of Bellingham to eliminate funding for three lateral paramedic positions, decreasing the contracted amount by \$224,823 for a total amended contract amount of \$783,619

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

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

Nay: 0

31. [AB2025-868](#) Request authorization for the County Executive to enter into a contract between Whatcom County and the Whatcom Community Foundation for administrative services for the Whatcom Racial Equity Commission in the amount of \$150,000

Donovan reported for the Finance and Administrative Services Committee and ***moved*** that the Contract be AUTHORIZED.

Galloway thanked the Whatcom Racial Equity Commission's executive director for speaking in open session tonight, and stated the funding is a little less than hoped for, but they will continue working with the commission.

Donovan's motion that the Contract be AUTHORIZED carried by the following vote:

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

Nay: 3 - Byrd, Elenbaas, and Stremler

34. [AB2025-874](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and the City of Blaine for Operation Stonegarden FY24, in the amount of \$20,130

Donovan reported for the Finance and Administrative Services Committee and councilmembers discussed items 34-39 together and whether they should be held.

Donnell Tanksley, Sheriff, answered whether or not they would have the grounds to add some language in these interlocals around upholding the Keep Washington Working Act. He stated that three different times in each contract itself, it says that each agency must adhere to not only Federal, but all State and local policies. In Exhibit A it specifically says that the agencies cannot engage in any immigration enforcement, Title 8. He answered if a law enforcement agency would be in compliance with the Keep Washington Working Act if it was not enforcing Title 8, and he read from the contract. He stated he understands their concern but he does think it is very clear for

every city that we do not enforce any type of immigration enforcement.

Donovan moved that they approve Consent Agenda items 34-39 by consent.

Councilmembers voted on those consent items (see votes on individual items below).

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

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

Nay: 0

35. [AB2025-875](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and the City of Everson for Operation Stonegarden FY24, in the amount of \$20,130

This item was discussed under AB2025-874

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

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

Nay: 0

36. [AB2025-876](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and the City of Ferndale for Operation Stonegarden FY24, in the amount of \$20,790

This item was discussed under AB2025-874

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

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

Nay: 0

37. [AB2025-877](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and the City of Lynden for Operation Stonegarden FY24, in the amount of \$20,130

This item was discussed under AB2025-874

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

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

Nay: 0

38. [AB2025-878](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and the City of Sumas for Operation Stonegarden FY24, in the amount of \$20,130

This item was discussed under AB2025-874

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

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

Nay: 0

39. [AB2025-879](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and the Washington Department of Fish and Wildlife for Operation Stonegarden FY24, in the amount of \$16,665

This item was discussed under AB2025-874

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

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

Nay: 0

OTHER ITEMS

(From Council Finance and Administrative Services Committee)

1. [AB2025-859](#) Resolution approving a salary schedule and policies for unrepresented Whatcom County employees effective January 1, 2026 through December 31, 2027

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

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

Nay: 0

Enactment No: RES 2025-044

2. [AB2025-794](#) Ordinance amending the 2026 Whatcom County Budget, request no. 2, in the amount of \$12,120,000

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

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

Nay: 0

Enactment No: ORD 2025-061

3. [AB2025-796](#) Ordinance establishing the Whatcom County Sheriff's Office Leasehold Improvements Project Fund and establishing an initial budget for the Whatcom County Sheriff's Office Leasehold Improvements Project Fund

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

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

Nay: 0

Enactment No: ORD 2025-062

4. [AB2025-798](#) Ordinance establishing the Birch Bay Beach Park Project Fund and establishing an initial budget for the Birch Bay Beach Park Project Fund

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

Aye: 6 - Buchanan, Donovan, Elenbaas, Galloway, Scanlon, and Stremler

Nay: 1 - Byrd

Enactment No: ORD 2025-063

5. [AB2025-816](#) Ordinance amending the 2025 Whatcom County Budget, request no. 12, in the amount of \$3,565,060

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

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

Nay: 0

Enactment No: ORD 2025-064

(From Council Climate Action and Natural Resources Committee)

6. [AB2025-793](#) Resolution adopting the Lake Whatcom Invasive Freshwater Mussel Rapid and Extended Response Plan

Galloway reported for the Climate Action and Natural Resources Committee and moved that the Resolution be APPROVED. The motion carried by the following vote:

Aye: 6 - Buchanan, Byrd, Donovan, Galloway, Scanlon, and Stremler

Nay: 1 - Elenbaas

Enactment No: RES 2025-045

7. [AB2025-871](#) Resolution authorizing the Whatcom County Conservation Easement Program staff and Whatcom County Executive to proceed with the acquisition of one agricultural conservation easement

Galloway reported for the Climate Action and Natural Resources Committee and ***moved*** that the Resolution be APPROVED.

Elenbaas stated conservation easements should be a tool in the toolbox if a landowner wants to use it. He cautions, however, when they use this as a way to preserve agriculture, that it is not about just preserving the land, but about preserving the ability to farm the land.

Scanlon stated they heard from the property owner in committee who says that this is going to help them to be able to continue to farm their land and to pass things down to the next generation.

Elenbaas stated the fact that farmers like this family, who have done it well for generations and generations, are having to look at ways to sell their development rights in order to continue their farm illustrates the problem. In any other business that is generational like this, that land would be paid for over and over again. But the reality of agriculture is that people have to borrow on their land in order to make it.

Councilmembers discussed Elenbaas' comments.

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

Aye: 6 - Buchanan, Donovan, Elenbaas, Galloway, Scanlon, and Stremler

Nay: 0

Temp Absent: 1 - Byrd

Enactment No: RES 2025-046

(From Council Committee of the Whole)

8. [AB2025-779](#) Ordinance amending Whatcom County Code 2.02, County Council, to change the membership and quorum requirements of all standing council committees

Galloway reported for the Committee of the Whole and moved that the Ordinance be ADOPTED. The motion carried by the following vote:

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

Nay: 2 - Elenbaas, and Stremmler

Temp Absent: 1 - Byrd

Enactment No: ORD 2025-065

Adopted as amended in Committee of the Whole

9. [AB2025-813](#) Resolution amending Resolution 2025-027 to docket an additional Comprehensive Plan and zoning amendment related to Whatcom County Code 20.51 to strengthen protection of the Lake Whatcom Watershed

Galloway reported for the Committee of the Whole and moved that the Resolution be APPROVED. The motion carried by the following vote:

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

Nay: 2 - Elenbaas, and Stremmler

Temp Absent: 1 - Byrd

Enactment No: RES 2025-047

10. [AB2025-826](#) Resolution certifying Whatcom County's property tax levies for collection in 2026 to the County Assessor

Cathy Halka, Clerk of the Council, stated this is a substitute.

Galloway reported for the Committee of the Whole and moved that the SUBSTITUTE Resolution be APPROVED. The motion carried by the following vote:

Aye: 5 - Buchanan, Donovan, Galloway, Scanlon, and Stremmler

Nay: 1 - Elenbaas

Temp Absent: 1 - Byrd

Enactment No: RES 2025-048

COUNCIL APPOINTMENTS TO ADVISORY GROUPS

1. [AB2025-825](#) Appointment to a vacancy on the Justice Project Oversight and Planning Committee, Youth position, Applicant(s): Parneet Kaur, Cori Reece

Galloway asked if either of the applicants wanted to speak but they were not there.

Scanlon moved to nominate both applicants and vote for one.

The motion was seconded by Buchanan.

Byrd discussed the motion.

Core Reece was appointed with 6 votes as follows:

Galloway: Kaur

Scanlon: Reece

Stremmer: Reece

Buchanan: Reece

Byrd: Reece

Donovan: Reece

Elenbaas: Reece

This agenda item was APPOINTED.

Appointed Cori Reece with 6 votes

ITEMS ADDED BY REVISION

1. [AB2025-882](#) Request authorization for the County Executive to enter into agreement amendments between Whatcom County and the homeowners participating in the Hazard Mitigation Grant Program (HMGP) Elevation Grant program to account for rising construction costs, in the amount of \$449,544 (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. The motion was seconded by Scanlon. The motion carried by the following vote:

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

Nay: 0

2. [AB2025-883](#) Resolution amending Resolution 2025-041 to recertify amounts to be levied by Whatcom County taxing districts to the County Assessor

Galloway stated on December 1st, Council approved the resolution that certified the levied amounts for the taxing districts. However, there were two taxing districts that did not submit their preferences by the deadline.

The Council Office then subsequently received a request for a levy amount from Cemetery District Seven and the Council has until December 15 to certify levies by the State. Because the district did not get it in by the deadline, the only limitation is that the County cannot assess more than what was levied in the previous levy year. The request they received from the cemetery district is less than that, so they do fall within that parameter. The ramification of not approving this resolution would be that the district's levied amount into next year would be zero.

Elenbaas spoke about a conversation he had with one of the District Seven commissioners and he asked about outreach to the districts.

Kimberly Thulin, Prosecuting Attorney's Office, stated they are informed and the statute requires that they provide a budget to the County in order to determine the tax levy rate, so they are well aware of that.

Scanlon asked if the Council Office heard from the other district that did not submit on time and they did not.

**Scanlon moved and Galloway seconded that the Resolution be APPROVED.
The motion carried by the following vote:**

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

Nay: 0

Enactment No: RES 2025-049

INTRODUCTION ITEMS (CONSIDERED SEPARATELY)

Galloway stated that **AB2025-810** is a substitute ordinance.

Donovan stated he would like to consider 810 separately so both were considered separately since there were only two items.

1. [AB2025-810](#) Ordinance adopting amendments to Whatcom County Code Title 20, Zoning and Title 22, Land Use and Development

Byrd moved and Scanlon seconded that the SUBSTITUTE Ordinance Requiring a Public Hearing be INTRODUCED FOR PUBLIC HEARING.

Stremler stated if anyone is interested in why the cost of building and construction continues to go up, they should listen to the discussion from Planning and Development Committee today. He stated he proposed an amendment but it will be pushed out to next year, and that it is an example of how the County can become more restrictive and drive up the cost of housing.

Donovan stated he would support the original version but not this one.

Byrd's motion that the SUBSTITUTE Ordinance Requiring a Public Hearing be INTRODUCED FOR PUBLIC HEARING carried by the following vote:

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

Nay: 1 - Donovan

2. [AB2025-814](#) Resolution authorizing the sale of personal property, pursuant to Whatcom County Code 1.10, Procedures for Management and Disposition of County-owned Personal and Real Property

Donovan moved and Buchanan seconded that the Resolution 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

COMMITTEE REPORTS, OTHER ITEMS, AND COUNCILMEMBER UPDATES

Councilmembers gave committee reports and updates on recent activities and upcoming events and Councilmembers Donovan and Byrd gave their final remarks as Councilmembers.

ADJOURN

The meeting adjourned at 8:48 p.m.

ATTEST:

WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WA

Cathy Halka, Council Clerk

Kaylee Galloway, Council Chair

Meeting Minutes prepared by Kristi Felbinger