

Whatcom County Council

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



Minutes - Final

Tuesday, February 11, 2025

6 PM

Hybrid Meeting - Council Chambers

**SECOND AGENDA REVISION 2.10.2025 - AGENDA REVISED 2.7.2025 - HYBRID
MEETING (PARTICIPATE IN-PERSON, SEE REMOTE JOIN INSTRUCTIONS AT
www.whatcomcounty.us/joinvirtualcouncil, OR CALL 360.778.5010)**

COUNCILMEMBERS

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

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

COUNTY EXECUTIVE'S REPORT

Satpal Sidhu, County Executive, Reported on the following:

- Updates on the jail construction management, the Rebuilding American Infrastructure with Sustainability and Equity (RAISE) grant for the Lummi Island Ferry project, the plantation range, and the NW Annex project
- Federal funding uncertainty due to Federal executive orders
- Neighborhood impacts of the severe winter shelter
- Change in service provider for nursing services at the jail and work center
- Appreciation for the discussion in committee on the procurement process, modernization, and Council work efficiencies

MINUTES CONSENT

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

1. [MIN2025-005](#) Committee of the Whole Executive Session for January 28, 2025

Buchanan moved and Donovan 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. [MIN2025-006](#) Committee of the Whole for January 28, 2025

Buchanan moved and Donovan 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. [MIN2025-007](#) Regular County Council for January 28, 2025

Buchanan moved and Donovan 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 Stremmler

Nay: 0

OPEN SESSION

The following people spoke:

- Adam Bellingar
- John Westerfield
- Austin Papritz
- Daniel Harm
- Amy Kenna
- Lyle Sorenson
- Ryan Bowman
- Natalie Chavez
- Mark Alan Tisland
- Cliff Langley
- Hannah O.

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 nine.

Stremmler stated he would like to consider Consent Agenda item number one (**AB2025-117**) separately.

Donovan amended his motion and ***moved*** to approve Consent Agenda items two through nine.

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

1. [AB2025-117](#) Request authorization for the County Executive to enter into a contract between

Whatcom County and Lake Whatcom Residential & Treatment Center to provide funding for HVAC system and window replacement at the Birchwood assisted living and treatment facility, in the amount of \$1,000,000

This item was considered separately below.

2. [AB2025-133](#) Request authorization for the County Executive to enter into a contract between Whatcom County and Rick Ackerman for the provision of evaluations and treatment services to youth referred or sentenced under the Special Sex Offender Disposition Alternative (SSODA) in Whatcom County Juvenile Court, in the amount of \$22,000

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 Stremmler

Nay: 0

3. [AB2025-134](#) Request authorization for the County Executive to enter into a contract between Whatcom County and L&L Counseling and Consultation for the provision of evaluations and treatment services to youth referred or sentenced under the Special Sex Offender Disposition Alternative (SSODA) in Whatcom County Juvenile Court, in the amount of \$30,000

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 Stremmler

Nay: 0

4. [AB2025-136](#) Request authorization for the County Executive to enter into a contract amendment between Whatcom County and North Sound Behavioral Health Administrative Services Organization to provide behavioral health services within the North Sound Integrated Care Network in the amount of \$104,295, for a total amended contract amount of \$3,025,135

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. [AB2025-150](#) Request authorization for the County Executive to enter into a contract between Whatcom County and the Whatcom Dispute Resolution Center (WDRC) to provide

for the administration of the family law mediation program, fee subsidy for low income participants of mediation sessions and parenting seminars, and language interpretation for participants, in the amount of \$65,000

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 Stremmler

Nay: 0

6. [AB2025-151](#) Request authorization for the County Executive to enter into an interlocal agreement with Diking District No. 3 and landowners John and Rich Appel to provide flood control/river improvement work on Cougar Creek for the Neveel Levee Cougar Creek Fish Passage Project, which includes a cost-share contribution from the landowners and an in-kind contribution from the Diking District, in the amount of \$350,927 (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

7. [AB2025-153](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and the City of Ferndale for Correctional Services

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

8. [AB2025-158](#) Request authorization for the County Executive to enter into an Interlocal Agreement between Whatcom County and the City of Everson for Correctional Services

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

9. [AB2025-161](#) Request authorization for the County Executive to enter into a contract between

Whatcom County and the Washington State Military Department to utilize Emergency Rapid Response Funds to aid in the recovery of qualified low-income individuals/households affected by the November 2024 Bomb Cylone, in the amount of \$135,000

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

CONSENT AGENDA ITEM CONSIDERED SEPARATELY

1. [AB2025-117](#) Request authorization for the County Executive to enter into a contract between Whatcom County and Lake Whatcom Residential & Treatment Center to provide funding for HVAC system and window replacement at the Birchwood assisted living and treatment facility, in the amount of \$1,000,000

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

Stremler stated some citizens may have issue with \$1 million of taxpayer money and asked what the County's role is in using taxpayer money.

Elenbaas stated this \$1 million comes from House Bill 1590 funds.

Kayla Schott-Bresler, Executive's Office, answered where the funds come from, and stated this contract, as proposed, is funded by the affordable housing sales tax which is a tax that the County Council has elected to use to fund affordable housing. The statute that authorizes the collection of this tax at the local level limits the use of the funds to affordable housing and behavioral health services, so the money could not be used for other things. She spoke about how the funds have to be used and stated this is the priority project.

George Roche, Prosecuting Attorney's Office, spoke about the work of the Lake Whatcom Center and stated it is a great resource in the community.

Councilmembers discussed how this project is consistent with Council priorities.

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

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

Nay: 0

OTHER ITEMS

COUNCIL APPOINTMENTS TO BOARDS, COMMISSIONS, AND COMMITTEES

1. [AB2025-138](#) Appointment to vacancies on the Portage Bay Shellfish Protection District Advisory Committee, Applicant(s): Fred Likkel, Albert deBoer (Council acting as the Flood Control Zone District Board of Supervisors)

Scanlon moved and Elenbaas 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. [AB2025-116](#) Request confirmation of the County Executive's appointments of Paul Pelot and Robert Wilson to the Whatcom County Veterans Advisory Board

Buchanan moved and Scanlon 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. [AB2025-155](#) Request confirmation of the County Executive's appointment of Colin Wahl and Paul Meyer to the Whatcom County Marine Resources Committee

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

Councilmembers discussed the applicants.

Donovan'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. [AB2025-156](#) Request confirmation of the County Executive's appointment of Henry Bierlink, Paul D'Agnolo, and Mike Finger to the Whatcom County Conservation Easement Program Oversight Committee

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

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

Nay: 0

ITEMS ADDED BY REVISION

1. [AB2025-163](#) Request authorization for the County Executive to enter into an agreement between Whatcom County and Sustainable Connections for the purpose of conducting a feasibility study for the development of an Office of Healthy Housing in the amount of \$190,000

Scanlon moved and Buchanan seconded that the Contract be AUTHORIZED.

Kayla Schott-Bresler, Executive's Office, gave background on the contract. She stated the study explores what some sort of community office of healthy housing would look like but it is not necessarily talking about or researching the option of Whatcom County holding a new department or office related to healthy housing. She answered why Whatcom County is facilitating the money.

Councilmembers and Schott-Bresler discussed that this maybe came out of community demand, that the idea is to see if there could be some type of entity that would help to coordinate across the county and the different cities to reduce the cost of housing and make it easier to rent out properties, that Council approved accepting the grant in November, and whether there is a need for this.

Satpal Sidhu, County Executive, spoke about rental controls in the City of Bellingham since the COVID-19 pandemic, and stated this is not only for Whatcom County but has a bigger purpose and will affect other communities as well.

Schott-Bresler answered whether Whatcom Housing Alliance is a part of this, and stated they are a program of Sustainable Connections.

Councilmembers and Sidhu discussed whether this is a way to assert some form of Bellingham's position on housing on everyone else, and whether it would be reasonable to hold onto this and bring it back to the next meeting so they could have further discussion on it.

Byrd moved to hold until the next meeting.

The motion was seconded by Elenbaas.

Schott-Bresler stated this money has to be spent out by the end of June.

Councilmembers discussed the motion to hold.

The motion to hold failed by the following vote:

Aye: 3 - Byrd, Elenbaas, and Stremler

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

Scanlon'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

INTRODUCTION ITEMS

Buchanan moved to introduce items one through ten. The motion was seconded by Donovan (see votes on individual items below).

Cathy Halka, Clerk of the Council, stated she wanted to clarify that the motion for **AB2025-059** is for the “Revised Ordinance and Ex A for 2.11.2025” and that item number 10 (**AB2025-164**) has a substitute.

1. [AB2025-030](#) Appointment to a vacancy on the Incarceration Prevention & Reduction Task Force, health and social services provider, Applicant(s): Eve Smason-Marcus, Kristy Backer, Rob Sullivan, Alexis Hahs, Shannon Prescott

Buchanan moved and Donovan 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

2. [AB2025-059](#) Ordinance adopting amendments to Whatcom County Code Titles 20 & 22 to enact SSB 5290 regarding local project review

Buchanan moved and Donovan 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

Introduced the “Revised Ordinance and Ex A for 2.11.2025”

3. [AB2025-120](#) Ordinance amending Whatcom County Code 2.123, Forestry Advisory Committee, to expand the committee's purpose and adjust member terms

Scanlon moved and Buchanan seconded that the Ordinance be INTRODUCED. The motion carried by the following vote:

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

Nay: 0

4. [AB2025-140](#) Resolution vacating a portion of Camp 2 Road

Buchanan moved and Donovan 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 Stremmer

Nay: 0

5. [AB2025-145](#) Ordinance authorizing a revision to the Unified Fee Schedule

Buchanan moved and Donovan 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 Stremmer

Nay: 0

6. [AB2025-147](#) Ordinance amending Whatcom County Code 2.27A, Aquatic Invasive Species (AIS)

Buchanan moved and Donovan 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 Stremmer

Nay: 0

7. [AB2025-149](#) Ordinance adopting amendments to Whatcom County Code 24.05, Onsite Sewage System Regulations

Buchanan moved and Donovan 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

8. [AB2025-160](#) Ordinance closing the Shallow Shore Culvert Relocation Fund 3917

Buchanan moved and Donovan 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

9. [AB2025-162](#) Ordinance amending the project budget for the new Public Health, Safety and Justice Facility, request no. 7

Buchanan moved and Donovan 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

10. [AB2025-164](#) Ordinance amending the 2025 Whatcom County Budget, request no. 2, in the amount of \$4,751,265

Buchanan moved and Donovan seconded that the SUBSTITUTE Ordinance 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 and updates on recent activities and upcoming events.

ADJOURN

The meeting adjourned at 7:46 p.m.

The County Council approved these minutes on March 11, 2025.

ATTEST:

WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WA

Cathy Halka, Council Clerk

Kaylee Galloway, Council Chair

Meeting Minutes prepared by Kristi Felbinger

SIGNED COPY ON FILE