

Whatcom County Council

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



Minutes - Final

Tuesday, January 28, 2025

6 PM

Hybrid Meeting - Council Chambers

AGENDA REVISED 1.27.2025 - 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 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

COUNTY EXECUTIVE'S REPORT

Satpal Sidhu, County Executive, spoke about the death of a Public Works road maintenance crew employee today.

He updated the Council on the Justice Project, the crises of Fentanyl and homelessness and a concern about the County trying to do too much with too little, and on the Comprehensive Plan process and priorities such as supporting the population growth allocation requested by the cities and working with the Council to consider changes to our current UGA boundaries and policies.

Councilmember Stremler spoke about the employee involved in the accident today and Councilmembers led in the observance of a moment of silence.

MINUTES CONSENT

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

1. [MIN2025-001](#) Special Committee of the Whole for January 14, 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. [MIN2025-002](#) Regular County Council for January 14, 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. [MIN2025-003](#) Committee of the Whole Executive Session for January 14, 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. [MIN2025-004](#) Committee of the Whole for January 14, 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. [AB2025-059](#) Ordinance adopting amendments to Whatcom County Code Titles 20 & 22 to enact SSB 5290 regarding local project review

Galloway opened the Public Hearing and the following people spoke:

- Dan Dunne
- Charly Myers
- Pam Brady
- Rud Browne

Hearing no one else, Galloway closed the Public Hearing.

Byrd moved that they vote no on this one and request that PDS come back with an updated version that incorporates some of these additional changes. There was not a second and Byrd stated someone else could wordsmith the motion.

Elenbaas moved that they send this back to the drawing board to incorporate the changes that have been suggested by former Councilmember Rud Browne and the Building Industry Association of Whatcom County (BIAWC). The motion was seconded by Byrd.

Elenbaas amended his motion and ***moved*** that they refer this item (**AB2025-059**) back to Committee of the Whole. The motion was seconded

by Donovan.

Councilmembers discussed the motion and that the changes may require that the ordinance be re-introduced, which is why Elenbaas did not want to put a timeframe on his motion.

Donovan suggested to amend the motion to not hold this indefinitely but to hold it for two weeks.

Councilmembers discussed the motion and suggestion to define it for two weeks, and having Council staff reach out to other counties to see what their timelines are and how many are requiring separate processes for the site plan and building permit.

Elenbaas accepted the suggested amendment to his motion to refer this item back to Committee of the Whole in two weeks.

Councilmembers discussed the motion, the process for incorporating the additional suggested amendments, and adding an amendment about refunding fees if the County does not achieve the deadline as opposed to issuing a denial.

Elenbaas' motion that the Ordinance Requiring a Public Hearing be REFERRED TO COMMITTEE and sent to Council Committee of the Whole in two weeks carried by the following vote:

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

Nay: 1 - Galloway

Enactment No: ORD 2025-005

Motion approved 6-1 with Galloway opposed that they refer this item (AB2025-059) back to Committee of the Whole in two weeks.

2. [AB2024-874](#) Ordinance adopting amendments to Whatcom County Code Title 20, Zoning
Galloway opened the Public Hearing and hearing no one, closed the Public Hearing.

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

Elenbaas discussed the motion.

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

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

Nay: 0

Enactment No: ORD 2025-004

OPEN SESSION

The following people spoke:

- Rebecca Wyatt
- Joe Busch
- Adam Bellingar
- John Westerfield
- Janice Holmes
- Diane Kitchen
- Michelle Ruiz
- Tess Winds-Johnson
- Veronica Chapin
- Daniel Harm
- Chris Gilett
- Austin Papritz
- Irene Morgan
- Eric Flores
- Charlot Harman
- Doug Revelle ("Yoshe")
- Marc Urban
- Rhayma Blake
- William Sager
- Markis Dee
- Name not stated
- Lyle Sorenson
- Name not stated
- Dan Welickovitch
- Natalie Chavez
- Kaia Hayes
- Misty Flowers
- Heather K

Hearing no one else, Galloway closed the Open Session.

Councilmembers took a short break.

CONSENT AGENDA

(From Council Finance and Administrative Services Committee)

Donovan reported for the Finance and Administrative Services Committee and ***moved*** to approve Consent Agenda item numbers 1 and 2-14. Councilmembers voted on those items (see votes on individual items below).

1. [AB2024-866](#) Request authorization for the County Executive to enter into a contract amendment between Whatcom County and Washington State University to continue the jointly shared costs for faculty positions and program support for WSU Whatcom County Extension in the amount of \$282,257 for a total amended contract amount of \$3,542,793.90

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

2. [AB2025-050](#) Resolution cancelling uncollectible personal property taxes

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 2025-006

3. [AB2025-076](#) 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 \$206,191, for a total amended contract amount of \$3,127,031

This item was considered separately below.

4. [AB2025-077](#) Request authorization for the County Executive to enter into a two-year contract between Whatcom County and the Whatcom Council on Aging for staffing and operation of the Bellingham Senior Activity Center, in the amount of \$174,182

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

5. [AB2025-078](#) Request authorization for the County Executive to enter into a two-year contract between Whatcom County and the Jet Oldsters Association of Ferndale for staffing and operation of the Ferndale Senior Activity Center, in the amount of \$174,182

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

6. [AB2025-079](#) Request authorization for the County Executive to enter into a two-year Interlocal Agreement between Whatcom County and the City of Blaine for staffing and operation of the Blaine Senior Activity Center, in the amount of \$174,182

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

7. [AB2025-080](#) Request authorization for the County Executive to enter into a two-year Interlocal Agreement between Whatcom County and the City of Lynden for staffing and operation of the Lynden Senior Activity Center, in the amount of \$174,182

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

8. [AB2025-083](#) Request authorization for the County Executive to enter into a contract amendment between Whatcom County and Lifeline Connections to provide Mental Health Court case coordination services in the amount of \$15,000, for a total amended contract amount of \$25,000

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

9. [AB2025-084](#) Request authorization for the County Executive to enter into a contract amendment between Whatcom County and Whatcom Dispute Resolution Center in the amount of \$36,000 for a total amended amount of \$64,000

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

10. [AB2025-086](#) Request authorization for the County Executive to enter into an agreement between Whatcom County and Tyler Technologies, Inc. (Tyler) to migrate our Tyler Enterprise Permitting and Licensing (EPL) system to the Tyler cloud and to provide ongoing annual hosting and maintenance in the amount of \$344,215.46 per year starting in 2025

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. [AB2025-087](#) Resolution to approve annual petition for refunds paid list consistent with RCW 84.69.020

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 2025-007

12. [AB2025-088](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and City of Bellingham to provide partial funding for the severe weather shelter, in the amount of \$150,000

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

13. [AB2025-090](#) Request authorization for the County Executive to enter into a contract between Whatcom County and Peace Centers to implement a coordinated system of licensed drop-in childcare within Whatcom County, in the amount of \$499,921

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

14. [AB2025-119](#) Request authorization for the County Executive to enter into a contract between Whatcom County and Sustainable Connections in support of their Whatcom Housing Alliance coordination in the amount of \$50,000

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

CONSENT AGENDA CONSIDERED SEPARATELY

3. [AB2025-076](#) 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 \$206,191, for a total amended contract amount of \$3,127,031

Donovan reported for the Finance and Administrative Services Committee and moved that the Contract be TABLED. 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. [AB2025-046](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and the Attorney General of Washington for cy pres

funding, in the amount of \$125,000

This agenda item was WITHDRAWN.

2. [AB2025-089](#) Request authorization for the County Executive to enter into a contract between Whatcom County and Opportunity Council to expand and retain childcare slots in Whatcom County, in the amount of \$411,631

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

Scanlon stated this is also known as the “C-RECC program” and there was a previous discussion on it in the Public Works and Health Committee (**AB2024-845**).

Elenbaas discussed the motion.

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

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

Nay: 1 - Byrd

3. [AB2025-092](#) Request authorization for the County Executive to enter into the GCB 3207 Public Works Emergency Response Assistance Mutual Aid Agreement between Whatcom County and the Washington State Department of Transportation (WSDOT)

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

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

Nay: 0

4. [AB2025-107](#) Request authorization for the County Executive to enter into a two year contract between the Bellingham Food Bank and Whatcom County to help address food insecurity in the amount of \$1,445,000

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

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

Nay: 0

(From Council Committee of the Whole)

5. [AB2025-082](#) Resolution adopting the Lake Whatcom Management Program (LWMP) 2025 - 2029 Work Plan

Galloway reported for the Committee of the Whole 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 2025-008

COUNCIL APPOINTMENTS TO BOARDS, COMMISSIONS, AND COMMITTEES

1. [AB2025-071](#) Appointments to vacancies on the Whatcom County Ferry Advisory Committee, various positions, Applicant(s): Rhayma Blake, Rodger Prestiy, William Sager, Tess Winds-Johnson

Scanlon moved and Buchanan seconded to consider all applications (including the late applicant).

Councilmembers discussed the motion and making sure there are off-island representatives on the committee. This appointment appoints for two vacancies for the “Island resident or property owner” position, and there are other vacancies for “Mainland: all” and “Mainland: Unincorporated” that would remain open for future applicants who meet those qualifications. There are four total off-island spots. Two of those are terming out and two have terms that will continue.

Pam Gould spoke about who the current off-island committee members are and that the committee has tried to get more applicants.

Councilmembers discussed a concern about the committee process moving forward without the intended representation, but Scanlon stated because of quorum rules, the advisory committee is going to hold their next meeting whether or not Council appoints new members tonight.

The motion to consider all applications (including the late applicant) carried by the following vote:

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

Nay: 0

Scanlon moved to appoint all with a vote of two. The motion was seconded by Donovan.

Councilmembers voted for two applicants and Rhayma Blake and Tess Winds-Johnson were appointed as follows:

Rhayma Blake: 5 - Buchanan, Donovan, Galloway, Scanlon, and Stremler

Tess Winds-Johnson: 5 - Buchanan, Byrd, Elenbaas, Galloway, and Scanlon

Janice Holmes: 2 - Donovan and Stremler

William Sager: 1 - Byrd

Rodger Prestiy

Rhayma Blake and Tess Winds-Johnson were APPOINTED with five votes each.

MOTION SUMMARY:

Motion approved 7-0 to consider all applicants (including the late applicant).

Appointed Rhayma Blake and Tess Winds-Johnson with five votes each.

2. [AB2025-105](#) Appointments to vacancies on the Business and Commerce Advisory Committee, various positions, Applicant(s): Indca Mitchell, Kevin Menard

Scanlon moved and Donovan seconded to consider all applicants with a vote of one.

Kevin Menard addressed the Councilmembers and answered questions about residency requirements.

Kevin Menard was appointed by the following vote:

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

Indca Mitchell: 0

Kevin Menard was APPOINTED with seven votes.

Appointed Kevin Menard with seven votes.

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

1. [AB2025-094](#) Request confirmation of the County Executive's reappointment of Kara Allen to the North Sound Behavioral Health Administrative Services Organization

Buchanan moved and Scanlon seconded that the Executive Appointment be CONFIRMED.

Councilmembers discussed the applicant.

Buchanan'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

2. [AB2025-099](#) Request confirmation of the County Executive's appointment of Brandon Richner to the Whatcom County Agricultural Advisory Committee

Scanlon moved and Byrd seconded that the Executive Appointment be CONFIRMED.

Elenbaas discussed the applicant.

Scanlon'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. [AB2025-100](#) Request confirmation of the County Executive's appointment of Lisa Shoemaker and Alexander Jones to the Whatcom County Americans with Disabilities Act (ADA) Compliance Committee

Scanlon moved and Donovan 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

4. [AB2025-101](#) Request confirmation of the County Executive's reappointment of Sierra Crook to the Whatcom County Food Systems 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 Stremler

Nay: 0

5. [AB2025-102](#) Request confirmation of the County Executive's reappointment of Matthew Santos to the Whatcom County Library System's Rural Library Board

Scanlon moved and Donovan 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

6. [AB2025-108](#) Request confirmation of the County Executive's appointments of Doralee Booth, Daniel Mead Smith, Stephen Nelson, and Sheila Wood to the Birch Bay Community

Advisory Committee

Buchanan moved and Scanlon seconded that the Executive Appointment be CONFIRMED.

Jed Holmes, Executive's Office, answered whether all four of the applicants are for the at-large seats and what the next step is for filling the other positions.

Councilmembers discussed the process for populating this advisory committee.

Satpal Sidhu, County Executive, stated this group is a good move because Birch Bay needed a formal way reach out to the Council and Executive for their needs, and this starts that process.

Buchanan'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

7. [AB2025-110](#) Request confirmation of the County Executive's appointments of Andy Leveto, Geoff Klise, and Ryan Rickerts to the Whatcom County Parks and Recreation Commission
- Scanlon moved*** and Donovan seconded that the Executive Appointment be CONFIRMED.

Councilmembers discussed the applicants.

Scanlon'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

8. [AB2025-115](#) Request confirmation of the County Executive's appointment of Kerri Burnside to the Whatcom County Housing Advisory Committee

Scanlon moved and Byrd 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

ITEMS ADDED BY REVISION

There were no agenda items added by revision.

INTRODUCTION ITEMS

There were no Introduction items.

COMMITTEE REPORTS, OTHER ITEMS, AND COUNCILMEMBER UPDATES

Councilmembers gave committee reports.

Galloway reported for Committee of the Whole and stated they did not get to **AB2025-118** and **AB2025-075**.

Jed Holmes, Executive's Office, stated the Administration can communicate the update on the state legislative session (**AB2025-118**) in writing or they can set up meetings if there are specific questions.

Scanlon moved to add House Bill 1480 to the Whatcom County State legislative priorities for the 2025 legislative session.

The motion was seconded by Galloway.

Scanlon gave an overview on his motion and stated it is a bill around a local option for real estate excise tax for affordable housing. It removes the barrier of this only being available to one county.

Satpal Sidhu, County Executive, stated the housing shortage is so big, we cannot tax our way through it.

Scanlon answered questions and Councilmembers discussed the motion and whether it is a solution to the problem.

The motion carried by the following vote:

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

Nay: 3 - Stremmler, Byrd, and Elenbaas

Galloway encouraged people with questions about legislative bills to ask.

Scanlon spoke about **AB2025-075**. He stated the idea is to have Councilmember office hours in the library system and to get them out in the community periodically to connect with constituents. He answered questions.

Councilmembers discussed their interest in Scanlon's idea, having Council meetings in different locations once or twice a year, and how the events would be noticed.

Councilmembers gave updates on recent activities and upcoming events.

Motion approved 4-3, with Stremmer, Byrd, and Elenbaas opposed, to add House Bill 1480 to the Whatcom County State legislative priorities for the 2025 legislative session.

ADJOURN

The meeting adjourned at 9:45 p.m.

The County Council approved these minutes on February 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