

# **Whatcom County Council (Special)**

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



## **Minutes - Draft Minutes**

**Tuesday, December 2, 2025  
1 PM  
Hybrid Meeting - Council Chambers**

**HYBRID MEETING - ADJOURNS BY 4:30 P.M. (PARTICIPATE IN-PERSON, SEE  
REMOTE JOIN INSTRUCTIONS AT [www.whatcomcounty.us/joinvirtualcouncil](http://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

**Call To Order**

Council Chair Kaylee Galloway called the meeting to order at 1:02 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

**Announcements****Public Hearings****COMBINED PUBLIC HEARING ON FCZD BUDGET ITEMS**

Galloway went over the procedure for the public hearings and for considering each agenda item separately. She read the three items under this header into the record and stated they would have a combined public hearing.

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

1. [AB2025-711](#) Resolution adopting 2026 budget for the Whatcom County Flood Control Zone District and Subzones (Council acting as the Flood Control Zone District Board of Supervisors)

See discussion for this item under the public hearing header.

**PUBLIC TESTIMONY WAS RECEIVED.**

Enactment No: RES 2025-042

2. [AB2025-709](#) Resolution authorizing the levy of taxes for the Whatcom County Flood Control Zone District for 2026 (Council acting as the Flood Control Zone District Board of Supervisors)

See discussion for this item under the public hearing header.

**PUBLIC TESTIMONY WAS RECEIVED.**

3. [AB2025-784](#) Resolution authorizing the levy of taxes for the Whatcom County Flood Control Zone District for 2026 (Council acting as the Flood Control Zone District Board of Supervisors)

See discussion for this item under the public hearing header.

**PUBLIC TESTIMONY WAS RECEIVED.**

Enactment No: RES 2025-043

**SEPARATE CONSIDERATION OF PUBLIC HEARING ITEMS**

1. [AB2025-711](#) Resolution adopting 2026 budget for the Whatcom County Flood Control Zone District and Subzones (Council acting as the Flood Control Zone District Board of Supervisors)

***Scanlon moved*** and Buchanan seconded that the Resolution (FCZDBS) Requiring a Public Hearing be APPROVED.

Elizabeth Kosa, Public Works Department Director, stated this item includes the one percent levy increase (**AB2025-709**).

**Scanlon's motion that the Resolution (FCZDBS) Requiring a Public Hearing be APPROVED carried by the following vote:**

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

**Nay:** 2 - Byrd, and Stremler

**Temp Absent:** 1 - Elenbaas

Enactment No: RES 2025-042

2. [AB2025-709](#) Resolution authorizing the levy of taxes for the Whatcom County Flood Control Zone District for 2026 (Council acting as the Flood Control Zone District Board of Supervisors)

***Scanlon moved*** and Stremler seconded that the Resolution (FCZDBS) Requiring a Public Hearing be APPROVED.

Elizabeth Kosa, Public Works Department Director, answered what the difference would be between a one percent increase and no increase, and stated the increase would be \$.69 per year for an average (\$650,000) household. She stated if the one percent is not approved by Council, they would be using fund balance to make up that amount. She answered whether any projects would be delayed on the capital plans, and stated it would remain the same.

Aly Pennucci, Executive's Office, stated if the pattern persists of not taking the one percent, it gets ever harder to deliver on projects, and the plan already assumes some significant sort of underspend to get to the \$5 million required fund balance. Every year the Council forgoes the one percent increase, it makes it harder to maintain systems, pay staff, and pay for the work necessary to do the projects.

Scanlon spoke in favor of the motion.

**Scanlon's motion that the Resolution (FCZDBS) Requiring a Public Hearing**

**be approved FAILED by the following vote:**

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

**Nay:** 3 - Byrd, Donovan, and Stremler

**Temp Absent:** 1 - Elenbaas

**This is the one percent option.**

3. [AB2025-784](#) Resolution authorizing the levy of taxes for the Whatcom County Flood Control Zone District for 2026 (Council acting as the Flood Control Zone District Board of Supervisors)

**Scanlon moved** and Donovan seconded that the Resolution (FCZDBS) Requiring a Public Hearing be APPROVED.

Scanlon thanked Donovan for offering another option for this resolution.

**Scanlon's motion that the Resolution (FCZDBS) Requiring a Public Hearing be APPROVED carried by the following vote:**

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

**Nay:** 0

**Temp Absent:** 1 - Elenbaas

Enactment No: RES 2025-043

**This is the zero percent option.**

## **COMBINED PUBLIC HEARING ON COUNTY BUDGET ITEMS**

Galloway read all of the items under this header into the record.

Galloway opened the Public Hearing and the following people spoke:

- Ben Boyko
- Jill Hallett
- Randy VanderHeiden
- Lyle Sorenson
- Hannah Ordos
- Khush Brar

Hearing no one else, Galloway closed the Public Hearing.

4. [AB2025-707](#) Ordinance amending the 2026 Whatcom County Budget, request no. 1, in the amount of \$20,970,606

See discussion for this item under the public hearing header.

**PUBLIC TESTIMONY WAS RECEIVED.**

Enactment No: ORD 2025-055

5. [AB2025-719](#) Ordinance authorizing the levy of taxes for Conservation Futures purposes for 2026

See discussion for this item under the public hearing header.

**PUBLIC TESTIMONY WAS RECEIVED.**

Enactment No: ORD 2025-056

6. [AB2025-721](#) Ordinance authorizing the levy of taxes for County Road purposes for 2026

See discussion for this item under the public hearing header.

**PUBLIC TESTIMONY WAS RECEIVED.**

Enactment No: ORD 2025-057

7. [AB2025-783](#) Ordinance authorizing the levy of taxes for County Road purposes for 2026

See discussion for this item under the public hearing header.

**PUBLIC TESTIMONY WAS RECEIVED.**

8. [AB2025-723](#) Ordinance authorizing the levy of taxes for countywide emergency medical purposes for 2026

See discussion for this item under the public hearing header.

**PUBLIC TESTIMONY WAS RECEIVED.**

Enactment No: ORD 2025-058

9. [AB2025-725](#) Ordinance authorizing the levy of taxes for County and State purposes in Whatcom County, Washington, for the year of 2026

See discussion for this item under the public hearing header.

**PUBLIC TESTIMONY WAS RECEIVED.**

Enactment No: ORD 2025-059

10. [AB2025-788](#) Ordinance authorizing the levy of taxes for County and State purposes in Whatcom County, Washington, for the year of 2026

See discussion for this item under the public hearing header.

**PUBLIC TESTIMONY WAS RECEIVED.**

**SEPARATE CONSIDERATION OF PUBLIC HEARING ITEMS**

4. [AB2025-707](#) Ordinance amending the 2026 Whatcom County Budget, request no. 1, in the amount

of \$20,970,606

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

Aly Pennucci, Executive's Office, answered whether the amendments made by Council (proposed by both the council and the executive) were incorporated into the ordinance they are considering and stated they were, and are represented by the "Substitute Ordinance 12.2.2025" and "Substitute Supplemental Requests 12.2.2025."

*Clerk's note:* Elenbaas joined the meeting after the votes on the Flood Control Zone District resolutions. He asked if he could retroactively be marked as a "no" vote for all three of them.

Kimberly Thulin, Prosecuting Attorney's Office, stated they would need to move to reconsider those items.

Councilmembers did not move to reconsider.

They discussed that the changes they made to the budget are included in this version, the motion, and their perspective on the budget and budget process.

Stremler stated he thinks this budget request is going in the wrong direction.

Donovan stated he would vote for it, but wanted to remind the Council that they added about \$1 million on top of the executive's proposal.

Elenbaas stated the Council needs to bear some of the responsibility for the budget situation we are in and there are things for which he cannot support the level of spending. He will vote no.

Scanlon spoke about when councilmembers received budget information, and that they had time to make amendments. He spoke about the amendments they made and that they "paid" for them from other buckets of money. He thanked those in Fire and EMS for the work they have done in looking at how they manage their budget.

Galloway spoke about improvements in the budget process, and that they are doing the best they can in a resource-constrained environment and are delivering core services. She does not think it is irresponsible spending. She is speaking in support of the motion.

Donovan thanked the Administration, and stated the Council's ability to be engaged in the budget process has been improved from where it used to be.

Elenbaas stated he approached the budget cycle by giving his input to the deputy executives as opposed to making motions in Council meetings.

Stremler stated it will be necessary for the Council to find budget cuts going into the next budget cycle.

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

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

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

Enactment No: ORD 2025-055

Adopted "Substitute Ordinance 12.2.2025"

5. [AB2025-719](#) Ordinance authorizing the levy of taxes for Conservation Futures purposes for 2026

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

Councilmembers discussed the motion.

**Donovan'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 Stremler

Enactment No: ORD 2025-056

6. [AB2025-721](#) Ordinance authorizing the levy of taxes for County Road purposes for 2026

**Scanlon moved** and Byrd seconded that the Ordinance Requiring a Public Hearing be ADOPTED.

Councilmembers discussed the motion, that level of service has decreased over time, and looking at the structural issues with how they fund this because right now they are putting it all on the people who live in unincorporated areas.

Galloway clarified that **AB2025-783** (the next agenda item) is an alternate option to this ordinance. This ordinance (**AB2025-721**) increases the County Road District property tax levy one percent for 2026 and AB2025-783

increases it by zero percent. Council would pass one but not both of them.

Councilmembers discussed what the one percent increase would amount to for rural residents per year.

Aly Pennucci, Executive's Office, stated *without* the one percent, the estimated tax bill for the average homeowner with a home value of about 650,000 would be about \$570, and with the one percent, that would increase by \$5.70.

Councilmembers discussed the motion, that the Public Works Department adheres to their budget and that if they request more money, they will use it how they say they will, that Public Works saw issues but also brought solutions, that they will have to make additional cuts next summer as they discuss the biennial budget, that people in unincorporated areas will see their Road Fund tax bill growing faster than tax for the General Fund and that fewer people have to pay it, that people use roads more than other services they fund through their taxes, and things decided on a state level that add a lot of cost to Public Works (and Fire and EMS).

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

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

**Nay:** 1 - Donovan

Enactment No: ORD 2025-057

**This is the one percent option.**

7. [AB2025-783](#) Ordinance authorizing the levy of taxes for County Road purposes for 2026

Galloway stated that, having taken action on **AB2025-721**, they will not need to take action on this item (which is an alternate version), but she read it into the record.

**This agenda item was NOT ACTED UPON.**

**This is the zero percent option.**

8. [AB2025-723](#) Ordinance authorizing the levy of taxes for countywide emergency medical purposes for 2026

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

Councilmembers discussed that this gets the levy amount to the level that

voters approved, that it will still not be enough to cut the gap between spending increases and revenue needs, why they did not take the highest amount approved when it was originally on the ballot, that this is a one percent increase over the rate that was passed by 63.95 percent of the voters, that a lot of work was done this year to put a plan in place for how to spend additional dollars, that any meaningful cuts in this department would mean less service, that it is already a pretty lean budget, and how important these services are.

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

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

**Nay:** 2 - Byrd, and Stremler

Enactment No: ORD 2025-058

9. [AB2025-725](#) Ordinance authorizing the levy of taxes for County and State purposes in Whatcom County, Washington, for the year of 2026

Galloway stated this is the executive's proposed one percent for the General Fund and then there is an alternative ([AB2025-788](#)) that would be zero percent.

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

Scanlon thanked Donovan for putting forward the alternate ([AB2025-788](#)) and councilmembers discussed the motion.

**Scanlon'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 Stremler

Enactment No: ORD 2025-059

**This is the one percent option.**

10. [AB2025-788](#) Ordinance authorizing the levy of taxes for County and State purposes in Whatcom County, Washington, for the year of 2026

Galloway stated they will not take action on this item because it was an alternate to AB2025-725 which already passed.

**This agenda item was NOT ACTED UPON.**

**This is the zero percent option.**

### **Items Added by Revision**

There were no items added by revision.

### **Other Business**

Satpal Sidhu, County Executive, thanked the Council for their thoughtful discussion and spoke about getting more clear direction from Council on future budgets.

Galloway thanked the executive's team for their work on the budget.

Scanlon spoke about upcoming Community Conversation events.

Elenbaas spoke about the expectation that budget items will pass and that he hopes they are scrutinizing it as much as they can so they can present the public with value for the dollars they are investing in our government.

### **Adjournment**

The meeting adjourned at 2:46 p.m.

ATTEST:

WHATCOM COUNTY COUNCIL  
WHATCOM COUNTY, WA

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Cathy Halka, Council Clerk

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Kaylee Galloway, Council Chair

Meeting Minutes prepared by Kristi Felbinger