

Whatcom County Council

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



Minutes - Final

Tuesday, April 28, 2026
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 REVISION 4.24.2026

COUNCILMEMBERS

Elizabeth Boyle
Barry Buchanan
Ben Elenbaas
Kaylee Galloway
Jessica Rienstra
Jon Scanlon
Mark Stremler

CLERK OF THE COUNCIL

Cathy Halka, AICP, CMC

COUNTY COUNCIL

CALL TO ORDER

ROLL CALL

Present: 7 - Elizabeth Boyle, Barry Buchanan, Ben Elenbaas, Kaylee Galloway, Jessica Rienstra, Jon Scanlon, and Mark Stremler

FLAG SALUTE

ANNOUNCEMENTS

COUNTY EXECUTIVE'S REPORT

There was no report.

MINUTES CONSENT

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

1. [MIN2026-036](#) Committee of the Whole Executive Session for April 14, 2026

Scanlon moved and Buchanan seconded that the Minutes Consent be APPROVED BY CONSENT. The motion carried by the following vote:

Aye: 7 - Boyle, Buchanan, Elenbaas, Galloway, Rienstra, Scanlon, and Stremler

Nay: 0

2. [MIN2026-037](#) Committee of the Whole for April 14, 2026

Scanlon moved and Buchanan seconded that the Minutes Consent be APPROVED BY CONSENT. The motion carried by the following vote:

Aye: 7 - Boyle, Buchanan, Elenbaas, Galloway, Rienstra, Scanlon, and Stremler

Nay: 0

3. [MIN2026-038](#) Regular County Council for April 14, 2026

Scanlon moved and Buchanan seconded that the Minutes Consent be APPROVED BY CONSENT. The motion carried by the following vote:

Aye: 7 - Boyle, Buchanan, Elenbaas, Galloway, Rienstra, Scanlon, and Stremler

Nay: 0

PUBLIC HEARINGS

1. [AB2026-281](#) Ordinance adopting Whatcom County Code Chapter 16.38, Source Control of Existing Development, to require the use of best management practices for

stormwater pollution prevention within the Whatcom County, Washington Phase II Municipal Stormwater Permit Area

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

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

Aye: 7 - Boyle, Buchanan, Elenbaas, Galloway, Rienstra, Scanlon, and Stremler

Nay: 0

Enactment No: ORD 2026-021

OPEN SESSION

The following people spoke:

- Dwayne Engelsman
- John Friberg
- Jessica Novedo
- Tamara Lienhart
- Adam Bellingar
- John Westerfield
- Linda Hinton
- Markis Dee
- Lee Breakey
- Sarah Hoag
- Bud Breakey
- Buck Breakey
- Atul Deshmane
- Andy Breakey
- Coleman Hoyt
- Peter Condyles
- Diane Smith
- Mike Schoppert
- Michael Butler
- Hanna Roseen
- Alexandra Williams
- Allison Trimble
- Adam Moa
- Kathleen Kloöp

- Bill Rudd
- Brian Dujmovich
- Sasha Curcic
- Zak Myers
- Cliff Langley
- Michelle Gillig
- Molly Crocker
- Michelle Cameron
- Cynthia Sue Ripke-Kutsagoitz
- Janet Johnson
- Richard Johnson
- Irene Morgan
- Ryan Bowman
- Finn Kurtz
- Richard Kirkham
- Julie Jansen
- Charlie Brown
- Brooke Erolande
- Deb McCunn
- Paul Isaacson
- Aubyana Clarke
- Livia Klaus
- Brooke Fraser
- Abdullah Nusayr
- Richard Verbree
- Amy Kenna
- George Hartdëgen
- Alison Post
- Lyle Sorenson
- Liz Darrow
- Gail Hanna
- Andrew Shelton
- Susan Hutton
- Allison Zellner
- Benny Spencer
- Kim Brown
- Rhys-Thorvald Hansen
- Anthony Blackwell Jr
- Hill Cummings

- Perry Eskridge
- Bill Geyer
- Maya Morales
- Diane Kitchen
- Joe (last name not stated)
- Mary Kay Robinson
- Kaya Gilje
- Lola Thompson
- Marvin Mickley
- Luke (last name not stated)
- Indigo (last name not stated)
- Robin Preble
- Hannah Ordos
- Daniel (last name not stated)
- Jackie Tobon
- Shannon

Hearing no one else, Galloway closed the Open Session.

Councilmembers took a short recess at 9:43 p.m. and reconvened at 9:58 p.m.

CONSENT AGENDA

(From Council Finance and Administrative Services Committee)

Scanlon reported for the Finance and Administrative Services Committee and *moved* to approve Consent Agenda items one through eleven (with item twelve being considered separately) Councilmembers voted on those items (see votes on individual items below).

1. [AB2026-055](#) Request authorization for the County Executive to enter into a grant agreement between Whatcom County and the Washington State Department of Ecology to support the Nooksack Riparian Resilience Project for restoration planning, partner coordination, and restoration implementation, in the amount of \$2,244,875

Scanlon 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 - Boyle, Buchanan, Elenbaas, Galloway, Rienstra, Scanlon, and Stremler

Nay: 0

2. [AB2026-264](#) Request authorization for the County Executive to enter into a contract amendment

between Whatcom County & Washington State University (WSU) to continue the jointly shared costs for faculty positions and program support for WSU Whatcom Extension in the amount of \$60,000 for a total amended contract amount of \$3,885,050.90

Scanlon 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 - Boyle, Buchanan, Elenbaas, Galloway, Rienstra, Scanlon, and Stremler

Nay: 0

3. [AB2026-290](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and Washington State Military Department to assist Whatcom County in preparing for all hazards, in the amount of \$65,507

Scanlon 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 - Boyle, Buchanan, Elenbaas, Galloway, Rienstra, Scanlon, and Stremler

Nay: 0

4. [AB2026-301](#) Request authorization for the County Executive to enter into a contract amendment between Whatcom County and Pacific Security to continue security services for the Whatcom County Courthouse, in the amount of \$165,000 for a total amended contract amount of \$477,416.14

Scanlon 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 - Boyle, Buchanan, Elenbaas, Galloway, Rienstra, Scanlon, and Stremler

Nay: 0

5. [AB2026-312](#) Request authorization for the County Executive to enter into a contract between Whatcom County and Kulshan Community Land Trust for the development of eight energy-efficient, permanently affordable townhomes, in the amount of \$436,902.48

Scanlon 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 - Boyle, Buchanan, Elenbaas, Galloway, Rienstra, Scanlon, and Stremler

Nay: 0

6. [AB2026-313](#) Request authorization for the County Executive to relinquish a foot trail easement held

by the Whatcom Land Trust, located within South Fork Park

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

Aye: 7 - Boyle, Buchanan, Elenbaas, Galloway, Rienstra, Scanlon, and Stremler

Nay: 0

7. [AB2026-317](#) Request authorization for the County Executive to enter into a grant agreement between Whatcom County and Washington State Department of Transportation to complete a multimodal path connecting the communities of Kendall and Glacier, in the amount of \$425,000

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

Aye: 7 - Boyle, Buchanan, Elenbaas, Galloway, Rienstra, Scanlon, and Stremler

Nay: 0

8. [AB2026-324](#) Request authorization for the County Executive to enter into a contract amendment between Whatcom County and Whatcom Long Term Recovery Group to correct the effective date of a recently approved rate increase to December 1, 2025, with no change to the contract amount (Council acting as the Whatcom County Flood Control Zone District Board of Supervisors)

Scanlon 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 - Boyle, Buchanan, Elenbaas, Galloway, Rienstra, Scanlon, and Stremler

Nay: 0

9. [AB2026-329](#) Request authorization for the County Executive to enter into a contract amendment between Whatcom County and Peace Centers to maintain a coordinated system of licensed drop-in childcare within Whatcom County in the amount of \$290,676.84, for a total amended contract amount of \$790,597.84

Scanlon 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 - Boyle, Buchanan, Elenbaas, Galloway, Rienstra, Scanlon, and Stremler

Nay: 0

10. [AB2026-331](#) Request authorization for the County Executive to enter into a contract between

Whatcom County and Opportunity Council to provide funding for capital and operational expenses for the Cedar Commons Early Learning Center, in the amount of \$291,676

Scanlon 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 - Boyle, Buchanan, Elenbaas, Galloway, Rienstra, Scanlon, and Stremler

Nay: 0

11. [AB2026-334](#) Request authorization for the County Executive to enter into a contract between Whatcom County and Seattle Foundation to provide funding for projects that further the goals and objectives of the Trueblood Settlement Agreement, in the amount of \$3,603,879

Scanlon 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 - Boyle, Buchanan, Elenbaas, Galloway, Rienstra, Scanlon, and Stremler

Nay: 0

12. [AB2026-335](#) Request authorization for the County Executive to enter into a contract between Whatcom County and Opportunity Council to provide funding for the second phase of the low-income Bellis Fair Housing development, in the amount of \$1,386,485

THIS ITEM WAS CONSIDERED SEPARATELY BELOW

CONSENT AGENDA CONSIDERED SEPARATELY

12. [AB2026-335](#) Request authorization for the County Executive to enter into a contract between Whatcom County and Opportunity Council to provide funding for the second phase of the low-income Bellis Fair Housing development, in the amount of \$1,386,485

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

Stremler stated the Economic Development Investment (EDI) Board (of which he is a member) ended up not recommending this source of income for this project. It then went to Council, and the Council body said yes to funding it through EDI. But, coming from the EDI board, he stated he is going to follow their recommendation.

Elenbaas stated he thought these were dollars well-spent since the funding was delivering a project that was serving a large need in our community. It is

also in the form of a loan, so over time, it will replenish the EDI fund with interest.

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

Aye: 6 - Boyle, Buchanan, Elenbaas, Galloway, Rienstra, and Scanlon

Nay: 1 - Strempler

OTHER ITEMS

(From Council Finance and Administrative Services Committee)

1. [AB2026-209](#) Ordinance amending the 2026 Whatcom County Budget, request no. 7, in the amount of \$23,290,457

Scanlon reported for the Finance and Administrative Services Committee and *moved* that the Ordinance be ADOPTED. He stated they did not have time today to discuss this so there was no recommendation from the committee.

The motion was seconded by Rienstra.

Kayla Schott-Bresler, Executive's Office, answered whether the Administration has any concerns about new items (category C) on the summary list that represent new spending requests which impact ending fund balance, given what we know about the status of budget. She stated that most of the \$1.4 million impact on the General Fund is a transfer related to the Opioid Special Revenue Fund to move those funds out of the General Fund into a special revenue fund in order to better track those dollars. There is \$64,000 that is non-revenue-backed to fund emergency management activities, but everything else had been previously discussed or authorized. She and Scanlon highlighted other items on the list.

Scanlon's motion that the Ordinance be ADOPTED carried by the following vote:

Aye: 7 - Boyle, Buchanan, Elenbaas, Galloway, Rienstra, Scanlon, and Strempler

Nay: 0

Enactment No: ORD 2026-022

2. [AB2026-212](#) Resolution ordering the cancellation of unredeemed checks (warrants) more than one year old

Scanlon reported for the Finance and Administrative Services Committee and *moved* that the Resolution be APPROVED (there was no

recommendation from the committee).

The motion was seconded by Rienstra.

Kayla Schott-Bresler, Executive's Office, answered if these are checks the County has written people but that have not been cashed, and stated that is correct. The payee would still, however, have a claim to the funding. It just goes to a special state account and people can contact the state if they would like to pursue settlement of their check.

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

Aye: 7 - Boyle, Buchanan, Elenbaas, Galloway, Rienstra, Scanlon, and Stremler

Nay: 0

Enactment No: RES 2026-011

3. [AB2026-292](#) Resolution amending the 2026 Flood Control Zone District and Subzones Budget, request no. 1, in the amount of \$23,406 (Council acting as the Whatcom County Flood Control Zone District Board of Supervisors)

Scanlon reported for the Finance and Administrative Services Committee and **moved** that the Resolution (FCZDBS) be APPROVED. He stated there was no recommendation from committee.

The motion was seconded by Boyle.

Scanlon's motion that the Resolution (FCZDBS) be APPROVED carried by the following vote:

Aye: 6 - Boyle, Buchanan, Galloway, Rienstra, Scanlon, and Stremler

Nay: 1 - Elenbaas

Enactment No: RES 2026-012

4. [AB2026-295](#) Resolution authorizing the submission of three independent grant applications to the Brian Abbott Fish Barrier Removal Board to restore fish passage at the Black Slough and Homesteader culverts and to complete the final design and permitting of the Tinling Creek culvert project (Council acting as the Whatcom County Flood Control Zone District Board of Supervisors)

Scanlon reported for the Finance and Administrative Services Committee and **moved** that the Resolution (FCZDBS) be APPROVED. He stated there was no recommendation from committee.

The motion was seconded by Boyle.

The following people discussed the item with councilmembers:

- John Paul Shannahan, Public Works Department
- Kayla Schott-Bresler, Executive's Office
- Elizabeth Kosa, Public Works Department Director

Scanlon stated they had a conversation with Alexander Harris from Planning and Development Services Department today about how the black slough fish passage item relates to the open space item (**AB2026-330**) and that it is an adjacent property.

Shannahan answered what fund the \$296,000 local match amount will come from, and stated it comes out of the Road Fund for these projects. He answered if reports on the health of the Road Fund are factoring in these potential match requirements, and stated he believes so.

Schott-Bresler stated Director Kosa is closely monitoring all of Public Works' capital projects and how they affect the Road Fund balance.

Kosa answered if they are budgeting for this, and stated they are.

Scanlon's motion that the Resolution (FCZDBS) be APPROVED carried by the following vote:

Aye: 7 - Boyle, Buchanan, Elenbaas, Galloway, Rienstra, Scanlon, and Stremler

Nay: 0

Enactment No: RES 2026-013

(From Council Criminal Justice and Public Safety Committee)

5. [AB2026-291](#) Ordinance amending Whatcom County Code Section 5.04.080, Emergency Medical Services (EMS) Oversight Board, and Section 5.04.085, EMS Technical Advisory Board, to change the membership of the EMS Oversight Board and the EMS Technical Advisory Board

Buchanan reported for the Criminal Justice and Public Safety Committee and *moved* that the REVISED SUBSTITUTE Ordinance be ADOPTED as amended in committee.

Galloway stated she is heartbroken that Council opted to strike the language around independent external review and evaluation of the EMS levy and feels like this is a step back from a commitment they have made in many other County-funded programs to provide transparency and accountability

to our County-funded system.

Scanlon stated it was pointed out earlier today that they have other mechanisms to do this, so if the full Council wants to do it, they can find the funding.

Galloway spoke about why she wanted the language included and stated it would have been nice to work with the stakeholders and let it be self-driven.

Buchanan's motion that the REVISED SUBSTITUTE Ordinance be ADOPTED carried by the following vote:

Aye: 7 - Boyle, Buchanan, Elenbaas, Galloway, Rienstra, Scanlon, and Stremler

Nay: 0

Enactment No: ORD 2026-023

Adopted the Revised Substitute Ordinance as Amended in Committee 4.28.2026.

6. [AB2026-340](#) Resolution establishing a preliminary planning budget cap, affirming governing commitments, and providing recommendations to the administration from the Whatcom County Council on the capital construction of the Whatcom County Jail and Behavioral Care Center

Buchanan reported for the Criminal Justice and Public Safety Committee and *moved* that the SUBSTITUTE RESOLUTION (as amended in committee today) be APPROVED.

Scanlon moved to hold this item for two weeks.

The motion was seconded by Boyle.

Scanlon stated he would like to hold the resolution so he can work on a few things, such as operational costs.

Elenbaas stated waiting for two weeks could add \$560,000 to the project and he is not sure that holding is worth that much money. He stated he does not hear anyone trying to back off on what they have been coming up with as far as what the appropriate behavioral health services are. He just hears the Administration and execution team saying they need some leeway on their budgets in order to execute the plan.

Buchanan stated he is against the motion. He thinks they will have a better idea of operational costs once the programming effort comes back to the Council in May.

Satpal Sidhu, County Executive, stated it is valid to talk about operational cost but that has been part of the discussion, even when they were putting this on the ballot. The design team has been instructed to take operational costs into consideration, so in his mind, that has been taken care of, and Council will get another opportunity to discuss it.

Scanlon stated this is a \$225 million decision and it is OK to take their time.

Stremmer stated it will not be just a jail or a behavioral care center; it is going to be both. He listed programs consistent with the Justice Project Implementation plan that are already funded and in place, and stated he wants the community to know there are significant investments and opportunities for people already going on.

Cathy Halka, Clerk of the Council, answered if it is possible to vote on this resolution next week at a special meeting on May 5th and spoke about the meeting schedule for that day.

Scanlon amended his motion to hold for one week.

Councilmembers discussed the motion to hold, what Scanlon would be looking for (and where he is going to find it) in one week, that Scanlon wants to look into things that came up in public comment and talk to the city mayors, if they could pass the resolution and then amend it at another time, that the programming team wants to start their work tomorrow and holding it would hold them up, scheduling a special Council meeting and how they might do that with the meetings that are already scheduled, implications for the programming team that already had to clear their calendar for the next two weeks and that they need this commitment from Council to do their work, that there are other things that people could work on if they hold the resolution, if they could have a motion to preliminarily express their support for the \$205/\$20 million split and then spend another week just getting the resolution right, and exploring how they can reach the 50/50 split earlier in the equation.

Schott-Bresler stated she thinks a motion around the budget cap would hold them until the Council finishes working on the resolution in a week.

Councilmembers discussed possibilities of splitting the resolution into two, with one setting the budget cap and one working on other issues such as the 50 percent investment definitions, holding for a week as per the

motion, or making a subsequent motion (if the resolution is held) that gets the administration the one data point they really need the most (and fastest) which is the budget cap.

The motion to hold for one week carried by the following vote:

Aye: 4 - Galloway, Rienstra, Scanlon, and Boyle

Nay: 3 - Elenbaas, Stremmler, and Buchanan

Galloway moved that the Whatcom County Council preliminarily expresses support for a preliminary planning budget ceiling of \$205 million for the jail and \$34 million for the behavioral care center, which would include \$20 million from the sales and use and \$14 million from grants and state sources, with the understanding that the forthcoming Buchanan resolution will clarify planning principles and other parameters and council priorities.

The motion was seconded by Boyle. She stated that she wants the motion to be clear that it is a planning input tool only and does not authorize debt, as stated in the resolution (in the first “Be it further resolved” statement).

Galloway stated it should be very clear that this is not final action; this is preliminary.

Galloway amended her motion **and moved** that the Whatcom County Council preliminarily expresses support for a preliminary planning budget ceiling of \$205 million for the jail and \$34 million for the Behavioral Care Center (\$20 million from the sales tax and \$14 million from grants and state sources) as a framework for completing the programming exercise and not authorizing debt, with the understanding that the forthcoming Buchanan resolution will clarify planning principles, parameters and council priorities.

Scanlon stated he does not like the idea of separating these things out, and councilmembers discussed the motion.

Sidhu suggested, if everybody is more or less agreeable to Buchanan’s resolution, they might consider, instead of holding up the process, writing the executive a separate memo with the issues Scanlon comes up with. He spoke about how the Administration is partnering with the Council, and that the Council can always add more. He answered if Galloway’s motion is enough to give the programming team a green light to start their work, and he stated he thinks the Council should agree to the whole resolution.

Rob Ney, Administrative Services Department Facilities, stated it is

important to keep their schedule, and a dollar amount would assist them a lot in their programming efforts over the next week. He stated he would support the motion and that it would give them at least some direction and help them commence the programming effort.

Scanlon stated they are spending more time on trivial matters than a \$225 million decision and he is just asking for a week.

Councilmembers and the speakers discussed that this would give the programming team a clear direction to start, that it feels like there is pressure to approve something so that work that has already been planned can start tomorrow, that the programming team will attempt to program to whatever number the Council gives them and that the programming was scheduled with respect to a budget number coming out of this discussion, that the Council will retain the budget authority on this regardless of what the resolution says or even what was sent to the voters, the project schedule overall and that the Council is going to be facing other much more significant decisions than this at the end of the summer, that the schedule will rely on quick, big decisions as they move forward in order to stay on track, that the Administration has been transparent with the Council, that Buchanan's resolution frames what the Finance and Facility Advisory Board submitted in a memo two weeks ago, and that the process may be uncomfortable for both the Council and the community every step of the way.

Galloway's amended motion carried by the following vote:

Aye: 4 - Buchanan, Elenbaas, Galloway, and Stremler

Nay: 3 - Rienstra, Scanlon, and Boyle

Galloway stated they will work on getting an agenda published for a special Council meeting on May 5th to consider an updated revised substitute.

This agenda item was DISCUSSED AND MOTION(S) APPROVED.

Enactment No: RES 2026-018

MOTION 1

Motion approved 4-3, with Elenbaas, Stremler, and Buchanan opposed, to hold this item for one week.

MOTION 2

Motion approved 4-3, with Rienstra, Scanlon, Boyle opposed, that the Whatcom County Council preliminarily expresses support for a preliminary planning budget ceiling of \$205 million for the jail and \$34 million for the Behavioral Care Center (\$20 million from the sales tax and \$14 million from grants and state sources) as a framework for completing the programming exercise and not authorizing debt, with the understanding that the forthcoming Buchanan resolution will clarify planning principles parameters and Council priorities.

(From Council Planning and Development Committee)

7. [AB2026-330](#) Resolution approving recommendations on Open Space applications

Rienstra reported for the Planning and Development Committee and moved that the SUBSTITUTE Resolution be APPROVED. The motion carried by the following vote:

Aye: 7 - Boyle, Buchanan, Elenbaas, Galloway, Rienstra, Scanlon, and Stremler

Nay: 0

Enactment No: RES 2026-014

(No Committee Assignment)

8. [AB2026-318](#) Request for motion to appoint a councilmember as an alternate representative to the Northwest Clean Air Agency

Galloway moved that Council appoint councilmember Scanlon as the alternate representative to the Northwest Clean Air Agency.

The motion was seconded by Stremler.

The motion carried by the following vote:

Aye: 5 - Rienstra, Scanlon, Stremler, Boyle, and Galloway

Nay: 1 - Elenbaas

Out of the Meeting: 1 - Buchanan

Scanlon was APPOINTED.

Motion approved 5-1, with Elenbaas opposed and Buchanan out of the meeting, that Council appoint councilmember Scanlon as the alternate representative to the Northwest Clean Air Agency.

9. [AB2026-319](#) Request for motion to approve a letter in support of the Whatcom Land Trust's grant application to the state Recreation and Conservation Office's Community Forest Program to acquire property to expand the Stewart Mountain Community Forest

Galloway stated the Land Trust had written to the Council requesting its support on their grant application. If the letter is approved this evening, it would be signed and sent tomorrow, which would narrowly make the Land Trust's deadline.

Galloway moved and Scanlon seconded that the Request for Motion be APPROVED. The motion carried by the following vote:

Aye: 4 - Boyle, Galloway, Rienstra, and Scanlon

Nay: 2 - Elenbaas, and Stremler

Temp Absent: 1 - Buchanan

10. [AB2026-272](#) Request for motion regarding council meeting procedures for discussion of agenda bill items on the day of introduction

Galloway referred to the memo (on file) and stated Council had made a decision at the end of last year to have items come to the Council in committee for discussion prior to introduction. She stated in some cases it worked really well, but there have also been scenarios in which there has been duplication of discussion. The memo proposes a slightly amended approach to get to the spirit of what they wanted without the duplication and inefficiencies.

Scanlon moved to rescind the motion passed on April 1st, 2025 to require discussion on the day of introduction.

The motion was seconded by Galloway.

Cathy Halka, Clerk of the Council, answered what problem they are trying to solve, and stated the Council sees many agenda items four times (with the current process) and that some of those items do not even have a lot of discussion during those four appearances. Galloway and Scanlon narrowed down a list of items they are concerned about having time to discuss before they are introduced. She stated the purpose of discussion before introduction is to give the opportunity to make substantive changes before an item is introduced and not disrupt its path and schedule. A streamlined approach of narrowing down the list of items Council really wants to discuss on the day of introduction would provide increased efficiency in scheduling meetings during the day and utilizing committee time for discussion.

Councilmembers discussed the motion, benefits of having agenda items before them up to four times, and whether they should hold it.

Scanlon moved to hold this item for a future committee meeting.

The motion was seconded by Galloway.

Scanlon's motion that this be held for a future committee meeting carried by the following vote:

Aye: 7 - Boyle, Buchanan, Elenbaas, Galloway, Rienstra, Scanlon, and Stremler

Nay: 0

Motion approved 7-0 to hold this item for a future committee meeting.

COUNCIL APPOINTMENTS TO ADVISORY GROUPS

1. [AB2026-275](#) Appointments to vacancies on the Whatcom County Ferry Advisory Committee, various positions, Applicant(s) Markis Dee Stidham, Corey Williams, Virgil Thompson, Jonathan King, Susan Hutton

Scanlon moved to appoint Jonathan King to the position of resident of Whatcom County who does not live or own property on Lummi Island, partial term ending January 31, 2028.

The motion was seconded by Boyle.

The motion carried by the following vote:

Aye: 7 - Boyle, Buchanan, Elenbaas, Galloway, Rienstra, Scanlon, and Stremler

Nay: 0

Galloway moved to consider all four applicants for position of applicant that lives or owns property on Lummi Island, partial term ending January 31, 2028, with a vote of one.

The motion was seconded by Scanlon.

Councilmembers discussed the applicants.

Markis (Dee) Stidham was appointed with six votes as follows:

Boyle: Markis Stidham

Elenbaas: Markis Stidham

Galloway: Markis Stidham

Scanlon: Markis Stidham

Stremler: Susan Hutton

Buchanan: Markis Stidham

Rienstra: Markis Stidham

Jonathan King and Markis Dee Stidham were APPOINTED.

Motion approved 7-0 to appoint Jonathan King to the resident of Whatcom County who does not live or own property on Lummi Island. Partial term ending January 31st, 2028.

Appointed Markis Dee Stidham with 6 votes to the vacancy for an applicant who lives or owns property on Lummi Island.

2. [AB2026-297](#) Appointment to a vacancy on the Public Health Advisory Board, Applicant(s): Michelle Gillig

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

Aye: 7 - Boyle, Buchanan, Elenbaas, Galloway, Rienstra, Scanlon, and Stremler

Nay: 0

3. [AB2026-300](#) Appointment to a vacancy on the Business and Commerce Advisory Committee, Marine Trades position, Applicant(s): Rex Rhoades

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

Aye: 7 - Boyle, Buchanan, Elenbaas, Galloway, Rienstra, Scanlon, and Stremler

Nay: 0

CONFIRMATION OF EXECUTIVE APPOINTMENTS TO ADVISORY GROUPS

1. [AB2026-337](#) Request confirmation of the County Executive's appointment of Barry Buchanan to the Veterans Advisory Board

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

Aye: 6 - Boyle, Elenbaas, Galloway, Rienstra, Scanlon, and Stremler

Nay: 0

Abstain: 1 - Buchanan

ITEMS ADDED BY REVISION

There were no agenda items added by revision.

INTRODUCTION ITEMS

Scanlon moved to introduce items one and two. The motion was seconded by Boyle.

Councilmembers voted on the introduction items and then continued to have discussion (see votes on individual items below).

They discussed if **AB2026-339** could be scheduled for the Finance and Administrative Services Committee and then Council for Public hearing, that they have ample time to discuss it, and the process they would follow if they chose to make substantive changes to the ordinance.

1. [AB2026-325](#) Appointment to vacancies on the Lynden/Everson Flood Subzone Advisory Committee, Applicants: Ladd Shumway, Jackie Abercrombie, Luke Wolfisberg (Council acting as the Flood Control Zone District Board of Supervisors)

Scanlon moved and Boyle seconded that the Council Appointment Requiring Introduction be INTRODUCED. The motion carried by the following vote:

Aye: 7 - Boyle, Buchanan, Elenbaas, Galloway, Rienstra, Scanlon, and Stremler

Nay: 0

2. [AB2026-339](#) Ordinance establishing a Ferry District to fund and manage the Lummi Island ferry system

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

Aye: 7 - Boyle, Buchanan, Elenbaas, Galloway, Rienstra, Scanlon, and Stremler

Nay: 0

Enactment No: ORD 2026-024

COMMITTEE REPORTS, OTHER ITEMS, AND COUNCILMEMBER UPDATES

Councilmembers discussed the motion that was approved for AB2026-340 earlier in the evening, and Galloway stated she would not want their preliminary support to be perceived as not having guardrails for moving forward in this conversation because she does not think that is the intent of Council.

Scanlon stated some of them are working on the proposed land back language (Comprehensive Plan) for various reasons.

Galloway stated she thinks the interest would be to remove some of the prescriptive language and to provide some clarity, and then when they consider the preface next week, to strike the term unceded because that has been the feedback they have received.

MOTION FROM COMMITTEE OF THE WHOLE EXECUTIVE SESSION

- [AB2026-342](#) Discussion with Civil Deputy Prosecutor, Jesse Corkern regarding potential litigation and approval of settlement, and separation agreement. [Discussion of this item may take place in executive session (closed to the public) pursuant to RCW 42.30.110 (1) (i)]

Galloway reported for Committee of the Whole Executive Session and **moved** for approval to authorize the appropriation of funds to facilitate the settlement of a personnel matter as discussed in executive session on April 28, 2026 based on the findings that this proposed settlement action is both reasonable and in Whatcom County's best interests.

The motion was seconded by Elenbaas.

The motion carried by the following vote:

Aye: Boyle, Buchanan, Elenbaas, Galloway, Rienstra, Scanlon, and Stremler

Nay: 0

This agenda item was DISCUSSED AND MOTION(S) APPROVED.

Motion approved 7-0 for approval to authorize the appropriation of funds to facilitate the settlement of a personnel matter as discussed in executive session on April 28, 2026 based on the findings that this proposed settlement action is both reasonable and in Whatcom County's best interests.

ADJOURN

The meeting adjourned at 11:51 p.m.

The County Council approved these minutes on May 12, 2026.

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