

Whatcom County Council

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



Minutes - Final

**Tuesday, January 9, 2024
6 PM
Hybrid Meeting**

**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

Dana Brown-Davis, C.M.C.

COUNTY COUNCIL

CALL TO ORDER

Council Chair Barry Buchanan called the meeting to order at 6 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, read from a report (on file in the Meeting Details). He answered how the County is prepared for the upcoming cold weather this week and what people can do to help, whether we have any pre-arranged transportation to get people to somewhere warm, and where people can go to learn to volunteer.

MINUTES CONSENT

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

1. [MIN2023-077](#) Special Council for December 4, 2023

Byrd moved and Galloway 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. [MIN2023-078](#) Committee of the Whole for December 5, 2023

Byrd moved and Galloway 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. [MIN2023-079](#) Regular County Council for December 5, 2023

Byrd moved and Galloway 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. [MIN2023-080](#) Special Council for December 19, 2023

Byrd moved and Galloway 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

OPEN SESSION

The following people spoke:

- Joni Hensley
- Rosemary VanBeek
- Sandra Kisska
- Julie Terry
- Austin Papritz
- Lyle Sorenson
- Sallye Quinn
- Markis Dee Stidham
- Misty Flowers
- Melissa Gragg Wisener
- Charles Bailey
- Matt Berry
- Natalie Chavez

Hearing no one else, Buchanan 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 twenty-two.

Elenbaas requested that item number twenty-two be considered separately.

Donovan amended his motion and **moved** to approve items one through twenty-one. Councilmembers voted on those items (see votes on individual items below).

1. [AB2024-003](#) Request authorization for the County Executive to enter into a contract amendment between Whatcom County and Catholic Community Services to support case management and operations and maintenance at the Francis Place permanent supportive housing facility in the amount of \$314,529 for a total amended contract amount of \$484,570

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. [AB2024-004](#) Request authorization for the County Executive to enter into an interlocal amendment between Whatcom County and the City of Blaine to extend the term of the Jail Use Agreement until December 31, 2024

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

3. [AB2024-005](#) Request authorization for the County Executive to enter into a contract amendment between Whatcom County and Jessica Dubek, DDS of DentAll, PLLC for Inmate Dental Services in the amount of \$80,000 for a total amended amount of \$116,000.00

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

4. [AB2024-007](#) Request authorization for the County Executive to enter into a contract amendment between Whatcom County and Cordant Health Solutions for Jail Alternatives Drug Testing in the amount of \$11,035.00 for a total amended amount of \$68,140.00

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. [AB2024-024](#) Request authorization for the County Executive to enter into an interlocal agreement amendment between Whatcom County and Washington State Department of Social & Health Services Developmental Disabilities Administration to provide services for people with developmental disabilities in the amount of \$609,873 for a total amended agreement amount of \$6,069,370

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

6. [AB2024-025](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and Washington State Parks and Recreation Commission for the Sheriff's Office boating safety program to continue to receive Vessel Registration Fees (VRF) and Recreational Boating Safety (RBS) grant funds

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. [AB2024-026](#) Request authorization for the County Executive to enter into a contract amendment between Whatcom County and Northwest Regional Council for Nursing Services in the Jail and Juvenile Detention in the amount of \$1,924,551.06 for a total amended amount of \$8,357,536.17

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

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

Nay: 0

8. [AB2024-029](#) Request authorization for the County Executive to enter into an interagency agreement between Whatcom County and Washington State Department of Commerce to receive state funds to conduct climate planning activities in association with the 2025 Comprehensive Plan and development regulations update, in the amount of \$475,000

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

9. [AB2024-033](#) Request authorization for the County Executive to enter into a contract amendment between Whatcom County and Lydia Place to provide housing case management services in the amount of \$500,112 for a total amended contract amount of \$1,566,919

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. [AB2024-035](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and Washington State Department of Natural Resources for the collection, processing, and delivery of lidar topographic and bathymetric mapping of the Nooksack and Sumas rivers, in the amount of \$349,600 (Council acting as the Whatcom County Flood Control Zone District Board of Supervisors)

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

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

Nay: 0

11. [AB2024-036](#) Request authorization for the County Executive to enter into a contract between Whatcom County and Marvin Wayne M.D., P.S. for the provision of Medical Program Director services in the amount of \$255,000.00

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

12. [AB2024-037](#) Request authorization for the County Executive to enter into a contract amendment between Whatcom County and Master's Touch LLC to provide printing and mailing of tax statements

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

13. [AB2024-038](#) Request authorization for the County Executive to enter into a contract amendment between Whatcom County and AXIOM Armored Transport to provide armored car services in the amended amount of \$21,600 plus fuel surcharge for a total amended amount of \$58,000 plus fuel surcharge

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. [AB2024-051](#) Request authorization for the County Executive to enter into a three year contract between Whatcom County and PeaceHealth St. Joseph's Medical Center to provide emergency medical services for jail inmates in the amount of \$230,0000 per year

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

15. [AB2023-811](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and City of Everson for Department of Homeland Security FY2022 Operation Stonegarden (OPSG), in the amount of \$12,000.00

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

16. [AB2023-813](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and City of Ferndale for Department of Homeland Security FY2022 Operation Stonegarden (OPSG), in the amount of \$12,000.00

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

17. [AB2023-814](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and City of Lynden for Department of Homeland Security FY2022 Operation Stonegarden (OPSG), in the amount of \$12,000.00
- Donovan reported for the Finance and Administrative Services Committee and moved that the Interlocal be AUTHORIZED BY CONSENT. The motion carried by the following vote:**
- Aye:** 7 - Buchanan, Byrd, Donovan, Elenbaas, Galloway, Scanlon, and Stremler
- Nay:** 0
18. [AB2023-815](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and City of Sumas for Department of Homeland Security FY2022 Operation Stonegarden (OPSG), in the amount of \$12,000.00
- 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
19. [AB2023-816](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and City of Blaine for Department of Homeland Security FY2022 Operation Stonegarden (OPSG), in the amount of \$12,000.00
- 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
20. [AB2023-817](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and Washington Department of Fish & Wildlife for Department of Homeland Security FY2022 Operation Stonegarden (OPSG), in the amount of \$8,000.00
- 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
21. [AB2023-827](#) Request authorization for the County Executive to enter into contract amendments between Whatcom County and Washington State Military Department for Operation

Stonegarden FY21 to extend the end date of the grant agreement, update the grant's personnel contact information and add \$73,125.00 for a total amended contract amount of \$229,417.50

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

22. [AB2023-836](#) Request authorization for the County Executive to enter into a contract amendment between Whatcom County and Northwest Youth Services to provide prevention services that reduce risk to LGBTQ+ youth in the amount of \$25,000 for a total amended contract amount of \$100,000

This item was considered separately below.

CONSENT AGENDA ITEMS CONSIDERED SEPARATELY

22. [AB2023-836](#) Request authorization for the County Executive to enter into a contract amendment between Whatcom County and Northwest Youth Services to provide prevention services that reduce risk to LGBTQ+ youth in the amount of \$25,000 for a total amended contract amount of \$100,000

Donovan moved and Scanlon seconded that the Contract be AUTHORIZED.

Councilmembers discussed the motion, whether the services are just for a certain group, whether that comes at the cost of another group's safety, whether the funding should just be for any individuals that need services, and that the wording of the contract seems vague.

Satpal Sidhu, County Executive, stated this is a group of people that have not been able to be taken care of any other place. We need a place where people can get the help they need.

Galloway stated this is just one of their programs and they do provide services to other groups.

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

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

Nay: 3 - Byrd, Elenbaas, and Stremmler

OTHER ITEMS

(From Council Finance and Administrative Services Committee)

1. [AB2024-001](#) Resolution updating the appendix of the 2022 Comprehensive Economic Development Strategy (CEDS)

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 2024-001
2. [AB2024-002](#) Request for motion to approve the updated Criminal Justice Treatment Account (CJTA) plan

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

Aye: 7 - Buchanan, Byrd, Donovan, Elenbaas, Galloway, Scanlon, and Stremler
Nay: 0
3. [AB2023-822](#) Ordinance adopting two-tenths of one-percent sales and use tax for the purpose of funding public health, safety, and justice facilities and services, including a new county jail, behavioral health, supportive housing, public safety, and criminal justice facilities and programs

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

Aye: 7 - Buchanan, Byrd, Donovan, Elenbaas, Galloway, Scanlon, and Stremler
Nay: 0

Enactment No: ORD 2024-001
4. [AB2023-840](#) Ordinance amending the 2023 Whatcom County Budget, request no 17, in the amount of \$1,400,000

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

Aye: 6 - Buchanan, Byrd, Donovan, Galloway, Scanlon, and Stremler
Nay: 1 - Elenbaas

Enactment No: ORD 2024-002

(From Council Committee of the Whole)

5. [AB2024-063](#) Resolution requesting that the Governor of Washington declare a state of emergency in response to the opioid and fentanyl crisis

Buchanan reported for the Committee of the Whole and **moved** that the SUBSTITUTE Resolution be APPROVED.

Councilmembers discussed the substitute resolution and the amendments that were made in Committee.

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

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

Nay: 0

Enactment No: RES 2024-002

6. [AB2024-064](#) Resolution requesting that the President of the United States declare a federal emergency in response to the opioid and fentanyl crisis

Buchanan moved and Donovan seconded that the SUBSTITUTE Resolution be APPROVED.

Galloway spoke about a scrivener's error in the final statement of the substitute ordinance (it should just say Congress and not "Congress and Senate") and Stremler stated Councilmembers are available to the public to talk about the amendments made.

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

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

Nay: 0

Enactment No: RES 2024-003

COUNCIL APPOINTMENTS TO BOARDS, COMMISSIONS, AND COMMITTEES

1. [AB2024-039](#) Appointments to vacancies on the Birch Bay Watershed and Aquatic Resources Management (BBWARM) District Advisory Committee, Applicant(s): Sherrie Jerrett-Green and Rebecca Hardie (Council acting as the Flood Control Zone District Board of Supervisors)

Donovan moved and Galloway seconded to appoint both applicants.

Councilmembers discussed the motion and asked whether the applicants would like to address the Council but no one did.

Donovan's motion that the Council Appointment be APPOINTED carried by the following vote:

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

Nay: 0

2. [AB2024-040](#) Appointment to a vacancy on the Board of Equalization, Applicant(s): Sonja Merk

Donovan moved and Galloway 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

3. [AB2024-041](#) Appointment to vacancies on the Business and Commerce Advisory Committee, Applicant(s): Heather Steele, Matthew Green

Buchanan stated there are two applicants and three vacancies and one was a late application.

Galloway moved to accept all late applications for all the appointments tonight. The motion was seconded by Scanlon.

The motion carried by the following vote:

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

Nay: 0

Galloway moved and Buchanan 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

4. [AB2024-042](#) Appointment to vacancies on the Child and Family Well-Being Task Force, Applicant(s): Brande Ortiz, Lyn Salazar, Vesla Tonnessen, Megan Juenemann, Sallye Quinn

Buchanan stated there are five applicants and four vacancies.

Galloway moved and Donovan seconded to consider all applicants.

The following applicant addressed the Council (Sallye Quinn spoke earlier during Open Session):

- Megan Juenemann

Councilmembers voted and appointed **Vesla Tonnessen** (7 votes), **Megan Juenemann** (7 votes), **Lyn Salazar** (6 votes), and **Sallye Quinn** (6 votes) as follows:

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

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

Lynn Salazar: 6 - Buchanan, Byrd, Donovan, Scanlon, Galloway, and Stremler

Sallye Quinn: 6 - Buchanan, Donovan, Elenbaas, Scanlon, Galloway, and Stremler

Brande Ortiz: 2 - Byrd and Elenbaas

Jill Nixon, Council Office Staff, stated Councilmembers need to assign term end dates. Three are partial terms ending January 31, 2025 and one is a partial term ending January 31, 2027.

Elenbaas moved to appoint Sallye Quinn to the term ending 1/31/2027. The motion was seconded by Buchanan.

Councilmembers discussed the motion.

The motion carried by the following vote:

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

Nay: 0

This agenda item was APPOINTED.

Appointed Lyn Salazar (6 votes), Vesla Tonnessen (7 votes), Megan Juenemann (7 votes), and Sallye Quinn (6 votes).

Motion approved 7-0 to appoint Quinn to the position ending 1/31/2027.

5. [AB2024-043](#) Appointment to vacancies on the Climate Impact Advisory Committee, Applicant(s): Charles Bailey, Robert Mitchell, Joyce Cooper, Jim Boyle, Jamie Hogue, David Frankel, Eddy Ury, Joshua Williams, Howard Sharfstein

Buchanan stated there are ten applicants and six vacancies.

Jill Nixon, Council Office Staff, stated there was one late applicant (included in the ten).

Buchanan asked if there were any applicants that have not spoken already tonight but there were none.

Councilmembers voted and appointed **Jim Boyle** (7 votes), **Charles Bailey** (6 votes), **Eddy Ury** (6 votes), **Howard Sharfstein** (6 votes), **Robert Mitchell** (6 votes), and **David Frankel** (5 votes) by the following vote:

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

Charles Bailey: 6 - Buchanan, Donovan, Elenbaas, Scanlon, Galloway, and Stremler

Eddy Ury: 6 - Buchanan, Byrd, Donovan, Elenbaas, Scanlon, and Galloway

Howard Sharfstein: 6 - Buchanan, Donovan, Elenbaas, Scanlon, Galloway, and Stremler

Robert Mitchell: 6 - Buchanan, Byrd, Donovan, Scanlon, Galloway, and Stremler

David Frankel: 5 - Buchanan, Byrd, Donovan, Elenbaas, and Stremler

Jamie Hogue: 2 - Byrd and Stremler

Joshua Williams: 2 - Scanlon and Galloway

Joyce Cooper: 1 - Byrd

Barbara Barnes Plourde: 1 - Elenbaas

This agenda item was APPOINTED.

Appointed Jim Boyle (7 votes), Charles Bailey (6 votes), Eddy Ury (6 votes), Howard Sharfstein (6 votes), Robert Mitchell (6 votes), and David Frankel (5 votes).

6. [AB2024-044](#) Appointment to vacancies on the Drayton Harbor Shellfish Protection District Advisory Committee, Applicant(s): George Kaas

Donovan moved and Scanlon 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

7. [AB2024-045](#) Appointment to vacancies on the Flood Control Zone District Advisory Committee, Applicant(s): Dale Buys, Holly O'Neil, Ron Bronsema, Jeff De Jong, John Perry, and Bruce Bosch (Council acting as the Flood Control Zone District Board of Supervisors)

Galloway moved and Byrd 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

8. [AB2024-046](#) Appointment to a vacancy on the Noxious Weed Control Board, Applicant(s): George Kaas

Byrd moved and Galloway 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

9. [AB2024-047](#) Appointment to vacancies on the Public Health Advisory Board, Applicant(s): Sterling Chick, Emily O'Connor, Kelli Carroll, Julie Terry, Joni Hensley

Buchanan stated he was contacted by the Health Department director who requested that the Council only appoint the first two vacancies (Sterling Chick's and Emily O'Connor's) and hold the rest until January 23rd.

Galloway moved to hold the appointment until the next Council meeting on the 23rd.

Councilmembers discussed the motion to hold.

Byrd moved to amend the motion to add that no additional applicants be accepted. The motion was seconded by Elenbaas.

Councilmembers discussed the motion to amend the motion to hold and when the request from the director was received.

The motion to amend carried by the following vote:

Aye: 5 - Stremler, Buchanan, Byrd, Donovan, and Elenbaas

Nay: 2 - Galloway and Scanlon

Councilmembers discussed the motion to hold.

The motion to hold as amended failed by the following vote:

Aye: 0

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

Elenbaas moved and Buchanan 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

Motion approved 7-0 that no additional applicants be accepted (if they vote to hold the item), but the motion to hold the item failed 0-7 so Councilmembers voted on a motion to appoint all applicants.

10. [AB2024-048](#) Appointment to vacancies on the Planning Commission, Applicant(s): James Hansen and Frank James

Donovan moved and Galloway seconded that the Council Appointment be APPOINTED.

Jill Nixon, Council Office Staff, stated that one position (Jim Hansen's) is full term and the other position open is a partial term ending January 31, 2025. When they appoint the two applicants, Jim Hansen will have the full term and Frank James will have the partial term.

Donovan's motion that the Council Appointment be APPOINTED carried by the following vote:

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

Nay: 0

11. [AB2024-049](#) Appointment to vacancies on the Solid Waste Advisory Committee, Applicant(s): William McCarter and Brandi Hutton

Buchanan stated there are two applicants and three vacancies.

Clerk's note: A motion was inadvertently not made for this item while Councilmembers were considering it, but the Councilmembers voted. The clerk came back to it later in the meeting and the Councilmembers officially made a motion. The motion and vote below reflect that later conversation.

Galloway moved and Buchanan 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

ITEMS ADDED BY REVISION

There were no agenda items added by revision.

INTRODUCTION ITEMS

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

1. [AB2024-006](#) Ordinance amending Whatcom County Code Chapter 1.08 (Initiative, Referendum and Recall) to increase the length of the concise description of a ballot title from 30 to 75 words

Donovan moved and Galloway 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

2. [AB2024-027](#) Ordinance establishing a project budget for the Cedar Hills Culvert Replacement Project Fund; SWP #SWLW23-05

Donovan moved and Galloway 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

3. [AB2024-028](#) Ordinance amending the project budget for the Public Safety Radio System Fund, request no. 4

Donovan moved and Galloway 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

4. [AB2024-032](#) Resolution adopting the 2024 Comprehensive Parks, Recreation and Open Space (CPROS) Plan

Donovan moved and Galloway seconded that the Resolution Requiring a Public Hearing be INTRODUCED FOR PUBLIC HEARING. The motion carried by the following vote:

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

Nay: 0

5. [AB2024-034](#) Ordinance amending the 2024 Whatcom County Budget, request no. 3, in the amount of 1,693,840

Donovan moved and Galloway 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

COMMITTEE REPORTS, OTHER ITEMS, AND COUNCILMEMBER UPDATES

The Clerk asked to go back to Council Appointments, item number 11 (**AB2024-049**) because Councilmembers voted on that item but inadvertently did not make a motion.

Galloway moved to appoint the applicants, Buchanan seconded, and they voted again 7-0.

Councilmembers gave Committee reports.

Scanlon reported on Committee of the Whole and **moved** to add House Bill 2276 Real Estate Transfer Tax and House Bill 2114/Senate Bill 5961, Rent Stabilization to the Council's list of legislative priorities. The motion was seconded by Galloway.

Councilmembers discussed the motion.

The motion carried by the following vote:

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

Nay: 3 - Byrd, Elenbaas, and Stremler

Galloway stated she will bring something back in two weeks on another proposed addition to the legislative priorities list regarding forestry efforts to ensure our beneficiaries are receiving the financial support that they need.

Councilmembers continued committee reports.

Councilmembers discussed a substitute version (on file as "Revised MOU 1.09.2024") of the draft memorandum of understanding (MOU) (**AB2024-066**) from the Climate Action and Natural Resources Committee today with the following people:

- Royce Buckingham, Prosecuting Attorney's Office
- Dana Brown-Davis, Clerk of the Council
- Satpal Sidhu, County Executive

They discussed who could be the signers, a scrivener's error on page seven of nine (in the first section B) for Elenbaas' name, what contact information

to include for Elenbaas and Executive Sidhu, the fact that the Executive is authorized to sign the final document, whether it should be signed and sent now, and a scrivener’s error in the title of the document listing just “Whatcom” instead of “Whatcom County.”

Galloway moved to request authorization for the County Executive and Councilmember Elenbaas to sign the Memorandum of Understanding. The motion was seconded by Buchanan.

The motion carried by the following vote:

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

Nay: 0

Elenbaas stated that associated with this same item, he would like to give Parks Director Knox the definition of high-use trails and see how many Whatcom County trails would fit that definition.

Councilmembers spoke about Councilmember updates.

Motion approved 4-3, with Byrd, Elenbaas, and Stemler opposed, to add the following to the legislative priorities: House Bill 2276 Real Estate Transfer, and House Bill 2114/Senate Bill 5961 Rent Stabilization.

Motion approved 7-0 to request authorization for the County Executive and Councilmember Elenbaas to sign the Memorandum of Understanding.

ADJOURN

The meeting adjourned at 8:31 p.m.

The County Council approved these minutes on January 23, 2024.

ATTEST:

WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WA

Dana Brown-Davis, Council Clerk

Barry Buchanan, Council Chair

Kristi Felbinger, Minutes Transcription

SIGNED COPY ON FILE