

# **Whatcom County Council**

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



## **Minutes - Draft Minutes**

**Wednesday, August 6, 2025  
6 PM**

**Hybrid Meeting - Council Chambers**

**HYBRID MEETING (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 Stremmler

### **CLERK OF THE COUNCIL**

Cathy Halka, AICP, CMC

## COUNTY COUNCIL

### CALL TO ORDER

Council Chair Kaylee Galloway called the meeting to order at 6:01 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

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. [MIN2025-042](#) Committee of the Whole Executive Session for July 8, 2025

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

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

**Nay:** 0

**Temp Absent:** 1 - Donovan

2. [MIN2025-043](#) Regular County Council for July 8, 2025

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

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

**Nay:** 0

**Temp Absent:** 1 - Donovan

3. [MIN2025-044](#) Committee of the Whole for July 8, 2025

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

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

Nay: 0

Temp Absent: 1 - Donovan

## **INTRODUCTION ITEMS**

Galloway spoke about why the introduction items were moved to this part of the agenda.

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

Councilmembers discussed the order of the agenda.

1. [AB2025-546](#) Review final project performance on the Community Development Block Grant (CDBG) Public Services Program

**Buchanan moved and Scanlon seconded that the Special Executive Only Item be INTRODUCED FOR PUBLIC HEARING. The motion carried by the following vote:**

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

Nay: 0

Temp Absent: 1 - Donovan

2. [AB2025-549](#) Appointment to a vacancy on the Child and Family Well-Being Task Force, applicant(s): Alycia Francis and Heathe Carson

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

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

Nay: 0

Temp Absent: 1 - Donovan

3. [AB2025-558](#) Ordinance amending the 2025 Whatcom County Budget, request no. 9, in the amount of \$956,986

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

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

Nay: 0

Temp Absent: 1 - Donovan

4. [AB2025-570](#) Appointment to a vacancy on the Board of Equalization, Applicant(s): Wes Van De Mark

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

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

**Nay:** 0

**Temp Absent:** 1 - Donovan

## **PUBLIC HEARINGS**

1. [AB2025-485](#) Ordinance granting Percie Road Water Association a franchise and the right, privilege, and authority thereunder to locate, set, erect, lay, construct, extend, support, attach, connect, maintain, repair, replace, enlarge, operate and use facilities in, upon, over, under, along, across and through the franchise area to allow for the provision of water services

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

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

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

**Nay:** 0

**Temp Absent:** 1 - Donovan

Enactment No: ORD 2025-041

2. [AB2025-487](#) Ordinance granting Point Roberts Water District #4 a franchise and the right, privilege, and authority thereunder to locate, set, erect, lay, construct, extend, support, attach, connect, maintain, repair, replace, enlarge, operate and use facilities in, upon, over, under, along, across and through the franchise area to allow for the provision of water services

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

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

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

**Nay:** 0

**Temp Absent:** 1 - Donovan

Enactment No: ORD 2025-042

3. [AB2025-548](#) Public Hearing for 2025 Coordinated Water System Plan Update

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

Cathy Halka, Clerk of the Council, stated this item does not require a motion but simply that they hold a public hearing. Staff requested this public hearing at an interim point in the plan that they have drafted and they will be coming back to Council for a motion probably in December.

Kimberly Thulin, Prosecuting Attorney's Office, stated it is required by statute that the local department of health have a public hearing prior to this going forward and being forwarded to the State Department of Health.

Elenbaas asked whether they keep the hearing open until September to give a chance for people to comment.

Andy Dunn, RH2 Engineering, stated they have received comments from five entities so far which they will be reviewing and addressing prior to bringing a potentially revised plan back to Council.

Sue Sullivan, Health and Community Services, stated the Water Utility Coordinating Committee will respond to the comments, then they plan on coming back to Council in September with a resolution. Should Council approve that, it goes to the State Department of Health and they have a time period to approve it.

Scanlon asked whether the public comment is open until a certain date, and Sullivan stated today. Scanlon stated there is a Coordinated Water System Plan page on the Health and Community Services website.

Sullivan stated all the comments are posted on that website as well.

Kayla Schott-Bresler, Executive's Office, stated they are planning on bringing it back on September 23rd, and asked if the Council had a preference for which committee it should go to.

Elenbaas stated that either Planning and Development Committee or Public Works and Health Committee works.

**A PUBLIC HEARING WAS HELD (file final).**

**OPEN SESSION**

The following people spoke:

- Adam Bellingar
- John Westerfield
- Dave Chase
- Miriam Karamoko
- Lyle Sorenson
- Natalie Chavez

Hearing no one else, Galloway closed the Open Session.

## **CONSENT AGENDA**

**(From Council Finance and Administrative Services Committee)**

**Buchanan** reported for the Finance and Administrative Services Committee and **moved** to approve Consent Agenda items one through seventeen.

Elenbaas stated he would like to consider Consent Agenda items five (**AB2025-556**) and seven (**AB2025-561**) separately.

Galloway stated the **revised motion** would be item numbers 1-4, 6, and 8-17.

Scanlon spoke about item number 16 (**AB2025-573**) and stated he got a response from Judge Freeman this afternoon regarding questions on that item. This is State reimbursement for cost to our local courts from adjudication. It sounds like there is additional legislative advocacy needed, and that is something he is interested in helping out with.

Stremmler asked questions about item number 11 (**AB2025-567**).

Kirsten Smith, Council Legislative Analyst, answered why there is an extension of one month for the contract and whether there was a deadline for the report.

Stremmler stated he wonders, with the amount of response they have seen, if they should think about going longer than 30 days.

Galloway announced that Donovan had joined the meeting.

Councilmembers voted on the consent items (see votes on individual items below).

1. [AB2025-543](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and Washington State Department of Ecology to provide technical assistance and education outreach to small businesses, in the amount of \$308,750

**Buchanan 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

2. [AB2025-544](#) Request authorization for the County Executive to enter into a contract amendment between Whatcom County and Cowden Brothers Trucking, LLC, vector waste facility for the disposal of waste produced by Whatcom County Public Works vector trucks while providing service to multiple functions within our Maintenance and Operations group in the amount of \$288,000 for a total amended contract amount of \$576,000

**Buchanan 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

3. [AB2025-550](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and Washington State Department of Ecology to remove litter and illegally discarded materials from public lands, in the amount of \$71,400

**Buchanan 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

4. [AB2025-555](#) Request authorization for the County Executive to enter into a cost reimbursement agreement between Whatcom County and the City of Ferndale for participation in the Floodplain Integrated Planning (FLIP) process, including participation on the FLIP Steering Committee, FLIP Team, and FLIP Reach Teams, in the amount of \$30,000 (Council acting as the Whatcom County Flood Control Zone District Board of Supervisors)

**Buchanan 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

5. [AB2025-556](#) Request authorization for the County Executive to enter into a contract between Whatcom County and Columbia Policy Advisors to assist Whatcom County in developing and implementing a legislative advocacy program in the amount of \$86,040

THIS ITEM WAS CONSIDERED SEPARATELY BELOW.

6. [AB2025-557](#) Request authorization for the County Executive to enter into a cost reimbursement agreement amendment between Whatcom County and the City of Everson to increase the budget for participation in the Floodplain Integrated Planning (FLIP) process, including participation on the FLIP Steering Committee, FLIP Team, and FLIP Reach Teams, in the amount of \$30,000 for a total amended amount of \$103,000 (Council acting as the Whatcom County Flood Control Zone District Board of Supervisors)

**Buchanan 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

7. [AB2025-561](#) Request authorization for the County Executive to enter into a grant agreement between Whatcom County and the Washington State Department of Ecology to acquire Phase 2 of the Stewart Mountain Community Forest, in the amount of \$5,517,000

THIS ITEM WAS CONSIDERED SEPARATELY BELOW.

8. [AB2025-562](#) Request authorization for the County Executive to enter into a contract between Whatcom County and Associated Earth Sciences, Inc. to conduct additional monitoring and data collection for a groundwater-surface water interaction study and an investigation into the impacts of agricultural tile drains on stream flows, in the amount of \$77,420 (Council acting as the Whatcom County Flood Control Zone District Board of Supervisors)

**Buchanan 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

9. [AB2025-564](#) Request authorization for the County Executive to amend Whatcom County Contract No. 202005011 between Whatcom County and Runback Election Services, increasing the original contract amount by \$111,428

**Buchanan 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 Stremmer

**Nay:** 0

10. [AB2025-566](#) Request authorization for the County Executive to enter into a contract amendment between Whatcom County and Matrix Consulting Group, Ltd. to evaluate human resources policies and procedures in an amount of \$0 for a total amended contract amount of \$76,500

**Buchanan 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 Stremmer

**Nay:** 0

11. [AB2025-567](#) Request authorization for County Executive to enter into a contract amendment between Whatcom County and Mission Critical Partners, LLC to complete a countywide fire and EMS study, in an amount of \$0 for a total amended contract amount of \$223,056

**Buchanan 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 Stremmer

**Nay:** 0

12. [AB2025-568](#) Request authorization for the County Executive to enter into a contract between Whatcom County and Washington State Criminal Justice Training Commission to continue building an officer wellness program, in the amount of \$50,000

**Buchanan 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 Stremmer

**Nay:** 0

13. [AB2025-569](#) Request authorization for the County Executive to enter into a contract between

Whatcom County and the Executive Office of the President's Office of National Drug Control Policy (ONDCP) to implement the strategy of the Northwest High Intensity Drug Trafficking Area (HIDTA), in the amount \$193,147

**Buchanan 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. [AB2025-571](#) Request authorization for the County Executive to enter into a contract between Whatcom County and the Washington State Department of Commerce to help cover a portion of the Victim/Witness Coordinator position salary and benefits in an amount not to exceed \$52,029

**Buchanan 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

15. [AB2025-572](#) Request authorization for the County Executive to enter into an agreement between Whatcom County and Washington State Department of Children, Youth and Families for reimbursement for daily bed rate for detention services for juveniles committed to Juvenile Rehabilitation, in the amount of \$250 per day

**Buchanan 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. [AB2025-573](#) Request authorization for the County Executive to enter into an agreement between Whatcom County and the Administrative Office of the Courts for reimbursements of costs related to water adjudication, in the amount of \$1,721,200

**Buchanan 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. [AB2025-574](#) Request authorization for the County Executive to enter into an interlocal agreement

between Whatcom County and the Washington State Military Department to receive pass through funding in support of WhatComm 911 in the amount of \$74,045

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

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

**Nay:** 0

### **CONSENT AGENDA CONSIDERED SEPARATELY**

5. [AB2025-556](#) Request authorization for the County Executive to enter into a contract between Whatcom County and Columbia Policy Advisors to assist Whatcom County in developing and implementing a legislative advocacy program in the amount of \$86,040

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

Councilmembers discussed the motion, what it looks like for councilmembers if they get more involved in legislative advocacy, and whether they would be speaking on behalf of the body.

Satpal Sidhu, County Executive, stated this money is totally worth spending because we cannot do the job this person can do. It is necessary from the Administration's perspective.

Elenbaas spoke about why he would vote no on it.

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

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

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

7. [AB2025-561](#) Request authorization for the County Executive to enter into a grant agreement between Whatcom County and the Washington State Department of Ecology to acquire Phase 2 of the Stewart Mountain Community Forest, in the amount of \$5,517,000

***Buchanan* reported for the Finance and Administrative Services Committee and *moved* that the Interlocal be AUTHORIZED.**

Elenbaas spoke about why he would vote no on this item.

Councilmembers voted on the item (see below) and then discussed the

consent agenda as a whole.

After voting on AB2025-561, Elenbaas spoke about the consent agenda as a whole and the several items having to do with investments in science and understanding the interaction between surface water and groundwater.

Satpal Sidhu, County Executive, spoke about ground water and surface water and stated the Nooksack basin is a very unique basin because we have only 20-some miles of river. But the water does recharge aquifers and groundwater. He stated it is important that they not treat surface and ground water as two separate bodies of water. It is important that they consider both inventories as total water availability.

Elenbaas answered which items this discussion refers to and stated Consent Agenda item eight (**AB2025-562**) is a big one, and any of the ones regarding Floodplain Integrated Planning (FLIP). He stated the whole Consent Agenda was kind of themed toward adjudication in some way or another.

**Buchanan's motion that the Interlocal be AUTHORIZED carried by the following vote:**

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

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

## **OTHER ITEMS**

**(From Council Climate Action and Natural Resources Committee)**

1. [AB2025-565](#) Resolution authorizing the Whatcom County Conservation Easement Program staff and Whatcom County Executive to proceed with the acquisition of conservation easements on four properties

**Galloway** reported for the Climate Action and Natural Resources Committee and ***moved*** that the Resolution be APPROVED.

Elenbaas stated on the surface, programs like this seem wonderful but it has been his life experience that these programs can have unintended consequences that are overwhelming for balancing our stated goals. He gave examples and spoke about the issues he has, including the fact that they are taking 57 development rights which are then just gone, that conservations on agricultural land can have a tremendous impact on the ability to farm in the future, and with collecting tax dollars and investing them into that system. He stated he believes they could implement different strategies that would accomplish the same goals.

Stremmer stated he would like to see where this program replaces development rights and that that should be considered by the program and by the Council. He is also concerned about how putting an easement on farmland for conservation could affect the rest of the land and farming activities.

Galloway stated her understanding is that there are buffer requirements around streams systems for salmon recovery and that the program was compensating farmers for the loss of the use of that land in riparian areas.

Stremmer stated it does not mean that that is the best practice for farming.

Scanlon stated they have other mechanisms to address the loss of development rights and housing and spoke about the conversation they had during the Special Council meeting about accelerating the North Bellingham expansion and growth.

Elenbaas stated they do not track development rights being taken and added but they could. In the past there has been State law that has been problematic for the transfer of development right programs, but he thinks there could be a way to fund it privately. He is going to vote no on this program at this time.

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

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

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

Enactment No: RES 2025-023

**(From Council Planning and Development Committee)**

2. [AB2025-533](#) Resolution approving recommendation on application for open space current use assessment

***Elenbaas*** reported for the Planning and Development Committee and ***moved*** that the Resolution be APPROVED.

Elenbaas stated he supports the change that is asked for here. But he spoke about his concern and farming experience and stated he hopes the property owner was not forced to change the designation because the County or drainage district did not do what they were supposed to do to promote the ability to farm.

Scanlon stated this is within Sumas city limits and has to go in front of

Sumas City Council, so he is interested in hearing if it aligns with city plans and, if not, whether there is anything that needs to be modified.

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

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

**Nay:** 0

**Temp Absent:** 1 - Donovan

Enactment No: RES 2025-024

**(No Committee Assignment)**

3. [AB2025-576](#) Request for motion to vote for a county representative for the Washington State Association of Counties (WSAC) Board of Natural Resources

Galloway briefed the councilmembers. She stated that Commissioner Lisa Janicki recently decided to step away from the Board of Natural Resources (BNR) and that triggered a process (outlined in the Memo on file). There are 21 counties that are eligible to vote for a county representative to the BNR and Whatcom County is one of them. The Washington State Association of Counties (WSAC) put together an application process in which they received one applicant, Clallam County Commissioner Randy Johnson, who subsequently presented before interested councilmembers and commissioners last week about his prospective nomination.

***Buchanan moved*** to have Whatcom County place their vote in support of Clallam Commissioner Randy Johnson to represent counties on the (Washington State Association of Counties) Board of Natural Resources.

The motion was seconded by Scanlon.

The motion carried by the following vote:

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

**Nay:** 0

**Abstain:** 1 - Byrd

**Out of the Meeting:** 1 - Donovan

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

Motion approved 5-0, with Byrd abstaining and Donovan out of the meeting, to have Whatcom County place their vote in support of Clallam Commissioner Randy Johnson to represent counties on the (Washington State Association of Counties) Board of Natural Resources.

**COUNCIL APPOINTMENTS TO BOARDS, COMMISSIONS, AND COMMITTEES**

1. [AB2025-518](#) Appointment to a vacancy on the Forest Advisory Committee, position for a forest product manufacturer representing a sawmill that receives wood from Whatcom County, Applicant(s): Adam Ellsworth

Galloway stated they would need to do two separate motions, one to consider a resident outside of Whatcom County and the other to appoint. She stated it is noted in the County code for this position that they can allow people who do not reside within Whatcom County, which is typically a requirement to serve on an advisory group.

***Scanlon moved*** to waive the residency requirement in WCC 2.03.090 for representatives of the commercial forest landowner and manufacturer positions for this committee.

The motion was seconded by Elenbaas.

Cathy Halka, Clerk of the Council, asked which code section the motion cited, spoke about WCC 2.123.040 (F) which is specific to the Forest Advisory Committee, and stated WCC 2.03.090 does give them the ability to waive the requirement.

***Scanlon amended*** the motion to add in WCC 2.123.040 (F).

The motion carried by the following vote:

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

**Nay:** 0

**Out of the Meeting:** 1 - Donovan

**Scanlon moved and Elenbaas seconded that Adam Ellsworth be APPOINTED. The motion carried by the following vote:**

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

**Nay:** 0

**Temp Absent:** 1 - Donovan

Motion approved 6-0, with Donovan out of the meeting, to waive the residency requirement (WCC 2.03.090 and WCC 2.123.040 [F]) for representatives of the commercial forest landowner and manufacturer positions for this committee.

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

1. [AB2025-547](#) Request confirmation of the County Executive's appointment of Henry Fisher 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:** 6 - Buchanan, Byrd, Elenbaas, Galloway, Scanlon, and Stremler

**Nay:** 0

**Temp Absent:** 1 - Donovan

### **ITEMS ADDED BY REVISION**

There were no agenda items added by revision.

### **COMMITTEE REPORTS, OTHER ITEMS, AND COUNCILMEMBER UPDATES**

Buchanan reported for Finance and Administrative Services Committee.

***Buchanan moved*** that they endorse the co-management model that was presented (an ownership model with a non-profit entity with County participation).

The motion **failed** by the following vote:

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

**Nay:** 2 - Stremler and Elenbaas

**Abstain:** 1 - Byrd

**Out of the Meeting:** 1 - Donovan

*Clerk's note:* Councilmembers and staff discussed the outcome of this motion after the vote and then again later in the meeting, but the result did not change.

Kayla Schott-Bresler, Executive's Office, stated without a firm vote from the Council they would plan to proceed with the discussions and negotiations so she is at a loss for what is procedurally the best thing to do.

Councilmembers and the following people discussed whether they should try to reach Donovan (who had joined remotely but was out of the meeting), whether the vote could be reconsidered, and that the topic can come back to the Finance Committee in the future for further discussion and consideration:

- Kimberly Thulin, Prosecuting Attorney's Office
- Kayla Schott-Bresler

Councilmembers continued to give committee reports and gave updates on recent activities and upcoming events.

Councilmembers discussed whether the Council should (and if they are even the right group to do so) clarify the definition of workforce housing for the Economic Development Investment (EDI) board, especially as it relates to area median income (AMI) thresholds.

Kayla Schott-Bresler, Executive's Office, answered whether it would be fair for the councilmembers to make suggestions to the Executive's Office, and she spoke about discussing whether it should be Council or the EDI board that sets policy vision for how EDI money is spent. She stated it is appropriate for the Council to set direction but she would like to have that be a conversation where staff and others present pros and cons of the different ways Council might consider housing spending. They are, however, reaching some time-sensitive decision points with a couple of the projects that have applied for funding, so they would like to do that quickly if they are going to have that conversation and have it impact the decisions for this year.

Cathy Halka, Clerk of the Council, and Kimberly Thulin, Prosecuting Attorney's Office, discussed with the councilmembers the vote that took place earlier related to **AB2025-560** from the Finance and Administrative Services Committee, whether the vote result was actually a passing vote, and whether it could be reconsidered. Elenbaas noted and they determined that, according to Whatcom County Charter 2.22, "Council action shall require at least a majority of the entire Council except where two-thirds vote is required..." so the failing result stands, though they can also make a motion to reconsider.

Galloway stated she does not anticipate the vote count changing if they were to reconsider. They will request that the Executive's Office come back to them with a status update as soon as next month.

MOTION SUMMARY: From Finance and Administrative Services Committee:

Motion failed 3-2, with Byrd abstaining, Donovan out of the meeting, and Elenbaas and Stremmler opposed, that they endorse the co-management model that was presented (an ownership model with a non-profit entity with County participation).

## **ADJOURN**

The meeting adjourned at 8:21 p.m.

ATTEST:

WHATCOM COUNTY COUNCIL  
WHATCOM COUNTY, WA

\_\_\_\_\_  
Cathy Halka, Council Clerk

\_\_\_\_\_  
Kaylee Galloway, Council Chair

Meeting Minutes prepared by Kristi Felbinger