

Whatcom County Council

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



Minutes - Final

**Tuesday, May 12, 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)**

COUNCILMEMBERS

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

CLERK OF THE COUNCIL

Cathy Halka, AICP, CMC

COUNTY COUNCIL

CALL TO ORDER

Council Chair Kaylee Galloway called the meeting to order at 6:03 p.m. in a hybrid meeting.

ROLL CALL

Present: 7 - 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

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

1. [MIN2026-039](#) Special Committee of the Whole for April 7, 2026

Buchanan moved and Scanlon 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. [MIN2026-040](#) Committee of the Whole Executive Session for April 28, 2026

Buchanan moved and Scanlon 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. [MIN2026-041](#) Committee of the Whole for April 28, 2026

Buchanan moved and Scanlon 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

4. [MIN2026-042](#) Regular County Council for April 28, 2026

Buchanan moved and Scanlon 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 Stremmer

Nay: 0

PUBLIC HEARINGS

1. [AB2026-282](#) Resolution declaring Whatcom County Flood Control Zone District personal property, a single-family house, as surplus and approve sale (Council acting as the Flood Control Zone District Board of Supervisors)

Andrew Hester, Public Works Department, briefed the councilmembers and stated the briefing will also cover the next two agenda items. These involve properties that were flood buyouts, and they have been looking into the concept of trying to sell the actual house off the property and have it relocated into an area that is not flood prone. This would be authorizing that sale subject to having the house relocated, and they would go through a bid process with Finance. He answered where the homes (for this item and the next two) are, and he spoke about how they notify people. He answered if the County has to pay to demolish the houses if no one buys them, and stated that is true.

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

Scanlon moved and Rienstra seconded that the Resolution (FCZDBS) Requiring a Public Hearing be APPROVED. The motion carried by the following vote:

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

Nay: 0

Enactment No: RES 2026-015

2. [AB2026-284](#) Resolution declaring Whatcom County Flood Control Zone District personal property as surplus and approve sale (Council acting as Flood Control Zone District Board of Supervisors)

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

Scanlon moved and Boyle seconded that the Resolution (FCZDBS) Requiring a Public Hearing be APPROVED. The motion carried by the following vote:

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

Nay: 0

Enactment No: RES 2026-016

3. [AB2026-286](#) Resolution declaring Whatcom County Flood Control Zone District personal property as surplus and to approve sale (Council acting as the Flood Control Zone District Board of Supervisors)

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

Scanlon moved and Rienstra seconded that the Resolution (FCZDBS) Requiring a Public Hearing be APPROVED. The motion carried by the following vote:

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

Nay: 0

Enactment No: RES 2026-017

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

Galloway opened the Public Hearing and the following people spoke:

- John Kottcamp
- Erin Deinzer
- David Shulman
- Judy Bush
- Pam Gould
- Stephan Schneider
- Michael Byers
- Susan Hutton
- Ben Ihrig
- Robin Richardson
- Lindy Early
- Stuart Rich
- Lisa Wochos
- Barbara Kin
- Terry Diffley
- David Kershner
- Tom Philpot
- Doug Lilyrot
- Richard McClenahan
- Markis Dee
- Naomi Stimpson

- Mary Ross
- Brian Gass
- Joy Gilfilen
- Cynthia Sue Ripke-Kutsagoitz
- Ryan Bowman
- Danielle Gaughen
- Erin Suda

Hearing no one else, Galloway closed the Public Hearing.

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

Councilmembers discussed the motion, that forming a ferry district would potentially keep about \$3 million in the Road Fund, that the vote tonight would create the district and then they would spend time doing a deep dive into finances for the Ferry (both for ongoing operations and for the new boat) to set the tax rate, a fundamental belief that it is the voters who should decide on forming the district, if a ferry taxing district should only include the cities and not the unincorporated county, and that this could disproportionately tax unincorporated residents.

The following people answered questions:

- Jed Holmes, Executive's Office
- Elizabeth Kosa, Public Works Department Director
- Satpal Sidhu, County Executive

They discussed with councilmembers how the governing body will set a levy amount (at a later date) that is sufficient for the provision of ferry services as shown to be required by the budget, that they will have work sessions to determine what the sufficient budget will be, that by forming the district, they are not locked into a number, the difference between the 3rd and 4th BE IT FURTHER ORDAINED statements, that the first statement is about the councilmanic option for the rate and the second is about when it would need to go to voters, that it goes to the ballot if the rate is set over \$.10, that the only step Council is taking tonight is setting a ferry district, and that the Whatcom County Ferry Advisory Committee has off-island positions that are vacant.

Councilmembers voted on the ordinance (see the vote below) and after the vote, they took a short break.

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

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

Nay: 2 - Elenbaas, and Stremler

Enactment No: ORD 2026-024

OPEN SESSION

The following people spoke:

- Derek Gremban
- Karen Miller
- Tamara Lienhart
- Rob Hutchison
- John Lee
- Michael Lynch
- Leah Clark
- Michele Cameron
- LeeAnn Lehni
- Kent Murray
- Allison Zellner
- Cesar Luna
- Booker Laughlin
- John Westerfield
- Jeff Hindman
- Rod Stump
- Marlene Dawson
- Ryan Likkel
- Aaron Sturgeon
- Josh Gardner
- Melina Ivie
- Joe Lynch
- Brian Gass
- Will Holdhusen
- Kit Burton
- Megan Perrin
- Ryan Bowman
- Jim Verberg
- Marinn Young
- Sean Kaylor

- Cynthia Sue Ripke-Kutsagoitz
- Stan Parker
- Kathleen Kloëp
- Caitlin Lara
- Michael Jeppesen
- Livia Klaus
- KL Bentrup
- Julie Jansen
- Edith Field
- Abdullah Nusayr
- Bart Hunter
- Richard Kirkham
- Vadik Vironow
- Luke Van Mullen
- Will Allen
- Delbert Field
- Jackson Pennell
- Tawsha Dykstra Thompson
- Jordan Andersen
- Benny Spencer

Councilmembers took a short break.

- Lance Calloway
- Brian Estes
- Barbara Chase
- John Lesow
- Marvin Mickley
- Jeff Ten Pas
- Chao-ying Wu
- Markis Dee
- Austin Papritz
- Anthony Wells
- Dwayne Engelsman
- Adam Bellingar
- Natalie Chavez
- Barbara Powers
- Lyle Sorenson
- Daniel Rep

- Hannah Ordos
- Miriam Karamoko

Hearing no one else, Galloway closed the Open Session.

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 three. Councilmembers voted on those items (see votes on individual items below).

1. [AB2026-347](#) Request authorization for the County Executive to enter into a contract amendment between Whatcom County and Cascadia Law Group PLLC to increase the maximum consideration in the amount of \$50,000, for a total amended contract amount of \$200,000

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 Stremmer

Nay: 0

2. [AB2026-348](#) Request authorization for the County Executive to enter into a contract between Whatcom County and Cetera Northwest, LLC to provide on-call construction materials testing and materials inspection for Whatcom County Public Works projects in the amount not to exceed \$200,000

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 Stremmer

Nay: 0

3. [AB2026-349](#) Request authorization for the County Executive to enter into a contract between Whatcom County and Sustainable Connections to conduct an innovative waste reduction program for large scale events, in the amount of \$83,588

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 Stremmer

Nay: 0

OTHER ITEMS

(From Council Criminal Justice and Public Safety Committee)

1. [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 Revised Substitute Resolution for 5.12.26 be APPROVED.

Elenbaas moved to amend the resolution to add three whereas statements after the fourth to last whereas statement that read:

WHEREAS, modern correctional facility design recognizes that the physical environment itself materially affects behavioral health outcomes, staff safety, institutional stability, trauma response, recidivism, and the ability to provide effective treatment and programming, and that investments in therapeutic housing environments, behavioral health treatment space, visitation, educational and vocational programming, and trauma-informed architectural design within the jail facility are integral to the Justice Project's goals of improved behavioral health outcomes, reduced recidivism, and successful reentry; and

WHEREAS, the purpose of the replacement jail is not merely to expand incarceration capacity, but to replace an outdated and inadequate facility with one capable of safely and humanely delivering behavioral health treatment, medical care, stabilization services, reentry support, and programming that are not feasible within the constraints of the current facility; and

WHEREAS, the existing Whatcom County Jail was not designed to meet modern standards for behavioral health treatment, medical care, trauma-informed housing, classification, programming, or staff wellness, and the replacement of that facility with one designed to incorporate dedicated behavioral health treatment space, detoxification and medication-assisted treatment capacity, therapeutic and trauma-informed housing environments, visitation and reentry services, educational and vocational programming, and

humane working and living conditions will itself function as a substantial investment in behavioral health benefiting incarcerated individuals, employees, contractors, and the broader community; and

The motion was seconded by Stremmler.

Elenbaas stated they sometimes lose the point that they are not just increasing capacity, but are trying to make the capacity that they do have more functional for behavioral aspects, and that is the purpose of these three statements.

Boyle stated the last part of the last proposed whereas statement "...will itself function as a substantial investment in behavioral health..." might suggest that it is the investment, but she wants to be clear that they are still very committed to the services outside the jail.

Boyle moved to amend Elenbaas' final proposed whereas clause to strike "substantial investment in behavioral health benefiting incarcerated individuals, employees, contractors, and the broader community;" and replace with "foundational component of the community's behavioral health infrastructure, benefiting incarcerated individuals, employees, contractors, and the broader community, but not a substitute for the broader community-based services and supports that must accompany it" so that it would read:

WHEREAS, the existing Whatcom County Jail was not designed to meet modern standards for behavioral health treatment, medical care, trauma-informed housing, classification, programming, or staff wellness, and the replacement of that facility with one designed to incorporate dedicated behavioral health treatment space, detoxification and medication-assisted treatment capacity, therapeutic and trauma-informed housing environments, visitation and reentry services, educational and vocational programming, and humane working and living conditions will itself function as a foundational component of the community's behavioral health infrastructure, benefiting incarcerated individuals, employees, contractors, and the broader community, but not a substitute for the broader community-based services and supports that must accompany it; and

The motion was seconded by Scanlon.

Councilmembers discussed the motion to amend the proposed amendment.

The motion to amend the motion carried by the following vote:

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

Nay: 2 - Stremler and Elenbaas

The amended motion to amend the resolution carried by the following vote:

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

Nay: 1 - Rienstra

Stremler moved to amend the second bullet point on page five to strike "the use of proceeds from any future sale of the LaBounty road property, if such option is feasible, as well as..."

Councilmembers discussed the motion.

Satpal Sidhu, County Executive, stated the Council should leave options open instead of closing options. It should be stricken from here.

Councilmembers discussed that saying if an option is feasible does not seem like they are tying their hands, what they could potentially do with the proceeds of a sale, a desire to honor the small cities' concerns with this amendment, that the original language is just a request to the IPRTF to consider recommendations, and keeping the language as broad as possible.

The motion *failed* by the following vote:

Aye: 2 - Stremler and Elenbaas

Nay: 5 - Boyle, Buchanan, Galloway, Rienstra, and Scanlon

Councilmembers discussed the main motion as amended.

Buchanan's motion that the REVISED SUBSTITUTE Resolution be APPROVED (AS AMENDED) carried by the following vote:

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

Nay: 2 - Elenbaas, and Stremler

Enactment No: RES 2026-018

Approved the "Revised Substitute Resolution for 5.12.26" 5-2 as amended, with Elenbaas and Stremler opposed.

Motion approved 6-1, with Rienstra opposed, to amend to add three whereas statements after the fourth to last whereas statement as amended that read:

WHEREAS, modern correctional facility design recognizes that the physical environment itself materially affects behavioral health outcomes, staff safety, institutional stability, trauma response, recidivism, and the ability to provide effective treatment and programming, and that investments in therapeutic housing environments, behavioral health treatment space, visitation, educational and vocational programming, and trauma-informed architectural design within the jail facility are integral to the Justice Project's goals of improved behavioral health outcomes, reduced recidivism, and successful reentry; and

WHEREAS, the purpose of the replacement jail is not merely to expand incarceration capacity, but to replace an outdated and inadequate facility with one capable of safely and humanely delivering behavioral health treatment, medical care, stabilization services, reentry support, and programming that are not feasible within the constraints of the current facility; and

WHEREAS, the existing Whatcom County Jail was not designed to meet modern standards for behavioral health treatment, medical care, trauma-informed housing, classification, programming, or staff wellness, and the replacement of that facility with one designed to incorporate dedicated behavioral health treatment space, detoxification and medication-assisted treatment capacity, therapeutic and trauma-informed housing environments, visitation and reentry services, educational and vocational programming, and humane working and living conditions will itself function as a foundational component of the community's behavioral health infrastructure, benefiting incarcerated individuals, employees, contractors, and the broader community, but not a substitute for the broader community-based services and supports that must accompany it.

Motion had been approved 5-2, with Stremmer and Elenbaas opposed, to amend Elenbaas' original motion by amending Elenbaas' final proposed whereas clause to strike "substantial investment in behavioral health benefiting incarcerated individuals, employees, contractors, and the broader community;" and replace with "foundational component of the community's behavioral health infrastructure, benefiting incarcerated individuals, employees, contractors, and the broader community, but not a substitute for the broader community-based services and supports that must accompany it." This amendment to the proposed motion to amend the resolution is reflected in the motion above.

(From Council Committee of the Whole)

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

Galloway reported for Committee of the Whole and spoke about the inefficiencies in how they are doing things now.

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

The motion was seconded by Rienstra.

The motion carried by the following vote:

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

Nay: 2 - Elenbaas and Stremler

Scanlon moved to require discussion in committee on the day of introduction for the following: ordinances amending the County budget, ordinances requiring a public hearing, and all official recurring county plans or plan updates.

The motion was seconded by Rienstra.

The motion carried by the following vote:

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

Nay: 1 - Stremler

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

MOTION 1

Motion approved 5-2, with Elenbaas and Stremler opposed, to rescind the motion passed on April 1st, 2025 to require discussion on the day of introduction.

MOTION 2

Motion approved 6-1, with Stremler opposed, to require discussion in committee on the day of introduction for the following: ordinances amending the County budget, ordinances requiring a public hearing, and all official recurring county plans or plan updates.

COUNCIL APPOINTMENTS TO ADVISORY GROUPS

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 to accept late applications.

The motion was seconded by Stremler.

The motion carried by the following vote:

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

Nay: 1 - Elenbaas

Scanlon moved to consider all three applicants and appoint two.

The motion was seconded by Buchanan.

Councilmembers discussed the applicants.

Luke Wolfisberg and Ladd Shumway were appointed by the following vote:

Luke Wolfisberg: 7 - Galloway, Rienstra, Scanlon, Stremmer, Boyle, Buchanan, and Elenbaas

Ladd Shumway: 4 - Galloway, Scanlon, Stremmer, and Buchanan

Jackie Abercrombie: 3 - Rienstra, Boyle, and Elenbaas

This agenda item was APPOINTED.

Motion approved to accept late applications 6-1, with Elenbaas opposed

Appointed Luke Wolfisberg with 7 votes and Ladd Shumway with 4 votes

CONFIRMATION OF EXECUTIVE APPOINTMENTS TO ADVISORY GROUPS

1. [AB2026-350](#) Request confirmation of the County Executive's appointment of Neal Walker to the Food System Committee

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

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

Nay: 0

ITEMS ADDED BY REVISION

There were no agenda items added by revision.

INTRODUCTION ITEMS

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

1. [AB2026-333](#) Ordinance increasing the Petty Cash Revolving Fund for the Parks and Recreation Department, in the amount of \$500

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

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

Nay: 0

Enactment No: ORD 2026-025

2. [AB2026-351](#) Ordinance amending the project budget for the Austin Court Stormwater Improvement Project Fund, request no. 1

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

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

Nay: 0

Enactment No: ORD 2026-026

3. [AB2026-353](#) Ordinance amending the project budget for the North Commercial Street Acquisition, request no. 1

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

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

Nay: 0

Enactment No: ORD 2026-027

4. [AB2026-355](#) Ordinance amending the project budget for the New Public Health, Safety and Justice Facility, request no. 11

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

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

Nay: 0

Enactment No: ORD 2026-028

5. [AB2026-369](#) Ordinance amending the 2026 Whatcom County Budget, request no. 8, in the amount of \$8,914,924

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

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

Nay: 0

Enactment No: ORD 2026-029

6. [AB2026-373](#) Resolution amending the 2026 Flood Control Zone District and Subzones Budget, request no. 3, in the amount of \$34,964 (Council acting as the Whatcom County Flood Control Zone District Board of Supervisors)

Scanlon moved and Rienstra seconded that the Resolution (FCZDBS) be INTRODUCED. The motion carried by the following vote:

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

Nay: 0

Enactment No: RES 2026-019

7. [AB2026-374](#) Ordinance amending the project based budget for the Lummi Nation Ferry Lease Fund-3901, request no. 1

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

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

Nay: 0

Enactment No: ORD 2026-030

8. [AB2026-379](#) Ordinance amending the project budget for the Central Shop National Pollutant Discharge Elimination System (NPDES) Stormwater Improvements Project Fund, request no. 2

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

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

Nay: 0

Enactment No: ORD 2026-031

COMMITTEE REPORTS, OTHER ITEMS, AND COUNCILMEMBER UPDATES

Galloway requested that they not give reports and other updates.

ADJOURN

The meeting adjourned at 11:42 p.m.

The County Council approved these minutes on May 26, 2026.

ATTEST



Cathy Halka, Council Clerk

WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WA



Kaylee Galloway, Council Chair

Meeting Minutes prepared by Kristi Felbinger