

# **Whatcom County Council (Special)**

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



## **Minutes - Draft Minutes**

**Tuesday, May 5, 2026**

**8:45 AM**

**Hybrid Meeting - Council Chambers**

**HYBRID MEETING - ADJOURNS BY 10:10 A.M. (PARTICIPATE IN-PERSON,  
SEE REMOTE JOIN INSTRUCTIONS AT [www.whatcomcounty.us/joinvirtualcouncil](http://www.whatcomcounty.us/joinvirtualcouncil),  
OR CALL 360.778.5010)**

### **COUNCILMEMBERS**

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

### **CLERK OF THE COUNCIL**

Cathy Halka, AICP, CMC

## Call To Order

Council Chair Kaylee Galloway called the meeting to order at 8:46 a.m. in a hybrid meeting.

## Roll Call

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

## Announcements

## Committee Discussion and Action

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

*Scanlon moved* to approve the Substitute Resolution dated 5.5.2026.

Boyle seconded the motion.

Scanlon stated that he worked on updating the resolution with Councilmembers Boyle and Rienstra following the Council meeting on April 28. He provided an overview of changes made from the previous version of the document, such as the inclusion of a list of items Council would like to see prior to any debt authorization.

Rienstra stated that they also added a request that the Executive present a model of a proportionally reduced jail footprint if the 50 percent floor for community services cannot be met within the given budget and current market conditions.

Scanlon continued to highlight changes made from the previous version of the resolution.

*Boyle moved* to amend the resolution by making changes to the bullet points (on page 5) as follows:

- Request the IPRTF/Law and Justice Council (LJC) to develop additional recommendations to fund the Justice Project Implementation Plan services, projects, and programs enumerated in ILA Part II, Section 3(e), including but not limited to the use of proceeds from any future sale of the LaBounty Road property, if such option is feasible, as well as grants, reimbursements, and

excess revenue above conservative baselines; and

- Request the Executive to coordinate state budget lobbying efforts and federal appropriations lobbying efforts between the cities and the County to supplement local funding available for the services, projects, and programs in the Justice Project Implementation Plan; and

Scanlon seconded the motion.

Councilmembers discussed the motion.

Kimberly Thulin, Prosecuting Attorney's Office, suggested adding "as permitted by law" to the second bullet point.

**Boyle amended** her motion to add "as permitted by law" to the end of the second bullet point so that the bullet points read as follows:

- Request the IPRTF/Law and Justice Council (LJC) to develop additional recommendations to fund the Justice Project Implementation Plan services, projects, and programs enumerated in ILA Part II, Section 3(e), including but not limited to the use of proceeds from any future sale of the LaBounty Road property, if such option is feasible, as well as grants, reimbursements, and excess revenue above conservative baselines; and
- Request the Executive to coordinate state budget lobbying efforts and federal appropriations lobbying efforts between the cities and the County to supplement local funding available for the services, projects, and programs in the Justice Project Implementation Plan, as permitted by law; and

Elenbaas stated that he would like to hear the cities' input on the resolution.

Satpal Sidhu, County Executive, stated that the resolution is not grounded in reality, and there are not enough resources to implement everything. He said the resolution seems to dismiss stakeholders such as the sheriff, the police chiefs, the design team, and the Executive's Office.

Scanlon stated that speakers should not speculate about motivations.

Sidhu stated that he does not want to be part of the project because it is doomed to fail due to Council interference.

Elenbaas asked if they could hear from the other elected officials in the

room.

Galloway stated she would prefer to have the officials speak to the whole resolution rather than an individual amendment.

The motion to amend carried by the following vote:

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

Nay: 1 - Stremmler

Scanlon stated that another change from the previous resolution was a request for continued investment in a data dashboard. The resolution also made changes to the final "be it resolved" statement.

Elenbaas stated that the resolution does not seem to address the issues he has heard raised by city officials and others.

Scanlon stated that he agrees with the critique of the work, including that the updated resolution was only released to the public that morning. He said that if Council is not ready to vote yet, they can take more time, as the budget cap has already been approved.

Galloway invited the city mayors to speak.

Kim Lund, City of Bellingham Mayor, said the mayors are responsible for upholding the laws of the state, which requires a right-sized jail. She stated that the mayors are willing to collaborate, but they are feeling unheard in this process. Lund said that there are concerns about the bullet point in the resolution requesting planning for a reduced jail footprint if the 50 percent behavioral health funding target cannot be met.

Greg Hansen, City of Ferndale Mayor, stated that Ferndale residents voted for a right-sized, humane jail without booking restrictions, noting that Ferndale would struggle to sign an interlocal agreement that cannot guarantee the removal of booking restrictions.

John Perry, City of Everson Mayor, stated that the jail has been a topic of conversation for the 17 years he has been in office. He said his biggest job as mayor is public safety, and the project began because there was a shared understanding that a new jail was necessary, but there is a sense that is now being de-prioritized.

Mary Lou Steward, City of Blaine Mayor, stated that every day that a decision is delayed increases the cost of the jail.

Roger Funk, City of Blaine Police Chief, stated that he has been in law enforcement for 30 years, and the need for a new jail has been under discussion for that entire time. He said an individual was re-arrested three times recently but could not be booked into jail because of capacity limitations.

Scott Korthuis, City of Lynden Mayor, stated that the bulk of the community voted for a larger size jail for public safety.

Galloway stated that each person has a perspective about why voters approved the ballot measure in 2023, but no one has the full picture, as voters have individual motivations.

Donnell Tanksley, Whatcom County Sheriff, said the county has been working on this project for many years and the goal posts keep changing. He said he feels he has been symbolically added to committees, but his voice is not valued, and he was not consulted about the concept of a proportionally reduced jail footprint size. He stated that it is impossible to provide a report regarding projected operational costs of the jail given that he does not know how big it will be, how many beds it will have, etc.

Elenbaas stated he would like to hear from the Bellingham Police Department.

Rebecca Mertzig, City of Bellingham Chief of Police, stated that the community expects compassion and accountability, and it's possible to do both, and it requires a right-sized jail.

Scanlon stated that a note in Exhibit A of the resolution emphasizes that construction of the Behavioral Care Center should be considered a behavioral health investment and part of the 50 percent of funds devoted to services. He stated that he apologizes he was not able to talk to everyone in advance of putting forward this resolution, and he understands there are a lot of emotions behind this. He said the resolution does not change the amount of funding Council voted on at their last meeting.

Rienstra stated that the new jail is necessary, and she wants to make sure it meets the needs of staff working in the jail. She said it's also important to spend money in the most fiscally responsible way, and the data shows that services work to reduce recidivism and crime. She said the resolution was a good faith effort to request more options prior to making any debt authorizations.

Stremler stated that he does not want to saddle the next generation with the problem of having to navigate another too-small jail in years to come.

Boyle thanked the mayors for their comments and said that councilmembers are listening and trying to find a middle ground that provides a right-sized jail and needed services so the community will not need to continuously be building bigger and bigger jails.

Buchanan stated he was happy with the original resolution.

Councilmembers continued to discuss the resolution.

***Scanlon moved*** to strike the bullet point that reads "if the 50% floor cannot be met..."

Rienstra seconded the motion.

Kayla Schott-Bresler, Executive's Office, stated that it has taken 20 years to reach this point with the cities, and the administration has concerns about the uncertainty the resolution raises even with the 50% language removed. She said they are looking at debt issuance in spring 2027. She encouraged Council to hold off on a vote to allow more time for discussion.

The motion carried by the following vote:

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

Nay: 0

***Galloway moved*** to hold the resolution until the next (Criminal Justice and Public Safety Committee) meeting on May 12.

Boyle seconded the motion.

Councilmembers discussed the motion to hold.

The motion to hold carried by the following vote:

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

Nay: 2 - Elenbaas and Stremler

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

MOTION 1:

Motion approved to amend the Substitute Resolution 5.5.2026 by making changes to the bullet points on page 5 so that they read as follows:

- Request the IPRTF/Law and Justice Council (LJC) to develop additional recommendations to fund the Justice Project Implementation Plan services, projects, and programs enumerated in ILA Part II, Section 3(e), including but not limited to the use of proceeds from any future sale of the LaBounty Road property, if such option is feasible, as well as grants, reimbursements, and excess revenue above conservative baselines; and
- Request the Executive to coordinate state budget lobbying efforts and federal appropriations lobbying efforts between the cities and the County to supplement local funding available for the services, projects, and programs in the Justice Project Implementation Plan, as permitted by law; and

MOTION 2:

Motion approved to strike the bullet point (on page 4 of Substitute Resolution 5.5.2026) that begins "If the 50% floor cannot be met..."

MOTION 3:

Motion approved to hold the resolution until the next (Criminal Justice and Public Safety Committee) meeting on May 12.

**Items Added by Revision**

There were no agenda items added by revision.

**Other Business**

There was no other business.

**Adjournment**

The meeting adjourned at 10:20 a.m.

ATTEST:

WHATCOM COUNTY COUNCIL  
WHATCOM COUNTY, WA

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Cathy Halka, Council Clerk

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Kaylee Galloway, Council Chair

Meeting Minutes prepared by Jenna Gernand