

Whatcom County Council Committee of the Whole

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



Committee Minutes - Draft Minutes

Tuesday, September 9, 2025

1 PM

Hybrid Meeting - Council Chambers

HYBRID MEETING - ADJOURNS BY 4:30 P.M. (PARTICIPATE IN-PERSON, SEE REMOTE JOIN INSTRUCTIONS AT www.whatcomcounty.us/joinvirtualcouncil, OR CALL 360.778.5010); AGENDA REVISED 9.5.2025

COUNCILMEMBERS

Barry Buchanan
Tyler Byrd
Todd Donovan
Ben Elenbaas
Kaylee Galloway
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 1:16 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

Announcements**Special Presentation**

1. [AB2025-534](#) Presentation by Health and Community Services Department and VillageReach on Permanent Supportive Housing Assessment

Chris D’Onofrio, Health and Community Services, introduced the presenters.

The following people read from a presentation (on file):

- Alina Metji, VillageReach
- Emily Gibson, VillageReach

The speakers and the following additional person answered questions:

- Ann Beck, Health and Community Services

Councilmembers and the speakers discussed which facilities were not aligned with best practices, areas (tenant lease, permanent supportive housing [PSH] units that are clustered in one building as opposed to being scattered and integrated into the community, and wellness checks not being standardized) in which some programs were not aligned with best practices, which of the report recommendations Health and Community Services is currently taking on, and which they may need Council’s help with. They discussed getting more information on the causes of death from things other than overdose so they can better understand the trends and how they are related to lifestyle, how deaths are reported (aggregated as opposed to by individual facility) and how they figure into data regarding exits from PSH programs, a concern that helping community members become happier, healthier, and productive citizens is not a stated goal, a concern about the finding that few programs regularly used their data for quality improvement, and the opinion that it is up to the programs to find opportunities to report on their strengths.

Councilmembers discussed the need for more time on this topic to discuss how PSH is supporting and serving the community, and whether there are

opportunities to improve, and Galloway stated she would work with the Clerk of the Council to map out options for scheduling more time in a future meeting.

This agenda item was PRESENTED.

2. [AB2025-577](#) Presentation on the draft Whatcom County Land Capacity Analysis for Permanent Housing and Employment Needs Methodology and the draft Whatcom County Comprehensive Plan Land Capacity Analysis Methodology for Emergency Housing
- Matt Aamot, Planning and Development Services Department, introduced the presentation.

Andrew Oliver, Leland Consulting Group, read from a presentation (on file).

The above speakers and the following additional person answered questions:

- Chris Behee, City of Bellingham

They discussed whether the analysis accounts for things such as concomitant agreements, Council Ordinances, or overlays which might keep otherwise developable land from being developed and whether the Planning and Development Department keeps an inventory of those types of things, that removal of parcels for reasons like those happened on a jurisdiction-by-jurisdiction basis where parcels were known to be undevelopable, which recommendations they received from the Planning Commission or public that they are not taking on, how deductions from land capacity were determined and that the City of Bellingham tried to be as conservative and realistic as possible in its calculations so as not to overestimate their supply, how City staff created a layer of staff-derived wetlands that were included in the capacity-subtraction exercise, how accurate cities need to be in their land capacity analysis and how that affects what they need to do with urban growth area (UGA) expansions, that they do a buildable lands check-in every fifth year of the planning period so they can evaluate their estimates and make any needed policy adjustments, whether Planning has ten-year data on actual applications for building and what percentage of the land was deemed as buildable and whether our projections are in line with that data, and addressing actual (and unexpected) costs of developing and housing in the Comprehensive Plan.

Galloway asked how the councilmembers would like to proceed with the remaining agenda items because of time constraints, and councilmembers concurred that they should focus on the Comprehensive Plan items.

Aly Pennucci, Executive's Office, stated the presentation she prepared

regarding the mid-biennium budget would be hard to do in 15 minutes anyway, so **AB2025-509** was removed from today's discussion.

This agenda item was PRESENTED.

Committee Discussion

1. [AB2025-552](#) Discussion of preliminary Planning Commission recommendations on Whatcom County Comprehensive Plan Chapter 4, Capital Facilities, associated with the 2025 Comprehensive Plan Update

Matt Aamot, Planning and Development Services Department, read from the memo (on file).

Donovan stated he is confused by the Planning Commission's recommendation to add text to Goal 4K relating to the effect of school and fire district fees on home affordability.

Donovan moved to restore the original language for Goal 4K so that it reads:

Enable school districts and fire districts to receive mitigation fees or impact fees to fund a proportionate share of system improvements reasonably related to new development by adopting into this plan their capital facilities plans.

The motion was seconded by Scanlon.

Councilmembers discussed the motion and that it does not make sense to have a narrative or opinion statement in a policy document.

The motion carried by the following vote:

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

Nay: 0

Scanlon spoke about a stormwater study for Point Roberts that Public Works invested in, though there is no clear plan yet for what type of district or funding mechanism to use, and he asked whether there should be some type of hook in this chapter to make sure they get that done.

Aamot stated they could put text in there or they could just docket an amendment to incorporate that study into the Comprehensive Plan.

Scanlon asked whether there has been mention in the past of drainage and diking districts here (there is no mention now) or whether it is something

other counties do.

Aamot stated they have not historically included those in the County's capital facility plan.

Scan stated there is also no mention of adjudication, or adjudication-related solutions.

Aamot stated this is capital facility planning, and adjudication might be mentioned in other chapters, but they can look at the definition of capital facilities to see if it fits possible adjudication-related infrastructure projects.

Councilmembers and Aamot discussed finding out where other counties address water storage or diking and draining since those are man-made infrastructure, whether the Comprehensive Water System Plan should be referenced, whether mention of future annexation should be included in Policy 4A-2 in a manner that supports future potential annexation by the cities, and whether that would handcuff the County into paying for that.

Galloway moved to amend Policy 4A-2 to add "and facilitates potential city annexation" so that it reads:

Policy 4A-2: Provide County facilities and services in a manner that supports future urban growth in urban growth areas (UGAs) and facilitates potential city annexation.

The motion was seconded by Donovan.

Councilmembers and Aamot discussed what is meant by the word "facilities," in the way it is currently written.

The motion carried by the following vote:

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

Nay: 0

Galloway spoke about goal 4D and asked if anyone has reviewed it and its policies under the lens of Justice Project work to make sure that what they are planning in the Comprehensive Plan and Justice Project documents are consistent with each other.

Aamot stated they sent this draft to the sheriff and the chief of corrections and did not receive comments on it.

Galloway spoke about Policy 4F-2 and having enhanced tribal engagement and consultation on these matters. A potential amendment would be to add tribes to the list of those the County partners with and to add a sentence that reads, "Make a good faith effort to consult with Lummi Nation and Nooksack Indian Tribe on relevant land acquisitions and the development of new trails and other recreational facilities that may have an impact on their cultural resources."

Scanlon stated he would like to add non-profits to the list as well.

Bennett Knox, Parks and Recreation Department Director, answered whether the amendment would be consistent with what the County is already doing and required to do if they are buying land for parks or trails, and stated he thinks it is consistent, so he is generally supportive of the language Galloway and Scanlon are proposing.

Galloway moved to amend Policy 4F-2 to add tribes and non-profit stakeholders to the list in the second sentence, and to add a new sentence to the end of the policy so that it reads:

Seek non-capital opportunities to acquire, enhance and maintain park lands, trails, and other recreational facilities. Consider partnering with tribes, cities, school districts, park & recreation districts, non-profit stakeholders, and others when planning and implementing park and trail projects. Make a good faith effort to consult with Lummi Nation and Nooksack Indian Tribe on relevant land acquisitions and the development of new trails and other recreational facilities that may have an impact on their cultural resources.

The motion was seconded by Scanlon.

Councilmembers, Bennett, and Aamot discussed whether the tribes have hinted that this is something the County is *not* doing, that there is an increased interest in government-to-government consultation and in matters involving public lands, making sure they are not speaking for tribes and that they ask the tribes if this is what they would like, and whether they should present the tribes with a draft of all the chapters prior to Council's final approval to make sure it meets their expectations and interests, or whether the County should ask the tribes what specifically they would like included in the plan first and then go from there.

Kayla Schott-Bresler, Executive's Office, stated the Administration is happy to follow up with the Lummi Nation to let them know the status of the

Comprehensive Plan and the openness for continued consultation as part of the process.

The motion carried by the following vote:

Aye: 5 - Donovan, Elenbaas, Galloway, Scanlon, and Buchanan

Nay: 2 - Stremmler and Byrd

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

Motion approved to restore the original language for Goal 4K so that it reads:

Enable school districts and fire districts to receive mitigation fees or impact fees to fund a proportionate share of system improvements reasonably related to new development by adopting into this plan their capital facilities plans.

Motion approved to amend Policy 4A-2 to add "and facilitates potential city annexation" so that it reads:

Policy 4A-2: Provide County facilities and services in a manner that supports future urban growth in urban growth areas (UGAs) and facilitates potential city annexation.

Motion approved to amend Policy 4F-2 to add tribes and non-profit stakeholders to the list in the second sentence, and to add a new sentence to the end of the policy so that it reads:

Seek non-capital opportunities to acquire, enhance and maintain park lands, trails, and other recreational facilities. Consider partnering with tribes, cities, school districts, park & recreation districts, non-profit stakeholders, and others when planning and implementing park and trail projects. Make a good faith effort to consult with Lummi Nation and Nooksack Indian Tribe on relevant land acquisitions and the development of new trails and other recreational facilities that may have an impact on their cultural resources.

2. [AB2025-601](#) Discussion relating to preliminary Planning Commission recommendations on Whatcom County Comprehensive Plan Chapter 9 (Parks & Recreation) associated with the 2025 Comprehensive Plan Update

The following people briefed the councilmembers on the proposed changes in this chapter:

- Mark Personius, Planning and Development Services Department Director
- Bennett Knox, Parks and Recreation Department Director

Councilmembers and the speakers discussed that there is not much talk in the chapter about winter outdoor recreation, and that it is because they did not get to have engagement with the community on that topic with the last Comprehensive Parks, Recreation & Open Space Plan (CPROS) update, but they are looking to have it with the next one. They discussed the chapter nine maps, whether there is coordination with the Pacific Northwest Trail Association or federal agencies around their plans regarding the Pacific Northwest National Scenic Trail and maybe getting some of that work into our maps, what the best way is for someone who wants to work on a specific

trail plan to get something in here (even if it is just a hook for the future), the difference (on the maps) between trails that are in place and trails that are sanctioned, the status of the Lake Whatcom Loop Trail and the Bellingham-Mt. Baker Trail, why the chapter states there is a trail deficit of approximately 68 miles and why a city trail would not be counted in the level of service or trail inventory for Whatcom County residents, having an inventory of how much open space we have when talking about parkland and places for people to recreate, what percent of the saltwater shoreline currently has public access and how close we are to achieving the 15 percent goal as stated in Policy 9E-1, the possibility of expanding the seasonal limitations listed in Policy 9C-4 to also include development and expansion of trails and not just use, spelling out the acronym for Army Corp of Engineers in Policy 9C-11, and adding a catch all phrase to Policy 9C-28 to cover other things that might damage the environment.

Galloway moved to amend Policy 9C-28 to add “and incompatible uses that damage the environment” so that it reads:

Ensure adequate education and enforcement of County regulations to minimize activities such as illegal trail building, off-leash dogs in on-leash areas, improper disposal of pet waste, and incompatible uses that damage the environment.

The motion was seconded by Donovan.

Councilmembers discussed the motion.

The motion carried by the following vote:

Aye: 5 - Galloway, Scanlon, Stremmer, Buchanan, and Donovan

Nay: 1 - Byrd

Abstain: 1 - Elenbaas

Galloway moved to amend the first paragraph under “Off Road Vehicle Riding Areas,” starting on the bottom of page 9-14 and continuing on page 9-15, so that it reads:

The County should regulate and manage where off-road vehicle (ORV) riding may occur, prioritizing community and user safety and the protection of property, environment, and natural and cultural resources. The County twice attempted to develop an area for exclusive ORV use, but both proposals were met with controversy and not pursued. Unfortunately, ORV riding still occurs in many instances on land not suitable for that use and without the owner's permission. The end result is that ORV riding is impacting neighbors, harming the land and environment in which riding occurs,

and is in general creating conflict with less intrusive recreational activities.

The motion was seconded by Elenbaas.

She stated she would like the Comprehensive Plan to affirm that there is a demand for ORV recreation, and that people will do it anyway if the County prohibits it in every space, so they need to give space where they allow it.

Councilmembers discussed the motion, that there is a good amount of narrative or opinion in the language, and whether this could be interpreted as some kind of enforcement.

Scanlon suggested a friendly amendment to just have the first sentence:

The County should regulate and manage where off-road vehicle (ORV) riding may occur, prioritizing community and user safety and the protection of property, environment, and natural and cultural resources.

Galloway accepted the friendly amendment but stated there is more work to do as a whole in this section. **She withdrew** her motion so she and Councilmember Scanlon can hash out the language.

Councilmembers discussed whether the reference to the Plantation Rifle Range (under “Activity Centers”) should be included since they do not know the future of that facility yet, and that it would be helpful to have the proposed changes to Comprehensive Plan chapters color coded by proposer.

Personius stated the Word version shows who makes the comments and he spoke about scheduling Chapter 7 for review on September 23. He stated the Planning Commission will have public hearings on all the urban growth area (UGA) and rural resource land proposals this Thursday night (September 11).

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

Motion approved to amend 9C-28 to add “and incompatible uses that damage the environment” so that it reads: Ensure adequate education and enforcement of County regulations to minimize activities such as illegal trail building, off-leash dogs in on-leash areas, improper disposal of pet waste, and incompatible uses that damage the environment.

3. [AB2025-509](#) 2025-2026 Mid-Biennium Budget Review

See discussion regarding withdrawing this item from today’s agenda at the end of **AB2025-557**.

This agenda item was NOT ACTED UPON.

Items Added by Revision

1. [AB2025-620](#) Request confirmation of the County Executive's appointment of Champ Thomaskutty as Director of Whatcom County Health & Community Services Department, effective October 27, 2025

Kayla Schott-Bresler, Executive's Office, introduced Champ Thomaskutty.

Thomaskutty addressed the councilmembers.

Councilmembers discussed the thorough appointment process, and appreciation for Charlene Ramont, the Health and Community Services Department Interim Director, and they asked questions.

Thomaskutty answered what his philosophy is on handling information as it relates to communication with the Councilmembers and other elected officials, and as it relates to providing information to the public, and what goals and programs he would like to focus on for our Health Department.

This agenda item was DISCUSSED.

2. [AB2025-638](#) Resolution amending Resolution 2025-013 to docket an additional comprehensive plan and zoning amendment related to related to Whatcom County Code Chapter 20.40 to include agriculture storage as a primary permitted use

Elenbaas briefed the Councilmembers on the resolution. He stated he included the exact language that he would like to see for this docketed item (see "Draft Ordinance for discussion" on file) to solve the problem that is being addressed. That language is going to the Planning Department and his intention is that it will be done quickly. One of his primary thoughts is that they need to promote and protect the ability to farm and for agriculture to be the highest and best use of the land. The identified problem is that agricultural storage buildings are accessory uses, which typically follow the same permitting path as primary uses. He stated the problem arises when primary use is not on that parcel, and he gave an example of needing to build a potato storage facility outside of the floodplain, which would be on a parcel where they are not actually growing the potatoes, and that it then requires a conditional use permit. The proposed resolution does not change any code language but gets the process started by amending the docket.

Donovan moved and Buchanan seconded that the Resolution be RECOMMENDED FOR APPROVAL. Councilmembers voted on the motion (see below).

After the vote, Mark Personius, Planning and Development Services Department Director, stated that Planning and Development Services has no objections to the docket amendment.

Donovan's motion that the Resolution be RECOMMENDED FOR APPROVAL carried by the following vote:

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

Nay: 0

Other Business

There was no other business.

Adjournment

The meeting adjourned at 4:33 p.m.

ATTEST:

WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WA

Cathy Halka, Council Clerk

Kaylee Galloway, Council Chair

Meeting Minutes prepared by Kristi Felbinger