

**Whatcom County  
Council Committee of the Whole**

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



**Committee Minutes - Final**

**Tuesday, December 9, 2025**

**2:30 PM**

**Hybrid Meeting - Council Chambers**

HYBRID MEETING - MAY BEGIN EARLY - ADJOURNS BY 4:30 P.M.  
(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 Stremier

**CLERK OF THE COUNCIL**

Cathy Halka, AICP, CMC

## Call To Order

Council Chair Kaylee Galloway called the meeting to order at 3:12 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

## Committee Discussion

1. [AB2025-513](#) Presentation by the Whatcom County Planning and Development Services Director and discussion relating to preliminary preferred alternatives for the Final Environmental Impact Statement (EIS) associated with the 2025 Comprehensive Plan Update  
Galloway stated because of time, they would not be discussing this item.  
**This agenda item was NOT ACTED UPON.**
2. [AB2025-701](#) Discussion of proposed amendments to the 2025 Comprehensive Plan Update  
Galloway stated because of time, they would not be discussing this item.  
**This agenda item was NOT ACTED UPON.**

## Committee Discussion and Recommendation to Council

1. [AB2025-779](#) Ordinance amending Whatcom County Code 2.02, County Council, to change the membership and quorum requirements of all standing council committees  
**Scanlon moved** that the Ordinance be RECOMMENDED FOR ADOPTION.  
He stated at their last meeting they discussed the idea (if they go to seven members) of having three council members who are taking the lead in each committee.  
  
He stated they could amend the second sentence in section 2.02.080 (Standing Committees - Membership) to add:  
  
Each committee shall have a chair, a first vice chair, and a second vice chair.  
  
Scanlon stated the intention is that the first vice chair would step in if the chair is away, and the second vice chair would act as the backup.  
  
**Scanlon moved** to amend the proposed ordinance under section 2.02.080 after the line that says, "All seven councilmembers shall serve on all

council standing committees,” to add, “Each council standing committee shall have a chair, first vice chair, and a second vice chair.

*Galloway suggested* a friendly amendment which would be to amend the second sentence to say:

The committee members shall be responsible for election of a chairperson, up to two vice chairs, and its internal organization.

*Scanlon accepted* the friendly amendment.

Galloway seconded the motion to recommend for adoption and the motion to amend.

Councilmembers discussed that the committees would have more chairs than the Council body as a whole has so that there are three people who are dedicated to the issues of each committee, that those three people could then meet and work on issues when they are not subject to the Open Public Meetings Act (OPMA), that there may be opportunity for disfunction with this structure, that it may be a way to build someone into leadership, that it might be a way to give the minority a voice, a preference to keep the three-member structure to divvy the work up, and how the chairs could be determined.

Kimberly Thulin, Prosecuting Attorney's Office, stated she wanted to clarify that they are not intending to circumvent the Open Public Meetings Act because it is her understanding that it is not the intent behind this proposal.

Galloway repeated the motion and stated it is to amend the second sentence in section 2.02.080 (Standing Committees - Membership) to read:

The committee members shall be responsible for election of a chairperson, up to two vice chairs, and its internal organization.

The motion to amend carried by the following vote:

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

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

Councilmembers discussed that maybe the new, incoming councilmembers would have wanted to weigh in on this, and that the intention was to have it decided before the annual reorganization of the Council.

**Scanlon's motion that the Ordinance be RECOMMENDED FOR**

**ADOPTION WITH PROPOSED AMENDMENT(S) carried by the following vote:**

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

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

Motion approved to amend the second sentence in section 2.02.080 (Standing Committees – Membership) to read: The committee members shall be responsible for election of a chairperson, up to two vice chairs, and its internal organization.

2. [AB2025-813](#) Resolution amending Resolution 2025-027 to docket an additional Comprehensive Plan and zoning amendment related to Whatcom County Code 20.51 to strengthen protection of the Lake Whatcom Watershed

Galloway stated this is being sponsored by her and by Councilmember Donovan, and she briefed the councilmembers on the resolution. She stated the idea behind this is to strengthen our phosphorus neutral development codes and to seek alignment with the City of Bellingham. The other element is the idea of doing expanded homeowner education and outreach, and inspection of private stormwater systems. It has been left open though to give the Planning Department a chance to work on it.

*Donovan moved* and Scanlon seconded that the Resolution be RECOMMENDED FOR APPROVAL.

Councilmembers discussed the motion, the goal of alignment of Bellingham and County codes and that they will likely not be completely the same because of property sizes, a problem with creating a phosphorus neutral standard if this would naturally be a “phosphorus dump” even in the absence of humans, a concern that this will add a lot of cost with very little measurable outcome, that Lake Whatcom is a potential drinking water source for more people in the county so it makes sense to invest in the health of the lake, whether correlation to water quality and fiscal notes can be included alongside the regulations, that there are several changes in the resolution and that the council should be discussing each of them, that there are goals in the Lake Whatcom Watershed Management Plan about gathering data on stormwater to see what is working or not in stormwater systems and using that to inform code and policy, and what part Skagit County might play since a small portion of the watershed is in that county.

Aly Pennucci, Executive's Office, answered whether the City of Bellingham will also be making changes to their code to reach alignment. She spoke about coordinating with the City so the County does not adopt something that is still inconsistent, except where it makes sense because of different lot sizes.

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

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

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

3. AB2025-826 Resolution certifying Whatcom County's property tax levies for collection in 2026 to the County Assessor

Galloway stated there is a substitute version and this formalizes the decisions the council has made.

*Scanlon moved* and Buchanan seconded that the SUBSTITUTE Resolution be RECOMMENDED FOR APPROVAL.

Galloway answered whether this is for the cemetery districts that did not submit in time for the December 1st meeting, and stated this is just certifying the county levies.

**Scanlon's motion that the SUBSTITUTE Resolution be RECOMMENDED FOR APPROVAL carried by the following vote:**

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

**Nay:** 1 - Elenbaas

**Items Added by Revision**

There were no agenda items added by revision.

**Other Business**

Galloway stated they heard back from Cemetery District Seven, submitting a proposed levy.

Cathy Halka, Clerk of the Council, stated they received a submittal from Cemetery District Seven today, and she has issued a second agenda revision for the council evening meeting agenda to add an item to recertify the levy amounts to the Assessor, including Cemetery District Seven.

Kimberly Thulin, Prosecuting Attorney's Office, answered whether this is permissible, and stated the statutory deadlines for the taxing districts have been legally determined to be remedial in nature and not mandatory. But if the taxing district misses a deadline, they are limited to the amount that was assessed the previous year. So, in this instance, it is legally permissible for the Council to consider this proposal to add in District Seven, however, it would be limited to the amount that was previously levied last year.

Clerk's note: **AB2025-883** was added by revision under the "Items Added by Revision" header of tonight's council meeting.

**Adjournment**

The meeting adjourned at 3:51 p.m.

The County Council approved these minutes on January 13, 2026.

ATTEST:



WHATCOM COUNTY COUNCIL  
WHATCOM COUNTY, WA

  
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Kaylee Galloway, Council Chair

Meeting Minutes prepared by Kristi Felbinger