

# **Whatcom County Council**

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



## **Minutes - Draft Minutes**

**Tuesday, May 13, 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), AGENDA REVISED 5.9.2025

### **COUNCILMEMBERS**

Barry Buchanan  
Tyler Byrd  
Todd Donovan  
Ben Elenbaas  
Kaylee Galloway  
Jon Scanlon  
Mark Stremler

### **CLERK OF THE COUNCIL**

Cathy Halka, AICP, CMC

## COUNTY COUNCIL

### CALL TO ORDER

Council Chair Kaylee Galloway called the meeting to order at 6:02 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

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

1. [MIN2025-027](#) Committee of the Whole for April 29, 2025

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

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

**Nay:** 0

2. [MIN2025-028](#) Regular County Council for April 29, 2025

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

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

**Nay:** 0

3. [MIN2025-029](#) Committee of the Whole Executive Session for April 29, 2025

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

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

**Nay:** 0

4. [MIN2025-030](#) Special Committee of the Whole for April 22, 2025

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

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

**Nay:** 0

### **OPEN SESSION**

The following people spoke:

- Adam Bellingar
- Dave Chase
- Leslie Dempsey
- Daniel Harm
- Jeff Smith
- Jim Coats
- Liam Reed
- Rebecca Judd
- Natalie Chavez
- Markis Dee Stidham
- Alik Herreshoff
- Gilbert Williams
- Linde Risdon
- Janice Holmes
- Misty Flowers
- Katherine Orłowski
- Melissa Gragg
- Michi Marcher
- Sheriff Donnell Tanksley
- Pamela Gould

Hearing no one else, Galloway closed the Open Session.

### **CONSENT AGENDA**

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

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

Elenbaas stated he appreciated the questions asked in committee on Consent Agenda item number two (**AB2025-354**).

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

1. [AB2025-347](#) Request authorization for the County Executive to enter into Amendment No. 1 of the Interagency Agreement between Whatcom County and the Washington State Department of Health to provide additional funding for the Whatcom County Pollution Identification and Correction (PIC) Program, in the amount of \$1,536,380 for a total amendment amount of \$3,015,374 (Council acting as the Whatcom County Flood Control Zone District Board of Supervisors)

**Donovan 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

2. [AB2025-354](#) Request authorization for the County Executive to enter into a contract amendment between Whatcom County and Mobile Mama Strategies, Inc to administer a mental health internship pilot project in the amount of \$133,100, for a total amended contract amount of \$297,335

**Donovan 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. [AB2025-360](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and U.S. Department of Agriculture, Forest Service for reimbursement of overtime patrols, in the amount of \$21,900

**Donovan 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. [AB2025-363](#) Request authorization for the County Executive to enter into a contract between Whatcom County and Siemens Industry, Inc. to provide the 2025 - 2027 Service Agreement for HVAC Service, in the amount of \$120,096 plus applicable Washington State Sales Tax

**Donovan 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

5. [AB2025-364](#) Request approval for the County Executive to authorize the purchase of radios, related installation parts, and programming, using the Washington State Contract #00318, in an amount not to exceed \$100,000 per calendar year for 2025 and 2026

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

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

**Nay:** 0

6. [AB2025-369](#) Request approval for the County Executive to authorize the purchase of a RapidHIT™ ID Sytem, using the Washington State Contract #20722. The vendor is Thermo Fisher Scientific/Life Technologies Corporation, and the total cost for this purchase will not exceed \$210,784.83

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

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

**Nay:** 0

7. [AB2025-370](#) Request authorization for the County Executive to enter into a contract between Whatcom County and Bode Technology for DNA training, analysis, and result storage, in the amount of \$70,000

**Donovan 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

## **OTHER ITEMS**

**(From Council Public Works and Health Committee)**

1. [AB2025-328](#) Resolution adopting an amendment to the Whatcom County Comprehensive Solid and Hazardous Waste Management Plan

**Scanlon reported for the Public Works and Health Committee and moved that**

**the Resolution be APPROVED. The motion carried by the following vote:**

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

**Nay:** 0

Enactment No: RES 2025-018

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

1. [AB2025-350](#) Request confirmation of the County Executive's appointment of Tim Schermetzler to the Whatcom County Development Standards Technical Advisory Committee

***Buchanan moved*** and Donovan seconded that the Executive Appointment be CONFIRMED.

Donovan stated he would like to learn more about what the Whatcom County Development Standards Technical Advisory Committee does.

**Buchanan's motion that the Executive Appointment be CONFIRMED carried by the following vote:**

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

**Nay:** 0

### **ITEMS ADDED BY REVISION**

1. [AB2025-373](#) Request council review and approval of the Economic Development Investment Board's recommendation for funding of the Port of Bellingham's property acquisition for the development of a Washington Agricultural Research Station

***Donovan*** reported for the Finance and Administrative Services Committee and ***moved*** that the Special Executive Only Item be APPROVED.

The motion was seconded by Buchanan.

Councilmembers discussed the motion, appreciation for the all the work done on this, that they are working to change what is going to be in the pipeline to have projects that might seem more obvious as economic development, and that agriculture is the second biggest economic driver in the county behind probably the oil refining industry.

**Donovan's motion that the Special Executive Only Item be APPROVED carried by the following vote:**

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

**Nay:** 0

**INTRODUCTION ITEMS**

***Buchanan moved*** to introduce items one through four. The motion was seconded by Byrd.

Cathy Halka, Clerk of the Council, recommended that they consider Introduction item numbers one (**AB2025-264**) and three (**AB2025-355**) separately (both have substitutes).

***Buchanan accepted***, as a friendly amendment to his motion, to introduce item numbers two (**AB2025-337**) and four (**AB2025-365**).

Galloway stated item four is just a receipt of a document and does not require further action.

Scanlon spoke about **AB2025-337** and thanked the Administration for the quarterly report. He spoke about **AB2025-365** and stated there was one Salary Commission commissioner who felt like they needed more time and he would like to learn more about that.

Stremmler asked about request 4968 (Non-Departmental To fund reimbursement of underpayment & underbilling in 2023-2024 to Stryker Corp) on **AB2025-337**.

Kayla Schott-Bresler, Executive's Office, stated this is a budget supplemental to provide budget authority to pay one of our vendors who has underbilled us on their contract and she answered questions.

Galloway stated there are other Emergency Medical Services (EMS) updates and presentations she is working on scheduling, starting in June.

Schott-Bresler and Mike Hilley, Emergency Medical Services (EMS) Manager, answered whether they regularly check to make sure invoices are correct.

Councilmembers voted on Introduction items two and four (see votes on individual items below then items considered separately after that).

1. [AB2025-264](#) Ordinance to amend Whatcom County Code Section 3.08.100, Council approval required, to increase the threshold for contracts that require council approval

THIS ITEM WAS CONSIDERED SEPARATELY BELOW

2. [AB2025-337](#) Ordinance amending the 2025 Whatcom County Budget, request no. 5, in the amount

of \$1,053,510

**Buchanan moved and Byrd seconded that the Ordinance be INTRODUCED.**

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

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

**Nay:** 0

3. [AB2025-355](#) Ordinance authorizing interfund loans to finance cash flow for county road fund up to \$4 million for a term not to exceed two years

THIS ITEM WAS CONSIDERED SEPARATELY BELOW

4. [AB2025-365](#) Receipt of a report from the 2025 Whatcom County Salary Commission

**Buchanan moved and Byrd seconded that the Receipt of Document(s) be RECEIVED. The motion carried by the following vote:**

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

**Nay:** 0

### **INTRODUCTION ITEMS CONSIDERED SEPARATELY**

1. [AB2025-264](#) Ordinance to amend Whatcom County Code Section 3.08.100, Council approval required, to increase the threshold for contracts that require council approval
- Galloway reported for Committee of the Whole and stated they had a recommendation on a substitute version that would establish a \$75,000 threshold.

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

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

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

A substitute ordinance was introduced that would set the threshold at \$75,000

3. [AB2025-355](#) Ordinance authorizing interfund loans to finance cash flow for county road fund up to \$4 million for a term not to exceed two years

Galloway stated this is a substitute version of the ordinance that includes an ordained statement around notifying Council.

***Scanlon moved*** and Byrd seconded that the SUBSTITUTE Ordinance be INTRODUCED.

Scanlon stated this is the item that would allow them to move forward with



and complete the Beach Avenue and Everson/Goshen Road projects as discussed in the Finance and Administrative Services Committee today.

Buchanan spoke about how badly the Beach Avenue project needs to be done.

**Scanlon's motion that the SUBSTITUTE Ordinance be INTRODUCED carried by the following vote:**

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

**Nay:** 0

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

Councilmembers gave committee reports.

Donovan reported for the Finance and Administrative Services Committee.

*Scanlon* reported for the Public Works and Health Committee and *moved* that the council affirms the need to increase ferry fares to address solvency issues and ensure that fare box revenues are meeting the required 55% fare box recovery rate per WCC 10.34.03 and pursue other revenue options for the Ferry Fund. Further, the Council encourages the County Executive to increase ferry fares immediately to ensure solvency of the Ferry system annual operations, provided the rate increase is ample enough to meet the goals set forth in the code for fare box recovery and reserve fund contributions.

Councilmembers discussed the motion, that if they do not address the fares right now they would have to raise the fares even more later, that the issue has been addressed well by the community, hearing from the Whatcom County Ferry Advisory Committee on best options going forward, that the motion does not stipulate a certain amount, hoping the motion authorizes the Executive to do what it takes to get to the 55/45 farebox split, that they are not trying to fix the Road Fund by taking more for the ferry but that the ferry is impacting the Road Fund, that it is time for the Ferry Fund and ferry rates to cover what the code says it should cover, a request that the Ferry Advisory Committee send the Council some recommendations, looking into why the percentage of ferry operating costs paid by the State has declined since 2021, other options to consider in addition to fares, the idea of having an executive order that takes care of the rest of 2025 and then a Council-approved update to the Unified Fee Schedule as part of the mid-biennium review, and what the Administration's view is on that process.

Aly Pennucci, Executive's Office, stated if they move forward with an

executive order to increase fares it would come back as an amendment to the Unified Fee Schedule. She stated it is costly, however, to raise fares multiple times, so they might look at potential fare increases that would get them through the end of the biennium and be solvent.

The motion carried by the following vote:

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

**Nay:** 0

**Scanlon moved** to request that the Whatcom County Ferry Advisory Committee make recommendations to County Council and the County Executive to address the annual gap in funding ferry operations.

The motion was seconded by Buchanan.

Councilmembers discussed the motion and Scanlon stated they have not received an end of year report on ferry financing and the committee has not met again since receiving a presentation about some potential options. He stated there is an open spot on the committee for an unincorporated county resident and he would love for that spot to be filled since county residents are paying into this and deserve a seat on this board.

Stremmer asked if this motion might slow the former one down and Scanlon stated that is not his intent. He does not want to hold up the Executive's Office and Public Works from taking immediate action. He sees this motion as looking at other options that will take more time.

Councilmembers discussed the timing of the two motions working together.

The motion carried by the following vote:

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

**Nay:** 0

**Abstain:** 2 - Donovan and Byrd

Scanlon continued to report for his committee and he and Galloway spoke about scheduling further discussion on housing program updates (**AB2025-358**). Councilmembers discussed the presentation on that item from committee.

Galloway reported for Committee of the Whole and councilmembers discussed the issue talked about in committee regarding Council's interest

in independent legal representation. Galloway stated she thinks they should be thinking about that in the context of the upcoming budget and they will have a special meeting in June in which they will discuss the Council Office's budget.

Scanlon stated that would be a good meeting to also discuss legal advisor options.

Kimberly Thulin, Prosecuting Attorney's Office, stated she encourages anyone to ask questions about the process they are contemplating and she and councilmembers discussed the issue.

Kayla Schott-Bresler, Executive's Office, spoke about the process to recruit a new EMS administrator for the County since Mike Hilley is retiring and stated they are interested in having Council participation in the process. She and Councilmembers discussed the transition and the current structure and whether it should be different.

***Galloway moved*** that Councilmembers Elenbaas and Galloway be appointed to represent the Council on the EMS search and interview, etc., process.

The motion was seconded by Scanlon.

The motion carried by the following vote:

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

**Nay:** 0

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

Councilmembers gave updates on recent activities and upcoming events.

#### MOTION SUMMARY

(From Public Works and Health Committee (AB2025-352))

Motion approved 7-0 that the council affirms the need to increase ferry fares to address solvency issues and ensure that fare box revenues are meeting the required 55% fare box recovery rate per WCC 10.34.03 and pursue other revenue options for the Ferry Fund. Further, the Council encourages the County Executive to increase ferry fares immediately to ensure solvency of the Ferry system annual operations, provided the rate increase is ample enough to meet the goals set forth in the code for fare box recovery and reserve fund contributions.

Motion approved 5-0, with Donovan and Byrd abstaining, to request that the Whatcom County Ferry Advisory Committee make recommendations to County Council and the County Executive to address the annual gap in funding ferry operations.

Motion approved 6-0, with Donovan out of the meeting, that Councilmembers Elenbaas and Galloway be appointed to represent the Council on the EMS search and interview, etc., process.

**ADJOURN**

The meeting adjourned at 8:16 p.m.

ATTEST:

WHATCOM COUNTY COUNCIL  
WHATCOM COUNTY, WA

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Cathy Halka, Council Clerk

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

Meeting Minutes prepared by Kristi Felbinger