

# **Whatcom County Council**

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



## **Minutes - Final**

**Tuesday, March 5, 2024**

**6 PM**

**Hybrid Meeting**

**HYBRID MEETING - PLEASE NOTE: COUNCIL IS CURRENTLY REVIEWING ITS PUBLIC COMMENT RULES AND HAS SUSPENDED REMOTE PUBLIC COMMENT VIA ZOOM UNTIL FURTHER NOTICE. PLEASE SEE AGENDA NOTES UNDER "OPEN SESSION" FOR MORE INFORMATION.**

### **COUNCILMEMBERS**

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

### **CLERK OF THE COUNCIL**

Dana Brown-Davis, C.M.C.

## COUNTY COUNCIL

### CALL TO ORDER

### 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

1. [MIN2024-009](#) Committee of the Whole Executive Session for February 20, 2024

**Galloway 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

Buchanan stated due to recent hate speech incidents at meetings across the state we are not allowing remote public comment at our meetings at this time. We hope to offer a pre-registration opportunity for remote speakers at our next meeting. One exception to our current rule is that we offer opportunity for remote public comment for individuals who have difficulty attending for reasons of disability, limited mobility, or for any other reason that makes physical attendance at meetings difficult. Per the instructions on our agenda, we had one person call the office today to register ahead of time to speak this evening and he will call on that person at the appropriate time.

The following people spoke:

- Natalie Chavez
- Lyle Sorenson
- Heather (last name not stated)

Hearing no one else, Buchanan 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 eight. Councilmembers voted on those items (see votes on individual items below).

1. [AB2024-147](#) Request authorization for the County Executive to enter into a contract amendment between Whatcom County and Julota to track and monitor services and care provided to individuals frequently seen by Health and Community Services' Response Systems Division Programs in the amount of \$110,008 for a total amended contract amount of \$278,426

**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

2. [AB2024-149](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and the City of Everson for reimbursement of expenses for road gates installation in the amount of \$47,534.22

**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

3. [AB2024-150](#) Request authorization for the County Executive to enter into a contract between Whatcom County and Kittelson & Associates to implement an Electric Vehicle Infrastructure Study, in the amount of \$99,994.00

**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

4. [AB2024-162](#) Request authorization for the County Executive to enter into a contract between Whatcom County and Saturna Watershed Sciences LLC to implement a second phase of investigation into the extrapolation of initial recommended extrapolated

instream flow information to unmeasured sites in support of watershed and salmon recovery planning, in the amount of \$81,585.00 (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

5. [AB2024-171](#) Request authorization for the County Executive to enter into a Collective Bargaining Agreement between Whatcom County and PROTEC17 for the period January 1, 2024 - December 31, 2025

**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

6. [AB2024-174](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and the Washington State Parks and Recreation Commission for Recreation Boating Safety Grant, in the amount of \$17,523.25

**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

7. [AB2024-175](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and Meridian School District for Sheriff's Office Substation lease, in the amount of \$69,528

**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

8. [AB2024-182](#) Request approval for the County Executive to enter into an Interlocal Cooperative Purchasing Agreement with Snohomish County which will allow reciprocal utilization of competitively bid contracts, pursuant to RCW Chapter 39.34 Interlocal

Cooperation Act

**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

## **OTHER ITEMS**

### **(From Council Climate Action and Natural Resources Committee)**

1. [AB2024-161](#) Request approval for the County Executive to act as the authorized representative for the Recreation and Conservation Office (RCO) Community Forest Program Grant #22-1301

**Galloway** reported for the Climate Action and Natural Resources Committee and ***moved*** that the Agreement be AUTHORIZED.

Councilmembers discussed concerns with the County going into the land management business with almost 6,000 acres.

**Galloway's motion that the Agreement be AUTHORIZED carried by the following vote:**

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

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

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

2. [AB2024-151](#) Request authorization for the County Executive to enter into a contract amendment between Whatcom County and Whatcom Law Group / Rajeev Majumdar for hearing examiner services in the amount of \$5,500 for a total amended contract amount of \$225,820 for the 2-year contract

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

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

**Nay:** 0

3. [AB2024-158](#) Request authorization for the County Executive to enter into an interlocal agreement amendment between Whatcom County and Washington State Department of Commerce to fund homelessness crisis response systems in the amount of \$1,801,736 for a total amended agreement amount of \$12,345,115

*Donovan* reported for the Finance and Administrative Services Committee and *moved* that the Interlocal be AUTHORIZED.

Elenbaas spoke about Attachment B of the contract amendment and how much of the money appears to be going toward rent versus administrative costs.

Kayla Schott-Bresler, Executive's Office, stated this amendment (amounts shown in the third column of the attachment) only has to do with the eviction prevention program. The other amounts are not being amended in terms of the amount of revenue we are receiving at this time. Of the \$1.8 million that is coming to the county, \$204,453 is for administrative costs and \$985,592 is for rental assistance directly to families.

Stremmer stated he is not satisfied with the accountability portion of the administrators of these kinds of monies.

**Donovan's motion that the Interlocal be AUTHORIZED carried by the following vote:**

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

**Nay:** 1 - Stremmer

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

4. [AB2024-145](#) Ordinance amending Whatcom County Code 2.145 to clarify member requirements on the Whatcom County Ferry Advisory Committee

**Scanlon reported for the Public Works and Health Committee and moved that the Ordinance be ADOPTED. The motion carried by the following vote:**

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

**Nay:** 0

Enactment No: ORD 2024-013

### **COUNCIL APPOINTMENTS TO BOARDS, COMMISSIONS, AND COMMITTEES**

1. [AB2024-154](#) Request to change representation on the Surface Mining Advisory Committee from Committee Member Kathleen Greenbaum

Jill Nixon, Council Office Staff, stated Kathleen Greenbaum was appointed in 2022 to the position representing the potable domestic groundwater supply. She is asking to be reassigned to a different representation on the committee to make room for a potential applicant who can fill the position she is currently serving in.

**Buchanan moved** approval of the request. The motion was seconded by Byrd.

The motion carried by the following vote:

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

**Nay:** 0

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

Motion approved 7-0 to approve the request.

2. [AB2024-165](#) Appointment to a special district vacancy on the Drainage Improvement District #15 Board of Supervisors, Position 3, Applicant: John Vreugdenhil

**Byrd moved** and Scanlon seconded that the Council Appointment be APPOINTED.

Councilmembers discussed the applicant and Scanlon read a response he received from the applicant giving more background information and talking about why he is interested in serving in the position.

**Byrd's motion that the Council Appointment be APPOINTED carried by the following vote:**

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

**Nay:** 0

3. [AB2024-167](#) Appointment to a special district vacancy on the Butler Diking Drainage District Board of Supervisors, Position 2, Applicant: Mark Westhoff

**Byrd moved and Donovan seconded that the Council Appointment be APPOINTED. The motion carried by the following vote:**

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

**Nay:** 0

4. [AB2024-177](#) Appointments to vacancies on the Justice Project Oversight and Planning Committee, Applicants: Richard Gleason, Corbett Hanson, Hannah Sloan, Robert Sullivan

Buchanan read the names of the applicants and stated Tawsha Thompson was added to the list.

Jill Nixon, Council Office Staff, answered whether Thompson's was a late application and state it was not. She just needed to clarify with the applicant which position she was applying for.

*Donovan moved* and Galloway seconded to nominate all the applicants.

Galloway pointed out that, as shown in the updated applicant list (on file), some of the applicants fit in more than one position. She is thinking of appointing Hannah Sloan for the reentry specialist because the behavioral health service provider might be a position they could recruit for more accessibly. Then, for the substance use disorder (SUD) treatment provider she would recommend Corbett Hanson, and for the recovery subject matter expert she would recommend Robert Sullivan.

Nixon answered whether those recommendations would fall in line with the applications and stated they would.

Councilmembers discussed that this would fill all but one of the positions.

Elenbaas asked whether all the applicants are getting appointed and Galloway stated there will still be one vacancy (for the behavioral health service provider).

Donovan asked where they were putting Thompson and Byrd stated there are two applicants and two vacancies in the criminal legal system users, including those formerly incarcerated position.

**Donovan's motion that the Council Appointment be APPOINTED as per the Councilmembers' discussion carried by the following vote:**

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

**Nay:** 0

Appointed Hannah Sloan to the Reentry Specialist position, Corbett Hanson to the substance use disorder (SUD) treatment provider position, Robert Sullivan to the Recovery subject matter expert position, and Richard Gleason and Tawsha Thompson to the criminal legal system users, including those formerly incarcerated position.

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

1. [AB2024-164](#) Request confirmation of the County Executive's appointment of Holly Robinson to the Northwest Senior Services Board

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

Jill Nixon, Council Office Staff, answered whether Kathleen Greenbaum's (from **AB2024-154** above) term expires in 2025 or 2027 and stated Greenbaum will keep her current term end date which she believes is 2027.



The terms are assigned to the members and not to the positions.

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

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

**Nay:** 0

2. [AB2024-169](#) Request confirmation of the County Executive's appointments of Richard Conoboy, Lynne Graham, and Brent Waggoner to the Veteran's Advisory Board

**Donovan moved and Galloway seconded that the Executive Appointment be CONFIRMED. The motion carried by the following vote:**

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

**Nay:** 0

3. [AB2024-170](#) Request confirmation of the County Executive's appointment of Clay Pehl to the Agricultural Advisory Committee

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

Satpal Sidhu, County Executive, answered whether there was a movement of one person to another slot and whether that has already occurred. He stated it had.

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

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

**Nay:** 0

4. [AB2024-181](#) Request confirmation of the County Executive's appointments of Jared Oberhaus and Elisabeth Mason to the Point Roberts Community Advisory Committee

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

Elenbaas asked Scanlon if he reached out to this applicant (to get more information) and Scanlon stated he tried but was not able.

Satpal Sidhu, County Executive, stated this was the recommendation from the Point Roberts Community Advisory Committee and these were the only applicants.

Councilmembers discussed that many fields on one of the applications were not filled out, and whether the fields should be made mandatory.

Councilmembers voted on this item (see below).

Buchanan stated they have a vacancy in a Councilmember position on the Americans With Disabilities Act Compliance Committee. Former Councilmember Kathy Kershner was serving on that committee and is no longer on the Council so they need to appoint a Councilmember to serve there. Councilmembers did not discuss or vote on it at this point in the meeting, but instead discussed it under Committee Reports, Other Items, And Councilmember Updates below.

**Buchanan's motion that the Executive Appointment be CONFIRMED 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.

### **INTRODUCTION ITEMS**

*Donovan moved* to introduce items one through eight. The motion was seconded by Byrd.

Galloway requested that they take out Introduction item number two (**AB2024-157**) for further discussion.

Donovan spoke about Introduction item number five (**AB2024-173**) and stated he would like to bring it back to committee, even if it is introduced tonight.

Dana Brown-Davis, Clerk of the Council, asked whether they would still want to have a hearing in two weeks if they introduced it tonight. If it goes to committee in two weeks and there are substantial changes, they would have to re-introduce it.

Donovan requested they pull item five out to vote on separately.

Councilmembers voted on Introduction item numbers 1, 3, 4, and 6-8 (see votes on individual items below).

1. [AB2024-155](#) Resolution vacating a portion of County Road and an unnamed alley within the Amended Plat of South Wickersham

**Donovan moved and Byrd seconded that the Resolution Requiring a Public**

**Hearing be INTRODUCED FOR PUBLIC HEARING. The motion carried by the following vote:**

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

**Nay:** 0

2. [AB2024-157](#) Ordinance amending Whatcom County Code 12.24, Franchise Requirements, to update procedures for processing applications

This item was considered separately below.

3. [AB2024-160](#) Ordinance establishing a temporary closure of Truck Road

**Donovan moved and Byrd seconded that the Ordinance Requiring a Public Hearing be INTRODUCED FOR PUBLIC HEARING. The motion carried by the following vote:**

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

**Nay:** 0

4. [AB2024-166](#) Ordinance amending Whatcom County Code 8.10, Solid Waste and Residential Recycling Collection

**Donovan moved and Byrd seconded that the Ordinance Requiring a Public Hearing be INTRODUCED FOR PUBLIC HEARING. The motion carried by the following vote:**

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

**Nay:** 0

5. [AB2024-173](#) Ordinance adopting amendments to Whatcom County Code Title 15, Buildings & Construction, to adopt by reference the 2021 Editions of the International Building, Residential, Mechanical, Fuel gas, existing building, fire codes, and the national fuel gas, Washington State Energy, uniform plumbing, & liquified petroleum gas codes, and the 1997 uniform code for the abatement of dangerous buildings, as amended as set forth herein, as required by RCW Chapter 19.27

This item was considered separately below.

6. [AB2024-178](#) Resolution amending the Flood Control Zone District & Subzones 2024 budget, request no. 2, in the amount of \$564,477 (Council acting as the Flood Control Zone District Board of Supervisors)

**Donovan moved and Byrd seconded that the Resolution (FCZDBS) be INTRODUCED. The motion carried by the following vote:**

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

**Nay:** 0

7. [AB2024-179](#) Ordinance establishing a project-based budget for the Unity Street Acquisition Project Fund

**Donovan 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

8. [AB2024-180](#) Ordinance amending the 2024 Whatcom County Budget, request no. 5 in the amount of \$9,827,008

**Donovan 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

This item was voted on here but further discussed below.

### **INTRODUCTION ITEMS CONSIDERED SEPARATELY**

2. [AB2024-157](#) Ordinance amending Whatcom County Code 12.24, Franchise Requirements, to update procedures for processing applications

Galloway stated she is interested in proposing an amendment to the code that would add a section on coordination of construction activities and shared excavations and potentially expanding that coordination. She would like to hold it until the first April meeting to give the Council time to coordinate with Public Works and legal to have the language ready.

Donovan stated it would be good to hear from Chris Quinn (legal).

***Galloway moved*** to hold until the first April meeting.

Dana Brown-Davis, Clerk of the Council, asked whether she means to introduce the item that night and Galloway said yes.

The motion was seconded by Donovan.

Brown-Davis answered whether they could introduce it tonight and still have it sent to a committee, and stated they could, but the concern would be if the changes that are going to be made are substantial enough to require that it be reintroduced, we would be introducing and paying for advertising twice.

Elenbaas stated he would be concerned with unintended consequences that codifying this might have. It might mean increased costs or could intimidate smaller companies.

Elizabeth Kosa, Public Works Department Director, stated they are OK with the Council needing more time if they want to hold it, or they could approve it and do another amendment at another time.

The motion carried by the following vote:

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

**Nay:** 2 - Elenbaas and Stremler

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

Motion Approved 5-2, with Elenbaas and Stremler opposed, to hold (on introducing) until the first April meeting. See more discussion on this item in AB2024-173 below.

5. [AB2024-173](#) Ordinance adopting amendments to Whatcom County Code Title 15, Buildings & Construction, to adopt by reference the 2021 Editions of the International Building, Residential, Mechanical, Fuel gas, existing building, fire codes, and the national fuel gas, Washington State Energy, uniform plumbing, & liquified petroleum gas codes, and the 1997 uniform code for the abatement of dangerous buildings, as amended as set forth herein, as required by RCW Chapter 19.27

***Donovan moved*** to not introduce this, hold it, and go back to the next meeting of the Planning and Development Committee meeting to continue the discussion.

The motion carried by the following vote:

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

**Nay:** 0

*Clerk's note:* after the vote on this item, Councilmembers discussed the

previous item further (AB2024-157). Elenbaas asked if they could incentivize a dig once policy instead of mandating it and Councilmembers discussed the question and the intent of the proposed amendment. Galloway asked if it would make sense to bring this to the Committee of the Whole on March 19 for discussion even though they would not be introducing it until April.

**This agenda item (AB2024-173) was DISCUSSED AND MOTION(S) APPROVED.**

Motion approved 7-0 to (not introduce and) hold the discussion (see item AB2024-172) until the next meeting of the Planning and Development Committee meeting.

8. [AB2024-180](#) Ordinance amending the 2024 Whatcom County Budget, request no. 5 in the amount of \$9,827,008

Satpal Sidhu, County Executive, stated he wanted to talk about Introduction item number eight (AB2024-180) because this item includes the additional position for the County Executive's Office (request to fund a Deputy Executive -#4601). He wanted to bring it up in case anyone had any questions.

Stremmer asked about the process for ordinances that amend the budget and that have several requests to be voted on all at once, and Sidhu stated it is not a new process. He referred to a memo he sent them a couple years ago outlining the process and encouraged Councilmembers to reach out to the Administration to ask questions before meetings.

Councilmembers and Sidhu discussed a suggestion to develop a metric to show the public how tax money was spent by County departments and how it helped.

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

Councilmembers gave committee reports.

Buchanan reported on Committee of the Whole Executive Session.

*Donovan moved* to approve defense and indemnification of James Endersby and Jane Doe Endersby, named as defendants in Estate of Aaron B. Cooper, deceased, by and through Private Client Representatives, Personal Representative, Plaintiff, vs. Whatcom County, a local government entity and municipal corporation within the state of Washington, James Endersby

and Jane Doe Endersby, individually and the marital community comprised of, Defendants, Snohomish County Superior Court, Case No. 24-2-01059-31.

Based on the following findings:

- A. James Endersby was acting in a matter in which the county had an interest;
- B. James Endersby was acting in the discharge of a duty imposed or authorized by law;
- C. James Endersby acted in good faith

The motion was seconded by Galloway.

Stremler asked to be recused of the vote because he knows Mr. Endersby.

The motion carried by the following vote:

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

**Nay:** 0

**Recused:** 1 - Stremler

Councilmembers continued committee reports and gave Councilmembers updates.

Buchanan returned to the discussion he began earlier regarding the vacancy on the Americans With Disabilities Act Compliance Committee since Councilmember Kathy Kershner is no longer a member representing the Council (see the introduction to this discussion under **AB2024-181** above).

Satpal Sidhu, County Executive, answered when that group meets.

Buchanan stated he would be the representative.

**Galloway moved** to appoint Buchanan to the Americans With Disabilities Act Compliance Committee. The motion was seconded by Donovan.

The motion carried by the following vote:

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

**Nay:** 0

Tyler Schroeder, Director of Administrative Services, answered a question about a previous request to get an update on the Medical Examiner, and stated they are planning an update to Council on either April 9th or April 23rd in regards to the Council's action of approving the budget for the

Medical Examiner to come into the County and walking through other dynamics associated with that.

MOTION SUMMARY:

From Committee of the Whole Executive Session:

Motion approved 6-0, with Stremmer recusing himself, to approve defense and indemnification of James Endersby and Jane Doe Endersby, named as defendants in Estate of Aaron B. Cooper, deceased, by and through Private Client Representatives, Personal Representative, Plaintiff, vs.

Whatcom County, a local government entity and municipal corporation within the state of Washington, James Endersby and Jane Doe Endersby, individually and the marital community comprised of, Defendants, Snohomish County Superior Court, Case No. 24-2-01059-31.

Based on the following findings:

- A. James Endersby was acting in a matter in which the county had an interest;
- B. James Endersby was acting in the discharge of a duty imposed or authorized by law;
- C. James Endersby acted in good faith

Motion approved 7-0 to appoint Buchanan to the Americans With Disabilities Act Compliance Committee

**ADJOURN**

The meeting adjourned at 7:51 p.m.

The County Council approved these minutes on March 19, 2024.

ATTEST:

WHATCOM COUNTY COUNCIL  
WHATCOM COUNTY, WA

\_\_\_\_\_  
Dana Brown-Davis, Council Clerk

\_\_\_\_\_  
Barry Buchanan, Council Chair

\_\_\_\_\_  
Kristi Felbinger, Minutes Transcription

SIGNED COPY ON FILE