

# **Whatcom County Council**

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



## **Minutes - Final**

**Tuesday, March 11, 2025**

**6 PM**

**Hybrid Meeting - Council Chambers**

**AGENDA REVISED 3.7.2025 - HYBRID MEETING (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 Stremmer**

### **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 Scanlon (see votes on individual items below).

1. MIN2025-010 Committee of the Whole for February 11, 2025

**Byrd moved and Scanlon 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. MIN2025-011 Regular County Council for February 11, 2025

**Byrd moved and Scanlon 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. MIN2025-012 Committee of the Whole Executive Session for February 25, 2025

**Byrd moved and Scanlon 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. MIN2025-013 Committee of the Whole for February 25, 2025

**Byrd moved and Scanlon 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

5. MIN2025-014 Regular County Council for February 25, 2025

**Byrd moved and Scanlon 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

**PUBLIC HEARINGS**

1. AB2025-140 Resolution vacating a portion of Camp 2 Road

Galloway opened the Public Hearing and hearing no one, closed the Public Hearing.

**Byrd moved and Scanlon seconded that the Resolution Requiring a Public Hearing be APPROVED. The motion carried by the following vote:**

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

**Nay:** 0

Enactment No: RES 2025-009

2. AB2025-149 Ordinance adopting amendments to Whatcom County Code 24.05, Onsite Sewage System Regulations

Galloway opened the Public Hearing and the following person spoke:

- Joni Hensley

Hearing no one else, Galloway closed the Public Hearing.

***Donovan moved*** and Buchanan seconded that the Ordinance be ADOPTED.

Sue Sullivan, Health and Community Services, answered how this might impact the homeowner inspection program, and stated there is no plan to do away with that program.

Hayli Hruza, Health and Community Services, spoke about the definition of minor repair in the ordinance and what will now require a permit, and answered whether it is too ambiguous which may lead to additional costs

for homeowners.

**Donovan's motion that the Ordinance be ADOPTED carried by the following vote:**

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

**Nay:** 0

Enactment No: ORD 2025-012

3. AB2025-157 Review final project performances on the Community Development Block Grant (CDBG) Home Repair Program and the CDBG Microenterprise Assistance Program
- Galloway opened the Public Hearing and hearing no one, closed the Public Hearing.

Ross Quigley, Opportunity Council, briefed the Councilmembers on the Home Repair Program.

**Donovan moved** and Buchanan seconded that the item be approved.

Quigley answered questions.

Greg Winter, Opportunity Council Executive Director, spoke about the Microenterprise Assistance Program.

Cathy Halka, Clerk of the Council, stated this item does not require a motion.

Kayla Schott-Bresler, Executive's Office, stated that is her understanding.

**Donovan withdrew** his motion.

Quigley answered whether there are any similar home rehab programs that are grant-oriented as opposed to loans. He spoke about the State-funded Home Rehabilitation grant program and how people can find out about that that.

The speakers stated both programs on the agenda tonight are over and they will not receive another round of grants.

**The PUBLIC HEARING was held (file final).**

4. AB2025-183 Ordinance amending Whatcom County Code 1.28 Standards for Correctional Facilities

Galloway opened the Public Hearing and hearing no one, closed the Public

Hearing.

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

Donovan stated he appreciates this moving forward but he is still not sure that everything that they were expecting is accessible online.

Scanlon stated he spoke to the Sheriff who said the Council will be the first to know when this is online. Once it is online he would like to send it to relevant groups (such as the Incarceration Prevention and Reduction Task Force) to review it.

**Buchanan's motion that the Ordinance be ADOPTED carried by the following vote:**

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

**Nay:** 0

Enactment No: ORD 2025-013

## **OPEN SESSION**

The following people spoke:

- Daniel DeMay
- Doug Revelle "Yoshe"
- Daniel Harm
- Kilmeny Miller
- Tina Erwin
- Otto Pointer
- John Miller
- Zelda Rood
- Kim Doyle
- Jen Knudson
- Marilyn Chu
- Megan Asheghi
- Jamie Desmul
- Natalie Chavez
- Markis Dee Stidham
- Parneet Kaur
- Brian Smart
- Cindy Johansen

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

1. AB2025-186 Request authorization for the County Executive to enter into an interlocal agreement amendment between Whatcom County and Washington State Department of Children, Youth and Families in the amount of \$8,840, for a total amended agreement amount of \$827,677.20

**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

2. AB2025-192 Request authorization for the County Executive to enter into a contract between Whatcom County and Axon Enterprises, Inc. in the amount of \$229,668.06

**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. AB2025-195 Request authorization for the County Executive to enter into a contract between Whatcom County and Aha! Childcare & Family Learning Center to increase kindergarten readiness for enrolled children at a licensed childcare facility, in the amount of \$106,773

**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. AB2025-197 Request authorization for the County Executive to enter into a lease agreement between Whatcom County and Whatcom County Fire District 19 to lease the property located at 9186 Mt Baker Highway, in the amount of \$1.00 per year

**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

5. AB2025-199 Request authorization for the County Executive to enter into an interlocal agreement amendment between Whatcom County and Washington State Health Care Authority to provide funding for the Law Enforcement Assisted Diversion (LEAD) Program in the amount of \$40,262, for a total amended agreement amount of \$1,216,096

**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

6. AB2025-200 Request authorization for the County Executive to enter into a contract amendment between Whatcom County and Sustainable Connections to provide funding for the Food Recovery Program in the amount of \$11,667, for a total amended contract amount of \$113,542

**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

7. AB2025-201 Request authorization for the County Executive to enter into a contract amendment between Whatcom County and Lifeline Connections to provide behavioral health services in the Whatcom County Jail, Work Center, and for Court Involved Youth in the amount of \$211,000, for a total amended contract amount of \$3,402,810

**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

8. AB2025-204 Request authorization for the County Executive to enter into an Interlocal Agreement between Whatcom County and the City of Bellingham for Correctional Services

**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

9. AB2025-206 Request authorization for the County Executive to enter into a loan and grant agreement between Whatcom County and Habitat for Humanity for the acquisition of property that will allow for the construction of at least 40 affordable homes in the amount of a \$231,000 grant and a \$469,000 loan for a total of \$700,000

**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

10. AB2025-207 Request authorization for the County Executive to enter into an interlocal agreement amendment between Whatcom County and Mount Baker School District to provide funding for renovations necessary to construct a school-based health center in the amount of \$55,000, for a total amended agreement amount of \$85,000

**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

11. AB2025-209 Request authorization for the County Executive to enter into an interlocal agreement amendment between Whatcom County and Washington State Department of Health to provide funding for various public health services in the amount of \$53,403, for a total amended agreement amount of \$5,318,686

**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

12. AB2025-214 Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and Ferndale School District to increase kindergarten readiness for students ages 3-5, in the amount of \$149,000



**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

13. AB2025-215 Request authorization for the County Executive to enter into a contract between Whatcom County and Cozy Bears Early Learning to increase kindergarten readiness and expand licensed childcare capacity, in the amount of \$43,500

**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 Finance and Administrative Services Committee)**

1. AB2025-046 Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and the Attorney General of Washington for cy pres funding, in the amount of \$125,000

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

Councilmembers discussed the motion.

Donovan read from the memo (on file) about the different buckets this money is going towards.

Stremler stated only a portion of the funding is going to a gun buyback program.

Scanlon stated he is thankful for the Sheriff's Office pursuing this funding.

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

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

**Nay:** 1 - Elenbaas

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

2. AB2025-171 Resolution amending the 2006 Birch Bay Comprehensive Stormwater Plan to include four Subwatershed Master Plans (Council acting as the Whatcom County Flood Control Zone District Board of Supervisors)

**Galloway reported for the Climate Action and Natural Resources Committee and moved that the Resolution (FCZDBS) be APPROVED. The motion carried by the following vote:**

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

**Nay:** 0

Enactment No: RES 2025-010

**(From Council Planning and Development Committee)**

3. AB2025-194 Resolution docketing Comprehensive Plan and Development Regulation amendments

***Elenbaas* reported for the Planning and Development Committee and *moved* that the resolution be APPROVED.**

Elenbaas stated the school district (PLN2025-00003) is paying Whatcom County a fee to docket their item. It seems that is just trading tax dollars so he would like to waive that fee.

George Roche, Prosecuting Attorney's Office, discussed with Councilmembers what the process would be to do that.

***Byrd moved*** that the school district specific request is docketed by the Council and that all additional requests continue to move forward as presented.

The motion was seconded by Elenbaas.

Elenbaas stated the motion would change the Bellingham School District's item from being a privately-requested item to being an item docketed by the Council which means there is no fee charged.

Roche stated it might be better to remove the school district from the action for tonight and to write a separate resolution that deals with their issue specifically.

***Byrd withdrew*** his motion.

Byrd moved to pass the two items currently proposed that are not the school district item and hold the school district item until their next

meeting, at which point staff can bring forward a new resolution. There was no second.

Elenbaas moved to amend Exhibit A in the third column (where it says “applicant”) to say “Whatcom county.” There was no second.

Roche stated perhaps it would be better to hold this matter for two weeks to make sure it is done appropriately.

Aly Pennucci, Executive's Office, answered whether they could just amend as per Elenbaas' last motion, and stated the resolution, as presented, does not set a clean record of whether or not Council waived the fees. She stated the cleanest thing would be to hold this and let them revise the exhibit to represent the Council's intention.

**Galloway moved** to hold this item for two weeks and send it back to the Planning and Development Committee.

The motion was seconded by Byrd.

Councilmembers discussed the motion.

**Galloway's motion that the Resolution be HELD and REFERRED to the Planning and Development Committee carried by the following vote:**

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

**Nay:** 0

Enactment No: RES 2025-013

Motion approved 7-0 to hold this item for two weeks and send it back to the Planning and Development Committee.

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

1. AB2025-180 Appointment to vacancies on the Whatcom County Ferry Advisory Committee, Applicant(s): Daniel DeMay, Marcus Dee Stidham, Kristen Fox

**Buchanan moved** to nominate all three applicants (with a vote of one). The motion was seconded by Donovan.

Councilmembers discussed the applicants and **Markis Dee Stidham** was appointed with four votes as follows:

**Donovan:** Stidham

**Galloway:** Stidham

Scanlon: DeMay  
Stremmer: DeMay  
Buchanan: Stidham  
Byrd: DeMay  
Elenbaas: Stidham

**This agenda item was APPOINTED.**

Appointed Markis Dee Stidham with four votes

2. AB2025-190 Appointment to a vacancy on the Noxious Weed Control Board, District 4 position, Applicant: Alexander Vondrell

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

Councilmembers discussed the specification that members of the Whatcom County Noxious Weed Control Board must reside in their represented district and have 10 signatures from registered voters in that district in order to be appointed to the Board, and why other boards do not require signatures.

George Roche, Prosecuting Attorney's Office, answered questions.

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

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

**Nay:** 0

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

1. AB2025-187 Request confirmation of the County Executive's appointment of Jessica Stugelmayer to the Whatcom County Library System's Rural Library Board

**Byrd moved** and Scanlon 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

2. AB2025-189 Request confirmation of the County Executive's appointment of Zelda Rood to the Whatcom County Developmental Disabilities Board

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

Councilmembers thanked the applicant for coming and speaking to them tonight and for being engaged.

**Byrd'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. AB2025-224 Non-binding multi-jurisdictional resolution regarding population, housing and employment allocations

Galloway reported for the Committee of the Whole.

**Galloway moved and Elenbaas seconded that the Resolution be APPROVED. The motion carried by the following vote:**

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

**Nay:** 0

**Abstain:** 1 - Donovan

Enactment No: RES 2025-011

2. AB2025-225 Request motion to appoint a councilmember representative to the Forest Advisory Committee

Elenbaas and Stremler nominated themselves.

**Donovan moved** and Buchanan seconded to nominate Elenbaas and Stremler with a vote of one.

Elenbaas and Stremler spoke about why they would like to be appointed.

Elenbaas was appointed with four votes as follows:

**Elenbaas:** 4 - Buchanan, Byrd, Donovan, and Galloway

**Stremler:** 1 - Scanlon

**Abstain:** 2 - Elenbaas and Stremler

**This agenda item was APPOINTED.**

Appointed Elenbaas with 4 votes

3. AB2025-226 Request motion to appoint a councilmember representative to the Economic Development Investment Board

Galloway stated they recently amended the code for this board and

originally it was a chair appointment, so, at the Council's annual reorganization in January, the appointment went by default to the Council chair. However, the code does not stipulate anymore that it has to be the chair.

Elenbaas nominated Stremler.

Stremler accepted the nomination and spoke about why he thinks it would be a good fit for him.

**Scanlon moved** and Donovan seconded to appoint Stremler to the Economic Development Investment Board.

Kayla Schott-Bresler, Executive's Office, spoke about when the board meets.

The motion carried by the following vote:

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

**Nay:** 0

**This agenda item was APPOINTED.**

Appointed Stremler with 7 votes

## **INTRODUCTION ITEMS**

Galloway stated that Introduction items #1 (**AB2025-196**) and #5 (**AB2025-220**) had title revisions.

Buchanan requested to remove Introduction item #1 (**AB2025-196**) to vote on it separately.

**Byrd moved** to introduce items two through six. The motion was seconded by Scanlon.

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

1. AB2025-196 Ordinance temporarily amending the funding limit of cash flow loans from the Road Fund to North Lake Samish Bridge No. 107 Replacement Fund -3905 from \$2,000,000 up to \$6,656,262.32 for a term not to exceed two years

THIS ITEM WAS CONSIDERED SEPARATELY BELOW.

2.     AB2025-211     Ordinance establishing a project-based budget for the East Whatcom Regional Resource Center Sports Court
- Byrd moved and Scanlon 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.     AB2025-212     Ordinance authorizing an interfund loan for the construction of the East Whatcom Regional Resource Center Sports Court
- Byrd moved and Scanlon 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
- 
4.     AB2025-213     Ordinance establishing a project-based budget for the Silver Lake Boat Launch at Silver Lake Park
- Byrd moved and Scanlon 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
- 
5.     AB2025-220     Ordinance amending the 2025 Whatcom County Budget, request no. 3, in the amount of \$1,485,889
- Byrd moved and Scanlon 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
- 
6.     AB2025-218     Appointment to a vacancy on the Business and Commerce Advisory Committee, Agriculture representative, Applicant(s): Rich Appel

**Byrd moved and Scanlon seconded that the Council Appointment Requiring Introduction be INTRODUCED. The motion carried by the following vote:**

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

**Nay:** 0

### **INTRODUCTION ITEMS CONSIDERED SEPARATELY**

1. AB2025-196 Ordinance temporarily amending the funding limit of cash flow loans from the Road Fund to North Lake Samish Bridge No. 107 Replacement Fund -3905 from \$2,000,000 up to \$6,656,262.32 for a term not to exceed two years

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

Councilmembers discussed disappointment in the situation in which they have to potentially look to unincorporated taxpayers to fund something for which the County had an agreement with the State and Federal Government, how quickly the Public Works Department recognized there was a problem with funding and came up with a solution like this, whether there are grounds to deal with this through a legal mechanism if the Federal executive order is unconstitutional, that they should look at a strategy to partner with other local governments dealing with the same issue, and that they do not know yet whether or when they are getting paid.

George Roche, Prosecuting Attorney's Office, encouraged the Council to keep working with the Prosecuting Attorney and maybe they will come up with something when it comes to recovering Federal grant money, but that they should not hold their breath.

Donovan stated the assumption that they are going to get the money back is a risky assumption, and asked whether the Administration should just put a stop work order on this bridge.

Roche stated the County has a contract with the bridge-building company which is enforceable, and that they can sue the County if we breach our duties under that contract.

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

**Aye:** 5 - Byrd, Elenbaas, Galloway, Scanlon, and Stremmler

**Nay:** 0

**Abstain:** 2 - Buchanan, and Donovan



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

Councilmembers gave committee reports.

Kayla Schott-Bresler, Executive's Office, spoke about the progress on a Healthy Children's Fund contract which was spoken about in Open Session by several speakers.

Councilmembers gave updates on recent activities and upcoming events.

**ADJOURN**

The meeting adjourned at 8:53 p.m.

The County Council approved these minutes on March 25, 2025.

ATTEST:



  
Cathy Halka, Council Clerk

WHATCOM COUNTY COUNCIL  
WHATCOM COUNTY, WA

  
Kaylee Galloway, Council Chair

Meeting Minutes prepared by Kristi Felbinger