

Whatcom County Council

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



Minutes - Draft Minutes

Tuesday, January 14, 2025

6 PM

Hybrid Meeting - Council Chambers

HYBRID MEETING (PARTICIPATE IN-PERSON, SEE REMOTE JOIN
INSTRUCTIONS AT www.whatcomcounty.us/joinvirtualcouncil, OR CALL
360.778.5010)

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 6:04 p.m. in a hybrid meeting.

ROLL CALL

Present: 7 - Todd Donovan, Ben Elenbaas, Mark Stremmer, Barry Buchanan, Kaylee Galloway, Tyler Byrd, and Jon Scanlon

FLAG SALUTE

ANNOUNCEMENTS

COUNTY EXECUTIVE'S REPORT

There was no report.

MINUTES CONSENT

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

1. [MIN2024-084](#) Committee of the Whole for November 19, 2024

Buchanan moved and Scanlon seconded that the Minutes Consent be APPROVED BY CONSENT. The motion carried by the following vote:

Aye: 6 - Donovan, Elenbaas, Stremmer, Buchanan, Galloway, and Scanlon

Nay: 0

Temp Absent: 1 - Byrd

2. [MIN2024-085](#) Regular County Council for November 19, 2024

Buchanan moved and Scanlon seconded that the Minutes Consent be APPROVED BY CONSENT. The motion carried by the following vote:

Aye: 6 - Donovan, Elenbaas, Stremmer, Buchanan, Galloway, and Scanlon

Nay: 0

Temp Absent: 1 - Byrd

3. [MIN2024-086](#) Special Council for December 2, 2024

Buchanan moved and Scanlon seconded that the Minutes Consent be APPROVED BY CONSENT. The motion carried by the following vote:

Aye: 6 - Donovan, Elenbaas, Stremmer, Buchanan, Galloway, and Scanlon

Nay: 0

Temp Absent: 1 - Byrd

4. [MIN2024-087](#) Committee of the Whole for December 3, 2024

Buchanan moved and Scanlon seconded that the Minutes Consent be APPROVED BY CONSENT. The motion carried by the following vote:

Aye: 6 - Donovan, Elenbaas, Stremmer, Buchanan, Galloway, and Scanlon

Nay: 0

Temp Absent: 1 - Byrd

5. [MIN2024-088](#) Regular County Council for December 3, 2024

Buchanan moved and Scanlon seconded that the Minutes Consent be APPROVED BY CONSENT. The motion carried by the following vote:

Aye: 6 - Donovan, Elenbaas, Stremmer, Buchanan, Galloway, and Scanlon

Nay: 0

Temp Absent: 1 - Byrd

6. [MIN2024-089](#) Special Council for December 13, 2024

Buchanan moved and Scanlon seconded that the Minutes Consent be APPROVED BY CONSENT. The motion carried by the following vote:

Aye: 6 - Donovan, Elenbaas, Stremmer, Buchanan, Galloway, and Scanlon

Nay: 0

Temp Absent: 1 - Byrd

PUBLIC HEARINGS

1. [AB2024-801](#) Resolution to declare Whatcom County real property as surplus and approve sale

Galloway opened the Public Hearing and the following person spoke:

- Jerry Burns

Hearing no one else, Galloway closed the Public Hearing.

Chris Elder, Public Works Department, answered whether the Strand Road property that the Council is looking at surplus is a former landfill, and stated he could confirm there are no known landfills on the site.

Donovan moved and Scanlon seconded that the Resolution Requiring a Public

Hearing be APPROVED. The motion carried by the following vote:

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

Nay: 0

Enactment No: RES 2025-001

2. [AB2024-810](#) Ordinance for the installation of stop signs on South Pass Road at the intersection with Goodwin Road as Whatcom County Code 10.16.1720

Galloway opened the Public Hearing and the following people spoke:

- Bo Bumford
- Jerry Burns

Hearing no one else, Galloway closed the Public Hearing.

Donovan moved and Buchanan seconded that the Ordinance Requiring a Public Hearing be ADOPTED.

Elizabeth Kosa, Public Works Department Director, answered what the process of changing the speed limit would be, and stated a traffic study would inform any decisions or staff recommendations for any traffic or speed limit changes or Council can move to request it anyway.

Stremmer spoke about public feedback he has received.

Kosa stated the Council could request to do more measures at the intersection and Public Works would then return with a recommendation, and she spoke about how the public does want this installation of stop signs.

Donovan's motion that the Ordinance Requiring a Public Hearing be ADOPTED carried by the following vote:

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

Nay: 0

Enactment No: ORD 2025-001

OPEN SESSION

The following people spoke:

- Adam Bellingar
- Frank James
- Veronica Chapin

- Diane Kitchen
- Lois Poppema
- Toni Petch
- Jiggy Sorrell
- Daniel Harm
- Lara Welker
- Marc Urban
- Charlot Harman
- Matthew Goggins
- Sierra Belleville
- Jerry Burns
- Marilyn Martin
- Austin Papritz
- Todd Lagestee
- Nick Greif
- Parneet Kaur
- Doug Revelle ("Yoshe")
- Tamara Dewilde
- John Westerfield
- Ashley Thomasson
- Jennifer Wright
- Rud Browne
- John Lesow
- Jacob Jones
- Hannah Ordos
- Avery Lewis
- Justin White
- Andrew Paterson
- Natalie Chavez
- Lyle Sorenson
- Nate Ashby
- Markis Dee
- Grant Nulle
- Name not stated
- Alan Lifson
- Christina Maginnis
- Heather K
- Alex Vega

Hearing no one else, Galloway closed the Open Session.

Clerk's Note: at 8:02 p.m. Council took a short break and resumed at 8:17 p.m.

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 20.

Elenbaas requested to consider item number 18 separately.

Donovan amended his motion and ***moved*** to approve Consent Agenda items 1-17, 19, and 20.

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

1. [AB2024-844](#) Request authorization for the County Executive to enter into a lease agreement between Whatcom County and Swinomish Health Services dba Didg^wálič Wellness Center to lease space at 2028 Division Street, Bellingham WA, in the amount of \$360

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 - Donovan, Elenbaas, Stremmer, Buchanan, Galloway, Byrd, and Scanlon

Nay: 0

2. [AB2025-016](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and the City of Bellingham Fire Department for the purchase of personal protective clothing described as being free of Perfluoroalkyl and Polyfluoroalkyl substances (known as PFAS), in the amount of \$83,781.64

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 - Donovan, Elenbaas, Stremmer, Buchanan, Galloway, Byrd, and Scanlon

Nay: 0

3. [AB2025-017](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and Washington State Department of Health to define the joint and cooperative relationship of the parties for the delivery of various public health services, in the amount of \$0

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 - Donovan, Elenbaas, Stremmer, Buchanan, Galloway, Byrd, and Scanlon

Nay: 0

4. [AB2025-018](#) Request authorization for the County Executive to enter into a contract between Whatcom County and NAMI of Whatcom County to provide mental health education and support programs, in the amount of \$38,000

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 - Donovan, Elenbaas, Stremmer, Buchanan, Galloway, Byrd, and Scanlon

Nay: 0

5. [AB2025-020](#) 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 \$155,022 for a total amended contract amount of \$433,448

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 - Donovan, Elenbaas, Stremmer, Buchanan, Galloway, Byrd, and Scanlon

Nay: 0

6. [AB2025-024](#) Request authorization for the County Executive to enter into a contract amendment between Whatcom County and Lake Whatcom Residential & Treatment Center to provide Mental Health Court case coordination services in the amount of \$12,000, for a total amended contract amount of \$22,000

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 - Donovan, Elenbaas, Stremmer, Buchanan, Galloway, Byrd, and Scanlon

Nay: 0

7. [AB2025-025](#) Request authorization for the County Executive to enter into a contract between Whatcom County and Common Goodness Project to support LGBTQ+ youth and promote substance use prevention through training and technical assistance, in the

amount of \$40,000

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 - Donovan, Elenbaas, Stremmer, Buchanan, Galloway, Byrd, and Scanlon

Nay: 0

8. [AB2025-026](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and the City of Bellingham for joint administration of a Home Electrification and Appliance Rebate Program funded by the Department of Commerce with Climate Commitment Act funds, in the amount of \$0

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 - Donovan, Elenbaas, Stremmer, Buchanan, Galloway, Byrd, and Scanlon

Nay: 0

9. [AB2025-027](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and the Washington State Military Department to utilize the Emergency Management Performance Grant (EMPG) funding in the amount of \$65,647 to assist in preparing for all hazards through sustainment and enhancement Division of Emergency Management programs

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 - Donovan, Elenbaas, Stremmer, Buchanan, Galloway, Byrd, and Scanlon

Nay: 0

10. [AB2025-028](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and Whatcom Conservation District for assistance with implementation of Whatcom County's stormwater outreach program, with a particular emphasis on the Lake Whatcom watershed, in the amount of \$87,940.98

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 - Donovan, Elenbaas, Stremmer, Buchanan, Galloway, Byrd, and Scanlon

Nay: 0

11. [AB2025-029](#) Request authorization for the County Executive to enter into an interlocal agreement

between Whatcom County and Whatcom Conservation District for outreach, education, and technical assistance with Birch Bay Watershed and Aquatic Resources Management (BBWARM) stormwater programs, in the amount of \$113,492.07 (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 - Donovan, Elenbaas, Stremmer, Buchanan, Galloway, Byrd, and Scanlon

Nay: 0

12. [AB2025-031](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and Whatcom Conservation District for the planning, oversight, maintenance, and monitoring of existing and new FCZD and Special District mitigation and/or revegetation projects that utilize the Alternative Corrections Crew as well as provide technical assistance to the FCZD and Special Districts, in the amount of \$50,000 (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 - Donovan, Elenbaas, Stremmer, Buchanan, Galloway, Byrd, and Scanlon

Nay: 0

13. [AB2025-033](#) Request authorization for the County Executive to enter into a cost sharing agreement between Whatcom County and Birch Bay Leisure Park Association (BBLPA) to facilitate a joint project to replace a failing culvert, in the amount of \$0

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

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

Nay: 0

14. [AB2025-035](#) Request authorization for the County Executive to enter into a contract between Whatcom County and Anchor QEA to conduct a study to analyze the Musto Marsh and Springsteen Lake sites to obtain information that is important to evaluate their feasibility as water storage projects, in the amount of \$80,000 (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 - Donovan, Elenbaas, Stremmer, Buchanan, Galloway, Byrd, and Scanlon

Nay: 0

15. [AB2025-036](#) Request authorization for the County Executive to enter into a contract amendment between Whatcom County and Unity Care NW to provide Mental Health Court case coordination services in the amount of \$8,000, for a total amended contract amount of \$18,000

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 - Donovan, Elenbaas, Stremmer, Buchanan, Galloway, Byrd, and Scanlon

Nay: 0

16. [AB2025-037](#) Request authorization for County Executive to enter into a 2 year agreement between Whatcom County and the Northwest Regional Council for the purposes of administering the Meals on Wheels program in the amount of \$120,000

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 - Donovan, Elenbaas, Stremmer, Buchanan, Galloway, Byrd, and Scanlon

Nay: 0

17. [AB2025-038](#) Request authorization for the County Executive to enter a Collective Bargaining Agreement between Whatcom County and the Sheriff's Office Corrections Senior Management Group for the period January 1, 2025 - December 31, 2025

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

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

Nay: 0

18. [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

This item was considered separately below.

19. [AB2025-047](#) Request authorization for the County Executive to enter into an interlocal agreement

amendment between Whatcom County and Washington State Military to revise the budget categories for Stonegarden FY21

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 - Donovan, Elenbaas, Stremmer, Buchanan, Galloway, Byrd, and Scanlon

Nay: 0

20. [AB2025-049](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and Washington State Parks and Recreation Commission for a cooperative framework for boating safety, in the amount of \$0

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 - Donovan, Elenbaas, Stremmer, Buchanan, Galloway, Byrd, and Scanlon

Nay: 0

CONSENT AGENDA ITEMS CONSIDERED SEPARATELY

18. [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 Interlocal be AUTHORIZED.

Councilmembers discussed the proposed Interlocal and that the program may have unintended consequences.

Steve Harris, Undersheriff, answered whether they have a plan to staff this program and whether the funds that are coming would support that. He stated his understanding is that the funds will help support staffing to implement the buy back program and storage space, but they have not yet developed a specific staffing plan.

Councilmembers discussed that they are interested in finding out if the funds can cover things like gun safety training at the Plantation Range and Harris stated they would have to reach out to the Attorney General's Office to see if they can amend their grant as currently written.

Councilmembers discussed buyback programs, whether funds need to be used for gun safety programs since many run with volunteers, and the

motion.

Donovan withdrew his motion and **moved** to hold this and put it back into the Finance and Administrative Services Committee.

The motion was seconded by Elenbaas.

Donnell Tanksley, Sheriff, stated he thinks the best way to go forward is to give the Sheriff's Office time to contact the Attorney General's Office and see if the proposal can be modified. He spoke about the purpose of gun buyback programs.

Stremmer requested that the Sheriff give the Council a list of the possibilities of what these funds can be used for and put those in a priority order.

Scanlon spoke about making it clear to people, if they do run the program, what the safest way is to hand over firearms to the Sheriff's Office.

Satpal Sidhu, County Executive, stated he supports holding the item and finding out what the other uses for the funds could be.

Tanksley stated it may take four weeks to get answers but they will advise the Council if they can come back sooner.

Donovan's motion that the Interlocal be REFERRED TO COMMITTEE carried by the following vote:

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

Nay: 0

OTHER ITEMS

(From Council Finance and Administrative Services Committee)

1. [AB2025-021](#) Request authorization for the County Executive to enter into a contract amendment between Whatcom County and PFM Financial Services, LLC to increase the compensation by \$60,000 for a total amount of \$99,000

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 - Donovan, Elenbaas, Stremmer, Buchanan, Galloway, Byrd, and Scanlon

Nay: 0

2. [AB2025-023](#) Resolution amending Resolution 2024-058 and re-certifying Whatcom County's property tax levies for collection in 2025 to the county assessor

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

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

Nay: 1 - Elenbaas

Enactment No: RES 2025-002

(From Council Planning and Development Committee)

3. [AB2025-019](#) Resolution approving recommendations on Open Space applications

Elenbaas reported for the Planning and Development Committee and moved that the Resolution be APPROVED. The motion carried by the following vote:

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

Nay: 0

Enactment No: RES 2025-003

(From Council Committee of the Whole)

4. [AB2024-767](#) Resolution to establish Council goals for full, timely awarding of Healthy Children's Fund contracts

Galloway reported for the Committee of the Whole and moved that the Resolution be APPROVED. The motion carried by the following vote:

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

Nay: 0

Enactment No: RES 2025-004

5. [AB2024-843](#) Ordinance amending Whatcom County Code 2.21 Board of Equalization to clarify Board of Equalization membership

Galloway reported for the Committee of the Whole and *moved* that the Ordinance be ADOPTED as amended in committee.

Jill Nixon, Council Office staff, answered whether this will impact the BOE positions that they will be appointing later tonight, and whether they can proactively appoint those before these code changes go into effect. She stated the terms expire on January 31st so the terms being appointed tonight

would take effect in February, which would allow time for the ordinance to be in place.

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

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

Nay: 0

Enactment No: ORD 2025-002

6. [AB2024-870](#) Ordinance amending Whatcom County Code Chapter 2.130 Economic Development Investment Board

Galloway reported for the Committee of the Whole and moved that the Ordinance be ADOPTED. The motion carried by the following vote:

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

Nay: 0

Enactment No: ORD 2025-003

7. [AB2025-073](#) Letter from the Whatcom County Council to the Executive regarding homelessness and shelters

Scanlon moved and Donovan seconded that the Request for Motion be APPROVED.

Galloway briefed the Councilmembers on the letter and stated the purpose is to call upon a partnership with the City of Bellingham, to stimulate conversation, and to understand what the County's options are.

Councilmembers discussed what sparked writing the letter, whether the authoring Councilmembers have been in contact with the Health Department about raising the temperature threshold, and the actions outlined in the letter.

Erika Lautenbach, Health and Community Services Director, stated they do not support raising the temperature threshold and explained why, and she stated they would be very challenged to meet the goals and needs as it relates to this letter.

Councilmembers discussed figuring out how to put side rails on the letter to get to something that is using the resources they have allocated, that the letter reiterates a desire to see an expansion of shelter in our county, the specific asks in the letter, and the intent of acknowledging what the County has budgeted and trying to accommodate within the existing budgetary

capacity.

Satpal Sidhu, County Executive, stated the Administration wrote a letter in response to this subject and he spoke about fiscal responsibility and that these solutions are not sustainable.

Councilmembers discussed the motion, knowing first what the Lighthouse Mission's capacity is, getting data about how many people are dying of exposure, that the letter is asking for options, that there were staff recommendations for expanding shelter in their after-action report from last winter, and the time frame for the requests in this letter.

Scanlon's motion that the Request for Motion (letter) be APPROVED carried by the following vote:

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

Nay: 3 - Elenbaas, Stremler, and Byrd

(No Committee Assignment)

8. [AB2025-069](#) Resolution amending the County Council and Executive expectations for advisory groups

Scanlon moved and Buchanan seconded that the Resolution be APPROVED.

George Roche, Prosecuting Attorney's Office, stated he and Council staff have been trying to hammer out some other issues with the expectations document and were not able to wrap that up, but he believes it is still necessary for Council to make the changes they were able to resolve so that they can put those in place. A remaining issue has to do with questions of conflict around advisory group members being interested in applying for contracts that the County offers, but his recommendation is that Council should approve this now with the changes as presented, and they will come back later with something that addresses the other issue.

Jill Nixon, Council Office staff, spoke about the last three bullet points in the document which are also discussed in the staff report.

Scanlon spoke about an email received from Carl Weimer with suggestions for how the County can support advisory group members, and that Council should continue discussing those things.

Scanlon's motion that the Resolution be APPROVED carried by the following vote:

Aye: 6 - Donovan, Elenbaas, Stremler, Buchanan, Byrd, and Scanlon

Nay: 0

Temp Absent: 1 - Galloway

Enactment No: RES 2025-005

COUNCIL APPOINTMENTS TO BOARDS, COMMISSIONS, AND COMMITTEES

1. [AB2024-869](#) Appointments to three vacancies on the Drainage District #3 Board of Commissioners, Applicant(s): Jerod Priebe, Loren Vander Yacht, Lucas Plagerman, Keith Roosma

Buchanan moved and Byrd seconded to nominate all applicants.

Councilmembers discussed appointing to the terms.

Loren Vander Yacht (6 votes), **Keith Roosma** (6 votes), and **Jerod Priebe** (5 votes) were appointed by the following vote:

Buchanan: Vander Yacht, Roosma, and Priebe

Byrd: Vander Yacht, Roosma, and Priebe

Donovan: Vander Yacht, Roosma, and Priebe

Elenbaas: Vander Yacht, Roosma, and Priebe

Galloway: Out of the meeting

Scanlon: Vander Yacht, Roosma, and Priebe

Stremler: Vander Yacht, Plagerman, and Roosma

Donovan moved and Buchanan seconded to place **Vander Yacht** in the short term (**Position 3**).

The motion carried by the following vote:

Aye: 6 - Buchanan, Byrd, Donovan, Elenbaas, Scanlon, and Stremler

Nay: 0

Out of the Meeting: 1- Galloway

Byrd suggested that in this situation and any others pertaining to commission appointments tonight that they apply terms of varying length in alphabetical order from A to Z based on last name.

Scanlon moved and Byrd seconded to appoint **Jerod Priebe to Position 1** and **Keith Roosma to Position 2**.

The motion carried by the following vote:

Aye: 5 - Byrd, Donovan, Elenbaas, Scanlon, and Stremler

Nay: 0

Out of the Meeting: 2- Galloway and Buchanan

This agenda item was APPOINTED.

Appointed Loren Vander Yacht to Commissioner Position 3

Appointed Jerod Priebe to Commissioner Position 1 and

Appointed Keith Roosma to Commissioner Position 2 5-0 with Buchanan and Galloway out of the meeting

2. [AB2024-872](#) Request Council to vacate a position on the Incarceration Prevention & Reduction Task Force, social services provider

Scanlon moved and Donovan seconded that the Request for Motion be APPROVED. The motion carried by the following vote:

Aye: 5 - Donovan, Elenbaas, Stremmer, Byrd, and Scanlon

Nay: 0

Temp Absent: 2 - Buchanan, and Galloway

3. [AB2025-051](#) Appointments to vacancies on the Board of Equalization, various positions, Applicant(s): John Young, James Day, Grant Nulle, Todd Lagestee, Shenandoah Myrick

Councilmembers discussed the candidates in light of language in the ordinance that now states, “not more than two members may reside in any one county council district.”

Jill Nixon, Council Office staff, stated Mr. Van De Mark submitted an application but is completing his second full term and so is terming out. The BOE code allows a member to reapply if a position sits vacant for 30 days, so if Council wishes to appoint Wes Van De Mark, they would need to leave a position vacant and then staff would come back with his application again in February or March.

Elenbaas moved and Byrd seconded that all applicants be considered for the one regular board member position.

John Young was appointed with four votes as follows:

Donovan: Nulle

Elenbaas: Lagestee

Galloway: Young

Scanlon: Young

Stremmer: Young

Buchanan: Nulle

Byrd: Young

Donovan moved and Elenbaas seconded that they nominate all of the remaining applicants for the four vacancies for the alternate three-year terms.

Councilmembers discussed that (minus John Young) there are five applicants, but they cannot appoint Van De Mark until a later date.

George Roche, Prosecuting Attorney's Office, and Councilmembers discussed how many from each district can be appointed to be consistent with the code.

Cathy Halka, Clerk of the Council, suggested they determine whether they want to fill three spots or four at this time.

Donovan withdrew his motion *and moved* to fill three of the four vacancies for the alternative, selecting from James Day, Todd Lagestee, Grant Nulle, and Shenandoah Myrick.

Elenbaas pointed out that they could not appoint Van De Mark later with this motion, because the two District 1 slots would already be filled (Young and Lagestee).

Donovan withdrew his motion *and moved* to nominate Lagestee and Nulle for two of the four vacancies. The motion was seconded by Buchanan.

Donovan withdrew his motion *and moved* to nominate James Day for one of the alternate spots. The motion was seconded by Buchanan.

The motion to appoint **James Day as an alternate** carried by the following vote:

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

Nay: 0

Elenbaas moved and Buchanan seconded to nominate Todd Lagestee.

Councilmembers discussed that since Lagestee is from District 1, they would not be waiting to appoint Van De Mark, so they could appoint the other three applicants now as well.

Elenbaas amended his motion and *moved* to nominate Lagestee, Nulle, and Myrick. The motion was seconded by Byrd.

Todd Lagestee, Grant Nulle, and Shenandoah Myrick were **appointed as alternates** by the following vote:

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

Nay: 0

This agenda item was APPOINTED.

Appointed John Young as regular BOE member with 4 votes

Appointed James Day 7-0 as a BOE alternate

Appointed Grant Nulle, Todd Lagestee, Shenandoah Myrick as BOE alternates 7-0

4. [AB2025-052](#) Appointments to vacancies on the Business and Commerce Advisory Committee, various positions, Applicant(s): James Bauckman, Troy Lautenbach, Indca Mitchell, Heather Powell, Jacob Jones

Galloway moved and Donovan seconded to nominate all and vote for one in each position (Childcare, For-Profit, and Recreation Industry).

Stremler asked whether they would be able to push the Recreation Industry position back for two weeks so others can apply who wanted to but were not able.

Galloway moved and Donovan seconded to nominate both applicants for the Childcare industry with a vote of one.

Heather Powell was appointed with seven votes as follows:

Elenbaas: Powell

Galloway: Powell

Scanlon: Powell

Stremler: Powell

Buchanan: Powell

Byrd: Powell

Donovan: Powell

Galloway moved and Scanlon seconded to nominate the applicants for the For-Profit position with a vote for one.

Troy Lautenbach was appointed with seven votes as follows:

Buchanan: Lautenbach

Byrd: Lautenbach

Donovan: Lautenbach
Elenbaas: Lautenbach
Galloway: Lautenbach
Scanlon: Lautenbach
Stremler: Lautenbach

Stremler moved and Byrd seconded to hold the appointment for the Recreation Industry position open, to be decided on January 28th.

Jill Nixon, Council Office staff, confirmed that the new deadline for applicants would be January 21st (the Tuesday before the meeting on the 28th) at 10 a.m.

The motion carried by the following vote:

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

Nay: 0

This agenda item was APPOINTED.

Appointed Heather Powell to the Childcare position with 7 votes

Appointed Troy Lautenbach to the For-Profit Industry position with 7 votes

Motion approved 7-0 to hold the appointment for the Recreation Industry position open to be decided on the 28th

5. [AB2025-053](#) Appointments to vacancies on the Child and Family Well-Being Task Force, Applicant(s): Allison Bishop, Ray Deck III, Jamie Desmul, Megan Juenemann, Lyn Salazar, Vesla Tonnessen, Jennifer Wright, Susan Marks, Lynn Schreiber, Nina Ballew

Donovan moved and Galloway seconded to nominate all applicants.

Councilmembers voted on eight applicants and **Allison Bishop** (7 votes), **Ray Deck III** (7 votes), **Jamie Desmul** (7 votes), **Megan Juenemann** (7 votes), **Vesla Tonnessen** (7 votes), **Jennifer Wright** (5 votes), and **Lynn Schreiber** (5 votes) were appointed as follows:

Scanlon: Bishop, Deck, Desmul, Juenemann, Salazar, Tonnessen, Wright, and Schreiber

Stremler: Bishop, Deck, Desmul, Juenemann, Tonnessen, Marks, Schreiber, and Ballew

Buchanan: Bishop, Deck, Desmul, Juenemann, Salazar, Tonnessen, Wright, and Schreiber

Byrd: Bishop, Deck, Desmul, Juenemann, Tonnessen, Wright, and

Schreiber, and Ballew

Donovan: Bishop, Deck, Desmul, Juenemann, Salazar, Tonnessen, Wright, and Marks

Elenbaas: Bishop, Deck, Desmul, Juenemann, Tonnessen, Marks, Ballew, and Schreiber

Galloway: Bishop, Deck, Desmul, Juenemann, Salazar, Tonnessen, Wright, and Marks

Lyn Salazar and Susan Marks each had four votes, and Ballew had three.

Councilmembers voted to break the tie between Lyn Salazar and Susan Marks. **Susan Marks was appointed** (6 votes) as follows:

Marks: 6 - Stremmler, Buchanan, Byrd, Donovan, Elenbaas, Galloway, and Stremmler

Salazar: 1- Scanlon

This agenda item was APPOINTED.

Appointed Allison Bishop, Ray Deck III, Jamie Desmul, Megan Juenemann, Vesla Tonnessen, Jennifer Wright, Lynn Schreiber, and Susan Marks

6. [AB2025-054](#) Appointment to a vacancy on the Climate Impact Advisory Committee, Applicant(s): Robert Drake, Andrew Paterson, Joshua Williams, Mark Waschke, Tom Wolf, Anders Hellum-Alexander, Gabe Epperson, Robin Jentz, Mary Loquvam

Galloway moved and Buchanan seconded to nominate all and vote for one.

Councilmembers discussed the applicants.

Joshua Williams was appointed (4 votes) as follows:

Scanlon: Williams

Stremmler: Wolf

Buchanan: Williams

Byrd: Wolf

Donovan: Williams

Elenbaas: Wolf

Galloway: Williams

This agenda item was APPOINTED.

Appointed Joshua Williams with 4 votes

7. [AB2025-055](#) Appointment to a vacancy on the Criminal Justice Treatment Account Panel, criminal defense bar representative, Applicant(s): Starck Follis

Byrd moved and Buchanan seconded that the Council Appointment be APPOINTED by acclamation.

Kayla Schott-Bresler, Executive's Office, spoke about the applicant.

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

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

Nay: 0

8. [AB2025-056](#) Appointment to a vacancy on the Justice Project Oversight and Planning (JPOP) Committee, youth/young adult position, Applicant(s): Parneet Kaur, Justin White
Councilmembers discussed the applicants and the age requirement for the position.

Scanlon moved and Buchanan seconded to nominate both applicants.

Parneet Kaur was appointed with four votes as follows:

Buchanan: White

Byrd: Kaur

Donovan: Kaur

Elenbaas: White

Galloway: Kaur

Scanlon: Kaur

Stremmer: White

This agenda item was APPOINTED.

Appointed Parneet Kaur with 4 votes

9. [AB2025-058](#) Appointment to vacancies on the Public Health Advisory Board, Applicant(s): Ashley Thomasson, Guy Occhiogrosso, Chris Kobdich, Alan Lifson, Shannon Boustead, Melissa Nyberg, Karin Jones, Kendra Cristelli, Jessica Rienstra, Sue Rodgers, Rachel McGarrity, Lara Welker (Council acting as the Board of Health)

Councilmembers discussed the applicants and that Karin Jones withdrew her name from consideration via an email.

Scanlon moved and Buchanan seconded to nominate all applicants except for Karin Jones.

Councilmembers voted for eight applicants and **Guy Occhiogrosso, Chris Kobdich, Shannon Boustead, Kendra Cristelli, Sue Rodgers, Ashley Thomasson,** and **Lara Welker** were appointed in the first round of voting as

follows:

Guy Occhiogrosso: 7 - Stremler, Buchanan, Byrd, Donovan, Elenbaas, Galloway, and Scanlon

Chris Kobdich: 7 - Stremler, Buchanan, Byrd, Donovan, Elenbaas, Galloway, and Scanlon

Shannon Boustead: 7 - Stremler, Buchanan, Byrd, Donovan, Elenbaas, Galloway, and Scanlon

Kendra Cristelli: 7 - Stremler, Buchanan, Byrd, Donovan, Elenbaas, Galloway, and Scanlon

Sue Rodgers: 7 - Stremler, Buchanan, Byrd, Donovan, Elenbaas, Galloway, and Scanlon

Ashley Thomasson: 6 - Stremler, Buchanan, Donovan, Elenbaas, Galloway, and Scanlon

Lara Welker: 6 - Stremler, Buchanan, Donovan, Elenbaas, Galloway, and Scanlon

Alan Lifson: 3 - Buchanan, Byrd, and Donovan

Jessica Rienstra: 3 - Byrd, Galloway, and Scanlon

Rachel McGarrity: 3 - Stremler, Byrd, and Elenbaas

Melissa Nyberg: 0

Councilmembers voted for the eighth position between the three applicants that received three votes and **Rachel McGarrity was appointed** by the following vote:

Rachel McGarrity: 4 - Buchanan, Byrd, Elenbaas, and Stremler

Jessica Rienstra: 2 - Galloway and Scanlon

Alan Lifson: 1 - Donovan

Elenbaas moved and Buchanan seconded that the top five top vote-getters (**Guy Occhiogrosso, Chris Kobdich, Shannon Boustead, Kendra Cristelli, Sue Rodgers**) receive the full terms and the other three (**Ashley Thomasson, Lara Welker, and Rachel McGarrity**) receive the partial terms.

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 Ashley Thomasson, Guy Occhiogrosso, Chris Kobdich, Shannon Boustead, Kendra Cristelli, Sue Rodgers, Lara Welker, and Rachel McGarrity

Appointed Guy Occhiogrosso, Chris Kobdish, Shannon Boustead, Kendra Cristelli, and Sue Rodgers to the full three-year terms
and

Appointed Ashley Thomasson, Lara Welker, and Rachel McGarrity to the partial terms ending 1/31/2026 7-0

10. [AB2025-060](#) Appointment to vacancies on the Planning Commission, Applicant(s): Frank James, Dan Dunne, Nicholas Greif, Christina Maginnis, Rud Browne

Galloway stated they need to fill three vacancies but they cannot have more than two people per district. There are two applicants in District 1 (Rud Browne and Frank James), two applicants in District 2 (Dan Dunne and Christina Maginnis), and one applicant (Nicholas Greif) in District 3.

Jill Nixon, Council Office staff, stated the code requires at least one person from each district, so she recommends selecting one of the District 1 applicants and then going on from there.

Elenbaas moved and Byrd seconded to nominate Rud Browne from District 1.

Councilmembers discussed the motion.

Rud Browne was appointed by the following vote:

Aye: 6 - Byrd, Donovan, Elenbaas, Galloway, Stremmler, and Buchanan

Nay: 1 - Scanlon

Donovan moved and Byrd seconded to reappoint Frank James.

Donovan withdrew his motion *and moved* to nominate all remaining candidates and vote for two (without voting for both applicants from District 2).

Dan Dunne addressed the Councilmembers.

Dan Dunne and **Nicholas Greif** were appointed by the following vote:

Dan Dunne: 6 - Elenbaas, Galloway, Scanlon, Stremmler, Buchanan, and Byrd

Nicholas Greif: 4 - Galloway, Scanlon, Stremmler, and Byrd

Frank James: 3 - Donovan, Elenbaas, and Buchanan

Christina Maginnis: 1 - Donovan

This agenda item was APPOINTED.

Appointed Rud Browne for District 1 with 6 votes

Appointed Dan Dunne and Nicholas Greif for Districts 1, 2, or 3 with 6 and 4 votes respectively

11. [AB2025-061](#) Appointments to vacancies on the Surface Mining Advisory Committee, various positions, Applicant(s): Thomas Harron, Derek Hergenhein, Lane Stremmer, Jordan Van Werven

Jill Nixon, Council Office staff, answered what the role is of the citizen living in close proximity to active mining or mineral overlay areas.

Councilmembers discussed whether the applicants meet the necessary criteria, whether the position is intended to be someone who lives in proximity and can be a non-industry voice, and the applicants.

Byrd moved and Donovan seconded to nominate all the applicants.

Donovan withdrew his second to Byrd's motion *and moved* that they nominate the three candidates for the citizen living in close proximity position. The motion was seconded by Stremmer.

Lane Stremmer was appointed with seven votes as follows:

Elenbaas: Stremmer

Galloway: Stremmer

Scanlon: Stremmer

Stremmer: Stremmer

Buchanan: Stremmer

Byrd: Stremmer

Donovan: Stremmer

Donovan moved and Byrd seconded to appoint **Jordan Van Werven** as the member of the surface mining industry.

The motion carried by the following vote:

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

Nay: 0

Donovan spoke about AB2025-060 (the previous agenda item) and a request to include the purpose of the Planning Commission in meeting materials next time so it is front and center.

This agenda item was APPOINTED.

Appointed Lane Stremmer to the Citizen Living in Close Proximity position 7-0

Appointed Jordan Van Werven to the Member of the Surface Mining Industry position 7-0

12. [AB2025-062](#) Appointments to vacancies on the Flood Control Zone District Advisory Committee, various positions, Applicant(s): Ron Bronsema, Jeff DeJong, Bruce Bosch, John Perry (Council acting as the Flood Control Zone District Board of Supervisors)

Elenbaas moved to appoint all the applicants to the positions that they applied for (**John Perry and Bruce Bosch** to the Impacted Cities position and **Ron Bronsema and Jeff DeJong** to the Special Districts position). The motion was seconded by Stremmer.

The motion carried by the following vote:

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

Nay: 0

This agenda item was APPOINTED.

Appointed John Perry and Bruce Bosch to the Impacted Cities positions and
Appointed Ron Bronsema and Jeff DeJong to the Special Districts positions 7-0

13. [AB2025-063](#) Appointment to a vacancy on the Acme/Van Zandt Flood Control Subzone Advisory Committee, Applicant(s) Elvin Kalsbeek (Council acting as the Flood Control Zone District Board of Supervisors)

Buchanan moved and Scanlon seconded that the Council Appointment be APPOINTED. The motion carried by the following vote:

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

Nay: 0

14. [AB2025-064](#) Appointment to a vacancy on the Birch Bay Watershed and Aquatic Resources Management (BBWARM) Advisory Committee, Applicant(s): Robert Shanabarger, Glenn Briskin, Suzy Thompson, Lesley Cooke (Council acting as the Flood Control Zone District Board of Supervisors)

Scanlon moved and Buchanan seconded to nominate all the applicants (and vote for one).

Robert Shanabarger was appointed with four votes as follows:

Buchanan: Shanabarger

Byrd: Briskin

Donovan: Out of the Meeting

Elenbaas: Shanabarger

Galloway: Shanabarger

Scanlon: Shanabarger

Stremler: Briskin

This agenda item was APPOINTED.

Appointed Robert Shanabarger with 4 votes

15. [AB2025-065](#) Appointment to a vacancy on the Lynden/Everson Flood Control Subzone Advisory Committee, Applicant(s): Ron Bronsema (Council acting as the Flood Control Zone District Board of Supervisors)

Buchanan moved and Stremler seconded that the Council Appointment be APPOINTED. The motion carried by the following vote:

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

Nay: 0

16. [AB2025-066](#) Appointment to vacancies on the Drayton Harbor Shellfish Protection District Advisory Committee, Applicant(s): Jiggy Sorrell

Scanlon moved and Stremler seconded that the Council Appointment be APPOINTED. The motion carried by the following vote:

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

Nay: 0

17. [AB2025-068](#) Appointment to vacancies on the Solid Waste Advisory Committee, various positions, Applicant(s): Jerry Burns

Scanlon moved and Buchanan seconded that the Council Appointment be APPOINTED. The motion carried by the following vote:

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

Nay: 0

18. [AB2025-070](#) Request motion to amend the term end dates for select Whatcom County Ferry Advisory Committee positions

Scanlon moved to extend the current partial terms of Pamela Gould and Janice Catrell to a new term end date of 1/31/2026 and the vacant unincorporated position to a new partial term end date of 1/31/2027.

The motion was seconded by Elenbaas.

Councilmembers discussed the motion.

Scanlon's motion to extend the current partial terms of Pamela Gould and Janice Catrell to a new term end date of 1/31/2026 and the vacant unincorporated position to a new partial term end date of 1/31/2027 carried by

the following vote:

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

Nay: 0

Motion Approved 7-0 to extend the current partial terms of Pamela Gould and Janice Catrell to a new term end date of 1/31/2026 and the vacant unincorporated position to a new partial term end date of 1/31/2027.

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

1. [AB2025-022](#) Request confirmation of the County Executive's appointments to the Whatcom County Commission on Salaries for Elected Officials

Buchanan moved and Scanlon seconded that the Executive Appointment be CONFIRMED.

Elenbaas stated he would abstain since these people will be voting on his salary.

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

Aye: 6 - Donovan, Stremmer, Buchanan, Galloway, Byrd, and Scanlon

Nay: 0

Abstain: 1 - Elenbaas

2. [AB2025-039](#) Request confirmation of the County Executive's appointment of Dr. Amy Harley as Co-Health Officer effective since December 6, 2021

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

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

Nay: 0

3. [AB2025-040](#) Request confirmation of the County Executive's appointment of Austin Lennsen to the Whatcom County Agricultural Advisory Committee

discussed the appointment

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

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

Nay: 0

4. [AB2025-041](#) Request confirmation of the County Executive's appointment of Dr. Meghan Lelonek

as Co-Health Officer effective January 20, 2025

Scanlon moved and Elenbaas seconded that the Executive Appointment be CONFIRMED. The motion carried by the following vote:

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

Nay: 0

5. [AB2025-042](#) Request confirmation of the County Executive's reappointments of Summer Star and Crystal Thompson to the Whatcom County Behavioral Health Advisory Committee

Scanlon moved and Buchanan seconded that the Executive Appointment be CONFIRMED. The motion carried by the following vote:

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

Nay: 0

6. [AB2025-043](#) Request confirmation of the County Executive's reappointment of Patrick Bush to the Whatcom County Bicycle/Pedestrian Advisory Commission

Scanlon moved and Buchanan seconded that the Executive Appointment be CONFIRMED. The motion carried by the following vote:

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

Nay: 0

7. [AB2025-044](#) Request confirmation of the County Executive's reappointment of Dr. Lindsay Foreman-Murray to the Whatcom County Developmental Disabilities Advisory Board

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

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

Nay: 0

8. [AB2025-045](#) Request confirmation of the County Executive's reappointment of Gregory Burg, Tyler Buys, Adam Morrow and Kevin Stewart to the Whatcom County Development Standards Technical Advisory Committee

Scanlon moved and Buchanan seconded that the Executive Appointment be CONFIRMED. The motion carried by the following vote:

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

Nay: 0

9. [AB2025-048](#) Request confirmation of the County Executive's reappointments of Brian Hunter and William Zidel to the Whatcom County Point Roberts Community Advisory

Committee

Scanlon moved and Stremler seconded that the Executive Appointment be CONFIRMED. The motion carried by the following vote:

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

Nay: 0

- 10. [AB2025-067](#) Request confirmation of the County Executive’s appointment of Mark Asmundson to the Bellingham-Whatcom Public Facilities District

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

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

Nay: 0

ITEMS ADDED BY REVISION

There were no agenda items added by revision.

INTRODUCTION ITEMS

Donovan moved to introduce items one and two. The motion was seconded by Buchanan (see votes on individual items below).

- 1. [AB2024-874](#) Ordinance adopting amendments to Whatcom County Code Title 20, Zoning

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

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

Nay: 0

- 2. [AB2025-059](#) An ordinance adopting amendments to Whatcom County Code Titles 20 & 22 to enact SSB 5290 regarding local project review

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

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

Nay: 0

COMMITTEE REPORTS, OTHER ITEMS, AND COUNCILMEMBER UPDATES

Galloway reported for Committee of the Whole Executive Session.

Donovan made one motion from that committee for **AB2025-002** and two motions for **AB2025-032** (see below), then Councilmembers continued committee reports.

MOTIONS FROM COMMITTEE OF THE WHOLE EXECUTIVE SESSION

[AB2025-002](#) Discussion of pending litigation with Civil Deputy Jesse Corkern and outside counsel, Shane Brady: Michael Dull, an individual, Plaintiff vs. Whatcom County, et al., Defendants, Whatcom County Superior Court Case No. 24-2-02016-37 [Discussion of this item may take place in executive session (closed to the public) pursuant to RCW42.30.110 (1) (i)]

Donovan moved to approve defense and indemnification of Northwest Regional Council, Julie Fox, and Shawna Bosman, named as defendants in Michael Dull, an individual, Plaintiff vs. Whatcom County, et al., Defendants.

Based on the following findings:

- A. Northwest Regional Council, Julie Fox, and Shawna Bosman were acting in a matter in which the county had an interest;
- B. Northwest Regional Council, Julie Fox, and Shawna Bosman were acting in the discharge of a duty imposed or authorized by law;
- C. Northwest Regional Council, Julie Fox, and Shawna Bosman acted in good faith.

The motion was seconded by Scanlon.

The motion carried by the following vote:

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

Nay: 0

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

[AB2025-032](#) Discussion of pending litigation with Civil Deputy Jesse Corkern: Whisper Lake Developments, Inc., Plaintiff vs. Skagit Highlands Homes, LLC. et al., Defendants, United States District Court Western District of Washington Case. 2:24-cv-01909-BJR [Discussion of this item may take place in executive session (closed to the public) pursuant to RCW42.30.110 (1) (i)]

Donovan moved to approve defense and indemnification of Mark Personius, Garrett Smith, Jon-Paul Shanahan, Erin Page, Amy Keenan, and Thomas Brissenden, named as defendants in Whisper Lake Developments, Inc., Plaintiff vs. Skagit Highlands Homes, LLC. et al., Defendants.

Based on the following findings:

A. Mark Personius, Garrett Smith, Jon-Paul Shanahan, Erin Page, Amy Keenan, and Thomas Brissenden were acting in a matter in which the county had an interest;

B. Mark Personius, Garrett Smith, Jon-Paul Shanahan, Erin Page, Amy Keenan, and Thomas Brissenden were acting in the discharge of a duty imposed or authorized by law;

C. Mark Personius, Garrett Smith, Jon-Paul Shanahan, Erin Page, Amy Keenan, and Thomas Brissenden acted in good faith.

The motion was seconded by Buchanan.

The motion carried by the following vote:

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

Nay: 0

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

Donovan moved to approve defense and indemnification of Matthew Mahaffie, named as defendant in Whisper Lake Developments, Inc., Plaintiff vs. Skagit Highlands Homes, LLC. et al., Defendants. The defense and indemnification of Matthew Mahaffie in no way extends to Dead Goat Properties, LLC (also named as a defendant in this lawsuit) or any other entity for which he has a business interest.

Based on the following findings:

A. Matthew Mahaffie was acting in a matter in which the county had an interest;

B. Matthew Mahaffie was acting in the discharge of a duty imposed or authorized by law;

C. Matthew Mahaffie acted in good faith.

The motion was seconded by Scanlon.

George Roche, Prosecuting Attorney's Office, answered a question about the motion and stated it was specifically articulating that the business (Dead Goat Properties, LLC) is not defended and indemnified; we are only defending and indemnifying, by this motion, Matt Mahaffey, the county employee.

The motion carried by the following vote:

Aye: 6 - Galloway, Scanlon, Stremmer, Buchanan, Byrd, and Donovan

Nay: 1 - Elenbaas

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

COMMITTEE REPORTS, OTHER ITEMS, AND COUNCILMEMBER UPDATES
CONTINUED

Councilmembers continued to give committee reports and gave updates on recent activities and upcoming events.

ADJOURN

The meeting adjourned at 11:46 p.m.

ATTEST:

WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WA

Cathy Halka, Council Clerk

Kaylee Galloway, Council Chair

Meeting Minutes prepared by Kristi Felbinger