

**MINUTES OF THE SPECIAL
MEETING OF THE COMMISSION
February 13, 2026**

1. Call to Order

The special meeting of the Board of Commissioners of Public Utility District No. 1 of Whatcom County was called to order at 3:02 p.m. by Commissioner Eddy Ury. Said meeting was open to the public and notice thereof had been given as required by law.

Those present at the meeting included:

COMMISSION AND STAFF

Atul Deshmane	Commissioner
Jaime Arnett	Commissioner
Eddy Ury	Commissioner
Peter Ruffatto	General Counsel, CSD Attorneys at Law
Chris Heimgartner	General Manager
Andrew Entrikin	Director – Broadband and New Power Supply
Annette Smith	Finance Director
Joseph Shay	Clerk of the Board / Records
Mike Macomber	IT/SCADA Technician

VISITORS

Todd Lagestee	Citizen
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2. Agenda

The purpose of the special meeting was to resume discussion of and take possible action on Action Item 1: Authorizing the General Manager to Sign an IRU Agreement Between Whidbey Telephone Company D/B/A Whidbey Telecom and Whatcom PUD that was tabled at the February 10, 2026 Regular Commission Meeting.

Commission President Eddy Ury opened the floor for discussion to begin. Chris Heimgartner, General Manager presented background and history of the action item to the commission.

Commissioner Ury recognized Todd Lagestee for public comment and Mr. Lagestee was on the PUD Commission during the initial conversations regarding Whidbey Telecom. Mr. Lagestee shared his concerns about the IRU.

Commissioner Arnett made a motion to authorize the General Manager to sign an IRU Agreement Between Whidbey Telephone Company D/B/A Whidbey Telecom and Whatcom PUD. Commissioner Deshmane seconded the motion. Extensive discussion occurred regarding possible amendments to the IRU. President Ury called to question the open motion. The Commissioners unanimously voted against the open motion.

Commissioner Deshmane then made a motion for staff to take the following proposed amended language to Whidbey Telecom for inclusion in Section 12.1 of the IRU stating, “... Further, Whidbey Telecom shall ensure that Approved ISPs may use network services and facilities at rates, terms, and conditions that are not discriminatory or preferential between providers.” and have the General Manager negotiate with Whidbey Telecom to secure its inclusion in the IRU. Commissioner Arnett seconded the motion. The motion passed unanimously.

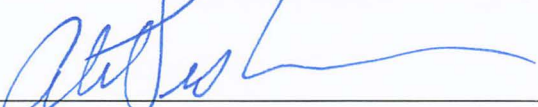
Commissioner Deshmane then made a motion for staff to take the following proposed amended language to Whidbey Telecom for inclusion in Section 12.0 of the IRU stating, “Further, Whidbey shall provide a \$5.00 per served BSL, per month to PUD.” and have the General Manager negotiate with Whidbey Telecom to secure its inclusion in the IRU. Commissioner Ury seconded the motion. Commissioner Arnett voted against the motion. Commissioner Deshmane voted for the motion. Commissioner Ury abstained from voting. The motion failed.

3. Adjourn

There being no further business Commissioner Ury adjourned the meeting at 4:21 p.m.

 2-24-26

Eddy Ury, President/Commissioner



Atul Deshmane, Vice President/Commissioner



Jaime Arnett, Secretary/Commissioner

Commission Clerk Note:

Video recordings of the Whatcom PUD Commission Meetings are available online at the following link on the PUD's Website: <https://www.pudwhatcom.org/the-commission/agenda-packets-meeting-minutes-recordings/>