

**Whatcom County  
Council Committee of the Whole**

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



**Committee Minutes - Final**

**Tuesday, February 8, 2022  
2:45 PM  
Virtual Meeting**

**VIRTUAL MEETING - ADJOURNS BY 4:45 P.M. (TO PARTICIPATE, SEE  
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  
Carol Frazey  
Kaylee Galloway  
Kathy Kershner

**CLERK OF THE COUNCIL**

Dana Brown-Davis, C.M.C.

## Call To Order

Council Chair Todd Donovan called the meeting to order at 12:45 p.m. in a virtual meeting.

## Roll Call

**Present:** 7 - Barry Buchanan, Tyler Byrd, Todd Donovan, Ben Elenbaas, Carol Frazey, Kaylee Galloway, and Kathy Kershner

**Absent:** None

## Announcements

### Special Presentation

1. AB2022-096 Presentation on ranked choice voting

The following people presented and answered questions:

- Kit Muehlman, FairVote Washington
- Jessie Post, FairVote Washington
- Lisa Ayrault, FairVote Washington
- Stoney Bird

They answered questions about whether you have to vote for all the available choices and not having to wait for the local options bill to put ranked choice voting on the ballot since Whatcom County is a non-partisan charter county.

Satpal Sidhu, County Executive, asked whether a ballot item for ranked choice voting would be to change our charter or whether the change would have to be made in our charter first before putting it on a ballot, or whether it can just go on the ballot without changing the charter.

The speakers and the Councilmembers discussed Sidhu's question and whether the exception for the non-partisan charter counties applies only to the single office races at the executive level or if it is for all races.

**This agenda item was PRESENTED.**

### Committee Discussion

1. AB2021-345 Discussion regarding reopening Council operations to the public

Dana Brown-Davis, Clerk of the Council, referred the Councilmembers to information included in the packet regarding this item and gave an update.

The additional following people spoke and answered questions:

- Perry Rice, Administrative Services Department Information Technology (I.T.) Manager
- Karen Frakes, Prosecuting Attorney's Office
- Satpal Sidhu, County Executive

Councilmembers and the speakers discussed whether they would need to send this back out for another bid, how many counties are now in hybrid mode, whether the guidelines are different for public meetings than they are for the public in general, getting a link to the Governor's guidelines, considering what will happen beyond COVID-19 if the emergency is lifted and keeping some element of technology in meeting protocols, having test committee meetings to work out the bugs before going fully hybrid, and what kind of input they would like to give as far as potentially going to a hybrid model.

***Kershner moved*** that they let Perry in I.T know that they would like him to move ahead with what he is doing and asked if a motion is needed.

Perry stated he could probably have something to them by the first Council meeting in March to consider (no vote was taken on the motion).

Councilmembers discussed making sure staff who are required to be there in person feel comfortable with this, considering measures that might prevent an outbreak of the virus, asking the Health Department to keep giving them information and updates on where we are with the pandemic to make sure we are not having outbreaks in the Council Chambers, having the option to go remote again if cases spike up, and engaging the Health Department in this so Council has a clear-eyed look at everything and do not risk our public and our staff.

**This agenda item was DISCUSSED.**

2. AB2022-097 Discussion on renaming Natural Resources Committee

Galloway briefed the Councilmembers on the related proposed Ordinance.

Councilmembers discussed the names of the current Council committees, the history of how some have changed, the proposed name change, and the next steps.

Dana Brown-Davis, Clerk of the Council, stated an Ordinance has been drafted and can be introduced in two weeks.

**This agenda item was DISCUSSED.**

**Committee Discussion and Recommendation to Council**

1. AB2021-594 Ordinance amending Whatcom County Code Chapter 2.02 (County Council) to define absence and temporary disability  

Kershner stated she believes the Ordinance is clarifying what constitutes an absence for the Executive and when the Executive Pro-Tempore would step in and take action.

Dana Brown-Davis, Clerk of the Council, gave a history of the item and stated it was held to give the Executive a chance to come back with an alternate proposal.

Satpal Sidhu, County Executive, requested the Council to give him a couple more weeks or meetings to bring something back and spoke about the proposed Ordinance.

***Byrd moved*** that the item be held in Committee until the first meeting in March or until the Executive brings it back. The motion was seconded by Kershner.

The motion carried by the following vote:  
**Aye:** 7 - Byrd, Donovan, Elenbaas, Frazey, Galloway, Kershner, and Buchanan  
**Nay:** 0

**This agenda item was FORWARDED TO COUNCIL WITH RECOMMENDED MOTION(S).**
2. AB2022-079 Ordinance amending Whatcom County Code 2.02.085, Council Standing Committees - Committee Action  

Donovan briefed the Councilmembers and Councilmembers discussed the proposed Ordinance and whether it changes or clarifies the current rules.

Satpal Sidhu, County Executive, referred to a memo that he sent to the Councilmembers on this topic and spoke in favor of this proposal.

Galloway discussed striking a balance between keeping County operations moving forward but also ensuring that they feel confident and informed in making those decisions to do so.

**Frazey moved and Galloway seconded that the Ordinance be RECOMMENDED FOR ADOPTION. The motion carried by the following vote:**

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

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

**Absent:** 0

### **Items Added by Revision**

There were no agenda items added by revision.

### **Other Business**

#### **Item 1**

Councilmembers discussed the Granicus system for vacation rentals and how Council would like to proceed now that they have had a presentation from the vendor.

Satpal Sidhu, County Executive, stated this was not on the agenda.

Dana Brown-Davis, Clerk of the Council, gave a background of the item and asked whether another discussion should be scheduled on the item or whether it should be on the back burner for now.

Donovan suggested that it be an item for discussion in two weeks with information posted on the Legislative Information Center and that they schedule a brief review from the Planning and Development Services Department.

#### **Item 2**

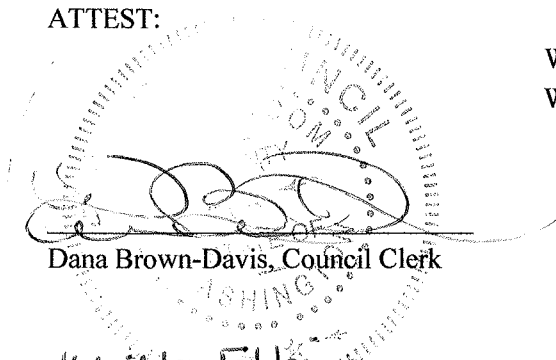
Sidhu gave a background on the GRACE (Ground-Level Response and Coordinated Engagement) and LEAD (Law Enforcement Assisted Diversion) programs and spoke about them being a part of the Health Department.

### **Adjournment**

The meeting adjourned at 4:03 p.m.

The County Council approved these minutes on February 22, 2022.

ATTEST:



WHATCOM COUNTY COUNCIL  
WHATCOM COUNTY, WA

Handwritten signature of Dana Brown-Davis in black ink.

Dana Brown-Davis, Council Clerk

Handwritten signature of Todd Donovan in black ink.

Todd Donovan, Council Chair

Handwritten signature of Kristi Felbinger in black ink.

Kristi Felbinger, Minutes Transcription