

# **Whatcom County Council Committee of the Whole**

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



## **Committee Minutes - Draft Minutes**

**Tuesday, February 6, 2024**

**3:05 PM**

**Hybrid Meeting**

**HYBRID MEETING - ADJOURNS BY 4:30 P.M., MAY BEGIN EARLY  
(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 Stremler

### **CLERK OF THE COUNCIL**

Dana Brown-Davis, C.M.C.

## Call To Order

Council Chair Barry Buchanan called the meeting to order at 3:06 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

## Announcements

## Committee Discussion and Recommendation to Council

1. [AB2024-090](#) Resolution identifying Whatcom County approaches to the fentanyl emergency  
Buchanan stated he and Elenbaas had a goal of getting a lot of eyes on this resolution but they ran out of time. He will make a motion today to hold the item until the joint Health Board and Public Health Advisory Board (PHAB) meeting on March 26th. In the meantime, they would like to form a stakeholder process which would include:

- Both the Sheriff's Office and Corrections
- Prosecutors Office
- Superior and District Court
- Public Health Advisory Board (PHAB)
- Health and Community Services Department
- The Tribes
- The Multi-Agency Coordination (MAC) Group
- Emergency Medical Services (EMS)
- Public Defender
- Incarceration Prevention and Reduction Task Force
- City of Bellingham and the small cities

***Buchanan moved*** to hold this item until (and refer it to) the Joint Health Board and Public Health Advisory Board meeting on March 26. The motion was seconded by Donovan.

Donovan asked whether the resolution could lead with and emphasize some of the promises for treatment made with the new revenues for the justice facility and whether a resolution declaring a state of emergency would lead with criminalization and emphasize incarceration. He asked whether, by fentanyl crimes, they mean trafficking and dealing or possession, and Buchanan stated that there are currently not a lot of details in the resolution and that is something they need to work on.

Satpal Sidhu, County Executive, stated the Administration supports this but he did not see the County Executive's Office on the list of stakeholders. They would like input on the cost of all this because there will be budget implications.

Councilmembers discussed whether possession should be illegal since fentanyl is not just an addiction issue but is affecting innocent people, supporting the ability for judges to utilize stricter sentences so that alternative treatment options are more desirable, the hope that an emergency declaration would move the timeline up for getting the jail and alternative treatment facility built, a suggestion to synchronize with the efforts of the MAC group whose list of legislative policy priorities is currently being worked on by the State Legislature, having a more formal government-to-government process with the Lummi and Nooksack Tribes, the impacts of declaring an emergency on the County, Sheriff, and other staff and whether they should just declare a public health crisis, looking at and addressing any sort of inequities, racial disparities, or unintended consequences of some of the legal recommendations being considered, making sure we can think about how to elevate all the work our team is doing on treatment efforts, and making sure all of this is done with consideration of and consistency with the Justice Project.

Buchanan stated the stakeholder group is being put together to address the impacts discussed and he is not interested in downgrading it from an emergency.

Elenbaas clarified that he reached out to the Lummi Nation about what they were doing and brought the Lummi Nation to Chair Buchanan in order to have this conversation.

Councilmembers discussed that because they do not have a lot of flexibility with budget and not a lot of resources coming in (unless the Legislature does something in the next few weeks), they may have to drop other programs, whether there are changes that need to be made in the County Code, making sure there are good distinctions made between the impacts on youth and on adults, letting advisory groups know that this needs to be a priority for their upcoming meetings, getting this resolution in place so that the County can accept funding if it becomes available, how the PHAB can help with getting input from advisory groups, getting the voice of the treatment subgroup of the MAC group as part of the stakeholders so they get that specific input, adding a line to the resolution that encourages other departments or committees to bring forward suggestions, whether the plan

to use funds for the construction of facilities can be tweaked so the rollout of services we were planning on funding could be accelerated, and funding that might be available or accessed under an emergency declaration.

Sidhu spoke about the responsibility that parents have in the issue and stated part of the measure should be parent education.

Dana Brown-Davis, Clerk of the Council, asked if Council wanted this as a discussion item or an action item on March 26 and Buchanan stated it will probably be an action item.

Elenbaas asked whether the final vote on this will be by the Council and they will not be turning the vote over to the PHAB, and Buchanan stated that is correct.

**Buchanan's motion that the Resolution be FORWARDED TO COUNCIL WITH THE RECOMMENDED MOTION(S) to hold this item until (and refer it to) the Joint Health Board and Public Health Advisory Board meeting on March 26 carried by the following vote:**

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

**Nay:** 1 - Byrd

ACTION SUMMARY: Motion approved to hold this item until (and refer it to) the Joint Health Board and Public Health Advisory Board meeting on March 26

### **Items Added by Revision**

There were no agenda items added by revision.

### **Other Business**

There was no other business.

### **Adjournment**

The meeting adjourned at 3:39 p.m.

ATTEST:

WHATCOM COUNTY COUNCIL  
WHATCOM COUNTY, WA

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Dana Brown-Davis, Council Clerk

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Barry Buchanan, Council Chair

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Kristi Felbinger, Minutes Transcription