

# **Whatcom County Council Committee of the Whole-Executive Session**

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



## **Committee Minutes - Draft Minutes**

**Tuesday, February 21, 2023**

**9:45 AM**

**Hybrid Meeting**

**HYBRID MEETING - ADJOURNS BY 10:50 A.M. (PARTICIPATE IN-PERSON AT  
311 GRAND AVENUE SUITE 101, 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  
Carol Frazey  
Kaylee Galloway  
Kathy Kershner

### **CLERK OF THE COUNCIL**

Dana Brown-Davis, C.M.C.

## Call To Order

Council Chair Barry Buchanan called the meeting to order at 9:46 a.m. in a hybrid meeting.

## Roll Call

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

**Absent:** None

## Announcements

## Committee Discussion

**Attorneys Present: Karen Frakes, Dean Kawamoto (outside counsel), and Felicia Craick (outside counsel).**

Buchanan stated that discussion of agenda items one and two may take place in executive session pursuant to RCW 43.30.140(4)(a) and RCW 42.30.110 (1)(i) respectively. Executive session will conclude no later than 10:50 a.m. If the meeting extends beyond the stated conclusion time, Council Staff will make a public announcement.

***Donovan moved*** to go into executive session until no later than 10:50 a.m. to discuss the agenda item(s) pursuant to the RCW citation(s) as announced by the Council Chair. The motion was seconded by Frazey.

The motion carried by the following vote:

**Aye:** 7 - Buchanan, Byrd, Donovan, Elenbaas, Frazey, Galloway, and Kershner

**Nay:** 0

1. [AB2023-138](#) Discussion on negotiations and planning strategy discussion regarding collective bargaining [Discussion of this item may take place in executive session (closed to the public) pursuant to RCW 43.30.140(4)(a)]

**This agenda item was DISCUSSED.**

2. [AB2023-142](#) Discussion of pending litigation with Chief Civil Deputy, Karen Frakes and outside counsel from Keller Rohrback, LLP, regarding the JUUL e-cigarette multi-district litigation (MDL). [Discussion of this item may take place in executive session (closed to the public) pursuant to RCW 42.30.110 (1)(i)]

**This agenda item was DISCUSSED.**

## Items Added by Revision

There were no agenda items added by revision.

**Other Business**

There was no other business.

**Adjournment**

The meeting adjourned at 10:44 a.m.

ATTEST:

WHATCOM COUNTY COUNCIL  
WHATCOM COUNTY, WA

\_\_\_\_\_  
Dana Brown-Davis, Council Clerk

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Barry Buchanan, Council Chair

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Kristi Felbinger, Minutes Transcription