

Whatcom County Council (Special)

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



Minutes - Final

**Tuesday, August 26, 2025
9 AM**

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 Stremmler

CLERK OF THE COUNCIL

Cathy Halka, AICP, CMC

Call To Order

Council Chair Kaylee Galloway called the meeting to order at 9:01 a.m. in a hybrid meeting.

Roll Call

Present: 6 - Barry Buchanan, Tyler Byrd, Todd Donovan, Ben Elenbaas, Kaylee Galloway, and Mark Stremmler

Absent: 1 - Jon Scanlon

Announcements**Committee Discussion**

Galloway stated that discussion of agenda items one and two may take place in executive session pursuant to RCW 42.30.140(4)(a) and RCW 42.30.110 (1)(i), (ii) respectively. Executive session will conclude no later than 10 a.m. If the meeting extends beyond the stated conclusion time, the Council chair will make a public announcement.

Buchanan moved to go into executive session until no later than 10 a.m. to discuss the agenda items pursuant to the RCW citation(s) as announced by the Council Chair. The motion was seconded by Stremmler.

Donovan asked about the second agenda item (**AB2025-592**) and what they would be discussing that they have not already read about in Cascadia Daily News. He asked how they make sure discussions in executive session do not constrain Council's ability to talk when they are out at the dais about what they (and the public) are reading about .

Kimberly Thulin, Prosecuting Attorney's Office, stated if what is being stated in the Cascadia Daily News is the basis of their knowledge, that is what they would reference, but anything being stated in executive session would stay private.

Donovan stated his concern is that they will be given privileged communication that will constrain their ability to be investigating or trying to understand what is going on with fund balances that are being reported and linked to this potential litigation.

Thulin stated she sent an email to Council explaining that they are going to be updated as to the status of the situation as of today and what the next steps would be. Those are things that are not in the news, nor are they things that would interfere with Council's ability to independently do what they

consider to be their job.

Clerk's note: Elenbaas joined the meeting shortly after the roll call.

Attorneys Present: Jesse Corkern and Kimberly Thulin, Prosecuting Attorney's Office, and John Henry, Summit Law.

The motion carried by the following vote:

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

Nay: 0

Absent: 1 - Scanlon

Councilmembers entered executive session at 9:06 a.m.

At 10 a.m. Galloway adjourned the executive session.

1. [AB2025-436](#) Update on negotiations and planning strategy discussion with Civil Deputy Prosecutor Jesse Corkern regarding collective bargaining [Discussion of this item may take place in executive session (closed to the public) pursuant to RCW 42.30.140(4)(a)]

This agenda item was DISCUSSED.

2. [AB2025-592](#) Discussion of litigation specifically threatened against the County or that Whatcom County reasonably believes may be commenced against the County [Discussion of this item may take place in executive session (closed to the public) pursuant to RCW 42.30.110 (1)(i), (ii)]

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 a.m.

The County Council approved these minutes on September 23, 2025.

ATTEST:

WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WA

Cathy Halka, Council Clerk

Kaylee Galloway, Council Chair

SIGNED COPY ON FILE

Meeting Minutes prepared by Kristi Felbinger