

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 - Final

Tuesday, November 23, 2021

9 AM

Virtual Meeting

VIRTUAL MEETING - ADJOURNS BY 10 A.M. (TO PARTICIPATE, SEE INSTRUCTIONS AT www.whatcomcounty.us/joinvirtualcouncil OR CALL 360.778.5010); AGENDA REVISED 11.22.2021; MEETING START TIME CHANGED TO 9 A.M.

COUNCILMEMBERS

Rud Browne
Barry Buchanan
Tyler Byrd
Todd Donovan
Ben Elenbaas
Carol Frazey
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 9:02 a.m. in a virtual meeting.

Roll Call

Clerk's note: Elenbaas was not present for the vote to go into Executive Session or for the first item but was present for the second agenda item.

Present: 7 - Rud Browne, Barry Buchanan, Tyler Byrd, Todd Donovan, Ben Elenbaas, Carol Frazey, and Kathy Kershner

Absent: None

Announcements

Committee Discussion

Attorneys Present: Karen Frakes and Royce Buckingham.

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

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

The motion carried by the following vote:

Aye: 6 - Browne, Buchanan, Byrd, Donovan, Frazey, and Kershner

Nay: 0

Temporarily out of the Meeting: 1 - Elenbaas

1. [AB2021-660](#) Discussion of pending litigation with Chief Civil Deputy Prosecutor Karen Frakes: Whatcom Farm Bureau, et al. v. Whatcom County, GMHB Case No. 18-2-0001 [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

1. [AB2021-703](#) Discussion with Civil Deputy Prosecutor Royce Buckingham regarding Petrogas SEPA permit #2016-00004 [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.

Other Business

Adjournment

The meeting adjourned at 10 a.m.

The County Council approved these minutes on December 7, 2021.

ATTEST:

WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WA

Dana Brown-Davis, Council Clerk

Barry Buchanan, Council Chair

Kristi Felbinger, Minutes Transcription

SIGNED COPY ON FILE