

# **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, November 23, 2021**

**9 AM**

**Virtual Meeting**

**VIRTUAL MEETING - ADJOURNS BY 10 A.M. (TO PARTICIPATE, SEE INSTRUCTIONS AT [www.whatcomcounty.us/joinvirtualcouncil](http://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.

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