

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

**COUNTY COURTHOUSE  
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Bellingham, WA 98225-4038  
(360) 778-5010**



## **Committee Minutes - Draft Minutes**

**Tuesday, January 10, 2023**

**9 AM**

**Hybrid Meeting**

**HYBRID MEETING - ADJOURNS BY 9:45 A.M. (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  
Carol Frazey  
Kaylee Galloway  
Kathy Kershner

### **CLERK OF THE COUNCIL**

Dana Brown-Davis, C.M.C.

## Call To Order

Council Chair Todd Donovan called the meeting to order at 9 a.m. in a hybrid meeting.

## Roll Call

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

**Absent:** None

## Announcements

### Special Order of Business

1. [AB2023-022](#) Reorganization of the Whatcom County Council for 2023

Council Chairperson (Acts as Chair of Council acting in other capacities, Rep to EDI Board, Law Library Board, County Finance Committee)

*Frazey moved* and Galloway seconded to nominate Buchanan.

*Kershner moved* to nominate Buchanan and Elenbaas. The motion was seconded by Donovan.

Councilmembers discussed the nominations.

Buchanan was appointed as Chair by the following vote:

**Buchanan:** 5 - Byrd, Buchanan, Donovan, Frazey, and Galloway

**Elenbaas:** 2 - Elenbaas and Kershner

Buchanan chaired the rest of the meeting.

### Council Vice-Chairperson

*Donovan moved* and Frazey seconded to nominate Byrd.

The motion carried by the following vote:

**Aye:** 6 - Donovan, Frazey, Galloway, Kershner, Buchanan, and Byrd

**Nay:** 0

**Abstain:** 1 - Elenbaas

### Executive Pro-Tempore (Cannot be on COG)

***Donovan moved*** and Buchanan seconded to nominate Byrd and Frazey.

Byrd withdrew his name from consideration

***Buchanan moved*** and Galloway seconded to nominate Frazey.

The motion carried by the following vote:

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

**Nay:** 0

Standing Committees

Criminal Justice and Public Safety

***Kershner moved*** and Galloway seconded to nominate Buchanan, Byrd, and Frazey.

The motion carried by the following vote:

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

**Nay:** 0

Finance & Administrative Services - Chair of Finance Committee will automatically act as Council Rep. to What-Comm Administrative Board

***Galloway moved*** and Buchanan seconded to nominate Byrd, Donovan, Frazey, and Kershner, with each Councilmember voting for three.

Donovan, Frazey, and Kershner were appointed by the following vote:

**Frazey:** 6 - Buchanan, Byrd, Donovan, Frazey, Galloway, and Kershner

**Kershner:** 6 - Byrd, Donovan, Elenbaas, Frazey, Galloway, and Kershner

**Donovan:** 5 - Buchanan, Donovan, Elenbaas, Frazey, and Galloway

**Byrd:** 4 - Buchanan, Byrd, Elenbaas, and Kershner

Planning & Development

***Buchanan moved*** and Donovan seconded to nominate Byrd, Elenbaas, and

Galloway.

The motion carried by the following vote:

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

**Nay:** 0

#### Public Works and Health

Buchanan withdrew his name from consideration.

***Donovan moved*** and Galloway seconded to nominate Frazey, Galloway, and Kershner.

Kershner stated this might be the first all-women committee assignment in a long time.

The motion carried by the following vote:

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

**Nay:** 0

#### Climate Action and Natural Resources

***Kershner moved*** and Buchanan seconded to nominate Donovan, Elenbaas, and Galloway.

The motion carried by the following vote:

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

**Nay:** 0

#### Select 2 Climate Action / Natural Res. Committee members as Reps to Lake Whatcom Policy Group

***Buchanan moved*** and Frazey seconded to nominate Donovan and Galloway.

Galloway stated she would like to strike the Climate Action and Natural Resources specification on the preference sheet for this committee and instead open it up to any councilmember. She also stated that we need to

make sure we are sending notice for the Lake Whatcom Policy Group meetings that there will be a quorum of a committee in attendance.

Dana Brown-Davis, Clerk of the Council, discussed with Councilmembers the history of why it says members need to be from the Climate Action and Natural Resources Committee, and whether two members of a committee should constitute a quorum since they cannot officially pass anything.

The motion carried by the following vote:

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

**Nay:** 0

Other Committee Assignments

Behavioral Health Advisory Committee

***Donovan moved*** and Galloway seconded to nominate Buchanan.

The motion carried by the following vote:

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

**Nay:** 0

Bellingham International Airport Advisory

Donovan withdrew his name from consideration.

Frazey withdrew her name from consideration.

***Donovan moved*** and Kershner seconded to nominate Elenbaas.

The motion carried by the following vote:

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

**Nay:** 0

Bellingham Regional Chamber of Commerce

***Buchanan moved*** and Donovan seconded to nominate Byrd.

The motion carried by the following vote:

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

**Nay:** 0

Business and Commerce Advisory Committee (non-voting)

Elenbaas and Galloway stated they would be willing to be on the committee.

***Kershner*** volunteered and ***moved*** that she be nominated for the position.

The motion was seconded by Buchanan.

The motion carried by the following vote:

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

**Nay:** 0

Child and Family Well-Being Task Force

Buchanan withdrew his name from consideration.

Kershner withdrew her name from consideration.

Councilmembers discussed the nomination.

***Frazey moved*** and Buchanan seconded to nominate Elenbaas and Frazey.

Frazey was appointed by the following vote:

**Frazey:** 4 - Buchanan, Donovan, Frazey, and Galloway

**Elenbaas:** 3 - Kershner, Byrd, and Elenbaas

Climate Impact Advisory Committee Appoint ONE-Non-Voting member (\*\*3-year term) AB2022-021

***Buchanan moved*** and Frazey seconded to nominate Galloway.

Kershner asked whether it should be a three-year term and whether it is a new committee for the Council. Councilmembers discussed the term and

Kershner stated the term might be something they need to look at outside of this meeting.

The motion carried by the following vote:

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

**Nay:** 0

Council of Governments (COG) Appoint TWO members to serve on the Full Council (cannot be Exec Pro-Tem)

Kershner stated she is happy to serve again unless anyone else would like a shot at it.

***Donovan moved*** and Buchanan seconded to nominate Kershner and Galloway.

The motion carried by the following vote:

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

**Nay:** 0

Council of Governments (COG) Appoint ONE of the above two members to also serve on the Exec Board and Transportation Policy Board (cannot be Exec Pro-Tem)

Galloway stated the Council of Governments (COG) meeting will probably need to be noticed as a committee quorum since she and Kershner are both on the Public Works and Health Committee. She stated she encourages the Council to support Kershner being an alternate for her if she cannot make the meetings.

Councilmembers discussed with the Clerk of the Council whether they can choose an alternate ad hoc.

***Buchanan moved*** and Frazey seconded to nominate Galloway with Kershner as an alternate.

The motion carried by the following vote:

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

Nay: 0

Developmental Disabilities Board

***Buchanan moved*** and Frazey seconded to nominate Kershner.

The motion carried by the following vote:

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

**Nay:** 0

Drayton Harbor & Portage Bay Shellfish Protection Districts

***Buchanan moved*** and Donovan seconded to nominate Elenbaas.

The motion carried by the following vote:

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

**Nay:** 0

EMS Oversight Board Representative

Byrd withdrew his name from consideration.

Galloway withdrew her name from consideration.

***Buchanan moved*** and Donovan seconded to nominate Elenbaas, Frazey, and Kershner.

Elenbaas spoke about why he would like to serve on this committee.

Galloway requested that there be frequent communication with the full Council from whomever is appointed, that they report back regularly to the Council, and that there be communication with their alternate representative when they are not able to attend meetings.

Councilmembers discussed whether both representatives should go to the meetings and why the applicants would like to be appointed.

Frazey was appointed by the following vote:



**Frazey:** 4 - Buchanan, Donovan, Frazey, and Galloway

**Elenbaas:** 3 - Byrd, Elenbaas, and Kershner

EMS Oversight Board Alternate Representative

**Elenbaas moved** and Buchanan seconded to nominate himself as the alternate.

Kershner withdrew her name from consideration.

**Kershner moved** to nominate Byrd, Elenbaas, and Galloway.

Galloway stated she would have withdrawn and supported Kershner but Kershner stated she would support Elenbaas.

Byrd withdrew his name from consideration.

Elenbaas was appointed by the following vote:

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

Flood Control Zone Committee (Ex Officio)

**Galloway moved** and Frazey seconded to nominate Elenbaas.

Elenbaas stated he was shocked he was the sole applicant.

Kershner asked that Elenbaas bring information back to the Council from the meetings, and that he finds someone else to go and bring back information if he is not able to go.

The motion carried by the following vote:

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

**Nay:** 0

Incarceration Prevention and Reduction Task Force - Representative

**Donovan moved** and Frazey seconded to nominate Buchanan.

The motion carried by the following vote:

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

**Nay:** 0

Incarceration Prevention and Reduction Task Force - Alternate

***Buchanan moved*** and Donovan seconded to nominate Elenbaas.

The motion carried by the following vote:

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

**Nay:** 0

Intergovernmental Tribal Relations Committee (Appt. TWO)

Galloway withdrew her name from consideration.

***Buchanan moved*** and Donovan seconded to nominate Elenbaas and Frazey.

Councilmembers discussed the committee and whether it meets.

The motion carried by the following vote:

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

**Nay:** 0

LEOFF Board

***Donovan moved*** to nominate Buchanan and Byrd but Byrd withdrew his name from consideration so Donovan ***withdrew*** his motion.

***Donovan moved*** and Frazey seconded to nominate Buchanan.

The motion carried by the following vote:

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

**Nay:** 0

Local Emergency Planning Committee (LEPC)

**Buchanan moved** and Kershner seconded to nominate Byrd and Elenbaas.

Byrd withdrew his name from consideration.

**Buchanan amended** his motion and **moved** to nominate Elenbaas. The motion was seconded by Donovan.

Elenbaas was appointed by the following vote:

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

**Nay:** 0

Lummi Island Ferry Advisory Committee - Appoint ONE non-voting attendee

**Buchanan moved** and Frazey seconded to nominate Donovan.

The motion carried by the following vote:

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

**Nay:** 0

OPTIONAL: Lummi Island Ferry Advisory Committee Alt. - Appoint TWO alternates if Council wishes

Donovan moved to nominate Elenbaas but they needed to decide first whether they wanted to appoint two alternates since it is optional.

**Kershner moved** and Byrd seconded to appoint two alternates.

The motion carried by the following vote:

**Aye:** 6 - Frazey, Galloway, and Kershner, Buchanan, Byrd, and Donovan

**Nay:** 1 - Elenbaas

Buchanan stated he would put his name in for consideration.

**Kershner moved** and Donovan seconded to nominate Buchanan and Elenbaas as alternates.

Councilmembers discussed whether they need a first and second alternate but they decided they did not.

The motion carried by the following vote:

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

**Nay:** 0

#### Marine Resources Committee

Councilmembers discussed their availability for the committee and that it is an interesting committee.

Buchanan volunteered his name for consideration.

Galloway stated she could do it so Buchanan withdrew his name from consideration.

***Buchanan moved*** and Frazey seconded to nominate Galloway.

Councilmembers discussed the committee.

The motion carried by the following vote:

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

**Nay:** 0

#### North Sound Behavioral Health Exec. Committee

***Donovan moved*** and Kershner seconded to nominate Buchanan.

The motion carried by the following vote:

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

**Nay:** 0

#### Northwest Clean Air Agency

***Buchanan moved*** and Galloway seconded to nominate Donovan and Elenbaas.

Donovan was appointed by the following vote:

**Donovan:** 5 - Galloway, Kershner, Buchanan, Donovan, and Frazey

**Elenbaas:** 2 - Byrd and Elenbaas

Elenbaas and Donovan spoke about their reasons for wanting to be appointed.

#### Northwest Regional Council (NWRC)

Buchanan withdrew his name from consideration.

***Buchanan moved*** and Donovan seconded to nominate Kershner.

The motion carried by the following vote:

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

**Nay:** 0

#### Opportunity Council

***Buchanan moved*** and Frazey seconded to nominate Galloway.

***Elenbaas moved*** and Byrd accepted to nominate Byrd.

Galloway stated it is a multi-year term per the Opportunity Council's application process and she was the appointee last year.

Galloway was appointed by the following vote:

**Galloway:** 4 - Buchanan, Donovan, Frazey, and Galloway

**Byrd:** 3 - Byrd, Elenbaas, and Kershner

Councilmembers discussed how the three-year term for this committee is defined (by Ordinance or invitation by the Opportunity Council).

#### Public Defense Advisory

Frazey withdrew her name from consideration.

Elenbaas spoke about why he would like to be appointed.

***Donovan moved*** and Frazey seconded to nominate Elenbaas.

The motion carried by the following vote:

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

**Nay:** 0

#### Public Health Advisory Board

Galloway stated she would also like to be considered and spoke about why.

Kershner spoke about why she put her name in for this.

***Donovan moved*** and Buchanan seconded to nominate Galloway and Kershner.

Kershner was appointed by the following vote:

**Kershner:** 5 - Kershner, Elenbaas, Donovan, Byrd, and Buchanan

**Galloway:** 2 - Galloway and Frazey

Buchanan stated they are over time for this committee and they could finish the appointments tonight.

Councilmembers concurred to adjourn.

*Clerk's note:* This item was continued under COMMITTEE REPORTS, OTHER ITEMS, AND COUNCILMEMBER UPDATES during the Council meeting.

**This agenda item was NOMINATED AND APPOINTED. See the Agenda Bill attachment online for AB2023-022.**

#### **Items Added by Revision**

There were no agenda items added by revision.

#### **Other Business**

There was no other business.

#### **Adjournment**

The meeting adjourned at 10:10 p.m.

ATTEST:

WHATCOM COUNTY COUNCIL  
WHATCOM COUNTY, WA

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

\_\_\_\_\_  
Barry Buchanan, Council Chair

\_\_\_\_\_  
Kristi Felbinger, Minutes Transcription