

**Whatcom County
Council Finance and Administrative Services Committee**

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



Committee Minutes - Final

**Tuesday, April 9, 2024
9:25 AM
Hybrid Meeting**

HYBRID MEETING - ADJOURNS BY 11:10 A.M. (PARTICIPATE IN-PERSON,
SEE REMOTE JOIN INSTRUCTIONS AT www.whatcomcounty.us/joinvirtualcouncil,
OR CALL 360.778.5010)

COUNCILMEMBERS

Tyler Byrd
Todd Donovan
Kaylee Galloway

CLERK OF THE COUNCIL

Dana Brown-Davis, C.M.C.

Call To Order

Committee Chair Todd Donovan called the meeting to order at 9:33 a.m. in a hybrid meeting.

Roll Call

Present: 3 - Tyler Byrd, Kaylee Galloway, and Todd Donovan

Also Present: Barry Buchanan, Ben Elenbaas, Jon Scanlon, and Mark Stremmer

Announcements

Council "Consent Agenda" Items

Byrd stated he had questions on Consent Agenda items four and nine.

Consent Agenda Item #4 (AB2024-222)

Shamika Brooks, Health and Community Services Department, briefed the Councilmembers on the item. She answered whether the community immunization clinics are pre-advertised to parents and students in the school district and free to anyone who chooses to show up. She stated it is advertised and parents can choose to allow their students to take part in that. They are trying to make it easier for students and parents.

Nicole Miller, Public Health Nurse Supervisor, answered whether the school district can do this on their own without the Health Department and why it is helpful to do the program under the Health Department. She stated the school district does not have access to vaccines so that is the primary reason why they cannot do it on their own.

Consent Agenda item #9 (AB2024-243)

Garrett Smith, Planning and Development Services Department, briefed the Councilmembers on the item. He stated the department has encountered some vacancies in the last couple years which has created a backlog. The hope is that with this consulting group, they can get through that backlog as well as provide an opportunity for some of the new employees to get more accustomed to County Code.

Byrd stated he would like to vote on Consent Agenda item #10 (AB2024-244) separately.

Consent Agenda Item #11 (AB2024-248)

Galloway stated there are some references to 2023 in the contract and she wonders if those were meant to reference 2024.

Tyler Schroeder, Director of Administrative Services, stated most likely those should have been 2024. They will confirm and change them for the evening meeting.

Galloway moved to recommend approval of Consent Agenda items one through nine, eleven, and twelve. Councilmembers voted on the Consent items (see votes on individual items below).

1. [AB2024-200](#) Request authorization for the County Executive to enter into an interlocal agreement between Whatcom County and Whatcom County Library System in support of the Birch Bay Library construction project in the amount of \$315,000

Galloway moved that the Interlocal be RECOMMENDED FOR AUTHORIZATION BY CONSENT. The motion carried by the following vote:

Aye: 3 - Byrd, Galloway, and Donovan

Nay: 0

2. [AB2024-204](#) Request authorization for the County Executive to enter into a contract between Whatcom County and PNW Plateful to distribute weekly meals to low-income households, in the amount of \$115,000

Galloway moved that the Contract be RECOMMENDED FOR AUTHORIZATION BY CONSENT. The motion carried by the following vote:

Aye: 3 - Byrd, Galloway, and Donovan

Nay: 0

3. [AB2024-221](#) Request authorization for the County Executive to enter into an Interlocal Agreement between Whatcom County and WA State Department of Commerce to provide funding for Justice Project management and Justice Project data work in the amount of \$245,903.00

Galloway moved that the Interlocal be RECOMMENDED FOR AUTHORIZATION BY CONSENT. The motion carried by the following vote:

Aye: 3 - Byrd, Galloway, and Donovan

Nay: 0

4. [AB2024-222](#) Request authorization for the County Executive to enter into a no cost interlocal agreement between Whatcom County and Bellingham School District to provide community immunization clinics

Galloway moved that the Interlocal be RECOMMENDED FOR AUTHORIZATION BY CONSENT. The motion carried by the following vote:

Aye: 3 - Byrd, Galloway, and Donovan

Nay: 0

5. [AB2024-223](#) Request authorization for the County Executive to enter into Project Agreement Amendment No. 3 with the County Road Administration Board (CRAB), for the Hampton Road Pavement Rehabilitation Project, for Rural Arterial Program (RAP) funding in the amount of \$198,000

Galloway moved that the Contract be RECOMMENDED FOR AUTHORIZATION BY CONSENT. The motion carried by the following vote:

Aye: 3 - Byrd, Galloway, and Donovan

Nay: 0

6. [AB2024-230](#) Request permission for the County Executive to enter into a contract between Whatcom County and Geo Test Services to provide on-call construction materials testing and inspection services for 2024 in the amount not to exceed \$200,000

Galloway moved that the Contract be RECOMMENDED FOR AUTHORIZATION BY CONSENT. The motion carried by the following vote:

Aye: 3 - Byrd, Galloway, and Donovan

Nay: 0

7. [AB2024-232](#) Request authorization for the County Executive to enter into a contract between Whatcom County and Aspect Consulting to provide water rights adjudication technical assistance, in the amount of \$170,000.00 (Council acting as the Whatcom County Flood Control Zone District Board of Supervisors)

Galloway moved that the Contract (FCZDBS) be RECOMMENDED FOR AUTHORIZATION BY CONSENT. The motion carried by the following vote:

Aye: 3 - Byrd, Galloway, and Donovan

Nay: 0

8. [AB2024-242](#) Request authorization for the County Executive to award bid # 24-23 and enter into a contract between Whatcom County and Lake Union Drydock Company for the annual drydocking, repair and maintenance of the Whatcom Chief Ferry, in the amount of \$1,180,380.00

Galloway moved that the Bid Award be RECOMMENDED FOR AUTHORIZATION BY CONSENT. The motion carried by the following vote:

Aye: 3 - Byrd, Galloway, and Donovan

Nay: 0

9. [AB2024-243](#) Request authorization for the County Executive to enter into a contract between Whatcom County and MacWhinney Environmental Consulting LLC for third-party critical areas review, in the amount of \$60,000.00

Galloway moved that the Contract be RECOMMENDED FOR AUTHORIZATION BY CONSENT. The motion carried by the following vote:

Aye: 3 - Byrd, Galloway, and Donovan

Nay: 0

10. [AB2024-244](#) Request authorization for the County Executive to enter into a contract amendment between Whatcom County and Opportunity Council to provide housing case management services in the amount of \$256,842 for a total amended contract amount of \$1,488,823

This item was considered separately below.

11. [AB2024-248](#) Request authorization for the County Executive to enter into a contract between Whatcom County and Puget Sound Energy for the Sheriff's Office to perform reimbursed overtime patrols, in the amount of \$18,216.00

Galloway moved that the Contract be RECOMMENDED FOR AUTHORIZATION BY CONSENT. The motion carried by the following vote:

Aye: 3 - Byrd, Galloway, and Donovan

Nay: 0

12. [AB2024-257](#) Request authorization for the County Executive to enter into an Economic Development Investment Program Interlocal Loan and Grant agreement between Whatcom County and the City of Bellingham to provide EDI loan and grant funding support for the Old Town Urban Village Improvement Project in the amount of \$1,500,000 in grant funding and \$1,500,000 in loan funding for a total agreement amount of \$3,000,000

Galloway moved that the Interlocal be RECOMMENDED FOR AUTHORIZATION BY CONSENT. The motion carried by the following

vote:

Aye: 3 - Byrd, Galloway, and Donovan

Nay: 0

Council "Consent Agenda" Items Considered Separately

10. [AB2024-244](#) Request authorization for the County Executive to enter into a contract amendment between Whatcom County and Opportunity Council to provide housing case management services in the amount of \$256,842 for a total amended contract amount of \$1,488,823

Galloway moved that the Contract be RECOMMENDED FOR AUTHORIZATION. The motion carried by the following vote:

Aye: 2 - Galloway, and Donovan

Nay: 1 - Byrd

Special Presentation

1. [AB2024-190](#) Presentation of the Western Washington University Small Business Development Center

The following people read from a presentation (on file) about the Small Business Development Center's 2023 activities, bilingual outreach, provision of technical advising services in Spanish to Latino business owners, and trends they are seeing in the community:

- CJ Seitz, Small Business Development Center Director
- Liliana Deck, Small Business Development Center

Seitz answered whether there is any comparison data showing the areas of counseling of their overall client base in the county and what is happening with businesses in the last couple years, and stated she will follow up with that. She answered what their partnerships look like with the Tribes, whether any of the challenges they are seeing in the business community are unique to our county, and whether there are things we could learn from how other counties are responding to those challenges.

Deck stated they communicate with all the counties in Washington State and have a network of bilingual advisors. They keep track of what is happening and leverage resources throughout the entire state.

Byrd stated they and the program are amazing and he has only heard positive things.

This agenda item was PRESENTED.

2. [AB2024-231](#) Report from the Finance Division

Brad Bennett, Administrative Services Department Finance, updated Councilmembers on the first quarter financial report and answered questions. He stated the County's overall revenues are \$20 million more than they were in 2022 and gave specific examples of one-time revenues that contributed to that. He stated sales tax was \$1.2 million over budget, but in the last quarter sales tax revenue was actually 4.6 percent less than it was in 2022. The concern is that their projections are based on a five percent growth and they are not seeing that right now. Charges for services were also down, probably due to high interest rates. They had more revenue than expenditure and are expecting to end the year with about a \$31.6 million fund balance, which is about three months-worth of expenditures. He answered whether that projection is assuming the sales tax revenue catches back up to what was projected. He stated he thinks we are losing some money, looking at 2024, because of high interest rates or delayed construction projects, but he will keep them posted. He answered whether they have seen that people are starting to shop more in person as opposed to online and stated he thinks the most likely cause is decline in construction.

This agenda item was REPORTED.

Committee Discussion

1. [AB2024-201](#) Ordinance adopting amendments to Whatcom County Code Section 1.14, Electoral Precincts, with newly established voting precinct boundaries for Whatcom County

Stacy Henthorn, County Auditor, briefed the Councilmembers and stated that making changes to the electoral precincts is something they do annually any time the cities have annexations. She answered whether we are changing the precinct numbers to reflect the annexations or whether the boundaries are actually changing. She stated some of the boundaries did change. She answered what the process is for changing the boundary lines and stated there is a brand new precinct in the city of Everson and one in the city of Nooksack.

Amy Grasher, Auditor's Office, answered questions about the impacts to the individual precincts, and where someone can see what the changes were. She stated they have information on what the boundaries are now and also what they are going to be and the changes are very small. She spoke about the process of adjustments going through the Boundary Review Board.

This agenda item was DISCUSSED.

2. [AB2024-226](#) Update on the Medical Examiner transition from contracted to county employment
Tyler Schroeder, Director of Administrative Services, read from a memo (on file).

Byrd spoke about his concerns. He stated we are adding additional expenses we did not have before and he is not hearing about all the complaints, problems, and issues we have been seeing and hearing from our partners and other stakeholders in the community about how the Medical Examiner's program is currently being run.

Schroeder stated he recognizes some of the concerns Councilmembers have heard. The Executive's Office follows up on concerns directly with the Medical Examiner. He answered a question about how many people have historically been on staff in that office and how they are coming to add seven positions, and he spoke about the recent biennium budget process where staffing costs were addressed. The Administration is just carrying out what was already approved. He read from a presentation (on file) on the roles of the Medical Examiner, investigators, family liaison, and support officers. He stated that what they have come to learn is that they need to have a better understanding of the roles and responsibilities of the support officers and the Medical Examiner as it pertains to law enforcement and next of kin. They are facilitating conversations with all the groups in hopes of providing clarity, avoiding confusion, and continuing collaboration. He stated he cannot stress enough how many other counties are struggling to provide this service. We are in a good position right now and we want to continue that stability moving forward.

Elenbaas stated what he is hearing is that we have been doing it wrong all these years. He asked why they do not look into how we used to do it in such an efficient manner rather than reinventing the wheel and bringing on more staff.

Schroeder stated we have not been doing it wrong.

Satpal Sidhu, County Executive, stated they are not saying we have been doing things wrong. The last contract started 30 plus years ago when rules were different. When change happens, a lot of things come to the forefront. Transition is not an easy thing, and we are not making change for the sake of change. We are trying to make change so that the community is served well in the next 30 years.

Dr. Allison Hunt, Medical Examiner, stated she would like to make a

presentation to the Council about the role of the Medical Examiner because she feels it is not understood. Standards and best practices have to be followed. All the complaints have been addressed and came from one source, and she is happy to go over those. What they have not heard is all of the compliments. She stated death investigation is separate from law enforcement. If there is a death, law enforcement does the criminal side and collects evidence, but any evidence on the body is hers and they have to work together. She is not there to decide if a crime has been committed, she is there for the decedent. She looks for medical history and all of that is HIPPA-protected. The support officers are a volunteer organization and she has trained professionals. The medical information has to stay private. She stated she is following standard policy and procedure and proper death investigation, and she spoke about her employees. They talk to families and get private and confidential medical history, and an outside agency cannot be a part of that. She answered whether the Prosecuting Attorney's Office is saying they are not getting the information they need, and she stated she urges Councilmembers to call the attorneys and ask them how she works.

Stremler asked about the history of Medical Examiner staff and stated maybe they need to justify some of the expenditures for staff.

Hunt spoke about the differences in staff and the work that was done in the past.

Schroeder stated other entities in our community took on more of a role that the Revised Code of Washington (RCW) identifies to be the Medical Examiner's and it probably did not meet the industry standards. The additional money that the Council has already approved is worth the certainty of having County employment for this entity instead of doing a contract for services.

Byrd stated it has not only been one organization that has made complaints. He has had complaints from several organizations on several topics regarding their interaction with the Medical Examiner's Office, and that includes family members. He spoke about access to documents and stated he believes our contract states that any records about any work done, that is not specifically restricted by law, is a public record. He is not sure what they are looking for, in terms of additional access to information, that they would be getting by internalizing this office. He stated best practices and standards are good for getting someone that is below average up to average, but it is not necessarily the best. Our community has been supportive of and happy with the results of the support officers so he is not sure why they are

changing something that appears to be working. He is not sure why they are increasing costs to create a service that many people are unhappy with and he thinks the topic needs more conversation.

Galloway stated she encourages her colleagues to meet with the Medical Examiner team and Executive's Office to make sure they understand all the moving pieces of this puzzle. She supports the internalization of this office and thinks there is more they can do when they bring the service in-house.

Elenbaas stated he hopes that Dr. Hunt understands that criticism and complaints are from more than one person. The concerns from the families have not been with the support officers or about how the Sheriff's Department has handled things. They have specifically been about the Medical Examiner's staff and especially the new investigators and in-house support officers. He stated they should look at a way of melding what we have been doing with the way our current Medical Examiner wants to do things and look for symbiosis. Moving forward, maybe they should look at being more collaborative with the current support officers and getting them the needed credentials, and then continue to use the volunteer team that has worked well for a long time at a low cost instead bringing in more staff. If it is a matter of hiring someone, maybe they should look to hire someone from that team who has already served us.

Hunt spoke about the types of grief support that the support officers can do and stated her concern is around the private confidential information that cannot be shared with them. She spoke about the process of dealing with evidence and what the Medical Examiner's role is.

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 11:27 a.m.

ATTEST:

WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WA

Todd Donovan-via email 4/15/2024

Dana Brown-Davis, Council Clerk

Todd Donovan, Committee Chair

Kristi Felbinger, Minutes Transcription

SIGNED COPY ON FILE