

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

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



## **Committee Minutes - Draft Minutes**

**Tuesday, September 24, 2024**

**2:30 PM**

**Council Chambers - Hybrid Meeting**

**HYBRID MEETING - MAY BEGIN EARLY - ADJOURNS BY 4:30PM  
(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  
Kaylee Galloway  
Jon Scanlon  
Mark Stremler

### **CLERK OF THE COUNCIL**

Cathy Halka, AICP, CMC

## Call To Order

Council Chair Barry Buchanan called the meeting to order at 2:32 p.m. in a hybrid meeting.

## Roll Call

**Present:** 7 - Barry Buchanan, Tyler Byrd, Todd Donovan, Ben Elenbaas, Kaylee Galloway, Jon Scanlon, and Mark Stremler

## Announcements

## Committee Discussion

1. [AB2024-336](#) Update from the investigative committee assigned to review recent employment law decisions

Donovan gave an overview of the report (on file) and stated it does not represent findings of fact, but is an attempt to summarize the general concerns, and things specific to policies, which they heard from various people, as well as what might be best practices for HR processes going forward. He stated they heard conflicting perspectives and are trying to get that on the record. This investigative committee is done, and they are handing it off to Council, recommending that they hire an outside consultant to use the report to give them some guidance. They also recommended that Council (on its own) amend Whatcom County Code Sections 3.05.020 and 030 to make it clear in the future that Council would be informed about settlement agreements.

Elenbaas stated the key point for him is that everyone's experience was their own and the investigative committee was not trying to be a judge in the situation, so the report reflects conflicting experiences. There is a theme, however, that we can probably do better as an organization, so that is what the committee focused on.

Buchanan stated that another focus of the work was to address the four objectives brought up in the employee letter to the committee (on file), and that he did not feel there was any dishonesty in the stories they heard, but just different perspectives.

Councilmembers discussed where they are at with forming a scope of work, that the committee is looking for the Council's blessing to move forward with a Request for Proposal (RFP) process, and the sunseting of this investigative committee.

Satpal Sidhu, County Executive, answered whether the Administration is

willing to consider a consultant's recommendations, and stated they are.

Stremmler stated the one question the work did not address was whether there was enough potential wrong-doing by an individual or department that would warrant any kind of accountability, and the committee members responded.

Cathy Halka, Clerk of the Council, answered whether there is enough information to write an RFP, and asked if she could coordinate with the Chair of the Council to answer any additional questions that come up as she works on it, then bring a draft to the Committee of the Whole in two weeks.

Councilmembers concurred that they are comfortable with staff proceeding with the development of a scope of work.

**This agenda item was DISCUSSED.**

2. [AB2024-379](#) Discussion of Whatcom County Budget Process

Aly Pennucci, Executive's Office, read from a presentation (on file). She gave a re-cap of the last meeting and stated they are back today to go over some options in order to get input from the Council before putting together the Executive's proposed budget. Both options assume a one percent annual property tax increase on the current expense levy and the use of one-time Local Assistance and Tribal Consistency funds (\$2.7 million). Option 1 focuses on maintaining the current level of service and includes the use of banked capacity. Option 2 reduces level of service and spending. She and the additional following people discussed the options with Councilmembers:

- Satpal Sidhu, County Executive
- George Roche, Prosecuting Attorney's Office

They discussed using banked capacity to help maintain level of service (Option 1) and how that would affect taxpayers, what factors might be contributing to the budget's deficit, how property taxes are trending over time and what amount the average household would pay in the different scenarios, the status of the other County funds (EMS, Conservation Futures, and Flood), Councilmembers' opinions on the options, the fact that the Council cannot ask for revenues above what the Executive's budget lays out without a supermajority so it would be more difficult for the Council to ask for more than what is presented than to ask for less, when the Administration needs to know from Council which option they favor and whether they think banked capacity should be used, whether the recent hiring freeze has led to cuts in level of service and whether the freeze would be maintained with either of the options presented, and doing a more

surgical approach to cuts as opposed to standard cuts across every department.

**This agenda item was DISCUSSED.**

3. [AB2024-510](#) Discussion regarding membership of Council standing committees and other potential changes to meeting logistics

Cathy Halka, Clerk of the Council, briefed the Councilmembers on the staff memo (on file). She stated that depending on what changes the Council would like to make, there are staff or process implications and staff would need some time to make sure those choices would either work with the existing systems or that changes could be made in the systems that still work for staff and their process.

Councilmembers discussed the options in the memo.

Donovan stated he likes option #2 (Final action in one or more committee/s) and would like to figure out how they could do some final votes in the daytime.

Buchanan spoke about option #3 (adding six Committee of the Whole meetings a year) and stated those meetings could be more for presentations and things that are not action items on that day. They could be work sessions, and this option would give the Council six more of them each year, in addition to ones on regular Council days.

Galloway discussed item #7 (time limits on councilmember updates) and adding other opportunities for those updates. She also spoke about item #6 (following the intended path of an ordinance) and stated she values having an opportunity to discuss an item before it gets introduced so substantive amendments do not cause delays. She stated she is OK with eliminating Water Work Session meetings (item #5) add adding those items to a Climate Action and Natural Resources Committee meeting. She would also like to add a goal to the list for reducing administrative burden.

Buchanan spoke about the length of Councilmember updates in Council meetings. He also spoke about the ordinance path and stated he would like to know how many times they have had substantive changes to an ordinance and had to reintroduce it. If it is not happening very often, they do not need to guard against it.

Byrd suggested doing the additional six Committee of the Whole meetings on Water Work Session days if those meetings are eliminated, and stated he is in favor of eliminating them and incorporating those items into another

committee. He spoke about whether they still need to be giving committee reports in Council, that agenda review by committee chairs (item #9) and final action in one or more committee/s (item #2) make a lot of sense, and having staff come up with a list of agenda items for which final action could be taken in a committee.

Scanlon stated he agrees with shortening or removing committee reports, and suggested that for item #2 (final action in committee with public comment), they could choose to limit public comment to items on the agenda. Then they could still have the open session in the evening.

Councilmembers discussed what they should do next, and having another work session between now and the end of the year to work on this.

Stremmer asked the Executive’s Office to repeat something about the previous agenda item regarding the ratio of spending and cuts, and explain what they meant by it, and Aly Pennucci, Executive's Office, answered.

**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 4:22 p.m.

ATTEST:

WHATCOM COUNTY COUNCIL  
WHATCOM COUNTY, WA

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Cathy Halka, Council Clerk

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Barry Buchanan, Council Chair

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Kristi Felbinger, Minutes Transcription