

# **Whatcom County Council (Special)**

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



## **Minutes - Final**

**VIRTUAL MEETING - ESTIMATED START TIME OF 2 P.M.**

**Thursday, March 19, 2020**

**2 PM**

**Council Chambers**

### **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 1:56 p.m. in the Council Chambers, 311 Grand Avenue, Bellingham, Washington (via web conference call).

**Roll Call**

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

**Absent:** None

**Committee Discussion**

1. [AB2020-117](#) Discussion of strategies related to COVID-19

Mike Cohen, Bellingham Food Bank Executive Director, briefed the Councilmembers about where they are at and why they've needed to suspend operations. They do not have the capacity to safely get food to the families who need it while trying to follow Health Department and CDC recommendations. He's been working with the Unified Command and the Whatcom Community Foundation to come up with a multi-site distribution plan as early as next week. They would be at a different location every afternoon or evening Monday through Friday with pre-packed boxes built at the food bank and delivered to sights which yet need to be determined. They would use community staff volunteers to distribute in a drive-up modality. They are coming up with a plan for walk-up or bike-up people and for delivering to people who are homebound. He discussed with Councilmembers about what percentage of clients are walk-up, bike-up and delivery, trying to parallel locations with Bellingham Public Schools, why public schools can distribute food but the food bank cannot, whether they model the schools, the decline in available food bank staff and volunteers, whether the main reason for suspending operations was not enough people to put packages together, whether food recipients are required to give their name and whether names can be used to organize safe distribution.

Cathy Halka, Council Office displayed a letter written to the governor by Whatcom County Treasurer and read into the record an email from Oliver (on file) written to Council about legal and practical issues around property taxes:  
(from the email)

1. Due Date Extensions - legal and bond counsel of other counties have begun to raise a number of legal issues around the idea of a blanket due date extension, which I believe the County Treasurer has the authority to order under the current statewide declared emergency.
2. Penalty and Interest Waivers - I'd like to advance the idea that the County Council may have some broad authority (not in law) to suspend collection of property tax penalty and interest based upon the fact that ALL of those revenues accrue directly to the County Current Expense Fund.
3. Temporary Modification or Suspension of Property Tax Foreclosure Proceedings
4. Taxpayer Payment Plans (new changes in law)

Steve Oliver, Whatcom County Treasurer, discussed with Council several options and ideas for helping the community and whether the Council would be interested in pursuing any of them, the economic impact the COVID-19 virus will have on people, and asking area banks to offer temporary suspension of debt payments (16:26)

***Elenbaas moved*** that the council make a press release that in collaboration with the Treasurer's Office we will work within the bounds of the law to address property taxes appropriately given the current hardship the COVID-19 emergency has caused and we will have a final conclusion by "X" time. The motion was seconded. (34:42)

***Browne suggested friendly amendment:*** I propose a friendly amendment to Mr. Elenbaas, motion.

I move we ask Mr. Oliver to draft a policy that we can vote on at our April 7th council meeting. The policy would be along the lines of:

1. The policy would accept a signed statement of self-certification of hardship due to job loss or COVID-19 related illness or quarantine.
2. Once accepted the citizen would be given a 90-day extension to pay their property taxes without penalty or interest.
3. At the end of the 90-day period they could provide a second signed statement of self-certification of hardship if applicable that would allow for a second 90-day deferment.
4. In addition, for the next 12 months we will decline to pursue foreclosures for unpaid property taxes (extending the current 3-year period to 4-years).

Elenbaas ***did not accept the friendly amendment.***

Councilmembers and Oliver discussed the motion, the suggested amendment, possible options, whether this can be added to the Council Agenda on Tuesday, March 24, a timeline for the County Treasurer to draft a policy and come back to the Council, deciding on the 24th what the press release should say and waiting until April to draft policy.

*Elenbaas moved* to call the question. The motion was seconded.

The motion to call the question carried by the following vote:

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

**Nay:** 0

*Elenbaas* restated his motion but amended it to remove the timeline for a final conclusion. He *moved* that the council make a press release that in collaboration with the Treasurer's Office we will work within the bounds of the law to address property taxes appropriately given the current hardship the COVID 19 emergency has caused ~~and we will have a final conclusion by X time.~~

Elenbaas' motion carried by the following vote:

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

**Nay:** 0

Byrd stated we need blood donations and we should work with local banks and credit unions to suspend debt payments for loans.

*Kershner moved* that they consider asking the Planning Department to review the email sent to the Council today from the Building Industry Association of Whatcom County and Whatcom County Association of Realtors regarding some suggestions for extending permits, development time, and social distancing and let us know next week if there are any of those ideas that they can implement. (59:51)

*Kershner withdrew* her motion and councilmembers concurred to have a discussion added to the agenda on the 24th.

Halka stated she would send the invitation link to the daily 9 a.m. COVID-19 briefings.

**This agenda item was DISCUSSED AND A MOTION WAS APPROVED.**

## **Other Business**

There was no other business.

**Adjournment**

The meeting adjourned at 2:59 p.m.

The County Council approved these minutes on June 16, 2020.

ATTEST:

WHATCOM COUNTY COUNCIL  
WHATCOM COUNTY, WA

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

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Barry Buchanan, Council Chair

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Kristi Felbinger, Minutes Transcription

SIGNED COPY ON FILE