

Whatcom County Council Committee of the Whole

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



Committee Minutes - Final

Tuesday, July 26, 2022
2:45 PM
Hybrid Meeting

HYBRID MEETING - ADJOURNS BY 4:30 P.M.; MAY BEGIN EARLY OR LATE
(PARTICIPATE IN-PERSON, SEE REMOTE JOIN INSTRUCTIONS AT
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 2:45 p.m. in a hybrid meeting.

Roll Call

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

Absent: None

Announcements

Executive Appointment

1. [AB2022-385](#) Request confirmation of the County Executive's appointment of Bennett Knox as Director of Parks & Recreation effective 9/6/22 pursuant to Whatcom County Code Section 2.29.020

Satpal Sidhu, County Executive, introduced Bennett Knox.

Bennett Knox, Director of Parks and Recreation appointee, addressed the Councilmembers and answered whether his primary focus and vision would be growing the Parks Department or maintaining the existing parks for people to use, and whether he can speak Russian.

Councilmembers welcomed him to the County.

This agenda item was DISCUSSED.

Special Presentation

1. [AB2022-409](#) Presentation and update from Chuckanut Health Foundation regarding the Whatcom Racial Equity Commission

The following people presented:

- Heather Flaherty, Chuckanut Health Foundation Executive Director
- Shu-Ling Zhao, Racial Equity Commission Co-Founder

They answered who will actually write an Ordinance.

Satpal Sidhu, County Executive, stated the committee is tasked with creating the Ordinance as well as the bylaws and the Councils will have their opportunity revisit that and have input.

This agenda item was PRESENTED.

Committee Discussion and Recommendation to Council

1. [AB2022-382](#) Ordinance providing for submission to the qualified voters of Whatcom County a proposition renewing the levy of a regular property tax at a rate of \$.295 or less per \$1000 assessed valuation to continue to provide emergency medical services

Galloway moved and Frazey seconded that the Ordinance be RECOMMENDED FOR ADOPTION.

Mike Hilley, Emergency Medical Services (EMS) Manager, stated he was available for questions.

Galloway spoke about her perspective on the Ordinance and a proposed amendment. She would like to add two Whereas statements after the last Whereas statement in the Ordinance and she read those into the record.

Karen Frakes, Prosecuting Attorney's Office, answered whether these statements would have the same force being in the Whereas section as they would in the "Now therefore" section of the Ordinance, and stated this is additional authority for the Council to actually change the levy rate outside of the consideration of the reduction due to the increase in assessed value. She answered whether it would only pertain to lowering the rate and not increasing it.

Satpal Sidhu, County Executive, explained how the levy works.

Galloway moved to amend the Ordinance to add two Whereas clauses at the bottom of the Whereas clause statements as follows:

WHEREAS, if the voters approve the proposed renewal of the EMS levy, for the tax year 2023, the property tax levy rate would be set at \$.295 per \$1,000 of assessed valuation; and

WHEREAS, beginning in the 2024 tax year and for the remaining tax years of the levy, the County Council would have the opportunity to review and potentially reduce the EMS property tax levy in its annual EMS property tax levy ordinance, if the Council determines that EMS needs can be fully met with a lower levy; and

Frakes answered whether they already have the ability to lower the levy rate regardless of what the Ordinance says and whether the language needs to be put in the Ordinance.

Councilmembers discussed the motion.

The motion was seconded by Donovan.

The motion carried by the following vote:

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

Nay: 0

Kershner moved to amend the Ordinance to amend the levy rate to \$.25 per \$1000. The motion was seconded by Donovan.

Councilmembers discussed the motion.

Dana Brown-Davis, Clerk of the Council, and Frakes answered whether the Ordinance would require two weeks if this amendment were to pass or whether there would be time to do this if they had a special meeting.

Kershner withdrew her motion.

Councilmembers discussed the main motion; whether they should further define the diversity, equity and inclusion language in the levy plan to accommodate people who have diversity of thought or religion; and whether vaccination status is a State law and not something that the County would have the authority to go against.

Kershner moved to amend the EMS levy plan to include that under no circumstances will employees be discriminated against based on their vaccination status and the full intent of the exemptions will be implemented.

The motion was seconded by Elenbaas.

Kershner restated her motion that the levy and plan (if the language is in both places) be amended to include that under no circumstances will an employee be discriminated against based on vaccination status and the intent of the exemptions will be implemented to the fullest extent.

Councilmembers discussed the motion, where the amended language should go, and whether it would be a harder sell to the public for people to know that fully trained personnel are being let go because of vaccination status and then we are spending a couple hundred thousand dollars to recruit and train someone else to take their place.

Sidhu spoke about whether a levy Ordinance is the place for this, whether requirements for employment should be compared to diversity and equity, and if Council wants to do something why they are not doing it county or government-wide.

Councilmembers continued to discuss the motion.

The motion failed by the following vote:

Aye: 3 - Byrd, Elenbaas, and Kershner

Nay: 3 - Buchanan, Donovan, and Frazey

Abstain: 1 - Galloway

Galloway's motion that the Ordinance be RECOMMENDED FOR ADOPTION WITH PROPOSED AMENDMENT(S) carried by the following vote:

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

Nay: 2 - Byrd, and Elenbaas

Absent: 0

Abstain: 1 - Kershner

2. [AB2022-422](#) Resolution establishing priorities for Whatcom County's 2025 Comprehensive Plan update

Galloway briefed the Councilmembers on the most recent version of the Resolution.

Elenbaas stated he is not sure they have heard from the Farm Bureau, family farmers, or any of those other groups and the Resolution specifically calls for involvement from them. He stated there are amendments he would like to make and spoke about those.

Kershner suggested they schedule a Council work session on this to get all of the Councilmembers' ideas incorporated and asked about several issues and whether they are addressed in the Resolution.

Galloway moved and Kershner seconded to hold this item, schedule another work session on August 2nd and have final passage at the August 9th meeting.

Councilmembers discussed scheduling an additional work session and making sure they are being compliant with the Growth Management Act by having some sort of public input process.

Galloway amended her motion *and moved* to have staff work with Councilmembers on finding a day that works for a work session with the goal of having additional discussion and action on August 9th.

Councilmembers and Brown-Davis discussed whether there should be a public hearing, whether they should email their ideas to the Clerk of the Council, whether the motion is needed, and carving out time on August 9th if another meeting date cannot be found.

Councilmembers did not vote on the motion but concurred with the recommendation to schedule another work session.

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 4:18

The County Council approved these minutes on August 9, 2022.

ATTEST:

WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WA

Dana Brown-Davis, Council Clerk

Todd Donovan, Council Chair

Kristi Felbinger, Minutes Transcription

SIGNED COPY ON FILE