

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

**COUNTY COURTHOUSE  
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## **Committee Minutes - Draft Minutes**

**Tuesday, November 22, 2022**

**10 AM**

**Hybrid Meeting**

**2023-2024 WHATCOM COUNTY BUDGET REVIEW WORK SESSION**

### **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 10 a.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****Committee Discussion**

1. [AB2022-634](#) Discussion of the County Executive's recommended 2023-2024 Biennium Budget  
Tyler Schroeder, Director of Administrative Services, updated the Councilmembers on the following three opportunities for funding new patrol deputies:

1. Consider changing the number of deputies from five in 2023 and five in 2024 to four in 2023 and three in 2024 (seven total)
2. Look at the budget as a whole and look into other General Fund departments to find Additional Service Requests (ASRs) they do not want to approve (not recommended by the Administration)
3. Look at revenue that maybe could cover the deputy expenditures.

This has three options as follows:

- a. Look into dipping into the banked capacity. There is \$4.1 million available, but at this point it is not recommended by the Administration.
- b. Utilize Behavioral Health Funds. At the last meeting he indicated that we currently do that, but he was incorrect. We do not currently use Behavioral Health Funds to cover the mental health deputies. If this is an option the Council would like to consider he suggests they look at covering some costs of the 2024 deputies and having a discussion with the Behavioral Health Committee to ensure that the committee accepts and recommends to use the fund that way.
- c. Look at the Road Fund diversion. There is the ability under State law to cover the traffic law enforcement portion of the Sheriff's Office and there is about \$2.9 million that you could legally transfer out of the Road Fund to the General Fund to cover traffic law enforcement. The Administration does not recommend that full amount but it could be a way to cover the cost of one or two of the deputy positions.

Schroeder answered whether going with option one (adding seven deputies) would be enough to keep us at the fifteen percent (15%) fund balance not counting the \$4 million we need for jail beds, or whether it would give us enough for both. He stated the jail beds would be a one-time cost so they could look at using American Rescue Plan Act (ARPA) funds, and the fund balance would end up being about \$16.96 million if they go with option one, which is above the minimum reserve requirement.

Galloway stated one additional option is to delay hiring until July in 2024 which could save us about \$288,000. She also likes the idea of pulling from alternate revenue sources and gave some ideas on how they might use those funds.

Satpal Sidhu, County Executive, stated the Behavioral Health Fund is something they need to make investments on the behavioral health facility. He is hoping for behavioral health investments in this legislative session and if money comes our way we are going to need some matching or additional funds. If we use the fund now, we are taking money away from the other part of public safety.

Schroeder answered what the health of our Road Fund looks like, whether we have sufficient reserves, and whether we would also have to use some banked capacity. He thinks between \$200,000 to \$400,000 additional diversion to the General Fund to cover law enforcement would be a reasonable amount.

Erika Lautenbach, Health Department Director, stated the Behavioral Health Fund is very specific in its uses. It is not for equipment or supplies so it could not meet the needs for buying vehicles for the deputies. Direct services are the priority of the Behavioral Health Advisory Board and not behavioral health deputies. There are a lot of demands on this fund in terms of direct services.

Bill Elfo, Sheriff, spoke about Sheriff's Office challenges and demands. He stated this is something that has been long overlooked so he will hold and ask for five and five (ten) deputies.

Elizabeth Kosa, Public Works Department Acting Director, Elfo, and Schroeder answered whether there is enough flexibility in using the Road Fund.

Schroeder spoke about possibilities for option two (other General Fund

ASRs) and stated there are five total new proposed FTEs. He answered whether there was any review of the actual budgets countywide deeper than just the ASRs and whether there is anything they need to look at.

Donovan stated option one (four in 2023 and three in 2024) would get us to a sixteen percent (16%) reserve fund balance. Then, if the Road Fund covers two that would be nine deputies, so we are just looking for funding for one additional FTE.

Sidhu spoke about the changes proposed for the Planning and Public Works departments to relieve pressure on them and stated both departments were under scrutiny during the ASR process.

Councilmembers and staff discussed funding the seven deputies (four and three) from the General Fund and two from the Road fund, saving \$288,730 in 2023 by delaying the hiring to the second half of the year, and whether hiring other positions which they are approving should be delayed instead of the deputies.

***Donovan moved*** to add five new deputy FTEs in the first year of the biennium, and add four in the second year of the biennium, any two of those being funded through the Road Fund, and seven through the General Fund, with the understanding that they come back with a supplemental for the 10th deputy after they see how this goes with nine. The motion was seconded by Galloway.

Councilmembers and the speakers discussed whether they are including using the Behavioral Health Fund, and whether seven positions out of the General Fund is doable.

***Kershner suggested*** a friendly amendment to look at funding one position out of Behavioral Health Fund in 2024.

Sidhu spoke about waiting for the supplemental to decide on which fund to use instead of predetermining how to fund that position now, and waiting to see what the Legislature does in this legislative session on the behavioral health side.

***Donovan withdrew*** his motion (because they had already previously approved to fund ten deputies).

***Donovan moved*** to reconsider the motion to approve five deputies in 2023 and five in 2024.

Councilmembers discussed the motion.

**Donovan re-stated** his motion **and moved** to **rescind** the motion to approve ten (five in 2023 and five in 2024) deputies to give them some flexibility to consider nine. The motion was seconded by Galloway.

Councilmembers and the speakers discussed the motion to rescind, how much delaying hiring would save in 2023, whether it would affect operations as much as only adding nine deputies, and whether funding two deputies from the Road Fund gives the Sheriff's Office adequate flexibility.

Dana Brown-Davis, Clerk of the Council, answered whether a motion for how the positions would be funded could just be an additive to the original approved motion for ten deputies.

Schroeder answered where they could find the fund balances for the Behavioral Health Fund and Road Fund in the published budget.

The motion to rescind failed by the following vote:

**Aye:** 2 - Donovan and Frazey

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

**Abstain:** 1- Galloway

Councilmembers discussed with the Clerk of the Council whether a motion is now needed for how they should fund the ten deputies.

Schroeder stated one option the Council could consider is to delay hiring until June of 2023 with the budget showing that those positions would be funded for half of the year. Do the same for 2024 (delay hiring and update the budget to show that), and accomplish a Road Fund diversion increase to cover two of the deputies. That means there would be eight covered by the General Fund, two covered by the Road Fund, and the budget would be updated to show the actual hiring of those positions delayed to the mid part of the year.

**Buchanan moved** to fund eight deputies with the General Fund, and two with the Road Fund, and update the budget to show the actual hiring of those position being delayed to the mid part of each year. The motion was seconded by Galloway.

Schroeder answered what the fund balance would be in the second year of the biennium with eight funded out of the General Fund.

***Kershner suggested*** a friendly amendment to fund two positions from the Behavioral Health Fund and reduce the General Fund to six positions.

Buchanan stated he would accept the friendly amendment if they give the Administration the flexibility to weigh between the Behavioral Health Fund and the Road Fund to see what ratio or direction might be the best.

***Kershner reworded*** her amendment to fund six positions from the General Fund and four out of the Road Fund and Behavioral Health Fund, giving the Administration the flexibility to decide how that would happen.

***Buchanan accepted*** the friendly amendment.

Councilmembers discussed whether they have to make a motion to be specific on how it is funded and they discussed the motion.

***Kershner withdrew*** her friendly amendment and Buchanan accepted.

***Buchanan amended*** his motion for the two positions not funded out of the General Fund to have flexibility to come from the Road Fund or the Behavioral Health Fund. So, the motion would be to fund eight deputies with the General Fund, and two with either the Road Fund or the Behavioral Health Fund, and update the budget to show the actual hiring of those positions being delayed to the mid part of each year. The amended motion was seconded by Kershner.

The motion carried by the following vote:

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

**Nay:** 1 - Frazey

***Kershner moved*** increase the Council "Travel Other" budget to \$10,000 to be used by Councilmembers and staff for travel. The motion was seconded by Galloway.

The motion carried by the following vote:

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

**Nay:** 1 - Frazey

***Kershner moved*** to add ASR number 6836 into the budget (adding a community crisis communication education and outreach position) for the Department of Emergency Management. The motion was seconded by Byrd.

Councilmembers discussed the motion and the impact on the General Fund reserves.

Elfo stated the County would pay sixty percent (60%) and the other forty percent (40%) would come from the emergency management council (the other participating jurisdictions).

The motion carried by the following vote:

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

**Nay:** 0

Schroeder stated they have two small items that will be in the technical correction with the document that gets incorporated into the budget for tonight. As soon as they update that document, which includes technical corrections and Council changes that Council just accomplished, they will send that to Council and will update the document for this evening.

Kershner stated she does not think they should forget about the Emergency Medical Services (EMS) levy and stated she wants to watch that fund and ensure that they are not collecting money that is just going in and causing their fund balance to increase over the next four or six years because that money is not helping our community when it is just sitting in a fund balance.

**This agenda item was DISCUSSED AND MOTION(S) APPROVED.**

#### MOTION SUMMARY:

Motion approved to fund eight deputies with the General Fund, and two with either the Road Fund or the Behavioral Health Fund, and update the budget to show the actual hiring of those position being delayed to the mid part of each year (2023 and 2024).

Motion approved to increase the Council "Travel Other" budget to \$10,000 to be used by Councilmembers and staff for travel.

Motion approve to add ASR 6836 (Community Program Specialist) into the budget to add a community crisis communication education and outreach position for the Department of Emergency Management.

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

There were no agenda items added by revision.

#### **Other Business**

There was no other business.

**Adjournment**

The meeting adjourned at 11:10 a.m.

ATTEST:

WHATCOM COUNTY COUNCIL  
WHATCOM COUNTY, WA

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

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Todd Donovan, Council Chair

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Kristi Felbinger, Minutes Transcription