



LOCAL

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## Whatcom County executive: Ask voters for new jail tax before EMS

### HIGHLIGHTS

Jack Louws suggests delaying EMS levy for second try at jail tax

Emergency medical services measure widely expected to go on 2016 ballot

Bellingham, county still haven't resolved differences on jail plan



Inmates are cuffed at the Whatcom County Jail on March 26, 2015, in Bellingham. **Philip A. Dwyer** -

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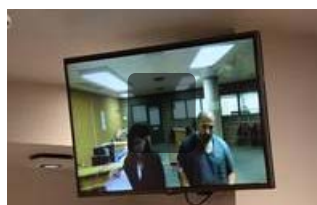
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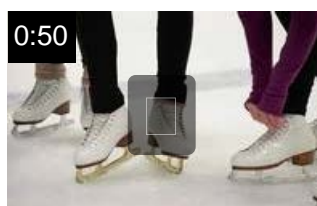


As Whatcom County Executive Jack Louws sees it, the county faces three critical funding challenges: building a new jail, finding a sustainable way to pay for emergency medical services, and dealing with the deteriorating exterior walls of the county courthouse.

An EMS levy was expected to go before voters this fall, as reserves in that fund could be nearly depleted by the end of the year, but in his State of the County address April 5, Louws called on Whatcom County Council to put the jail before everything else.



first appearance in court



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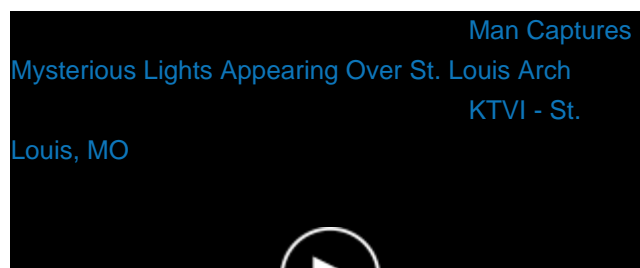
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“The jail presents the **biggest infrastructure** and fiscal challenge, and therefore the business decision I would make is to solve it first,” Louws told the council.

Specifically, Louws asked the council to “commit to a maintenance plan for the courthouse exterior, postponing the inevitable replacement until after a new jail is complete, and postpone the EMS levy opportunity until new jail funding is fully resolved.”

“The EMS proposal that will be made available for your consideration is well designed,” Louws said, noting he was thankful for the efforts of the work group that developed it. “Their work product will stand the test of time and be able to be fully updated.”

The idea of postponing the levy came as a surprise to Bellingham City Council member Terry Bornemann, who helped on the work group and serves on the EMS Executive Oversight Board.

“I think he’s really making a huge, huge mistake,” Bornemann said.

Louws recommended sending a 0.2 percent sales tax increase back to voters this year to try to pay for a new Whatcom County Jail.

Voters **rejected the same sales tax increase in November 2015**. The vote was split 51.4 percent against the measure, 48.6 percent in favor.

Bellingham Mayor Kelli Linville disagreed with Louws' idea and pointed out there were still points the city and county hadn't agreed on regarding construction of a new jail.

"I think that until we come to some agreement that meets the goals that the county put forward, it's not ready to go back out again," Linville said.

Louws made the financial case that the jail, as the largest expense and as a capital project with ever-increasing costs, should be taken care of first.

"The race against cost escalation over time is our constant companion," Louws said.

The 2015 plan for a 521-bed jail would have cost close to \$100 million. The jail consultant DLR Group estimated the cost of the jail could go up by about \$10 million if it went out to bid in 2017 rather than 2016, as last year's measure had intended.

## **EMS levy**

Earlier the same day Louws gave his address, Whatcom County Deputy Executive Tyler Schroeder filled the council in on a year's worth of work that the EMS funding work group had done. That included recommending a property levy of 29.5 cents per \$1,000 assessed value be put before voters this November.

Throughout 2015, fire officials, county and city officials, and labor representatives worked out how to continue to afford sending ambulances and medical support to people. As it stands now, both the county and the city of Bellingham have to subsidize EMS by more than \$1 million each from their general funds every year.

The EMS reserves are expected to drop to \$300,000 by the end of this year, Schroeder told the council during an afternoon session.

“The funding work group endorsed a six-year levy,” Schroeder said. It would need 60 percent of the vote to pass and cost about \$74 per year for someone whose home is assessed at \$250,000.

A few weeks ago, Louws told the EMS oversight board, which still has to approve the levy plan, that he planned to ask for the levy to be postponed.

“I think everybody is disappointed,” Louws said in an interview. “I wish I could make a decision other than the one that I’m recommending, but it’s my job to be able to piece all of these challenges into an order that we can logically deal with them. ... If we don’t do anything on a new jail, we have to do something with the old jail. All decisions are very, very expensive.”

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WE HAVE NO GUARANTEES THE  
VOTERS WILL APPROVE EITHER THE  
JAIL AGAIN OR AN EMS BALLOT  
MEASURE.

Jack Louws, Whatcom County Executive

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Bornemann said he was surprised when Louws “dropped that bomb at the EMS oversight meeting a couple weeks ago.” Getting everyone on the same page for the EMS levy took a lot of hard work, he said.

“We have everybody on board right now, willing to go campaigning for it,” Bornemann said. “I

think as long as we're all working together, we could pass this."

Louws argues that passing the jail first makes more financial sense and said he remains committed to paying for the EMS services at the level they're at, even at the more than \$1 million cost per year from the general fund. The county could then come back to the EMS levy work.

"We should be able to a year from now, if the jail measure would pass, dust that off, recalculate it, and work with the citizens to see whether they would be in favor of funding EMS on an ongoing basis," Louws said. "We have no guarantees the voters will approve either the jail again or an EMS ballot measure."

Lynden Mayor Scott Korthuis echoed Louws' thoughts on the cost benefits of passing a jail first.

"At least from my perspective, the county can keep the EMS program going for a year or two and not put both measures on the ballot at the same time," Korthuis said. "EMS is extremely important to the community and has to be funded at the level it's at today to keep it going, but a higher priority is getting the jail done."

Linville said when Louws told her he planned to ask the County Council to postpone the EMS levy, she told him she disagreed.

"I thought the process we used for the EMS levy had everybody working together and everybody agreeing," Linville said.

Bellingham City Council members mentioned during an April 11 meeting that the EMS planning process could be mirrored for jail planning.

## **Jail planning principles**

In recognition of last year's failure of the jail measure, which **did not have support from the city of Bellingham**, Whatcom County Council and Bellingham City Council have both approved jail planning principles to move forward with.

The list includes items such as recognizing that all agencies within the county are best served by a shared jail, the importance of **preventing recidivism and providing proper treatment and reentry**, and that operating and construction costs should be split separately and fairly among users. The resolution the county passed also called for the reexamination of the decision to locate the jail in Ferndale.

Louws called on the County Council to show their support for locating a new jail in Ferndale, affirming the \$7.4 million the county spent purchasing the property, on designs for a jail on that property, and on permitting.

The small city mayors' caucus sent a letter to the County Council before the resolution was passed in March, calling on that body to send the jail tax measure back to voters during the August primary this year.

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**THE SMALL CITY CAUCUS (WHOSE MEMBERS INCLUDE THE MAYORS OF BLAINE, FERNDALE, LYNDEN, SUMAS, NOOKSACK AND EVERSON), URGED THE WHATCOM COUNTY COUNCIL TO ASK VOTERS THIS AUGUST TO APPROVE THE SAME JAIL PLAN THEY REJECTED IN NOVEMBER.**

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“We agree with many of the principles. For example we agree that our communities are best served by a shared facility; that we should be responsible stewards of public funds; that there should be ‘preventive’ programs and alternatives to incarceration; and that the cost to build and operate a new jail should be shared fairly,” the mayors’ letter states. “But our conclusion is also that many of these principles address issues that have been studied and settled long ago — and we do not wish to re-address them.”

Korthuis said the small cities were pleased with the jail agreement that they had signed with the county in 2015, which spelled out how the 0.2 percent sales tax would have been shared among them, with the lion’s share going to the county.

“I know that Bellingham had some issues with it, but hopefully those issues can be worked through,” Korthuis said. “I would feel that if this keeps moving toward the ballot there will be some serious meetings between the cities and Bellingham.”

Louws said he is willing to sit with leadership from the County Council, Bellingham, and the small cities, to see whether they can revise the jail plan, including possibly modestly decreasing the size of the facility.

He proposes placing the measure on the ballot and then working with Bellingham to find an agreement before the election. The same tactic was taken in 2015, which left voters with mixed messages come election day, as the two major players hadn’t agreed by then.



“I think we can do that concurrently with putting it on the ballot, and trying to see whether we can close the gap we had predominantly with the city of Bellingham as it relates to finances surrounding it,” Louws said. “But it’s going to take work on behalf of all the entities to be able to give me some negotiating room to make it happen.”

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