

# **Whatcom County Council (Special)**

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

**VIRTUAL MEETING - SPECIAL COUNCIL/HEALTH BOARD MEETING**

**Thursday, March 26, 2020**

**1 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 p.m. on the virtual meeting.

**ROLL CALL**

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

**Absent:** None

**ANNOUNCEMENTS****COUNTY EXECUTIVE'S REPORT****SPECIAL UPDATES AND DISCUSSION ITEMS**

1. [AB2020-116](#) Update on COVID-19

*Donovan moved* to limit the length of time the Health Department staff needs to be a part of this meeting to one hour so they can get back to work. The motion was seconded.

The motion carried by the following vote:

**Aye:** 4 - Browne, Buchanan, Donovan, and Frazey

**Nay:** 3 - Byrd, Kershner, and Elenbaas

Satpal Sidhu, County Executive, stated that two more Whatcom County residents have passed away.

Erika Lautenbach, Health Department Director, stated there have been 2 deaths and 20 new cases of COVID-19 in the last 24 hours. It is getting very impactful and very serious in our community and it will continue to be so and they appreciate the support from the Council so far.

Buchanan referred to the second motion that Byrd made at the Tuesday, March 24, 2020 Council meeting and asked who would like to speak to it.

*The motion was that the Health Department provide location information for any confirmed or suspected positive COVID-19 cases to first responders so they know about it when they respond to a call.*

Sidhu stated this item was discussed in a policy group meeting including all the mayors, other elected officials and the Sheriff. He requested that the Unified Command give their opinion on the motion and copied the Health

Department as well and is waiting for their response. He would trust their judgement.

Greg Stern, Health Department, stated this came to the Health Department without adequate review, discussion, and preparation which is out of the usual process. There are a lot of implications to this that would be good to discuss before coming up with a solution. Best practice would be to provide adequate personal protective equipment (PPE) for all personnel. The Health Department does not have a list of everyone who is being tested so a list provided to emergency medical services providers would be incomplete and inaccurate. He answered whether the CDC and State guidelines would not be to provide this disclosure, whether he is aware of any other jurisdictions doing this already, whether he has discussed this with first responders, and whether he has read what the US Department of Health and Human Services put out regarding the COVID-19 and HIPPA disclosure to law enforcement and other first responders and public health authorities.

Royce Buckingham, Prosecuting Attorney's Office, spoke about US Department of Health and Human Services document. It gives two examples of ways to apprise first responders of possible COVID-19 risk at a response residence, both of which are legally possible. One method is for them to get information directly from the caller by asking them if they are showing symptoms or have tested positive for the virus. This is the preferred method.

Councilmembers, Buckingham and Stern discussed the issue and whether that method is adequate, following the national incident management system instead of proposing solutions, ensuring that everyone is going through established channels and allowing the Unified Command to do its job, working together to make policy decisions but not working as separate management teams, communicating with and getting more information to the Council, and focusing on care facilities and first responders who need help and supplies.

Mike Hilley, Emergency Management Services (EMS) manager for the County, stated all our first responders have plenty of personal protective equipment. Their approach to calls is that every call is a potential COVID-19 case and they assess the risk of each situation and respond accordingly. They know which facilities have positive COVID-19 cases so first responders take a cautious approach before going in front door.

Councilmembers discussed first responders having more information about risk, the problem that some people don't want to be on a list, whether they

should wait to get input from the Unified Command on Byrd's March 24th motion about first responders before disposing of the motion, and how soon the Unified Command could get back to the Council.

Sidhu stated he does not know a time frame.

Bill Elfo, Sheriff, answered a question about getting advice first from the Unified Command. If there was a legal mechanism for providing law enforcement with information and ensuring its confidentiality when responding to a location rather than to an individual, they could take universal precautions but maybe also go a step beyond to prepare themselves. The appropriate forum to discuss this is in Unified Command. We need to do everything we can to maximize our protection for all our first responders.

Stern stated none of us are within the incident command structure itself. Let them assess determining their timeframe.

Elfo stated he is wearing two hats as he is part of the policy group and also the Unified Command. There has been a liaison established to the Unified Command through which Council can forward questions.

Elenbaas spoke about the role of the policy group and the role of the Health Board in making policies.

Buchanan suggested that they give the Unified Command a little bit of time to get back to the Health Board.

*Clerk's note: Byrd's motion was not voted on.*

Browne stated he would like to propose a motion that would directly address the process with which they address this issue.

***Browne moved the following:***

1. We provide the Health Department a minimum of 24 hours to research and respond to any motions BEFORE the Health Board or Council is allowed to vote on something, rather than make "policy on fly" and then have them consume very strained department resources trying to respond.
2. We always establish the question "Why is the Health Department or Unified Command pursuing a particular policy" before we vote to adopt something different.
3. We ask ourselves and the Health Department to demonstrate the current or proposed policy is consistent with best practice based on State

Department of Health or CDC policies before we make a recommended change.

The motion was seconded.

Councilmembers discussed the motion and the importance of communication.

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

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

**Aye:** 6 - Donovan, Elenbaas, Frazey, Buchanan, Browne, and Kershner

**Nay:** 1 - Byrd

Browne's motion carried by the following vote:

**Aye:** 4 - Browne, Frazey, Donovan, and Buchanan

**Nay:** 3 - Elenbaas, Kershner, and Byrd

Lautenbach spoke about hearing the need for more communication and building trust. Councilmembers should use her as a resource for funneling communication to them and from them. We are all partners on the same team.

Stern answered a question about who makes decisions about resources that become available from State or Federal sources and requested that Councilmembers route questions through a way that can be distributed and then the right information given to them.

They confirmed that questions should be funneled through Lautenbach.

**This agenda item was DISCUSSED.**

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

Frazey asked about the status of getting people internet access and computers for working and doing school at home. There are currently internet hotspots that people can access.

Byrd stated that Xfinity sent out a press release about expanding their program for more people to get internet and other services and also increased speeds on packages. Other providers are announcing similar programs.

The County's Information Technology Manager wrote an email today about inventory of computers that the I.T. department has.

Byrd also spoke about helping the people in the Shuksan care facility and others so they have less risk of getting infected with the COVID-19 virus. He will bring forward an ordinance for the next meeting.

Councilmembers continued discussion.

**This agenda item was DISCUSSED.**

## **OTHER ITEMS**

Buchanan stated that AB2020-161 and AB2020-162 have been withdrawn from the agenda.

Byrd spoke about an offer from the Governor of National Guard assistance and setting up a field hospital.

Satpal Sidhu, County Executive, told the Council that he spoke on the phone with the Governor yesterday and talked with him about the National Guard, a hospital, extra supplies, PPE, and nursing personnel. He had another meeting with the three presidents of Western Washington University, Bellingham Technical College and Whatcom Community College. The Nursing Commission has asked that students who have graduated from the nursing program but are not yet certified to apply online for a waiver to be able to work in a capacity consistent with their level of education. He also talked to the presidents about personnel that may be needed for the Health Department and that they should prepare ways they could help (people, resources, or space) in case there is a surge of people in the hospital.

He spoke about what the Administration was trying to accomplish with the two withdrawn Emergency Ordinances and why they were withdrawn, asking (through the appropriate pipeline) the Unified Command and reporting on his conversation with the Governor about setting up a field hospital, and also asking the Governor about the possibility of sharing resources such as a hospital between a few rural counties.

Councilmembers discussed how often and when the policy group meets, setting up the next Special Council meeting for Tuesday, March 31, 2020 at 1 p.m., making decisions as the Health Board within those meetings, how to best to get information like the Executive just shared, and a request for all relevant information to be shared as a brief or report at the beginning of these meetings.

Jed Holmes, Community Outreach Facilitator, stated he could come up with a format that is concise and informative to deliver information to the

Councilmembers. He will plan on that for next Tuesday.

Councilmembers and Holmes discussed the press release he sent yesterday concerning the cluster of COVID-19 cases here, the need for more testing and more State assistance in securing tests and expanded facilities and said it was helpful. Maybe there could be a press release like that from the Executive’s Office every couple days.

- 1. [AB2020-161](#) Emergency Ordinance establishing the COVID-19 Emergency Response Fund and establishing a budget for the COVID-19 Emergency Response Fund

**This agenda item was WITHDRAWN.**

- 2. [AB2020-162](#) Emergency Ordinance authorizing an interfund loan to finance cash flow for COVID-19 Emergency Response

**This agenda item was WITHDRAWN.**

**ADJOURNMENT**

The meeting adjourned at 2:48 p.m.

ATTEST:

WHATCOM COUNTY COUNCIL  
WHATCOM COUNTY, WA

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Dana Brown-Davis, Council Clerk

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Barry Buchanan, Council Chair

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Kristi Felbinger, Minutes Transcription