

Whatcom County Council Public Works & Health Committee

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



Committee Minutes - Final

**Tuesday, July 12, 2022
12:45 PM
Hybrid Meeting**

**HYBRID MEETING - ADJOURNS BY 1:45 P.M. (PARTICIPATE IN-PERSON, SEE
REMOTE JOIN INSTRUCTIONS AT www.whatcomcounty.us/joinvirtualcouncil, OR
CALL 360.778.5010)**

COUNCILMEMBERS

Barry Buchanan
Kaylee Galloway
Kathy Kershner

CLERK OF THE COUNCIL

Dana Brown-Davis, C.M.C.

Call To Order

Committee Chair Kathy Kershner called the meeting to order at 12:46 p.m. in a hybrid meeting.

Roll Call

Present: 3 - Barry Buchanan, Kaylee Galloway, and Kathy Kershner

Absent: None

Also Present: Tyler Byrd, Todd Donovan, Ben Elenbaas, and Carol Frazey

Announcements

Committee Discussion

1. [AB2022-390](#) Discussion of road fund budget with Public Works Department

Jim Karcher, Public Works Department, introduced Josh Cihak, Design and Construction Manager, briefed the Councilmembers, and answered questions about the amount transferred to the small area paver account, whether Federal Emergency Management Agency (FEMA) funds that come to the County will go back into maintenance, and whether they will have to replenish the \$385,000 they take out of the Birch Bay Drive Pavement Rehabilitation project account in order to complete that project.

Jon Hutchings, Public Works Department Director, spoke about some recent developments around FEMA and FEMA reimbursements. He heard that the County has been summoned for an audit associated with the National Flood Insurance Program and regarding building permits that are required to get people back on their feet post-flood. He answered whether all the people that were displaced by the floods are back in their homes.

Satpal Sidhu, County Executive, spoke about an emergency ordinance still in effect that allows the Planning and Development Services Department to issue permits in five days to help people affected by the floods. And they will do their best to help people complete FEMA paperwork.

Galloway stated she would support the County exploring taking our banked capacity for the road and flood funds to address some of the resource constraint that we are seeing.

Elenbaas stated he is not sure that permits are going out in five days and Sidhu told him to have people call the County if that is the case.

John Gargett, Division of Emergency Management, spoke about an upcoming briefing to the Council on the flood on July 26th 2022, the upcoming FEMA audit, people who may qualify for a buyout being told by FEMA and their insurance that they cannot improve their house or rebuild their current house until a determination is made, the fact that there are 575 families who still need assistance and have not gotten it to the level that they need, and an identified issue that a lot of people who have gone in for permits at the cities or in the county have not checked the box that it is for an emergency repair from the flooding which means it then falls into the regular permit process.

Kershner stated we will wait to hear from Jon Hutchings in a couple of weeks, but it may be something that the Council will have to reach out to our federal delegation and get some support around this.

Gargett stated the effort to have our federal delegation influence this group would have minimal, if any, impact and may actually backfire.

This agenda item was DISCUSSED.

2. [AB2022-394](#) Discussion of COVID-19 Pandemic Response Review Project, Phase 2 Preliminary Recommendations and Draft Report

Cathy Halka, Council Legislative Analyst, answered whether she has heard back from Berk and Associates about receiving former Councilmember Browne's comments.

Erika Lautenbach, Health Department Director, stated she did not have a report or update from the Public Health Advisory Board (PHAB).

Councilmembers discussed whether they feel that the Berk report satisfies our needs per the motion that was made last year to conduct it or does it feel like there is more that the report needs to do (interview different people, consider different perspectives, or incorporate two sides of a story), the recommendations in the memo (on file) from the PHAB, whether Browne's comments (on file) open the door for anyone that was interviewed to send in an alternative report, whether the PHAB's recommendations are premature since the final report is not in yet, what other messaging they might like to send to Berk before the final report is issued, seeing the raw data first before accepting the recommendations in the report, waiting to see how changing the composition of the Health Board works for other counties, and concerns with changing the composition of the Health Board.

Kershner asked that a committee member make a motion to ask Berk and Associates for the basis behind their recommendations and especially the recommendation to change the County Health Board make-up.

Dana Brown-Davis, Clerk of the Council, answered whether requests can be relayed to Berk without a Council motion.

Galloway moved to inquire with Berk regarding broad data of the report and the basis for their recommendations, specifically as it applies to the Health Board make-up.

The motion carried by the following vote:

Aye: 3 - Buchanan, Galloway, and Kershner

Nay: 0

Councilmembers discussed whether changing the make-up of the Health Board would be political and whether they need to wait to see how other counties have done, making sure that Berk has met the outcomes that we put in the Ordinance and in their contract and included broad enough recommendations that would help the County to prepare for the next disaster or crisis that may be something other than a health emergency, whether those suggestions are already in the scope of work in the contract, who all got interviewed in the process and whether those people might be different than those who might be interviewed for a different type of crisis, and whether there was sufficient interviews of people who are not governmental but connected to the pandemic response work.

Kershner moved that the committee asks Berk to ensure that they have met the scope of work as far as helping us prepare for the next emergency.

Kershner repeated and re-worded her motion to ask Berk to review the scope of work to make sure that they have accomplished helping Whatcom County prepare for the next emergency.

Erika Lautenbach, Health Department Director, stated she provided a list of partners that they worked with closely in Whatcom Unified Command, and expressed that it is surprising that they would disproportionately prioritize a member (Browne) who had very little involvement in the response.

Kershner stated there was no prioritizing of anybody's comments over anybody else's. It was just forwarded to Berk for consideration and put in the public record. She restated her motion that she wants to ask Berk to

review the scope of work to ensure that they have given us all the recommendations that will help us prepare for the next emergency.

The motion carried by the following vote:

Aye: 3 - Galloway, Buchanan, and Kershner

Nay: 0

She asked if anyone attending the meeting would like to speak but there was no one.

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

Items Added by Revision

There were no agenda items added by revision.

Other Business

There was no other business.

Adjournment

The meeting adjourned at 1:33 p.m.

ATTEST:

WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WA

Kathy Kershner-via email 7/14/2022

Dana Brown-Davis, Council Clerk

Kathy Kershner, Committee Chair

Kristi Felbinger, Minutes Transcription

SIGNED COPY ON FILE