

# **Whatcom County Council as the Health Board**

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

**Tuesday, February 1, 2022  
10 AM  
Virtual Meeting**

**VIRTUAL MEETING - VIEW ONLINE**

### **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**

Health Board Chair Todd Donovan called the meeting to order at 10 a.m. in a virtual meeting.

**Roll Call**

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

**Absent:** None

**Announcements****Public Comment**

Donovan opened the public comment period and hearing no one, closed the open comment period.

**Public Health Advisory Board (PHAB) Update**

Steve Bennett, Public Health Advisory Board, updated the Councilmembers on the following:

- A new chair of the board
- The board's continued work on implementing the racism resolution requirements
- The continuing work of other task forces and boards

**Big Work 2022**

Erika Lautenbach, Health Department Director, updated the Councilmembers on the following three main categories of work for 2022 in the Health Department (strategic, operational, and work force):

**Strategic**

- Work on a COVID-19 Strategic Plan
- Re-engagement with the overall Strategic Plan at the Health Department
- Work on the Community Health Improvement Plan
- Staffing for the Child and Family Well-Being Task Force and providing data support for a ballot measure this fall
- A continuation of racial equity work in department operations and within boards and commissions
- The need to make changes to the Public Health Advisory Board structure and/or the Health Board membership composition
- A revision of the performance management system

Operational

- The receipt of a number of extensions for re-accreditation given the Health Department's work with COVID-19
- A plan to work with the Health Board as the Health Department engages in reorganization
- Re-envisioning how the Health Department does their work and supports employees with flexible and hybrid work options
- A need to move staff in order to make way for the construction project of the Way Station
- Work to develop updated data dashboards on various data they are tracking and the data modernization project to better track contracts, deliverables, and outcomes in the community
- Work on a website change
- Implementation of the Health Department's part of the EnerGov permitting system to streamline the permitting processes

Work Force

- Succession planning, mitigating for burnout, and learning and leadership development
- An update to the Workforce Development Plan
- Onboarding of permanent staff positions adopted in the budget and anticipated additional funding in 2022
- Integration of the GRACE/LEAD and crisis intervention teams into the Health Department

She answered where staff may be moved to make way for the Way Station construction, whether she could send this report to the Councilmembers, what EnerGov is, how much of the staffing was already included in the two year budget they approved a year before last, whether she has a document that lays out the funding for staffing, whether a ballot measure this fall would be an initiative or an ask for the Council to place it on the ballot, whether she has a sense of the timing for that, and what that funding would be used for.

**Health Board Composition**

Erika Lautenbach, Health Department Director, briefed the Councilmembers on legislative changes regarding the Health Board composition.

She answered a question about the specifics that are missing in looking at the Public Health Advisory Board (PHAB) bylaws and the Code in order to

meet what is required by the State law. She then outlined three options available to the Health Board:

Option 1: The Health Board could remain the County Council and the PHAB would make changes.

Option 2: The Health Board could adopt the State guidelines and the PHAB would remain the same.

Option 3a: Both the Health Board and the PHAB could change. If the Health Board decided to adopt the State guidelines that would give the opportunity to revise what the PHAB could look like and potentially more fit into a different body to create new value in a different way.

Option 3b: Both the Health Board and the PHAB could change. The County Council could pass legislation to change the makeup of the Health Board. They could adopt the State guidelines and move forward with those or do something in between and not adopt the State guidelines all the way.

Fraze stated that she was under the impression that they have to go by the State guidelines if they do any change.

Lautenbach stated her understanding is that Whatcom County does not have to change because you have an advisory body. You could, however, change all the way to meet the State guidelines or somewhere in between as long as you retain that community advisory body. But that said, if you do not go all the way to the State guidelines the community advisory needs to change in order to meet the Revised Code of Washington (RCW). That means you would create some role confusion. Option 2 and Option 3b above have some of the same role definition murkiness.

Councilmembers and Lautenbach discussed the options, having more time to work through them and maybe having a special meeting, waiting to get the report from the COVID-19 pandemic response review consultant in July, seeing what other counties are doing first, an update from the kick-off meeting for the COVID-19 pandemic response review, and where challenges exist in the current Health Board and what the opportunities might be if they change it.

Steve Bennett, Public Health Advisory Board, stated if the Health Board is going to research over the course of the next year to determine a course of action then PHAB is going to have to change while that occurs.

Councilmembers and Lautenbach continued to discuss the timing, whether the PHAB would come back to the Health Board with some more fleshed-out information about what the options would look like or whether they have to address the PHAB now, whether they would like Lautenbach to come back with policy options to consider, what changes to the Code or bylaws would require action by the Council or Health Board versus what can be done independent of that by the PHAB, and getting more information from legal regarding whether they have to go exactly by the State requirements if they change any part of the Health Board.

***Kershner moved*** that they ask Director Lautenbach to explore options and alternatives for what changes would need to be made on the PHAB to come into compliance with the State law and bring those back to them in March. The motion was seconded by Galloway.

Donovan stated he does not want to take off the table examining the composition of the Health Board.

***Kershner re-stated*** her motion to ask the Health Department Director Lautenbach to come back to Council as the Health Board (by March 29, 2022) with options to ensure that the PHAB is compliant with the new State law.

Councilmembers discussed whether the Health Board would hold back the PHAB from being State-compliant.

The motion carried by the following vote:

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

**Nay:** 0

***Donovan moved*** that they also get a recommendation and further information on option B where both the Health Board and PHAB would potentially change. The motion was seconded by Galloway.

Councilmembers discussed the motion.

***Donovan repeated*** the motion to receive information and recommendation for an option that would consider changing both the Health Board and PHAB and answered how his motion is different than the previous motion.

Karen Frakes, Prosecuting Attorney's Office, stated only if you are comprised solely of elected officials can you retain the Health Board as it

is. Otherwise, if you make changes, it appears to me that you have to comply with the new regulations. The new law doesn't go into effect until July of this year and even the current statute allows you to have different elected officials on your Health Board, not just county elected officials. So you might be able to make some changes, but Frazey's concerns are warranted.

Councilmembers and Frakes discussed whether legal should give them an opinion prior to the Health Department spending the time to come back with alternatives.

The motion carried by the following vote:

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

**Nay:** 1 - Elenbaas

Lautenbach stated they would move forward with an Ordinance for their review on March 29 or before for the PHAB and will work with legal and develop recommendations or options for their consideration.

### **COVID update**

The following people presented and answered questions:

- Erika Lautenbach, Health Department Director
- Greg Thompson, Co-Health Officer

They answered questions about the number of hospitalizations and whether hospitalization data is sorting for those who go into the hospital for other reasons and incidentally test positive for COVID-19, whether there is any data or information or campaign coming from the CDC, NIH, or FDA on the therapeutic Ivermectin, and whether we have data on how many people have gotten COVID-19 in our community and have not tested and/or reported.

### **Adjournment**

The meeting adjourned at 11:42 a.m.

ATTEST:

WHATCOM COUNTY COUNCIL  
WHATCOM COUNTY, WA

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Dana Brown-Davis, Council Clerk

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Todd Donovan, Health Board Chair

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Kristi Felbinger, Minutes Transcription