

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

**COUNTY COURTHOUSE  
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Bellingham, WA 98225-4038  
(360) 778-5010**



## **Minutes - Draft Minutes**

**Tuesday, March 26, 2024**

**10 AM**

**Civic Center Building Conference Room / Hybrid Meeting**

**JOINT HEALTH BOARD/PUBLIC HEALTH ADVISORY BOARD MEETING -  
HYBRID MEETING (PARTICIPATE IN-PERSON, SEE REMOTE JOIN  
INSTRUCTIONS AT [www.whatcomcounty.us/joinvirtualcouncil](http://www.whatcomcounty.us/joinvirtualcouncil), OR CALL  
360.778.5010)**

### **COUNCILMEMBERS**

Barry Buchanan  
Tyler Byrd  
Todd Donovan  
Ben Elenbaas  
Kaylee Galloway  
Jon Scanlon  
Mark Stremmler

### **CLERK OF THE COUNCIL**

Dana Brown-Davis, C.M.C.

**Call To Order**

Health Board Chair Barry Buchanan called the meeting to order at 10:01 a.m. in a hybrid meeting.

**Roll Call**

**Present:** 6 - Barry Buchanan, Todd Donovan, Ben Elenbaas, Kaylee Galloway, Jon Scanlon, and Mark Stremler

**Absent:** 1 - Tyler Byrd

**Roll call of PHAB members.**

The following PHAB members were present:

- Amy Harley, Co-Health Officer (in for Greg Thompson)
- Ashley Thomasson
- Christine Espina
- Emily O'Connor
- Guy Occhiogrosso
- Jon Scanlon
- Joni Hensley
- Julie Terry
- Kelli Carroll
- Leah Wainman
- Madison Emry
- Robyn Phillips-Madson
- Shu-Ling Zhao
- Teri Bryant

**Announcements****Meeting Materials**

[AB2024-009](#) Meeting Materials for Health Board March 26, 2024

**This agenda item was RECEIVED.**

**Public comment**

The following people spoke:

- Natalie Chavez
- Kathleen Greenbaum

## Health Officer/Health Director update

Erika Lautenbach, Health and Community Services Department, stated she does not have a director update.

Amy Harley, Co-Health Officer, updated on the following:

- Updates to COVID-19 guidance by the CDC and the State Department of Health
- County health data from Population Health Institute's County Health Rankings & Roadmaps, the State's Healthy Youth Survey, and the County's upcoming Whatcom Community Health Insights

Lautenbach answered whether the Health and Community Services annual report is available to the public and stated it will be on the department's website.

Amy Hockenberry, Health and Community Services Department, answered whether Whatcom County will tag onto the State's child wellness survey.

Lautenbach answered a question about where the county is at with filling childcare slots and stated they will discuss that later.

## Resolution identifying Whatcom County approaches to the fentanyl emergency

### (AB2024-090)

2. [AB2024-090](#) Resolution identifying Whatcom County approaches to the fentanyl emergency
- Buchanan and Elenbaas briefed the group on their engagement with stakeholders, changes that were made to the resolution, and which version they would discuss today.

***Buchanan moved*** approval of the Resolution titled "Alternate Resolution for 3.26.2024 Health Board."

The group discussed whether they would approve the resolution as the Council acting as the Health Board or separately just as the Council.

Royce Buckingham, Prosecuting Attorney's Office, asked how the item was noticed and stated he is uncomfortable having the Council take action on a meeting that has not been noticed as a Council meeting.

***Buchanan amended*** his motion ***and moved*** to recommend approval of the alternate resolution to the full Council. The motion was seconded by Donovan.

The group discussed the version again and that the one they are considering has an Exhibit A.

Christine Espina asked about evaluation and data tracking and Lautenbach answered what the preferred method would be of identifying data and then measuring and reporting it out.

Lautenbach and Kayla Schott-Bresler, Executive's Office, suggested that it could be included in the Executive Order so they do not have to work through the data collection process in this document. But they could call out in the resolution that they expect that there will be a reporting process.

**Scanlon moved** to amend to add a point number 21 to the list in Exhibit A that reads:

Create a publicly accessible monitoring and evaluation system to track goals, outcomes, and data regarding Whatcom County's response to the fentanyl emergency.

The motion was seconded by Buchanan.

The motion to amend carried by the following vote:

**Aye:** 6 - Donovan, Elenbaas, Galloway, Scanlon, Stremmer, and Buchanan

**Nay:** 0

**Absent:** 1 - Byrd

Donovan asked how powers given to the Executive would be used, what sources of funding the Executive might use for staffing, and how much the Executive is going to be able to direct the Sheriff. Elenbaas stated that is why they met with those stakeholders.

Schott-Bresler stated they recognize the value of an emergency in responding to something that is causing this level of crisis, loss of life, and damage in our community. That being said, an emergency declaration waves our purchasing code and waves Council approval on contracts. Clarity from the Council on whether that is something they want to ask the Executive to do would be helpful. They do not think those tools are necessary to implement the strategies the Executive would implement. The Executive has prepared an Executive Order, in consultation with the Health Department and other stakeholders, including the Sheriff's Office, that he is prepared to release. It details some pretty specific actions they could take to respond to the Fentanyl crisis, and they think they can accomplish those actions

without an emergency declaration.

Buchanan stated Exhibit A says, “Executive Declaration of Emergency or Order” so they left that decision open there.

Guy Occhiogrosso stated, in the draft that he read, it mentioned “opioid-related crimes” and he thinks that is a pretty broad statement. He wants to make sure they are addressing the full spectrum of crimes that are happening.

Elenbaas stated he does not think the Executive having emergency spending authorization is necessary, and it is even contrary to the idea of being as coordinated as possible.

Satpal Sidhu, County Executive, stated an Executive Order could do more than a declaration of emergency and he spoke about how spending money will be on a continuum over 12 to 24 months and not done all at one time.

Buchanan answered a question about the history of Exhibit A and where it is going. He stated the list in the exhibit represents all the ideas collected during the stakeholder workshops.

Galloway spoke about her preference of an Executive Order with an action plan over of an official emergency declaration, and asked if they need to amend the wording of the title of the resolution.

Lautenbach stated there are also two other references to an emergency declaration (besides the title), including bullet three under Government Coordination and in Exhibit A.

Elenbaas spoke about how they can still refer to the crisis as an emergency without actually declaring an official emergency.

Kelli Carroll suggested using the word “recognizing” instead of “declaring.”

**Galloway moved** to amend the title of the resolution so it reads “recognizing the fentanyl crisis as an emergency in Whatcom County and identifying approaches to the emergency.” The motion was seconded by Donovan.

Elenbaas stated he hopes that fits the spirit of their coordination with the Lummi Nation.

The motion to amend the title carried by the following vote:

**Aye:** 6 - Donovan, Elenbaas, Galloway, Scanlon, Stremmer, and Buchanan

**Nay:** 0

**Absent:** 1 - Byrd

Buchanan spoke about the references in the resolution to an emergency declaration and stated they also need to deal with those. They are in bullet three and four under Government Coordination and in Exhibit A.

**Galloway moved** to strike reference to an Executive Declaration of Emergency throughout the resolution and replace it with Executive Order with an action plan. The motion was seconded by Donovan.

The motion to amend carried by the following vote:

**Aye:** 6 - Elenbaas, Galloway, Scanlon, Stremmer, Buchanan, and Donovan

**Nay:** 0

**Absent:** 1 - Byrd

The group discussed whether the previous amendment about data collection would capture taking an inventory of actions to see where the gaps are or where else that might be integrated.

**Galloway moved** to amend to add a bullet point (number 22) to Exhibit A that reads "expand the Community Paramedics Program." The motion was seconded by Scanlon.

Mike Hilly, Emergency Medical Services (EMS), stated he supports that idea and pointed out that they did position some work in the form of an opioid response team that would be positioned with EMS as well, so they may dovetail a little bit. He answered whether Galloway should add opioid response team to that bullet point and stated it would be helpful to be more specific.

**Galloway amended** her motion to amend to add a bullet point (number 22) to Exhibit A that reads "expand the Community Paramedics Program and opioid response team within Emergency Medical Services (EMS)."

Lautenbach, stated they are working on program development and they do not know what the right mix of professionals would be on an opioid response team so she does not want the motion to pigeon-hole them into making the community paramedics the opioid response team. There might be a more appropriate type of personnel that would provide that service so she does not want to preclude other options.

***Galloway withdrew her amendment to her motion*** and held to her original motion to add a bullet point (number 22) to Exhibit A that reads “expand the Community Paramedics Program.”

Satpal Sidhu, County Executive, stated what they have been working on has been in collaboration with the City of Bellingham. They could potentially share the action list and work jointly. The City is totally in agreement and in tune with what they are proposing.

The motion to amend carried by the following vote:

**Aye:** 6 - Galloway, Scanlon, Stremmer, Buchanan, Donovan, and Elenbaas

**Nay:** 0

**Absent:** 1 - Byrd

Elenbaas spoke about the goal of not only helping people get clean, but also staying clean from drugs. He asked people who have been in jail what a barrier was to not being able to stay clean and one of the things that everyone of them told him was the fines they have to pay to the court. He asked whether there is a legal way to waive fines for people getting out of jail.

Lautenbach stated their LEAD grant allows them to pay fees for their clients and she and another speaker answered questions.

Councilmembers, discussed incentivizing people to stay clean, that housing is the same kind of barrier, whether the Council should come back to this with more such bullet points for the resolution or whether they should keep it broad, how they get the courts to waive fees, continuing coordination with the courts, being stricter on even the possession of fentanyl to keep people in jail, and having systems in place to get them the help they need to keep them from using again.

Nickolaus Lewis, Lummi Indian Business Council, spoke about taking a stronger stance and stated they are tired of overdoses and loss of life and they need to put as many tools in the toolbox as they can to stand up to this. When they see drug dealers booked and then released a couple hours later, their community gets angry, so he appreciates the conversations the Council is having. He stated the template they are creating is one that is going to be used in more places than Whatcom County, so he appreciates the due diligence they are doing in vetting everything and going through these conversations. He spoke about Iceland where they mandated in every school that the parents do a contract and they invest time with those parents

to help them know how to spend time with their kids and be a role model. He stated he hopes the County will have conversations with education leadership here.

Buchanan stated the Council will have more time at their Committee of the Whole meeting to weigh in because they need to move to their next agenda item.

Emily O'Connor spoke about government and system service coordination, maybe adding to bullet six in the resolution about that, other barriers that might be a challenge, and mechanisms for policy changes. She suggested that maybe bullet nine in the resolution might belong in Exhibit A.

Harley spoke about bullet number nine and linking making non-fatal overdoses reportable with the overdose response and not just the data collection.

***Buchanan amended*** his motion ***and moved*** to forward this to the Council for approval at their next meeting.

Councilmembers discussed the process for communicating more suggested amendments between now and the April 9th Council meeting.

Scanlon stated he would like to explore funding, additional revenue sources, and areas in the budget they may need to cut in order to fund this.

**Buchanan's motion that the Resolution be forwarded as amended to the Council for approval at their next meeting carried by the following vote:**

**Aye:** 6 - Buchanan, Donovan, Elenbaas, Galloway, Scanlon, and Stremmler

**Nay:** 0

**Absent:** 1 - Byrd

**ACTION SUMMARY:**

Motion approved 6-0 (with Byrd absent) to amend to add bullet #21 to the list in Exhibit A that reads: Create a publicly accessible monitoring and evaluation system to track goals, outcomes, and data regarding Whatcom County's response to the fentanyl emergency

Motion approved 6-0 (with Byrd absent) to amend the title of the resolution so it reads "recognizing the fentanyl crisis as an emergency in Whatcom County and identifying approaches to the emergency."

Motion approved 6-0 (with Byrd absent) to strike reference to an Executive Declaration of Emergency throughout the resolution and replace it with an Executive Order with an action plan.

Motion approved 6-0 (with Byrd absent) to amend to add a bullet point (#22) to Exhibit A that reads “expand the Community Paramedics Program.”

Motion approved 6-0 (with Byrd absent) to forward the Resolution to the Council for approval at their next meeting.

### **Executive Declaration of Emergency**

Kayla Schott-Bresler, Executive’s Office, stated the Executive has been working with the Health Department, Sheriff, and others to prepare an action plan in response to the Fentanyl crisis. The highlights are enhanced prevention work, exploring making overdose a notifiable condition, thinking about a temporary facility until our Crisis Relief Center gets online, and thinking about a new diversion expansion of the acute post-overdose response. The Executive is very interested in working with Lummi Nation in supporting their secure withdrawal management facility, and is supportive of efforts from the Sheriff and his attempt to reduce booking restrictions. The Executive had been preparing to release his Executive Order tomorrow, with anticipation that the Health Board would take action today, but they can discuss waiting on that.

Councilmembers discussed waiting on the Executive Order until about April 10th, getting questions prepared for when Washington State Association of Counties (WSAC) puts together its legislative agenda, learning more about what the Sheriff and Prosecutor might plan on doing regarding booking restrictions and the definition of Fentanyl-related crimes, exploring filling the gap in our county and state in the availability of substance use treatment services, and doing outreach to make sure neighboring counties are on the same page as far as taking a strong stance on Fentanyl.

Buchanan stated the most shocking thing he heard during this process was when Judge Anderson stated there was a time that she was dismissing one case a week because the defendant had passed away from an overdose.

### **Whatcom Community Health Insights Preview**

Amy Hockenberry, Health Information Assessment Supervisor in Health and Community Services, gave an overview and preview of an online data platform the data team has been working on but which has not yet launched. It is their best practice to produce a countywide health assessment every three to five years and this is the quantitative side of that, putting that data online and keeping it updated.

She answered, when they talk about data, whether they work with the Northwest Tribal Epidemiology Center (“The EpiCenter”), and stated they

do.

Nickolaus Lewis, Lummi Indian Business Council, asked about how accurate the data is and the time frame for data to be scrubbed for accuracy and made public. He stated the data sets that come out are often two to three years old by the time they get scrubbed for accuracy. Iceland turns their data around in eight weeks and a quick turn-around makes it so they can realign, almost in real time, to see if strategies are working.

Hockenberry stated for this project they are retrieving secondary data, so the collection of data is not happening locally by Whatcom County Health and Community Services. These are State data sets they are retrieving so there is typically some oldness to them. Health and Community Services does have more real-time data from the Medical Examiner on the overdose prevention website and from the hospital.

Jake Brandvold, Health and Community Services Department, presented on the Whatcom Community Health Insights (WCHI) website and gave them a sneak peek of the platform.

Lautenbach suggested that Councilmembers could choose to have a member of her team provide the Council with a Healthy Children's Fund briefing at their next Council meeting since they are out of time.

Leah Wainman suggested the Health and Community Services Department engage with the PHAB on indicator prioritization and the dashboard. She asked whether this is also an opportunity for community education about understanding the data.

### **Healthy Children's Fund briefing and discussion**

This item was not discussed.

### **Closing/Next Steps**

This item was not discussed.

### **Other Business**

There was no other business.

### **Adjournment**

The meeting adjourned at 11:58 a.m.

ATTEST:

WHATCOM COUNTY COUNCIL  
WHATCOM COUNTY, WA

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Dana Brown-Davis, Council Clerk

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Barry Buchanan, Health Board Chair

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Kristi Felbinger, Minutes Transcription