

KITTITAS COUNTY BOARD OF HEALTH
Meeting Minutes
July 16, 2020
WebEx Meeting
10:00 am

Board of Health Meeting began at 10:00am

Present

Board of Health (BOH):

Cory Wright, Brett Wachsmith, Laura Osiadacz, John Asriel M.D.

Public Health: Katie Odiaga, Tristen Lamb, Mark Larson M.D.

Other: Stacy Hammond, Appellant
Representative, Neil Caulkins, Kittitas County Prosecuting Attorney

Meeting called to order at 10:00 am

Introductions

Introductions were completed.

Minutes

Motion to approve the June 18, 2020 Board of Health meeting minutes

Motion 07-01: Motion to approve the June 18, 2020, Board of Health meeting minutes. Brett Wachsmith moved to approve the June 18, 2020 Board of Health meeting minutes. Laura Osiadacz second. All approved. Motion 07-01 carried to approve the June 18, 2020 Board of Health meeting minutes.

Business

Stay at Home Health Order Appeal

Brett Wachsmith opened the meeting for the Stay at Home Health Order appeal.

Neil Caulkins, Kittitas County Prosecuting Attorney, began briefly discussing the memo in the appeal of the County's health order brought by Appellant, Ms. Hammond, which he submitted to both the board and the Appellant, prior to the meeting. He explained the following points:

- The authority of a Health Officer
- The authority of the Governor in a state of emergency

Mr. Caulkins discussed several of the Appellants appeal points:

- Service of the appeal was proper
- Rights infringement
- Freedom of Religion
- The Kittitas County Stay and Home Order is less stringent than the Washington State mandates.

APPROVED

10/16/2020

Mr. Caulkins concluded that the appeal is moot, because there is no relief that can be given due to the Washington State mandates that are in place which are parallel to the Kittitas County Stay at Home Health Order.

Ms. Hammond began by stating she had preliminary issues she wanted to address. Ms. Hammond requested Commissioner Osiadacz recuse herself from the appeal due to a conflict of interest. The board agreed that they did not see a conflict of interest, however Commissioner Osiadacz recused herself to move things along.

Ms. Hammond was sworn in and began her testimony, and discussed the following points:

- Kittitas County is one of the only counties in Washington State that has anything like a Health Order
- The structure of the Board of Health compared to other counties
- Ms. Hammond stated the Kittitas County Stay at Home Order is more stringent, not less, than the Washington State mandates
- Inconsistency with Health Order Language
- Order directly impacts those who are economically disadvantaged
- Order was served incorrectly

Ms. Hammond also stated her concern regarding service at the Public Health Department, and with the closing of Irene Rhinehart park, however these issues were not relevant to the Health Order, and were therefore noted, but not addressed.

Ms. Hammond concluded by asking for herself and her children to be excluded from the Health Order.

Mr. Caulkins addressed the following points in his rebuttal:

- Inability to receive personal relief from the Health Order
- Discretion of imposing emergency regulations
- Notice of appeal was properly served
- The purpose of having Health Orders

Dr. Asriel commented about the relationship between a Health Officer and the Board of Health.

Commissioner Wright had questions regarding language of code and health orders being served to individuals vs. a broad county or group. Mr. Caulkins clarified that language is in such a way the does not limit the Health Officer's ability to address a public health issue. Commissioner Wright and Mr. Caulkins also addressed the difference with our Board of Health structure, versus other counties where they have a Health District vs. a Health Department. Commissioner Wright's final question was regarding the Health Officer's ability and discretion to act in an emergency situation.

Motion to dismiss the Stay at Home Health Order Appeal

Motion 07-02: Motion to dismiss the Stay at Home Health Order Appeal and Affirm the Health Order. Brett Wachsmith moved to dismiss the Stay at Home Health Order Appeal and Affirm the Health Order. Cory Wright second. All approved. Motion 07-02 carried to dismiss the Stay at Home Health Order Appeal and Affirm the Health Order.

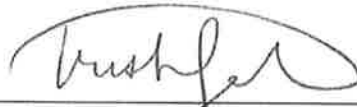
Other

Dr. Asriel gave an update to the board regarding his recent work at Yakima Memorial Hospital in Yakima County, noting the case rates in Yakima County versus Kittitas County. He also noted that since masking has been mandated for Yakima County, their case rates have been starting to decrease.

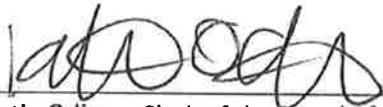
Board of Health Meeting adjourned at 10:53am



Brett Wachsmith, Chair of the Board of Health



Tristen Lamb, Director
Kittitas County Public Health



Katie Odiaga, Clerk of the Board of Health