

**Island County Board of Health
Regular Session - Monday, July 16, 2007
Minutes**

Members Present: Commissioners: Mike Shelton, John Dean and Mac McDowell; Barbara Saugen, WGH Commissioner; Patty Cohen, Mayor of Oak Harbor; Captain Colin Chinn, Medical Corps, U.S. Navy, Ex-Officio Member; Roger S. Case, MD, Executive Secretary to the Board.

Members Absent: No members were absent.

Call Regular Session to Order: Chairman Shelton called this Regular Session of the Island County Board of Health to order at 1:18 p.m.

Additions or Changes to the Agenda: Tim McDonald, Health Services Director, advised the Chair that the Health Department may be requesting the Board set another public hearing to consider Department of Health comments pertaining to the code the Board is considering today.

Minutes: Barbara Saugen moved that the minutes for the June 18, 2007 Regular meeting and the June 18, 2007 Special meeting be approved as written. Commissioner Dean seconded and the motion passed for the Chair to sign on behalf of the Board.

New Business:

Contracts:

1. Department of Health – Consolidated Contract
Contract No. C14949, Amendment No. 3
Contract Amount: \$ 797,027
Contract Amendment Amount: \$ 82,797

Barbara Saugen moved that contract C14949, Amendment No. 3 be approved as presented. Mayor Cohen seconded and the motion passed unanimously.

2. DSHS – WorkFirst
Contract No. 0763-19528
Contract Amount: \$ Fee for service

Commissioner Dean moved that Contract No. 0763-19528 be approved as presented. Commissioner McDowell seconded and the motion passed unanimously.

Waiver Request – Peterson - Keith Higman, Environmental Health Director, presented the issues involved with the waiver requested by Douglas Peterson. Mr. Peterson has requested a waiver for the siting requirements of ICC 8.09.070. A restrictive covenant could not be obtained from Richard and Tara Sutphen, owners of Assessor's Parcel Number S7140-02-00008-0, the parcel to the north that is proposed to be encumbered by 35' of the pollution control radius for the well. Staff contacted the real estate agent who was able to provide the owner's contact information. The owner has contacted the Health Department and asked to postpone the hearing until they can review the review the situation. Commissioner Dean made a motion to continue the waiver request to the August 20, 2007 Board of Health. Mayor Cohen seconded and the motion carried.

Public Hearing: Commissioner Shelton opened the Public Hearing for consideration of Ordinance No. C-72-07, Resolution No. HD-29-07 In the Matter of Adoption of New On-Site Sewage System Regulations, Chapter 8.07D, Island County Code at 1:30 p.m. Tim McDonald, Health Services Director, addressed the Board and introduced Keith Higman, Environmental Health Director, who began with a review of the process and the changes related to this proposed Ordinance. He walked the Board through the major themes of the proposed changes. WAC 246-272A-0015 requires local health jurisdictions to develop and implement plans to assure operation and maintenance of on-site systems and must submit to Department of Health (DOH) to review for completeness. Following the Board setting the Plan for

public hearing, the Health Department submitted to DOH for comments. The Health Department has received DOH comments back and those comments include recommendations for only minor wording and reference changes. A Board discussion followed.

Commissioner Shelton invited public comment. Jackie Lamega, Coupeville, urged the Board to assure that WSU offers hands-on classes for homeowners. Mark DeYoung, Oak Harbor, wants to be sure that classes would be available before fines would be levied. He also asked how the Board arrived at the fine amount of \$25? Pete Brady, Oak Harbor, commented that the emphasis on on-site systems appears to be aimed at alleged Puget Sound contamination. He contended that this program is too massive, too complex, too invasive and involved unreasonable search and invasion of property rights. Robin Palatis, Dillard Lane, hopes that Section E on page 18 will be stricken. Dennis Hoff, Coupeville, hopes the Board will have some leeway in developing a local plan. Kenneth Wolf, Coupeville, objects to a government mandate and thinks that business owners are the benefactors of these changes and the County is caving into a State agency. Tom Companion, Oak Harbor, has an alternative system and wants to know if his system fails, would it be quantifiable?

As there were no more citizens requesting to make comment, the Chair closed the public input portion of the meeting. After Board discussion of various sections, Commissioner Dean put forward a motion to adopt Ordinance C-72-07 excluding the following sections in order to be further reviewed:

1. 8.07D.080(C)
2. 8.07D.080(E)
3. 8.07D.280(A)(4)(d)
4. 8.07D.370(E), 8.07D.370(E)(1) and (2)

Mayor Cohen seconded the motion. Commissioner McDowell voted opposed. The balance of the Board supported the motion and the motion carried. Commissioner Shelton closed the public hearing at 3:21 p.m.

Health Department Report: There was no Health Department report.

Public Input or Comments: Tim McDonald gave a brief communicable disease report.

Adjourn: There being no further business to come before this Board, Commissioner Shelton adjourned the meeting at 3:25 p.m. The next Board of Health will be a Special Session convened on July 18, 2007 at 1:00 p.m.

Submitted: _____
Roger S. Case, MD, Executive Secretary to the Board

Minutes approved this 20th day of August 2007
ISLAND COUNTY BOARD OF HEALTH

Mike Shelton, Board Chair