

**Island County Board of Health  
Regular Session - Monday, August 20, 2007  
Minutes**

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

**Members Absent:** No members were absent.

**Call to Order:** Chairman Shelton called this Regular Session of the Island County Board of Health to order at 1:19 p.m.

**Public Hearing:** Ordinance C-82-07 - In the matter of amendment of new on-site sewage system regulations, Chapter 8.07D, Island County Code. The Chair opened the public hearing and Jim Exe, Health Department On-Site Supervisor, addressed the Board on the proposed amendments. He gave a brief history of the development of 8.07D and outlined the proposed minor amendments resulting from Island County Board of Health and Department of Health input. At the conclusion of Mr. Exe's review, Mayor Cohen questioned wording in section 8.07D.080 "Connection to public sewer system" which deals with options concerning failed on-site systems and makes several references to public sewer services available within two hundred feet of the residence. Mayor Cohen suggested that better wording might be "to the edge of the property". A discussion followed during which Tim McDonald, Health Services Director, clarified that the intent of the section is to address failures, not new construction.

The Chair called for public comment. No one from the public asked to comment. Commissioner Dean made a motion for adoption of Ordinance C-82-07 (Health #HD-31-07) amending Island County Code 8.07D with the exclusion of section 8.07D.080(C). Mayor Cohen seconded and the motion carried unanimously.

The Chair made a motion to set a public hearing to be held on September 17, 2007 at 1:15 p.m. to consider proposed wording changes to sections 8.07D.080(A) and 8.07D.080(B)(1) and inclusion of 8.07D.080(C):

- 8.07D.080(A) – Proposed to read: "...within two hundred feet [insert: *to the nearest property line*] of the residence or facility,.....".
- 8.07D.080(B)(1) – Proposed to read: "...two hundred feet or less [insert: *to the nearest property line*] as measured along the usual or most feasible route of access;.....".
- 8.07D.080(C) – Proposed to add: "The owner of a residence or other facility served by a system meeting the requirements of Table IX of the chapter shall abandon the OSS according to the requirements specified in ICC 8.07D.310, and connect the residence or other facility to a public sewer system when:
  - 1 Connection is deemed necessary to protect public health by the Health Officer;
  - 2. An adequate public sewer becomes available within two hundred feet [insert: *to the nearest property line*] of the residence or other facility as measured along the usual or most economically feasible route of access; and
  - 3. The sewer utility allows the sewer connection."

Mayor Cohen seconded the motion, which carried unanimously.

**Additions or Changes to the Agenda:** Tim McDonald proposed three additions to the agenda: (1) A report by Captain Chinn; (2) Contract addition, SB&C Ltd.; and (3) Report by Scott Rhine, Whidbey General Hospital CEO, regarding TriCare Insurance. The Chair asked the Board to accept the amended agenda. Mayor Cohen seconded and the changes were accepted unanimously.

**Minutes:** Barbara Saugen moved that the minutes for the July 16, 2007 Regular Meeting and the July 18, 2007 Special Session be approved as written. Mayor Cohen seconded and the motion passed.

**Waiver Request – Peterson** (Continuation from July 16, 2007 Board): Vin Sherman, Health Department staff, summarized the waiver request and the Health Department’s recommendation for approval of the waiver. Concluding that, the Chair invited interested parties to address the Board. Vin Sherman read an email he had received from Richard and Tara Sutphen addressed to the Board, which indicated that they would be “receptive” to granting a restrictive covenant for the well’s pollution control radius if they would be granted the option to share Mr. Peterson’s new well. Douglas Peterson, 420 W. Dry Lake Road, Camano Island asked to address the Board and was accompanied by Erin Peterson, also of Camano Island. They advised the Board of the steps they have taken to contact the Sutphen’s and the inconvenience the drilling delay has caused them.

Commissioner McDowell asked if they would be willing to share their well with the Sutphen’s or future owners of the property and reminded that, if they agreed, they would be on the public record for indicating that they wouldn’t unreasonably withhold the right to others to share their well. Mr. Peterson offered to talk with the Sutphen’s to see if there was an interest in a 2-party well. Health Department staff will work with them to determine what aspects of their well would be different if converted to a 2-party well. Mayor Cohen moved to accept staff’s recommendation and approve the waiver request. Barbara Saugen seconded and the motion passed unanimously to grant the waiver.

**Request to set a Public Hearing** – Ordinance No. C-93-07 (HD-34-07) In the matter of establishing a Children’s Commission as an advisory board in Island County. Barbara Saugen moved to set a public hearing for September 17, 2007 at 1:45 p.m. Mayor Cohen seconded and the motion passed unanimously.

**Appointment of Interim Chair** – Commissioner Shelton advised the Board that Commissioner McDowell was being appointed Chair of the Board of County Commissioners and moved that Commissioner McDowell also be appointed Chair of the Board of Health effective 9/1/07. Mayor Cohen seconded and the motion passed.

**Naval Hospital Oak Harbor – Emergent Care Facility** – Captain Colin Chinn provided an update to the Board on the Naval Hospital’s transition from an emergency room to an Urgent Care Facility. He advised that NHOH never has had an ICU/CCU or MRI scanner and has been unable to provide full treatment as an emergency room, and that when indicated, patients requiring such care have been transferred out. With the new designation, truly emergent care will now be directly referred to a hospital Emergency Room, bypassing the NHOH Urgent Care Facility where stabilization could take hours before the inevitable transfer. The name-change to an Urgent Care Facility is designed to maintain the current capabilities and will not reduce the scope of care currently being provided. 9-1-1 calls will now deliver appropriate patients more quickly to true emergency room care. Captain Chinn noted that the Whidbey News Times released a first article without having spoken with him that confused the issues but has since published a second more balanced article on the details of the change. TriCare will cover emergency care for TriCare-eligible patients at any emergency room. Effectively, this is a name-change transition, not a closure, as this facility has always been truly operated as an Urgent Care Facility. He further added that this transition has the blessing of the local, regional and federal level military officials, and that he had briefed our state and federal legislative representatives.

**Whidbey General Hospital – TriCare** – Scott Rhine, Whidbey General Hospital (WGH) CEO, addressed the Board regarding TriCare reimbursement to WGH. On December 31, 2005, WGH was approved as a critical access hospital and that has increased the level of Medicare reimbursement the hospital receives. The State of Washington also recognizes critical access hospitals to increase Medicaid reimbursements. TriCare does not recognize the distinction and maintains a considerably lower rate of reimbursement. WGH cannot afford to subsidize TriCare patients to this extent. Captain Chinn and Whidbey General Hospital representatives continue to meet with TriCare but it seems that the hospital’s stated intention of canceling the contract would appear necessary in order to have TriCare address the inadequate reimbursement rate. The current average reimbursement is \$.39 on every \$1.00 charged, and the hospital is asking for TriCare to interpret cost based reimbursement at the same rate as Medicare and Medicaid are. TriCare patients make up 6% of the WGH patient population, and the present subsidization of TriCare cannot be maintained.

**Contracts:**

1. Island County Public Works – Right of Way Occupancy/Roberts Way  
Contract No. HD-25-07  
Contract Amount: \$ -0-

Barbara Saugen moved that Contract HD-25-07 be approved as presented. Mayor Cohen seconded and the motion passed unanimously.

2. Health Officer – Roger S. Case, M.D.  
Contract No. HD-06-06, Amendment 1  
Contract Amount:                                 \$     103,900  
Amendment Amount:                                 \$     11,500

Mayor Cohen moved that Contract No. HD-06-06, Amendment No. 1 be approved as presented. Barbara Saugen seconded and the motion passed unanimously.

3. Skagit/Islands Head Start – Consultation Program  
Contract No. HD-32-07  
Contract Amount:                                 \$           1,500

Mayor Cohen moved that Contract No. HD-20-07 be approved as presented. Barbara Saugen seconded and the motion passed unanimously.

4. Group Health Cooperative – Flu Vaccinations  
Contract No. HD-33-07  
Contract Amount:                                 \$           Fee-for-service

Mayor Cohen moved that Contract No. HD-33-07 be approved as presented. Barbara Saugen seconded and the motion passed unanimously.

5. Department of Health – Consolidated Contract  
Contract No. 14949, Amendment No. 4  
Contract Amount:                                 \$     817,523  
Amendment Amount:                                 \$     20,496

Barbara Saugen moved that Contract C14949, Amendment No. 4 be approved as presented. Mayor Cohen seconded and the motion passed unanimously.

6. SB&C, Ltd. – Authorization for legal action in debt collection  
SBC No. 5460655

Mayor Cohen moved that the authorization to proceed with legal action be approved as presented. Barbara Saugen seconded and the motion passed unanimously.

**Health Department Report:** No Health Department report.

**Public Input or Comments:** There was no public input or comment.

**Adjourn:** There being no further business, Commissioner Shelton adjourned the meeting at 2:37 p.m. The next Board of Health will be a Regular Session on September 17, 2007.

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

Minutes approved this 17th day of September 2007  
**ISLAND COUNTY BOARD OF HEALTH**

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Wm. L. McDowell, Board Chair