

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

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

**Members Absent:** Patty Cohen, Mayor of Oak Harbor.

**Call to Order:** Chairman Shelton called this Regular Session of the Island County Board of Health to order at 1:17 p.m.

**Additions or Changes to the Agenda:** There were no changes or additions to the agenda. It was noted that Paul Schmidt, Oak Harbor City Administrator, was in attendance.

**Minutes:** Barbara Saugen moved that the minutes for the March 19, 2007 Regular meeting and the minutes for the April 2, 2007 and April 3, 2007 Special meetings be approved as written. Commissioner McDowell seconded and the motion passed for the Chair to sign on behalf of the Board.

**New Business:**

Resolution C-46-07 (HD-24-07) Regarding the Matter of Enforcement of the Sanitary Code Against the Operator of the Auld Holland Inn Mobile Home Park. Tim McDonald, Health Services Director, read Resolution C-46-07 into the record in its entirety so as not to leave out any pertinent information. Mr. McDonald confirmed to Commissioner McDowell that notices issued to the Auld Holland Inn Mobile Home Park had been hand delivered and Mr. McDonald advised that he had also met with the owner on this issue personally. The owner had not applied for an annual permit for the prior two years. Furthermore, additional housing units have been hooked up to an identified failed septic system. Mr. McDonald noted that this is not a hearing on this matter but that this resolution initiates the formal action of a legal remedy. A motion was made by Commissioner Dean to approve Resolution C-46-07 (HD-24-07) authorizing enforcement of the sanitary code against the operator of the Auld Holland Inn Mobile Home Park. Barbara Saugen seconded and the motion was approved unanimously.

**Contracts:**

1. Monitoring Well Easement – Donald & Patricia Heitmann  
Contract No. HD-23-07  
Contract Amount: \$ -0-

Barbara Saugen moved that the Heitmann contract be approved as presented. Commissioner McDowell seconded and the motion passed unanimously.

**Health Department Report:**

Tim McDonald, Health Services Director, updated the Board on communicable disease cases reported in the prior month. He advised the Board that physicians were currently perplexed by a Giardia case as it involved a person who is getting reinfected. Nursing staff is working with Environmental Health staff to investigate. Staff is also currently investigating a suspected case of Tuberculosis. It takes 8 weeks to receive a confirmation on a cultured specimen so staff is proceeding under the assumption that it is a positive Tuberculosis case. Mr. McDonald reminded the Board that, if this person cannot afford the test and treatment cost, that the Board of County Commissioners is the payee.

Mr. McDonald advised that the Environmental Health section is focusing on proposed Liquid Waste Code revision but staff has also been working on proposed Solid Waste Code revisions. Writing the proposed revisions is a slow process because staff works with the Prosecuting Attorney's office on the legal

aspects. Also, Island County has one code which applies and staff is revising Island County code to match State code which resides in many WAC sections.

The Health Department will be holding a "POD" (Point of Distribution) exercise on May 22<sup>nd</sup>. The Health Department will have to assume a leadership position in an emergent situation requiring a POD. The first exercise will involve only the Health Department and will be followed by a second exercise in the fall involving other community emergency responders. Celine Servatius, Navy contractor in Environmental Health, will be an observer as she will be planning a POD exercise for the Naval Hospital.

Commissioner McDowell asked about the possibility of writing a letter regarding Tri-Care about reimbursement rates in Washington State. Local physicians are having to take an extremely low rate of reimbursement. Captain Chinn commented that this issue is definitely a federal issue and that a letter would appropriately go to Representative Larsen. Captain Chinn advised the Board that Tri West and the Oak Harbor clinic have come to an agreement so that they will be able to continue to accept patients with Tri West coverage.

**Public Input or Comments:** There were no public comments.

**Recess:** There being no further business for the Regular Meeting, Commissioner Shelton recessed the meeting at 1:46 p.m, to be reconvened in a Special Session at 2:00 p.m. (OSS Workshop).

**Island County Board of Health  
Special Session - Monday, April 16, 2007  
Minutes**

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

**Members Absent:** Patty Cohen, Mayor of Oak Harbor.

**Call to Order:** Chairman Shelton reconvened the Island County Board of Health in Special Session at 2:05 p.m.

**Additions or Changes to the Agenda:** As this is a special session, the agenda is set.

**On-Site Sewage Systems (OSS) Management Plan Workshop:**

Chairman Shelton turned the floor over to Tim McDonald, Health Services Director, to make opening remarks for the OSS Management Plan workshop. Mr. McDonald told the Board that Keith Higman, Environmental Health Director, will continue in this workshop to provide the Board with information and

the Board will then be asked for guidance working towards developing consensus as staff writes a draft plan proposal.

Keith Higman, Environmental Health Director, addressed the Board and advised that staff is working to identify risk and reflecting the Board's discussion that staff look at systems that present the most risk. He outlined the rule objectives as: (1) Identify unknowns; (2) Ensure inspections; and, (3) Promptly fix/repair problems. A discussion on categories of risk followed. Staff is suggesting designating 'high susceptibility recharge areas' rather than 'sole source aquifer criteria' for determining risk.

Three geographic risk categories were discussed: (Category I) Highest Risk/Marine Recover Area (MRA); (Category II) High Risk/Sensitive Area; and (Category III) Increased Risk. Mr. Higman advised that staff suggests the Board must choose: 1) consider the OSS Management Plan map without additions; (2) designate drainage basins which would include the whole County; or (3) add shoreline to some distance to the map. A discussion followed regarding including shoreline in some measure as a moderate risk designation. After a discussion, Mr. McDonald confirmed with the Board that staff's understanding of the Board's direction was that there was consensus to accept the CARA map with the current designations for high susceptibility areas but with the shoreline yet to be determined.

Mr. Higman reviewed the points he thought had Board of Health consensus from the April 2<sup>nd</sup> workshop. Commissioner McDowell clarified that he felt inspections can be done by not just professionals but by homeowners who have taken proper courses designed for specific systems. Mr. Higman suggested that possible categories of inspectors might be: 1) professional; 2) homeowner; and, 3) individuals who have certain credentials. Commissioner Shelton commented that he supported this clarification except in high risk areas. Tim McDonald said he was hearing that the Board wanted homeowners to be able to inspect their own standard systems in all risk areas.

A discussion followed on possible incentives, penalties and assurances to achieve compliance. Commissioner Dean suggested a 5-year phase-in approach before possible penalties would apply. Health Department staff feels homeowners need to earn the right to inspect such as earning a training certificate. Commissioner Dean suggested the message should be that homeowners "can protect their right to inspect" or something similar to that wording.

The Board instructed staff to include Risk Category II with Category III and Category IV. The Board went on to discuss funding options, what was included in the projected budget and how funding might be collected. Commissioner Shelton suggested that a utility could be narrowly defined. Commissioner McDowell expressed leaning towards current expense due to the great cost of collecting fees. Since the Board is mandated to do this by the State, he would support using current expense funding. Better water quality is the goal and all Island County citizens will benefit. Shelton warned that current County revenue would support this but future County revenue might not and so supported the utility approach. Commissioner Dean asked if a surface water utility district could be incorporated and Mr. Higman advised that a model in another county is a "clean water utility" which benefits several clean water programs. Commissioner Shelton expressed that he could support current expense if revenues could be predicted. Commissioner McDowell noted that if county revenues drop, a utility or other funding vehicle could be instituted later. Commissioner McDowell reiterated that he thought it costs too much additional to collect money so favors using current expense. Commissioner Shelton commented that it is too hard on the population to implement a change in funding.

Commenting on assurances, Commissioner McDowell supports inspection tied to transfer of property is a "no brainer" and supported the other two recommendations but does not support placing notices on property title of parcels where/when O&M is not occurring. Commenting on compliance, Commissioner Dean would support a penalty for non-compliance with a lot of lead time. Barbara Saugen suggested that catching folks at the time of property sale would be a good approach. Commissioner Shelton advised that he thought Department of Health would have trouble with a plan that did not contain penalties for non-compliance.

Mr. Higman told the Board that staff will put together a proposed protocol with the Board's input. The Board agreed to hold the next workshop at a Special Session of the Board of Health on Tuesday, May 1, 2007 at 1:30 p.m. Commissioner Shelton invited interested parties to address the Board. Bob Moch, Langley, WA told the Board that he could not understand the map based on his knowledge of soils in various areas. He noted that aerobic treatment systems are required now to have annual operating permits but that is not enforced and that the Health Department has no mechanism to deal with this.

**Adjourn:** There being no further business, Commissioner Shelton adjourned the Special Session at 4:02 p.m. The next Board of Health will be a Special Session held on May 1, 2007 at 1:30 p.m.

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

Minutes approved this 21st day of May 2007  
**ISLAND COUNTY BOARD OF HEALTH**

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Mike Shelton, Board Chair