



PUBLIC HEALTH DEPARTMENT

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KITTITAS COUNTY BOARD OF HEALTH

Minutes

Thursday, December 15, 2005

Commissioners' Auditorium

10:07 a.m.

PRESENT: Board Members: Carolyn Booth, Commissioner David Bowen, Commissioner Alan Crankovich; and Vice Chair Don Solberg, M.D.; and Public Health Department Staff: Financial Manager Lynn Borngrebe, Community Health Services Manager Bonnie Corns, Administrator Nancy Goodloe, Clerk of the Board Susan Merrill, Health Officer Rosalie Miller, M.D., and Health Promotion Manager Ann Riley.

ABSENT: Commissioner Perry Huston.

OTHER ATTENDEES:

Margaret Condit, member of Board of Health Advisory Committee (BOHAC)

Joan Baird Glover, member of BOHAC

Yolanda Leon, Kittitas County Public Health Department (KCPHD) staff

Kris Proszek, KCPHD staff

Melissa Schumaier, KCPHD staff

MINUTES:

Motion 12-01: Carolyn Booth moved that the minutes of the November 17, 2005 Board of Health meeting be approved. Commissioner Bowen seconded. All approved. Motion 12-01 carried.

INTRODUCTIONS:

Nancy Goodloe introduced Margaret Condit and Joan Baird Glover, both representing the Board of Health Advisory Committee (BOHAC) at today's meeting.

Nancy Goodloe also introduced staff newly employed at KCPHD:

1. Yolanda Leon, WIC certifier. Nancy mentioned that due to Yolanda's alert, the life of her client's baby was probably saved as Yolanda referred the child to one of our nurses, Janet Jones, who in turn immediately referred the child to the Kittitas Valley Community Hospital (KVCH). The baby was transferred to Children's Hospital in Seattle where its extremely serious viral illness was successfully treated and the baby's life saved.
2. Kris Proszek, Health Educator in the Health Promotion division.
3. Melissa Schumaier, Environmental Health Specialist in the food program.

UPDATES/REPORTS:

Nancy Goodloe announced that Cathy Bambrick has been hired as the KCPHD's new Environmental Health (EH) Manager and will start on January 3, 2006. Nancy thanked Commissioner Bowen for serving on the interview committee for this position.

Nancy mentioned that Philip Martinez in EH has resigned and has accepted a position with Solid Waste. Dacia Carver has been hired as Phil's replacement (i.e., as Environmental Health Specialist in the onsite sewage program) and will start her employment on January 3, 2006 as well.

The update on I-901 was postponed until the end of the meeting as Ann Riley was participating in a concurrent conference call about I-901.

BUSINESS:

Wilson Creek Sub-Basin TMDL: Request for Public Health Support – Jane Creech, Department of Ecology, Water Quality Program, Yakima

Nancy Goodloe introduced Jane Creech, Department of Ecology, Water Quality Program, in Yakima. Jane Creech said that the Water Quality Program has responsibility for cleanup projects in the Upper Yakima Basin and that her program has requested that Public Health be involved in implementation plans for the cleanup project focused on the Wilson Creek Sub-Basin. Ms. Creech circulated two handouts (a report entitled *Wilson Creek Sub-Basin Bacteria Total Maximum Daily Load (Water Cleanup Plan), June 2005* and an 8-page sheet entitled *Focus on Wilson Creek Sub-basin/Bacteria TMDL approved, detailed planning underway*) and explained that this cleanup project targets the cleanup of fecal coliform bacteria in quantities "way over the limit" in surface water (in creeks, canals, and drains), some of it from human sources. Ms. Creech provided a history of the project and referred to the report which outlines the study and its results. Ms. Creech referred to water quality standards for this project; and referred to a chart showing sampling results and the extremely high presence of bacteria in specific waterways. Furthermore, Ms. Creech referred to state legal authority covering Public Health's regulatory and enforcement responsibilities for sewage systems. The project currently is trying to locate where failing/leaking septic systems are located; and requests county help through Public Health as the Department of Ecology (DOE) lacks adequate staff to locate these systems.

Jane Creech outlined DOE's proposal to Public Health (PH) to:

1. Obtain access to Environmental Health (EH) records for information on current septic systems and for cross-reference with waterfront landowners; and
2. Determine if owners along the creeks have failing septic systems, and if so, figure out how DOE can help.

Moreover, Ms. Creech asked if DOE and PH can cooperate in developing funding sources that are available for replacing faulty septic systems. Ms. Creech referred to Spokane needing a lot of money to pay for a similar cleanup project.

It was decided that Nancy Goodloe will obtain information from Spokane; and that Commissioner Bowen will talk to the Kittitas Reclamation and Conservation Districts.

Discussion on Wilson Creek Sub-basin request by DOE was suspended temporarily in order to conduct the scheduled Public Hearing.

Public Hearing for Kittitas County Board of Health to Establish an Appeal Process for Environmental Health Policy, Procedure, or Administrative Decision

[Recording of Public Hearing began at 10:35 a.m.]

Vice Chair Don Solberg declared the Public Hearing in order and open.

Nancy Goodloe distributed a handout of the proposed appeal process and made a presentation covering its purpose, history, and proposed new procedures and fee. The proposal offers a formal process with the Health Officer and includes community involvement through two levels of appeal:

1. First level: appeal to the Health Officer and the Public Health Appeals Committee (which broadens representation beyond Public Health staff); and

2. Second level: appeal to the Board of Health (with its decision final and finding) when an appellate is not pleased with the Appeal Committee's decision.

The proposal includes a fee of \$200 to cover staff time at hearings and preparation of documents for hearings.

Nancy Goodloe recommended that the proposed appeal process be adopted; and concluded by stating that appeals do not often happen.

Discussion ensued and covered: frequency of appeals in the past (2 in the past 3 years), the intent behind the appeals process (to create an ordinance and make part of county code so that its appeals process will now extend to EH decisions), the role of BOH versus Board of County Commissioners (BOCC) as ultimate appeal body [Washington Administrative Code (WAC) specifies that the BOH has final authority], and intent and efficacy of a two-level approach.

Vice Chair Don Solberg opened the hearing for public comment and asked for comments. Hearing none, the Vice Chair closed the public comment portion of the hearing.

Dr. Solberg asked if there was a motion to make this appeal process a policy of Public Health even if it does not become an ordinance. Ms. Goodloe stated that if the appeal process is not put in the county's code, it will still be necessary to amend current code for septic systems in order to reflect the proposed 2-step process. Dr. Solberg added that this later change would avoid creating two conflicting systems for any appeal regarding septic systems.

Motion 12-02: Commissioner Bowen made a motion to accept the appeal process as Public Health policy as presented. Carolyn Booth seconded. All approved. Motion 12-02 carried.

Public hearing concluded at 10:50 a.m.

[Continuation] Wilson Creek Sub-Basin Request by DOE – Jane Creech, DOE

Nancy Goodloe explained that the reason behind Jane Creech's approach to the BOH was that any decision regarding Creech's request will be a Public Health (PH) policy decision. Ms. Goodloe stated that Public Health wants to help if it can but could experience some ramifications in doing so; thus, it needs to be a BOH decision. Ms. Goodloe highlighted various issues to take under consideration (including staff limitations at PH, various issues with landowners having old septic systems, and septic system identification issues).

BOH members discussed how it is unfortunate that the analysis does not show degree of contamination, along with if or what significant gains could be realized if the human contamination issue is addressed, and mentioned concerns over approaching people. Jane Creech replied that:

1. coliform bacteria from human sources is the biggest problem;
2. the worst contamination (i.e., human sources) could be addressed; and
3. there is consensus in her field that if one source is to be fixed, it is to reduce human waste in streams.

Ms. Creech said she is open to suggestions and reiterated that Public Health is the responsible authority.

It was decided that the request will be tabled until the next BOH meeting. Dr. Solberg asked Commissioner Bowen to spearhead a report to the BOH. Commissioner Bowen consented and said he will review all the appropriate WACs and talk with other programs. Nancy Goodloe will check with Spokane and also see about the availability of funding sources.

Jane Creech agreed that she will attend the next meeting upon being asked this question. Thanks were extended to Ms. Creech.

DISCUSSION

Memo to the Board Re: Consolidation of Environmental Health (EH) Programs Under Community Development Services (CDS) – Commissioner Perry Huston

Nancy Goodloe said that Commissioner Huston intended to bring his memo to the meeting. Commissioner Bowen stated that Commissioner Huston had tabled the consolidation issue as supervision of EH will change upon the hiring of a new EH manager. Ms. Goodloe mentioned that she, the new EH manager, and the BOCC will work together to develop their expectations for management of EH.

Various views were expressed on the consolidation issue. Essentially, there were two different perspectives. On the one hand (per Carolyn Booth, Dr. Solberg, and testimony from Joan Baird Glover and Margaret Condit, BOHAC members): restructuring affects the line of authority, responsibility, and communication, and thus impacts how the system operates, and becomes more than a personnel issue. In this case, since there would be a substantial change in how PH operates, then the matter needs to come before the BOH. Concern was expressed that this discussion was not occurring with all BOH members but only BOCC members. The ultimate goal is service to the community and BOH needs to look at the organizational structure as to how best to do this; and it should not be personnel-driven. On the other hand: from the BOCC point of view, restructuring under a new director (of CDS) and retaining the same responsibilities and duties is not changing the overall structure, but is solving a personnel matter.

Dr. Miller provided information on one county where EH was removed from PH and reported on the system-related problems that have occurred.

In Commissioner Huston's absence and with no specific item for action, there was no further discussion and it was determined that there is no need to revisit the issue for the time being.

UPDATE ON I-901 – Ann Riley

Overall, Ann Riley stated that implementation of I-901 is going well. Ms. Riley mentioned that 13 businesses have asked for information, and people have been responsive and none have been hostile. Ms. Riley said a couple of email complaints have been received regarding the same establishment. Ann will work to educate the establishment in question but also mentioned that a process within the county will be established to enforce any noncompliance. Work will ensue within the department to develop procedures for doing inspections regarding violations of the law. Ann Riley said, at the state level, people are attempting to establish legal authority and interpretations. Ms. Riley also mentioned that there is a link posted on the KCPHD website to state information.

Ann Riley said that the Department of Health sent a letter to businesses with liquor licenses; and KCPHD sent a letter to private clubs and outdoor eating restaurants. Ms. Riley explained how the law applies to outdoor eating restaurants (i.e., if employees are serving, then establishments need to be non-smoking). Some discussion occurred over the 25-foot rule. Ann Riley described that 25-foot rule's intent is to prevent smoke from returning to buildings.

Ann Riley was thanked for her information.

Meeting adjourned at 11:33 a.m.

Next Meeting: The next Board of Health meeting will be on February 16 at 10:00 a.m. in the Commissioners' Auditorium.

Perry Huston, Chair of the Board of Health

Nancy Goodloe, Administrator
Kittitas County Public Health Department

Susan Merrill, Clerk to the Board of Health

To Protect and Promote the Health and the Environment of the People of Kittitas County

PUBLIC HEALTH
ALWAYS WORKING FOR A SAFER AND
HEALTHIER KITTITAS COUNTY