

**KITSAP PUBLIC HEALTH BOARD
MEETING MINUTES
Regular Meeting
March 7, 2017**

The meeting was called to order by Board Chair, Commissioner Ed Wolfe at 1:49 p.m.

REVIEW AND APPROVE AGENDA

There were no changes to the agenda.

BOARD MEETING MINUTES

Mayor Patty Lent moved and Commissioner Charlotte Garrido seconded the motion to approve the minutes for the February 7, 2017, regular meeting. The motion was approved unanimously.

CONSENT AGENDA

The March consent agenda included the following contract:

- 1316 Amendment 13, *Washington State Department of Health, 2015-2017 Consolidated Contract*

Commissioner Rob Gelder moved and Mayor Becky Erickson seconded the motion to approve the consent agenda, including the Contracts Update and Warrant and Electronic Funds Transfer Registers. The motion was approved unanimously.

PUBLIC COMMENT

Mr. David Ellingson approached the Board with comments and concerns regarding proposed updates and changes to Health Board Ordinance 1999-6, Rules and Regulations for Private and Public Water Supplies. Mr. Ellingson informed the Board that he is the manager of his Poulsbo home's Group B water system.

Mr. Ellingson explained that to operate within budget, an organization must either raise fees and taxes or reassess and reinvent the organization. He heard that 400 people are employed by Health District, which seems like a lot. He also said that every organization must commit to continuous improvement and evaluate every function on effectiveness, efficiency and value.

Mr. Ellingson explained that last year, Health District staff did sampling of the shoreline in front of his home. One of the samples came up positive for bacteria contamination, and his septic tank was tested, however the results determined that no leak had occurred. The Health District continued shoreline testing, although Mr. Ellingson thought there was a more efficient way to locate the source, stating that it was possible to identify the specific source of contamination through testing.

Mr. Ellingson stated that the costs of maintaining Group B water systems should be absorbed by the District, rather than charging additional fees to the public.

Mr. Ellingson noted that he spoke with loan officers and underwriters regarding transfer of ownership as it pertains to private wells and small water systems. According to these sources, no inspections are required unless the designated appraiser calls for them. Mr. Ellingson noted that when properties on his Group B water system transferred ownership, he was only required to provide the most recent water samples.

Mr. Ellingson referenced the memo from today's Board packet on this issue, which stated that meetings were held with stakeholders, water system managers and real estate professionals. He explained that he was not invited to the meeting, but felt that, as a Group B water system manager, he should have been.

Lastly, Mr. Ellingson noted that he would attend the upcoming listening session on this issue, and provide additional comments then. He asked the Board if they had any questions.

Commissioner Gelder asked Mr. Keith Grellner, Administrator, to clarify that the Health District FTE count is below 400 employees. Mr. Grellner confirmed that the Health District currently has 106 FTE for 2017, which is the highest it has been since 2006, due to some additional grant funding the Health District has received. Mr. Grellner also clarified that it is not possible to identify which species contributed to the contamination, without first testing each species mammal and bird in the area to find a match. He also noted that 15 years ago the Health District helped pioneer this technology.

Mr. Ellingson explained that he had spoken with the EPA lab in Manchester that told him they had an impressive process for determining sources of contamination. Mr. Grellner asked Mr. Ellingson to provide him with the name of the person he spoke with at EPA, so the Health District can get in touch with them regarding water testing technology. The Health District is very interested to know more about the new technology he mentioned.

**Note: Mr. Grellner had staff check into the EPA Manchester Lab's ability to do bacterial source species identification as suggested by Mr. Ellingson, and determined that the lab's processes are not conducive to the timing/schedule and type of work the Health District normally conducts for its water quality clean-up projects. Mr. Grellner sent an email with this information to the Board on March 9, 2017.

There were no further comments.

HEALTH OFFICER/ADMINISTRATOR'S REPORT

Health Officer Update:

Dr. Susan Turner, Health Officer, provided the Board with an update on influenza in Kitsap County. As indicated by influenza testing and emergency room visits, Dr. Turner noted that flu season activity has markedly declined, although there is still flu activity, and RSV activity is still quite elevated. She noted that it is still prudent to be vigilant in washing hands, covering coughs, and staying home when ill. Lastly she mentioned that flu activity often continues through May, so those interested in getting vaccinated are still encouraged to do so.

Next, Dr. Turner provided the Board with follow-up information on Harrison's hospital-acquired legionella case investigation. She noted that Harrison successfully hyperchlorinated their entire network of water systems, although legionella had been found only in three of the four hot water systems, and no cold-water systems. The first follow-up tests were negative for legionella, but given other situations where hospitals have experienced regrowth on the second set of tests, they decided to continue water restrictions until results are known about the second set of tests (taken last week, preliminary results this week and final next week).

Commissioner Gelder asked what the protocol for hyperchlorination was and if Harrison should do a second round of hyperchlorination after the second round of testing. Dr. Turner explained that the Department of Health (DOH) and CDC provided guidance on the appropriate procedures, and they recommended only one round of hyperchlorination. Harrison has hired an experienced industrial hygiene company to advise them as they move through the process. She also explained that she does not know what the next steps will be if the follow-up tests come back positive for legionella, but she will be discussing this with the DOH expert should this occur.

Next, Dr. Turner informed the Board that the meeting with the Olympic Educational Service District (OESD) Superintendent's "Superintendent's Advisory Council" went very well. John Kiess, Environmental Health Director, Dr. Chris Frank, Clallam County Health Officer, and Dr. Turner were in attendance. They were asked to present a "lightning round" presentation of key public health topics, so that superintendents could at a later time request more information. At the meeting, Dr. Turner made a presentation on vaccinations and increasing their enforcement of exclusions for inadequate immunizations, as well as potential actions should a mumps or measles outbreak or exposure occur at a school. Mr. Kiess made a presentation of the Health District's intention to work closely with superintendents to develop a collaborative school safety inspection program, and each was asked to provide the name of the person from their school that would be participating. She also noted that there is still a Mumps outbreak, although there have not been any cases yet in Kitsap County. This is true despite a couple of known exposures the Health District has been monitoring.

Mayor Erickson asked if the Health District is currently working with Central Kitsap School District on their upcoming construction project, as it pertains to increased school inspections. Dr. Turner confirmed this. Mayor Erickson requested that the Health District provide a brief update on this at the next Board meeting.

Dr. Turner also informed the Board that the Kitsap Community Health Priorities (KCHP) Summit will be held on Wednesday, March 15, 2017. Dr. Turner noted that she will not be able to attend due to scheduled medical leave. She will be out of the office March 15, 16 and 17. Dr. Frank will be available to cover for her on Wednesday March 15. The summit will provide an update on the progress the four workgroups have made, and will include an inspiring presentation by a Seattle Pediatric Psychologist on policy, systems and environment changes that facilitate healthy eating and active living. This perspective may be of special interest to the

Board, due to their roles in advocating for systems and environmental changes, and creating policy that advances public health.

There was no further comment.

Administrator Update:

Mr. Grellner provided the Board with a few legislative updates. He reminded the Board that staff have been advocating for HB 1432, concerning Foundational Public Health Services. Mr. Grellner was pleased to report that the house approved HB 1432. It will now move to the senate and staff will continue to advocate for it.

On March 1st, the day before HB 1432 was passed, Katie Eilers, Community Health Director, Linda Tourigny, Public Health Nurse Supervisor, and Mr. Grellner participated in “public health education day” for the legislature. The event was organized by the Washington State Public Health Association, Washington State Association of Local Public Health Officials, and Local 17. Health District staff met with all nine of our Kitsap legislators or their aides to discuss the bill.

Mr. Grellner noted that the Health District has some concerns about SB 5281, regarding the regulation of onsite sewage systems. This bill, sponsored by Senator Jan Angel, was modified on the senate floor to restrict local health jurisdictions from conditioning a septic permit on obtaining a contract for maintenance, maintenance which is required under state rules. Per Health District attorneys, if enacted, this bill may also prevent local health jurisdictions, like Kitsap, from enforcing local ordinances that require septic maintenance contracts. This could result in a loss of the Health District local septic system maintenance program. Mr. Grellner noted the bill also appears to contradict existing state law from 1989 in RCW 70.118.050, which gives authority to the local legislative authority “to adopt more stringent standards for the design, construction, maintenance and monitoring of sewage disposal systems”. Mr. Grellner informed the Board that Health District staff have been in contact with Senator Angel about these concerns, and are organizing as a state public health system to alert the House as to the negative consequences of this amended bill. He also encouraged Board members to reach out to Senator Angel and house representatives about this bill and offered to send the Board members some talking points.

Next, Mr. Grellner announced that Katie Eilers has received the “American Nurses Credentialing Center’s 2017 Certified Nurse Award” in the public health nurse category. He noted that Ms. Eilers was recognized, in part, for her tireless pursuit of excellence in clinical practice and achieving optimum clinical outcomes, and for her work and leadership in collaborating with other counties, tribes, and local organizations to prevent chronic disease and improve first trimester access to prenatal care for low income women in underserved areas. He asked the Board to join him in congratulating Ms. Eilers.

Lastly, Mr. Grellner informed the Board that Kerry Dobbelaere, Communicable Disease and Clinical Services Manager, is retiring at the end of March. He recognized Ms. Dobbelaere for over 33 years of distinguished public health service and wished her well for the years ahead.

There was no further comment.

RESOLUTION 2017-01: APPROVING 2017 ENVIRONMENTAL HEALTH FEE SCHEDULE – PUBLIC HEARING

Mr. Kiess approached the Board regarding Resolution 2017-01: Approving the 2017 Environmental Health Fee Schedule. Mr. Kiess asked if the Board had any questions based on the information in their packets.

Commissioner Garrido asked if the Health District had received any feedback on the proposed fee schedule. Mr. Kiess confirmed that a public listening session was held and very minimal feedback was received. One question arose regarding temporary food events and whether there could be separate fees for non-profit versus for profit entities. Mr. Kiess explained that because the level of service and time spent is the same regardless of who sponsors the event, the fees would remain the same. Additionally, Mr. Kiess noted that this was posted as a public notice in the Kitsap Sun newspaper.

Commissioner Wolfe asked if there were fee changes pertaining the proposed drinking water regulations. Mr. Kiess explained that no new fees were being established for drinking water regulations at this time, as no decision had been made regarding the proposed drinking water regulations. If the Board chooses to adopt the drinking water ordinance changes, the Health District would then update the fee schedule.

Mr. Kiess also noted a slight change to the fee schedule regarding clarifications of late fees for temporary food events.

Commissioner Gelder noted that, with the proposed fee schedule, several fees would be reduced and a few would be raised. He also asked Mr. Kiess to explain the methodology for calculating the fee schedule. Mr. Kiess explained that, at the end of each year, the Health District reviews the level of effort put into each task based on its time accounting database. Staff members bill their time accordingly throughout the work year, and each time code is reviewed to determine the true level of effort put toward that task. Fees adjustments occur when the time accounting database shows that the actual level of effort may have been more or less than anticipated, or new efficiencies realized, lowering the level of effort required for a specific task.

Mr. Kiess commented that the proposed fees for secure medicine return were established based on fees for other counties with similar regulations. The Health District's fee structure for secure medicine return are the lowest of four counties around Puget Sound who have also adopted a similar ordinance. At this point, the Health District has not yet collected any fee revenues for secure medicine return. Mr. Kiess also explained that if the state approves a statewide rule regarding secure medicine return, it may eliminate the need for a local program. Should that occur, the secure medicine return fees on the Health District fee schedule would become obsolete and be removed.

Mayor Erickson asked for clarification of overdue payment fees. Mr. Kiess explained that typically overdue payments pertain to food establishment permits, which are due on a certain day of the year. If the food establishments do not renew their annual operating permits, Health District staff contact them and remind them to renew, and they are charged a fee if they do not pay in a timely manner. Mayor Erickson noted that the late fee can be up to thirty percent of the permit fee, which seems very high. Mr. Grellner confirmed that this is allowed under state law, and that the Health District tries many other methods, such as requiring a reduction in services or revoking permits, to encourage establishments to renew their permits and pay the permit fees in a timely fashion, before charging the late fee. Mr. Grellner also noted that the late fee penalty has remained unchanged in the fee schedule for about 20 years.

Mayor Lent moved and Commissioner Gelder seconded the motion to approve Resolution 2017-01: Approving 2017 Environmental Health Division Fee Schedule. The motion was approved unanimously.

There was no further comment.

PROPOSED UPDATES AND CHANGES TO HEALTH BOARD ORDINANCE 1999-6, RULES AND REGULATIONS FOR PRIVATE AND PUBLIC WATER SUPPLIES

Mr. Kiess, approached the Board with updates regarding proposed changes to Ordinance 1999-6, Rules and Regulations for Private and Public Water Supplies. He also thanked Mr. Ellingson for his feedback on the proposed changes.

Mr. Kiess reminded the Board that, at the July 5, 2016 Kitsap Public Health Board meeting, a presentation was made about the drinking water regulatory framework in Kitsap County and proposed changes to the existing Board of Health Drinking Water regulations, Ordinance 1999-6, Rules and Regulations for Private and Public Water Supplies. At that meeting, the Board provided concurrence to continue and complete the process to modernize and improve drinking water system oversight in Kitsap County, thereby improving the protection of public health and groundwater resources, through a rule update of Ordinance 1999-6.

Since that time, Health District staff have performed the following: stakeholder meetings were held with water system managers and real estate professionals; a draft ordinance has been prepared; Health District staff contacted affected stakeholders and solicited comments about these proposed regulatory changes via mail and through the Health District's electronic notification system; comments on the proposed ordinance changes were welcomed through the Health District website, phone, or mail; Health District staff have been collecting comments and preparing a response to respondents; and a public listening session is scheduled for March 16, 2017.

Mr. Kiess presented a summary of the proposed ordinance changes, a general summary of the comments received to date, and next steps going forward with the ordinance revision process. He explained that due to reduction in public funding over the years, work related to drinking water has decreased. Currently, just over two FTE environmental health staff are billing drinking water

time, which is barebones at best. Administrative efforts are minimal because staff don't have time to follow up, due to lack of revenue associated with drinking water work. Mr. Kiess also mentioned that it is Board policy for the Health District to capture revenue for services whenever possible.

Mr. Kiess also explained that there may be an option for waived fees on systems that are already in compliance and that the Health District welcomes suggestions and input on how best to implement a program based on compliance.

Mr. Grellner asked Mr. Kiess to clarify which stakeholders the Health District has met with so far. Mr. Kiess clarified that some of the stakeholders are water system owner/managers and Satellite Management Agencies (SMAs), which are certified by the Washington State DOH to run Group B water systems. The Health District sent post cards to all Group B Water System owners to let them know of the proposed changes and solicit feedback.

Commissioner Wolfe asked Mr. Kiess to clarify how many Group B water systems are in the county, and how many people are served by them. Mr. Kiess confirmed that there are 857 Group B water systems, which serve ten thousand people.

The changes currently proposed include ongoing monitoring and management requirements, a sanitary survey program, and an operating fee to fund appropriate Health District administrative support. Water system managers would know who to contact with updated information, where to get records, and report transfer of ownership. Mr. Kiess informed the Board that several other local health jurisdictions have adopted Group B water system programs, and have set up fees to support those programs. Another consideration, is an optional fee for service program.

The Health District is compiling feedback into a summary document that will be presented to the Board at a later date.

Mayor Lent commented that Bremerton has a large water supply, and that the City of Bremerton is taking on a similar workload. She also noted that homebuyers want to know about the condition of their drinking water, however the added restrictions and fees may not be appealing to many people. She encouraged the Health District conducting public outreach and gathering input. Mayor Lent also referenced the water crisis that took place in Flint, Michigan and the health department's role in keeping drinking water safe.

Commissioner Gelder commented that it was frustrating to have the state reduce public funding for yet another mandate. He also asked if the Health District could include shared water system information (quality, quantity and flow) and water availability in the proposed program. Mr. Kiess explained that Kitsap County has a Coordinated Water System Plan. The Health District is responsible for initially approving all water systems and works with Kitsap Public Utility District (KPUD) as the manager of the groundwater resource in the County. KPUD is aware of all the small water supplies that get developed. The Health District wants to ensure that new systems, drilling, and modifications don't put the groundwater at risk. Mr. Kiess said "we are all drinking out of the same glass."

Commissioner Wolfe asked for clarification of which water systems are public utilities. Mr. Kiess clarified that Group A water systems are typically public utilities or municipal supplies. Commissioner Wolfe also asked if the Health District is in the mode of looking for efficiencies and taking a regional approach. Mr. Kiess confirmed this and that Kitsap County has the Water Purveyors Association of Kitsap County (WaterPAK), which contributes to a network of information sharing. He explained that there is regionalization happening, however, Kitsap County has a patchwork of water systems which can create complications.

Mayor Erickson asked what other counties are doing with their water systems. Mr. Kiess explained that 13 other counties in Washington State have adopted a local Group B rule with an associated fee. He also noted that many other counties, in agreement with WA DOH, have little to no involvement in Group B water system maintenance. WA DOH rules for Group B water systems apply to initial approval only and do not require ongoing management requirements, which the Health District feels is problematic for the Group B water systems that already exist in Kitsap County.

Mayor Erickson asked if it was possible to use the private sector in this matter. Mr. Kiess confirmed that it is a possibility, and that many water system managers already have their water regularly tested by private sector companies. He explained that this is one of many options the Health District is considering. Mayor Erickson also asked if Group B water system managers could do private testing and simply submit their results to the Health District every five years. Mr. Kiess confirmed that this is a possibility, but there would still be a need for additional inspections and administrative costs associated with maintenance of records. He also reminded the Board that 95 percent of Group B water systems in Kitsap County have not been inspected in the last five years, and their conditions are unknown.

Mr. Kiess asked the Board to contact him with additional feedback and questions and emphasized the Health District's intention of creating a process that works best for everyone involved.

Mr. Grellner reminded the Board that the only entity that has the authority to act on public health matters, when action is needed, is the local health jurisdiction. He also explained that even though funding was cut for Health District maintenance of Group B water systems, the Health District has continued to provide administrative support, though at a lower level, because the Health District is the only authority that can get Group B systems into compliance by state law. The administrative costs associated with Group B water systems have been covered by the general public health funds, which reduces funding for community health programs that cannot charge fee for services. By Board bylaws and policy, the Health District is directed to charge fees for services, when applicable. Mr. Grellner explained that this service falls under the fee for service category. He also noted that the Board could choose to opt out of maintaining these water systems, however, if a Group B water system were to fail or become unsafe, more people could be at risk than just those connected to that specific water system.

Mr. Grellner proposed that the Health District bring findings from the public listening session and stakeholder input to the Board for further discussion before bringing any ordinance forward for final consideration. The Board will be notified of any public meeting or alerts that are sent out.

Mr. Kiess confirmed that the Health District is committing to a longer review and input period for this matter.

Commissioner Wolfe commented that the Board's goal is to increase public safety, in addition to increasing efficiencies with partners.

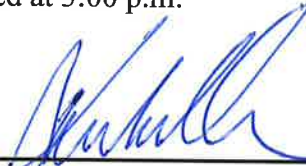
There was no further comment.

ADJOURN

There was no further business; the meeting adjourned at 3:00 p.m.



Ed Wolfe
Kitsap Public Health Board



Keith Grellner
Administrator

Board Members Present: *Mayor* Becky Erickson; *Commissioner* Charlotte Garrido; *Commissioner* Rob Gelder; *Mayor* Patty Lent; *Commissioner* Ed Wolfe.

Community Members Present: Lisa Al-Hakim, *Peoples Harm Reduction Alliance*; David Ellingson, *Self*; Tad Sooter, *Kitsap Sun*.

Staff Present: Jan Brower, *Program Manager, Solid and Hazardous Waste*; Kerry Dobbelaere, *Program Manager, Clinical Services*; Katie Eilers, *Assistant Director, Community Health*; Eric Evans, *Program Manager, Drinking Water and Onsite Sewage*; Yolanda Fong, *Assistant Director, Community Health*; Keith Grellner, *Administrator*; Karen Holt, *Program Manager, Human Resources*; John Kiess, *Division Director, Environmental Health*; Angie Larrabee, *Confidential Secretary, Administration*; Natalie Logue, *Intern, Kitsap Community Health Priorities*; Beth Phipps, *Public Health Nurse Supervisor, Clinical Services*; Shelley Rose, *Community Liaison, Navigator Program*; Susan Turner, MD, *Health Officer*; Kerrie Yanda, *Environmental Health Specialist 3, Drinking Water and Onsite Sewage Systems*.