BOARD OF HEALTH MINUTES
REGULAR MEETING
Wednesday, July 16, 2014

MEMBERS PRESENT: Dorothy Bergin, Mike Blankenship, Leo Jenkins, Mike Manus, Wes McCart, Shirley Sands

ABSENT: Brad Miller, Steve Parker, Karen Skoog

STAFF PRESENT: Samuel Artzis, M.D., Judy Hutton, Sandy Owen, Matt Schanz, Melanie Vaagen, Dave Windom

GUESTS: Yvonne Blankenship, Deno Morgan, Gary Robertson

CALL MEETING TO ORDER: Chairman Shirley Sands called the meeting to order at 10:09 A.M. A quorum was present.

INTRODUCTIONS: Introductions were made by all.

CONSIDERATION OF MINUTES: Wes McCart moved and Dorothy Bergin seconded the motion to approve the minutes of April 16, 2014, Regular Board of Health meeting. Motion carried.

CORRESPONDENCE AND INFORMATION: Letter from an environmental health client thanking the Health District for their cooperation and willingness to work with him regarding payment of a permit; thank you letter from the City of Newport commending Jim Sayre for his assistance with a dog bite incident; thank you note to Aleece McGlothern for her prompt assistance with a temporary food permit; thank you note to Alice Campbell for working with a farmers market vendor.

PUBLIC APPEARANCES: No public appearances were pre-registered.

ADDITIONS OR CHANGES TO AGENDA: An executive session will be added to the agenda after old business to discuss ongoing litigation.

CHARITY CARE IN NORTHEASTERN WASHINGTON: Dave Windom gave a presentation on a study done on Charity Care in Northeastern Washington. The study looked at the amount of charity care provided by not-for-profit hospitals and federally qualified health centers (FQHCS), along with access and need for charity care. Financial reports for not-for-profit hospitals in Ferry, Okanogan, Pend Oreille and Stevens Counties were part of the study. Financial information for Ferry County Public Hospital District and Providence St. Joseph’s Hospital were not available on-line. The study focused on whether information on the website is understandable and available in most local languages; are the written policies available and requirements understandable to patients with necessary documentation; and are forms available to patients to start the process.
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Dave Windom said public health will be doing community needs assessments. There was discussion about tax breaks, etc. and data and comparisons for rural areas. There was conversation about mental health being a large component and the addition of hospital beds for mental health and chemical dependency to free up jail space and for better placement.

REQUEST FOR QUALIFICATIONS – LEGAL SERVICES: Dave informed the Board that he emailed the legal services request for qualifications to Andy Braff and has not received a response. McGrane & Schuerman have applied, meet the qualifications and have agreed to $600 per month. Matt Schanz asked if they are up-to-date with human resources laws. Dave said they are a full service law firm serving Ferry, Pend Oreille and Stevens Counties. Wes McCart moved and Dorothy Bergin seconded the motion to accept the Request for Qualifications – Legal Services from McGrane & Schuerman PLLC to serve as legal counsel for Northeast Tri County Health District. Motion carried. Wes asked that a letter be sent of appreciation be sent to Andy Braff for his years of service.

GROUP B PUBLIC WATER SYSTEM – STATEWIDE STATUS REPORT: For informational purposes, Matt presented the Board with a matrix showing how local health jurisdictions (LHJs) statewide have responded to the updated changes to Chapter 246-291 WAC regarding Group B water systems. Wes said the Department of Health (DOH) would like to meet with the Health District, Board of Health members and Okanogan County Public Health to discuss issues and how to address them. Wes is the contact person to arrange the meeting and has not heard from anyone yet. There was a brief discussion about consistency regarding Group A and Group B. Matt said requirements with on-going monitoring would make the difference. Wes noted that declaring all of these systems to be public, if it fails, a public entity would take over and usually it goes to the county.

Dr. Artzis arrived at the meeting at 10:42 A.M.

EXECUTIVE SESSION: The Board adjourned into executive session at 10:41 A.M. for ten (10) minutes per RCW 42.30.110 (i). The executive session concluded at 10:51 A.M. Chairman Shirley Sands stated that no action was taken.

RESOLUTION 05-2014: ADOPTING PERSONNEL POLICY CHANGE: Legislation (SSB 5173) passed during the 2014 session entitles local and state government employees to two (2) unpaid holidays per calendar year “for reasons of faith or conscience” and went into effect on June 12, 2014. Mike Manus moved and Wes McCart seconded the motion to approve Resolution 05-2014: Adopting Personnel Policy Change to Northeast Tri County Health District Personnel Policies – Chapter 8 – Paid Time Off to reflect the above described changes. Motion carried.

STATE BUDGET: There was discussion about the state budget. Wes talked about the changes in fish consumption rates and how they will change water quality and standards. Dave said the legislature had passed flexible funding for public health. Mike Blankenship said with additional revenue coming in, they are still one billion dollars short not including the McCleary v. State of Washington lawsuit. The funding is just not there. There was more discussion about the McCleary lawsuit and funding education. Dave noted that Public Health Emergency Response funding is not all spent.
SOLID WASTE: Matt Schanz said the Health District has three (3) solid waste regulations in place. In December, 1999 Solid Waste Regulation 01-1999 adopted WAC 173-351 Criteria for Municipal Solid Waste Landfills, with some modifications. In January, 2004 Solid Waste Regulation 01-2004 adopted WAC 173-350 Solid Waste Handling Standards, with some modifications. They are still applicable as well is Regulation 01-1988 which adopted WAC 173-304. This regulation has been largely replaced with provisions within WAC 173-350 and 173-351 but still has applicability for historically closed landfills. Since the last updates to NETCHD regulations, the referenced WAC’s have been updated. Our local regulations need to be updated to reflect those changes and to include a “hereafter amended” statement. Matt provided information on the local regulations as well as the most recent draft document for review. Information will be presented to the Board and a public hearing scheduled for adoption of the proposed regulation at the October 15, 2014 meeting. Wes McCart asked why the regulation needed updating. Dave Windom said we are looking for input. Matt said because of the changes to WAC 173-350 & 173-351, the changes should have been made already. Wes referenced the three (3) old ordinances. Dr. Artzis asked if it is less restrictive with respect to land application of leachate. Matt indicated that under the new WAC’s, there are more options available and that is one reason why it’s important to update our local rules that adopt these allowances. Matt explained that we are already using the updated WAC’s as the Health District works though the application of leachate to the Stevens County landfill. Wes said he does not agree with putting WAC ‘carte blanche’ in any ordinance especially when you add the words ‘here in after’. He said that is a state amendment process that we may not always be aware of. Wes feels that it is an extremely bad practice. He said this needs to be based on the law and we have to follow the law. If the Department of Health (DOH) has been told by the legislature to develop rules, then those apply to us as LHJs. If DOH has gone out on their own authority, that does not apply to us and we do not have to codify that. Wes added that we need to be very careful. Wes talked about a situation that took place a few years ago when he first took office. The new WAC regulations required a certain number of test holes to be drilled to find out the hydrogeology of the Stevens County landfill area to make sure that there was no water contamination down below. Wes said the amount of holes they had drilled were the number required under the law at that time and there was more than enough data to show that there was no hazard. It was argued that they haven’t done the exact number that is in the WAC. Wes said drilling more holes would have cost Stevens County many thousands of dollars to implement at the landfill with no more results than we have now. Wes reiterated that the part that scares him about simply codifying the WAC here and here in after. Wes said this is a good exercise to go through and clean this up but is adamantly opposed to giving full power to follow the WAC which gives the agency all of the authority and that is not what local control is all about. Leo Jenkins said he found it interesting that Wes stated that we should do everything within the law but then says we should not follow WACs to the letter. Wes said regarding RCW v. WAC rule – the administrative code is not law. Leo said it is the recommendation by those who make the laws. Wes said no, not always, and agencies do not make law. Matt said we need a legal opinion on this WAC/RCW question.
ENVIROMENTAL HEALTH SERVICES FEE SCHEDULE: Matt Schanz said at the October 15, 2014 Board meeting he would propose further discussion of our goals regarding fees. A draft document was given to the Board for program goals with recommendations as well as consumer price index information. Matt asked Board members to review the document and give their input prior to the next meeting. He noted that some of the things we do have cost and do not generate money, such as complaints, etc. Wes McCart asked Matt to email the Board information on the number of complaints we receive. Matt would like the Board to look at on-site sewage adjustments. We have a $525 fee that could possibly be split into a two (2) step process with 2/3 of the cost up front so that when someone is looking at a property, they would pay the first part and receive the necessary information and only if they decide to go forward would they pay the remaining portion. If there is a problem collecting the last portion, we could work with building officials to hold the ‘certificate of occupancy’ until the second portion is paid. There was continued discussion on sewage costs and how to manage the human element, working with people to get through the process which is also a cost. Mike Manus was concerned about the additional administrative work/cost to split the fee. Wes said all of those numbers will help with this discussion. Mike Manus said numbers help, but you cannot always quantify costs. Matt pointed out that historically we have never broken things down to this extent as different BARS codes are used. Dave said the employees need to help us make a clear picture where time is spent so we can go strictly off of BARS codes.

Mike Manus asked about a well and sewer located in the flood plains in Pend Oreille County. Matt Schanz said we have had a lot of conversations and Pend Oreille County did not have the up-front review. Ferry and Stevens Counties had site analysis and Pend Oreille County has now started that. Mike Manus said he is amazed that the permit was accepted given its close proximity to the river. Mike Manus added that it is covered with water 2-3 months out of the year. Matt said he would have to look at that in regards to what the setback rules dictate. Wes said Spokane County was challenged on that issue and lost regarding the distance to shore line with sewer and septic systems.

CHAIRMAN REPORT: Chairman Shirley Sands had no report.

BOARD OF HEALTH MEMBERS REPORTS: Leo Jenkins said the City of Republic is still working to get funding to fix infiltration/inflow issues and working to prioritize infrastructure issues to be able to move forward to apply for grants this year.

HEALTH OFFICER REPORT: Dr. Artzis inquired about bat issues including how the specimen is transported. Matt talked about an incident where the Republic Medical Clinic saw a patient who had been bitten by a bat the night before. The patient had to go to Spokane as Providence Mount Carmel Hospital did not have any treatment available. The Health District is the middle person. If the bat had not flown away, it would have gone to the lab in Shoreline.

Dr. Artzis talked about immunizations for students, especially before school starts. Providence Northeast Washington Medical Group has a plan in place to hopefully get these children current on their vaccinations. He is hopeful that it will help and may be a model for Ferry and Pend Oreille Counties.
COMMUNITY HEALTH REPORT: Sandy Owen talked about the federally funded Vaccines for Children (VFC) program that provides vaccines at no cost to children birth to age eighteen (18). In 2013, the value of the vaccines provided to health care providers for patients in our three (3) counties was over $635,000. The Health District recently underwent a review of our VFC program including the practices for appropriate inventory and storage of vaccines, screening for eligibility, provision of current information to parents, and administration of the vaccines of children. Sandy was pleased to report that the Colville and Newport offices met the requirements of the review at 100%.

Grant County is having a pertussis outbreak of over 200 suspected cases. Old Town, Idaho has had one (1) confirmed pertussis case. It is very important that all adults and children get immunized. Sandy noted that measles is still active in King County.

In response to concerns with alcohol and drug use and abuse among youth in the communities, Republic recently formed Republic Reducing Alcohol and Drug (RAD) use. Judy Hutton has joined R RAD bringing her extensive knowledge of the community to the coalition. Jan Steinbach is working with the Pend Oreille County Chemical Dependency Task Force, addressing the challenges of providing chemical dependency treatment services in light of changes in reimbursement methods for the current treatment provider.

RECESS: There was a break for lunch at 11:53 A.M.

RECONVENE: The meeting reconvened at 12:26 P.M.

ADMINISTRATION REPORT: Dave Windom reported that revenue from food establishments has increased due to new establishments as well as increased fees. Spending is coming in on track with a 3% inflation estimate. Dave noted that Enduris will be raising insurance rates by approximately 3% for the upcoming year. NETCHD brought in a consultant to review our family planning billing codes and process. The consultant fee was $2,500 which we should recover soon. We may have to use some undesignated funds. We have two (2) full months of wages and vouchers. Financially we are looking good. The new NETCHD website is up and feedback has been positive. Money has been spent on the new site, which we can manage ourselves.

A few years ago, a project was started to define what constitutes foundational public health, how much is currently spent on those activities, and the gap between what is being funded now and what is needed to do those activities in each local health jurisdiction (LHJ). The group is referred to as the Foundational Public Health Services Technical Workgroup. NETCHD was selected to participate in a survey of financial data/costs based on our rural demographics and multi-county jurisdiction.

The Foundational Public Health Services Policy Group was recently formed consisting of representation from the Department of Health (DOH), LHJs, the governors’ office, tribes, nurses associations, hospital association, unions, health officers, county commissioners and city mayors. This group will take the recommendations of the technical workgroup and translate those efforts into policy and funding recommendations and legislative requests.
The foundational areas have been broken down into six (6) major groups:

- Environmental Health
- Communicable Disease
- Vital Statistics
- Chronic Disease and Safety
- Maternal Child Health
- Access and Linkage to Care

Environmental health, communicable disease and vital statistics were quickly processed while the remaining items became somewhat contentious.

Dave Windom explained that he applied the following standard as the measure by which he determines what “foundational public health” is:

- Is it required by statute?
- Is it population based?
- Is it best performed by governmental public health?
- Can you accidentally encounter something that adversely affects health?

In addition to the foundational programs, there are some that are considered additionally important services, such as WIC and family planning, which, while important, are not necessarily foundational. These are services which other agencies can deliver as well if not better than public health, depending on resources available in the community. The next six (6) months will see the policy workgroup develop funding ideas/solutions and possible policy and legislative recommendations.

Dave gave an update on the State Health Care Innovation Plan (SCHIP). The initial legislation passed and grants have been distributed to start the process of building Accountable Communities of Health. The Health District did not apply for these grants. The successful recipient for our region is Better Health Together, an offshoot of Empire Health Foundation.

The following possible legislative items were raised at the June, 2014 Washington State Association of Local Public Health Officials (WSALPHO) meeting:

- Raising the smoking age to twenty-one (21)
- A move towards gun control, possibly through repeal of pre-emption
- Regionalization of some services
- Marijuana guidelines

During the month of August, 2014 NETCHD leadership will look at the current strategic plan and begin working on a revised version that takes into account the changes in the public health system that we can forecast at this time. Wes McCart asked why the strategic plan needed revised now. Dave went on to say that as they examine SHCIP, we will look at what impact that will have on workforce issues. It looks like public health will be taking the lead as convener of coalitions which may necessitate some training for current staff.
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Dr. Artzis left the meeting at 12:48 P.M.

Better Health Together promotes the health of our region’s residents through collaborative action to make Washington the healthiest state. There was discussion about concerns with insurance companies, the physician and patient, employment, housing and mental health. Wes McCart has concerns in Stevens County with agencies conforming together since Rural Resources works in the three (3) counties and other small areas. He said N.E.W. Alliance Counseling Services is seeing a problem. Sandy Owen said it is not necessary for a ‘leader of the pack’ to take on all of the programs but to keep everybody working together focusing on a healthy population. Wes talked about the homeless population and low income housing. Sandy said shelter is one of the biggest issues, so as a health care worker she will coordinate with other entities to help as should all care providers. Dave Windom said there are no dedicated funds for the plan. Dave gave an example of a tobacco grant that was supposed to cover ten (10) counties and does not work. Wes said communication needs to be discussed so we can stay informed of what is happening.

The Colville office will begin repairs on the rear fence, removing damaged trees, and placing reflective markers for snow plows.

ENVIRONMENTAL HEALTH REPORT: Matt Schanz reported that the United States Geological Survey (USGS) and the Department of Ecology (DOE) will begin to determine the impact of on-site sewage systems (OSSs) in the Suncrest/Lake Spokane area on ground and surface water quality. The first phase will begin this month with sampling and proceed through next spring, with reporting completed in 2015. The second phase that is yet to be funded will be geared towards addressing the extent of the impact and would not begin until approximately 2016. The main concern is the impact of phosphorus on Lake Spokane which spurs aquatic vegetation growth, algae blooms, and impacts dissolved oxygen levels. There are approximately 2,250 on-site sewage systems in the Suncrest area.

The Sacheen Lake Water and Sewer District recently held a groundbreaking ceremony to mark the beginning of construction of the new wastewater collection and treatment facility to replace OSS within the sewer service boundaries. Though the construction will likely continue through 2015, some property owners may choose to commence with new home construction, requiring an interim wastewater system. During this time period, other property owners may be faced with the need to fix a failing OSS. NETCHD will pursue an area-wide waiver that will require Board of Health and DOH approval for temporary provisional allowance for use of a holding tank system until such time that a service connection is provided. Under normal circumstances, holding tanks serving residential structures is prohibited.
Following a legislative mandate, DOH and stakeholders developed a greywater re-use rule, adopted as Chapter 246-274 WAC. The rule took effect on July 31, 2011 and allowed LHJs three (3) years to implement the provisions. The new rule directs that greywater system design and operation be based on the source and volume of greywater. The amount of greywater applied cannot be more than what is used by plants or lost to evaporation. The greywater must be applied below the surface of the ground. These systems can only be used during the growing season and must be equipped with valves that allow discharge into an OSS or public sewer system. An LHJ can opt out of the rule if they are unable to adjust resources to implement and enforce the provisions of the rule. To date, there have been no members of the public who are seeking use of the greywater system. Matt Schanz said it is possible that we will see interest within areas with public water and sewer systems, attempting to offset the costs of irrigating lawns. We will allow such system provided they meet the requirements of the rule and other local requirements. When a greywater system is proposed within an incorporated area or within a sewer district, we will require approval by the municipality or sewer district. Some types of those systems require a permit from the LHJ which will necessitate an update to our fee schedule.

The Spokannabis Fest ’14 is a marijuana music festival that was planned for this Labor Day weekend. The location was a large parcel of private property located off of highway 291 and Reservation Road. It was estimated that over 20,000 people may attend. Chapter 246-374 requires sanitation issues be addressed and also submit required information under RCW 70.108 to the county legislative authority ninety (90) days prior to the event. To date, the event organizers have failed to submit any of the above required information. Matt noted that the organizers just announced that they are cancelling the event. Matt went on to say that issues with this type of event should be discussed regarding land services and tools needed to work with large quantities of people. Wes McCart said we have had these discussions. Wes said this event was for age eighteen (18) and older and marijuana is for age twenty-one (21) and older. Matt said he is talking about in the future. Mike Blankenship said you can have requirements, but the sheriff’s department does not have enough deputys to support the enforcement that is needed. Wes gave other examples such as the mud bogs held south of Chewelah, Chataqua, and barter fairs, etc. and asked where we draw the line so an event doesn’t get out of hand. Mike Blankenship said we are now being subjected to one organization based on numbers/facilities. He said the Rainbow Family Gathering has problems with facilities. Mike Blankenship said an event with drugs and alcohol would be very different than an event such as Chataqua. He suggested developing a well thought out policy at the county level. Matt said if you look back over thirty (30) years, public health has struggled with the ebbs and flows with rules that address mass gatherings. Mike Blankenship said his intent is not to stop an event but to provide safety and have regulations to follow. Wes said the barter fair near Northport had sanitation concerns so we asked them to stop the even in order to keep people safe.

PAYROLL & VOUCHERS: Attached to these minutes are benefits and payroll amounts from May 5, 2014 through June 5, 2014; and voucher amounts from April 16, 2014 through June 25, 2014.
ADJOURNMENT: Chairman Shirley Sands adjourned the meeting at 1:33 P.M. The next regular meeting of the Board of Health of Northeast Tri County Health District will be on Wednesday, October 15, 2014 in Stevens County.

Respectfully submitted,

[Signature]
Samuel A. Artzis, M.D., Health Officer

By

Melanie Vaagen, Executive Secretary/
Kelly D. LeCaire, Executive Secretary

[Signature]
Shirley Sands, Chairman
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