NORTHEAST TRI COUNTY HEALTH DISTRICT
REGULAR MEETING
BOARD OF HEALTH MINUTES
Wednesday, July 20, 2011

Board of Health

Present
Terry Foster
Russ Foster
Malcolm Friedman
Larry Guenther
Bob Heath
Brad Miller
Diane Wear

Absent
Laura Merrill
Shirley Sands

Staff
Sam Artzis, M.D.
Joanie Christian
E. W. Gray, M.D.
Judy Hutton
Kelly LeCaire
Matt Schanz
Dave Windom
Cindy Zerba

Guests
Joyce Foster
Loni Simone

CALL MEETING TO ORDER
Chairman Brad Miller called the meeting to order at 10:12 A.M. A quorum was present.

INTRODUCTIONS
Introductions were made by all.

CONSIDERATION OF MINUTES
Brad Miller asked if any action had been taken at the executive session from the April 20, 2011 Board of Health meeting. Dave Windom said no action was taken.

Diane Wear made a correction to the Deputy Health Officer report regarding the influenza outbreak at the Pend Oreille County jail. Dr. Artzis said an ill inmate transported to Spokane had died. Diane stated that the inmate had not died. Bob Heath moved and Russ Foster seconded the motion to approve the minutes of April 20, 2011, Regular Board of Health meeting with the following correction to page 5, paragraph 1: delete “where one (1) later died”. Motion carried.

CORRESPONDENCE AND INFORMATION
Thank you letter to staff.

PUBLIC APPEARANCES
No public appearances were pre-registered.

ADDITIONS OR CHANGES TO AGENDA
Diane added the shoreline master plan as a new business item.

JIM MATSUYAMA CLAIM
Dave reported that he is researching any possible solution to the early retirement issue pertaining to Jim Matsuyama. He spoke with a VEBA attorney who said there was nothing that they could do. Dave said the only thing that can be done is for Jim to submit a claim to the Health District and we will pay the claim. Dave noted that it may be more advantageous for Jim to wait until after the first of the year due to income tax. Brad said we need to make things right for Jim.
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RESOLUTION 06-2011: ADOPTING UPDATED PERSONNEL POLICIES

Dave Windom reported that chapter 12 - internet use/access policy has been added to the Northeast Tri County Health District personnel policies because the previous policy wasn’t clearly defined. He recently attended a training put on by attorneys who specialize in human resources. It was recommended that we remove any reference made to employee trial service as it implies that there is a contract once they are past trial service. We removed any mention of a trial service from the personnel policies. Dave noted that there will be a time period in which an employee must obtain specific requirements and goals that are measurable. Diane Wear suggested adding some additional language about appropriate personal use of computer. The following will be added to chapter 12, paragraph 12.2: Occasional limited appropriate personal use of the computer is permitted on personal time (example: breaks, lunch break, after hours)... Brad Miller asked how the level of proficiency of a new employee would be dealt with. Dave said a performance evaluation is already in place.

Diane Wear moved and Malcolm Friedman seconded the motion to approve Resolution 06-2011: Adopting Updated Personnel Policies with the revision noted above and the addition of chapter 12. Motion carried.

STANDARDS

Dave said the Health District submitted approximately 600 pages of documentation for the Public Health Standards. We were told what areas needed improvement and those additional documents were sent in. The performance review report came back looking pretty good. We were able to demonstrate in most areas. We were missing a risk communication policy and how we convey information to the public was not demonstrated. The Health District spent approximately $16,000 to complete the standards. Many of the documents we sent in were rejected simply because they were missing a revision date on each individual page. The standards must be done every three (3) years. The funding comes out of our Local Capacity Development Funds (LCDF). We will address the risk plan in our public health improvement plan.

ANNUAL REPORT

Dave reported that we recently completed an annual report for the Health District, which had not been done for many years.

BUDGET UPDATE

Dave gave an overview of the budget through June, 2011. The Health District currently has thirty (30) employees, 26.5 full time equivalent (FTE). He said we are saving 5% of payroll by reorganizing some staff. When Jim Matsuyama retired, Matt Schanz combined the Environmental Health Director and his current position as Supervisory Environmental Health Specialist. The Community Health Director and Community Health Supervisor positions that used to be combined have now been separated. Cindy Zerba has accepted the position as Community Health Supervisor in Stevens County. Dave said undesignated funds are remaining steady but are lower than last year. He gave a breakdown of revenue versus expense and compared revenue from 2010 to 2011. The agency cost per FTE is down a bit but the cost per day for operation is increasing. Funding from 5930 and Motor Vehicle Excise Tax (MVET) replacement funding continue to decrease and Local Capacity Development Funds (LCDF) have remained the same. In all, the Health District will see a reduction of $60,000 of flexible funding for 2012.
Dave Windom talked about a potential statewide initiative that would allow food handler testing to be done online. If approved, the Health District would lose $3 for each permit. He said short plat numbers are low which means there won't be much in permitting for next year. Environmental health is down 10.4% compared to 2010. Temporary food establishments will increase during fair season. Onsite sewage system (OSS) permits have decreased substantially. Environmental health staff has shifted to other programs including the tobacco compliance checks. Beginning in 2012, all tobacco compliance checks will be done by the State Liquor Control Board and we will lose that funding. We have an environmental health person doing the solid waste and site hazard assessment grant. Our usual peak for OSS permits for this year isn't even up to a baseline low. OSS permits trend over time, but we are trending more than most local health jurisdictions. Dave noted that the grants we have now are short term and not renewable. Budget work will begin in August.

SHORELINE MASTER PLAN

Diane Wear talked about public meetings held with the Department of Ecology discussing the Shoreline Master Plan and concerns with setbacks of 200 feet. A property owner is building a home at Lost Creek and is required to setback 200 feet from the shoreline. Diane asked why the Health District does not have the same 200 foot requirement. Matt Schanz said when the Shoreline Master Plan was first implemented it said 'any substantial development'. The question is what that actually means. The Health District feels that installation of an onsite sewage system is a substantial development and have a minimum of 100 feet setback from a water source. If the county requires a 200 foot setback then that is what we will use before we issue our permit. Matt will discuss this situation with the Pend Oreille County Planning Department.

RECESS

There was a break for lunch at 11:15 A.M.

RECONVENE

The meeting reconvened at 11:46 A.M.

CHAIRMAN REPORT

Brad Miller reported that the Curlew Water Sewer District has a grant to put in a sewer system in Curlew. They are very much looking forward to getting that done.

Brad asked that Dave thank Health District staff for their willingness to shift duties and responsibilities during these times. He wants them to know that the Board appreciates their efforts.

BOARD OF HEALTH MEMBERS REPORT

Diane said Jim Sayre brought an issue to her attention regarding two (2) recreational vehicle (RV) parks at Sacheen Lake. Apparently the RV park owners located within several hundred feet of each other are in disagreement regarding sanitation. Matt said the short plat was intended to be a single family resident and is now developing for RV’s rather than homes. He said the developer does things in steps and falls under the radar for land use issues. He understands the process and changes the use of it as he goes along, which is causing tension with the owner of the adjacent RV park.
Malcolm Friedman talked about an organization called the Stevens County Assembly that are proposing a Stevens County Local Food Freedom Ordinance that would exempt specific food such as whole, unprocessed and processed food from inspection and regulation. They have petitions around Stevens County and are asking Stevens County Commissioners to sign the ordinance.

Larry Guenther talked about meetings that he, Dave Windom and Diane Wear have been attending on the Regional Health Care Authority that is led by Spokane County Commissioners. Larry said it is difficult to make judgment when you don’t know particulars. Clark County is a pilot and this is already being done in Oregon. Diane said some mental health providers from Pend Oreille County went to Oregon to tour the mental health side. There are concerns about Spokane because they jumped ahead and decided to form this. Dave said they don’t have a clear understanding of public health as they think we are a safety net for people that cannot access health care. What seems to work on an urban model may not work in rural areas. Dave is on the planning committee and Diane is on the legislative committee. Larry said he is concerned about the viability of our hospitals and medical providers and feels that we may be forced into it. Brad Miller said we will not support this. Diane encouraged involvement from all commissioners in the three (3) counties so we are well represented.

Terry Foster indicated that there is a need for the Food Freedom Act because of a law passed in January. Dave said the Food and Drug Administration (FDA) have new regulations that help ensure the safety and security of foods. The rules are the first to be issued by the FDA Food Safety Modernization Act (FSMA). Matt Schanz said there must be appropriate oversight when you are processing food or providing food for public consumption.

Lonl Simone reported that cloudy water from some Republic neighborhoods has been tested and came back okay. Russ Foster said it had to do with high ground water levels and flow into wells. Matt looked at the water last year with the Department of Health and said groundwater levels have increased over the years. Russ added that it was only in certain areas and the problem was worse this year than in past years.

HEALTH OFFICER REPORT

Dr. Gray discussed a new immunization exemption law that takes effect on July 22, 2011 and changes how a parent or guardian exempts a child from immunization requirements for school or childcare. In the past, if a parent did not want their child immunized, they had to sign an exemption but did not have to state a reason. The new law requires a licensed health care provider to sign a Certificate of Exemption for a parent or guardian to exempt their child from school and childcare immunization requirements. The signature verifies that the provider gave the parent information about the benefits and risks of immunizations. Health District staff are unable to sign the exemption forms as they do not have the proper credentials.
Dr. Artzis talked about a recent case of Neisseria meningitis at Providence Mt. Carmel Hospital from a patient that had been living in an area nursing home. Dr. Artzis noted that some of us carry Neisseria. A determination needed to be made as to whether it was a pathogen or non-viral strain. He said a lot of people ended up being treated and felt that the situation was a good learning experience.

Matt Schanz talked about the approved grant money for the Curlew Water Sewer District. This is something they have been working on for more than eight (8) years. Matt said the new sewer system will greatly impact and benefit Curlew as the old system has hindered further commercial development.

Matt talked about an application the Health District submitted to the Department of Ecology (DOE) for the establishment of an onsite septic system repair program. The project would establish a local loan fund used to help low income homeowners repair failing onsite sewage systems. DOE said we can set aside some of the grant money to put in a default loan account in case someone defaulted on a loan. The approximate submittal was for $416,000 in a loan amount and $346,000 in grant funding. We were just informed that the full amount of $763,157 is offered to the Health District and the application process portion was approved. We have until January 31, 2012 to sign the funding agreement. The Health District will administer the program and support other activities to make the loan attractive. Rural Resources will receive an origination fee and will support us as the lending institution for loan servicing, collection and tracking payments. The loans are 2% interest with repayment up to ten (10) years. We will meet with Rural Resources and the conservation districts to firmly outline the process and present that information to the Board at the October, 2011 meeting.

Matt said the Sacheen Lake Sewer and Water District (SLSWD) was well underway in development of a sewer collection and treatment system around the lake. A Local Improvement District (LID) was formed to assess property owners the cost of the system. Some property owners protested the project and filed a lawsuit. A Superior Court Judge ruled that the LID was not created correctly and therefore there is not the 60% of property owners in favor of the LID. The SLSWD were going back to reduce the size of the LID to include those areas where it was supported by the vast majority of property owners. Matt said some property owners wanted to disband the SLSWD. The Health District has received numerous inquiries from concerned property owners about the project and existing onsite septic systems. Diane Wear said the court ruling instructed them to rework the land boundaries. The name of that group is the Sacheen Lake Concerned Property Owners. Diane said Health District records were researched to see how many actual approved systems are around the lake versus how many properties there are. She said the SLSWD have qualified for a Public Works Trust Fund loan.
Diane Wear talked about jobs created and money brought into the county during and after the construction phase. There will be two (2) full time jobs in the community even after it's finished. Diane said the SLSWD was formed twenty-nine (29) years ago. She will ask the SLSWD Board of Directors to make a formal request to the Board of Health for help with this matter. Matt Schanz said Jim Matsuyama wrote a letter of support in the past. Brad Miller said we may need to consult with Andy Braff regarding this matter. Matt said we can offer a letter of support but we can't force the issue. If there is direct evidence that an old system is causing a problem with ground water then we have a regulatory leg to stand on. For the majority of preexisting systems we don't say no to a repair. Diane said they have until December, 2011 on the Public Works Trust Fund loan. She said they are putting a water quality testing process in place and reinstating lake water quality testing on an in-kind basis.

Matt reported that environmental health is considering placing notices to property title for non-compliance with public health related land use requirements. It might be used for solid waste issues, but mostly for onsite sewage disposal system violations. Matt said we received ninety-one (91) complaints regarding septic systems in 2010. Our response to a complaint is a three (3) letter notification process. If no action is taken by the property owner, we have a health officer order delivered with specific time frames for compliance. If still no response, the case is sent to the county prosecuting attorney. Matt said we would like to develop an incentive to comply that would be given before the health officer order is issued. A notice to title would protect a new property owner from unknowingly inheriting the problem. The property owner would have an opportunity to appeal this decision. If there is no appeal or the appeal is not approved, a notice of non-compliance is posted. When the property is brought into compliance, a subsequent notice to the property title is posted showing compliance. An estimated cost for staff time, delivery fees and filing fees is $380 plus any violation fee. This process is much cleaner and removes us from any lien process. Malcolm Friedman asked about recording fees twice, once when it is posted and once when it is removed. Matt said it this hasn't went through any legal opinion yet. If we went with this process, our fee schedule would be revised to include a fee for recording a certificate of compliance. Bob Heath said a loan institution should be encouraged to look at that also. Matt said a full comprehensive review of the situation will be done before we do anything in the enforcement process. He asked the Board to allow him to proceed with further development of the procedure and formats for title notices that would be developed and sent to Andy Braff for review. Matt will present the procedure at the October, 2011 Board of Health meeting. Brad told Matt to proceed with the process as long as he was sure that we were able to differentiate and it is current.
Matt Schanz informed the Board of a situation that occurred in Ferry County in July, 2009 regarding an application for an onsite sewage disposal system to serve a single family home. Based on the site conditions, it was determined that an enhanced treatment system would necessary. A certified designer submitted a design for a pressure distribution system without showing two (2) feet of C-33 sand needed to achieve enhanced treatment. The Health District approved the design and the system was installed in May, 2011 according to the design. At the final inspection, Health District staff became aware of the error in the design. The designer was contacted and submitted a revision. The installer made the necessary modifications at a cost of $1,740. The Health District accepted partial responsibility and agreed to compensate the installer 50% of the cost.

Matt reported that we are beginning the process of revising the Health District website and are considering establishing a process for posting current food inspection reports online that would be searchable for the public. If we proceed with this, food establishments would be notified.

Matt gave a presentation on flooding on the Pend Oreille River and activities performed by the Health District. The Health District worked closely with the Pend Oreille County Department of Emergency Management. Advisory information was developed and released prior to and during the flooding. The Health District offered free tetanus booster immunizations for persons working in floodwaters. We were also involved with a post-flood assessment. Matt talked about onsite sewage systems located within flood hazard areas. He said recent flooding issues have pointed to the need for an established set of protocols for onsite sewage systems located in flood prone areas.

Joanie Christian talked about a wellness program that some Health District employees are participating in. The program is a health improvement challenge along with staff from Providence Mt. Carmel Hospital and Northeast Washington Medical Group.

Joanie said Washington State has one of the highest school exemption rates in the nation. The rates have more than doubled over the last ten (10) years and our three (3) counties are of the highest within the state. Currently Washington State allows exemption for personal reasons. Under the new law, parents of children that are not current on their immunizations will have to see their health care provider and obtain a signed certificate of exemption or letter stating that the parent received the information. If a parent still wants to claim an exemption after talking with their health care provider, they can. This is placing additional tasks on schools and health care providers. In the past, some parents signed an exemption form simply because they did not have the exact dates of immunizations. The new law will help obtain more accurate records.
Joanie Christian talked about a three (3) year project for off-site immunization clinics. They are funded by Providence Health Services and combined with the new legislation will hopefully improve immunization rates. One goal of the project is to get all schools in the three (3) counties using the Child Profile Immunization Registry. Another goal is to do immunizations at off-site clinics at schools to address financial and transportation barriers. Joanie clarified that children under age eighteen (18) have access to free vaccines through the Vaccines for Children (VFC) program. Diane Wear asked if schools have been notified of these changes. The Health District sent out a release to school superintendents and school nurses, as well as health care providers and media in the three (3) counties.

Joanie reported that the WIC and Farmers Market Nutrition programs are in full swing. She talked about the benefit to the local economy for these programs. Local grocery stores received just under $775,000 from the WIC Program in 2010 and $4,090 going out to local farmers markets.

The Health District Colville office will be hosting an open house on August 3, 2011 in celebration of World Breastfeeding Week.

Joanie talked about Medicaid Administrative Match. The Health District received about $32,000 for reimbursement for 2010 fourth quarter. There will likely be a complete restructuring of the system due to a great deal of controversy about that process. We are unsure of what to expect in the future as far as what we will receive in reimbursement.

**ADMINISTRATION REPORT**

Dave Windom talked about building improvements done last year as part of the modernization program. This year we are upgrading information technology (IT) by purchasing a new server using some Local Capacity Development Funds (LCDF) and the building fund. The Health District website will be completely redone. We purchased generators for the three (3) offices that house vaccine. The generators will automatically come on if power is lost and will keep cold storage for vaccine and ensure that IT is maintained. We are replacing our current refrigerators with ones that are certified for vaccine.

Dave said we will not be receiving the $400,000 in a match grant. He learned a lot about grant writing and said we will try again this fall.

The Health District will have a booth in the Pend Oreille and Stevens County fairs.

Dave asked that the October 19, 2011 Board of Health meeting be rescheduled as he will be in the Philippines.

**PAYROLL AND VOUCHERS**

Attached to these minutes are payroll, benefit, voucher and revenue amounts through June, 2011.
Chairman Brad Miller adjourned the meeting at 1:50 P.M. The next Regular Meeting of the Board of Health of Northeast Tri County Health District will be on Wednesday, October 26, 2011 in Stevens County. The meeting will begin at 9:00 A.M.

Respectfully submitted,

By ____________________________
Kelly D. LeCaire

By ____________________________
Brad Miller, Chairman

E. W. Gray, M.D., Health Officer
### NORTHEAST TRI COUNTY HEALTH DISTRICT

**2011**

**Report of:**

Payroll, Benefits, Vouchers, & Revenue

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over/(under) budget: 261,811.69  69,202.06  83,782.26  414,796.01
Percentage Spent: 53.81%  50.75%  44.72%  50.53%

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**Beginning Fund Balance (01/01/11):** 925,187.27

**Desigated Funds:**

- Unemployment: 13,700.00
- Communicable Disease: 7,600.00
- One month of salaries/benefits: 139,675.00
- One month of vouchers: 61,342.50
- Emergency: equipment/building/computers: 60,000.00
- Vehicles: appropriations from prior budget(s): 32,033.89

Total of Designated Funds: 314,351.19

**Undesignated Funds: (01/01/11):** 610,836.08

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**Ending Fund Balance of Undesignated Funds:**

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*Unaudited, subject to change*