

**KITSAP PUBLIC HEALTH BOARD
MEETING MINUTES
Regular Meeting
May 1, 2018**

The meeting was called to order by Board Chair, Mayor Becky Erickson at 1:47 p.m.

REVIEW AND APPROVE AGENDA

There were no changes to the agenda.

BOARD MEETING MINUTES

Commissioner Charlotte Garrido moved and Mayor Kol Medina seconded the motion to approve the minutes for the April 3, 2018, regular meeting. The motion was approved unanimously.

CONSENT AGENDA

The May consent agenda included the following contracts:

- 1707 Amendment 2 (1818), *Washington Health Benefit Exchange, Navigator Services*
- 1734 Amendment 2 (1822), *Olympic Community of Health, Chronic Care Model*

Commissioner Rob Gelder moved and Commissioner Garrido 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

Ms. Susan Daniel, representing the League of Women Voters – Kitsap (LWVK), approached the Board to present the League’s publication “A Practical Guide to Kitsap Water,” which was published in April 2018 after a year of researching water in Kitsap. The guide provides information on drinking water, wastewater and storm water and the League plans to share the guide at public forums throughout Kitsap.

Mayor Erickson commended the League for their efforts.

There was no further comment.

ADMINISTRATOR’S REPORT

Administrator Update:

Mr. Keith Grellner, Administrator, informed the Board that Dr. Susan Turner, Health Officer, would not be attending the meeting as she was representing the Health District in part two of a two-part emergency exercise at the Jamestown S’Klallam Tribal offices. He reported that the purpose of the exercise was to practice emergency response to a multi-jurisdictional disease outbreak with local tribal partners, and to explore how pharmaceuticals from Washington Department of Health (DOH) and the National Strategic Stockpile would be distributed among the region in a public health emergency.

Next, Mr. Grellner reminded the Board that, during the April Board meeting, Commissioner Ed Wolfe had a question concerning the origin of the Health District's definition of "sexual orientation" in its personnel manual, and whether this definition was consistent with the county's. Mr. Grellner explained that the definition is taken verbatim from RCW 49.60.040, Discrimination – Human Rights Commission. Mr. Grellner said he confirmed with the County Administrator and Human Resources Manager that the Health District's definition is the same as the county's. He explained that the only difference is that the Health District's definition is contained within its personnel manual, whereas the county references the RCW and its definitions by reference.

Next, Mr. Grellner said that, on April 19th, the Suquamish Tribe held a celebration event for the Gorst Creek Remediation project near the old Bremerton Auto Wrecking Landfill and Gorst Creek's crossing of Highway 3. He said that Commissioner Garrido and Health District Solid & Hazardous Waste Manager, Jan Brower, spoke at the event. Due to the Health District's persistence over many years to raise concerns about the erosion of the old landfill into Gorst Creek, the Environmental Protection Agency and the Navy removed the entire landfill and restored the creek.

Next, Mr. Grellner said he was pleased to report that the Health District's school inspection technical advisory committee, led by Assistant Director of Environmental Health, Jim Zimny, and including representatives from Kitsap's five local school districts and a private schools representative, completed their work in early April. He noted three major accomplishments resulted that from the committee's work:

1. Understanding and agreement on what the state school rules, WAC 246-366, mean, what type of inspections they require, and that no other entities are currently doing the inspections that local health is charged to do; and
2. Agreement that school inspections will begin in October of this year; and
3. A commitment from the Health District to hold trainings for teachers on how to establish a healthy environment in their classrooms.

Next, Mr. Grellner informed the Board that two billboards will soon be up in Bremerton and Port Orchard urging youth to refrain from marijuana use using images from the state's "You Can" campaign. He said that Yolanda Fong, Assistant Director for Community Health, and her Chronic Disease Prevention (CDP) staff received approval from WA DOH to sponsor the billboards with unused tobacco and marijuana education funds that were given back to the Health District from neighboring jurisdictions. One billboard will be located on 6th Street near Pizza Hut and the other at the top of Sedgwick Road heading East from Highway 16.

Lastly, Mr. Grellner informed the Board that the Health District participated in "Take Your Child to Work Day" on April 26th and he showed the Board pictures taken during the day. Mr. Grellner said the children, aged 7-18 years old, received a welcome breakfast, toured offices and did activities with Health District epidemiology and information technology staff, and then spent the rest of the day with their parents shadowing them while they worked. Mr. Grellner said the

Health District looks forward to hiring these budding public health professionals in the years to come.

Mayor Erickson asked if Health District staff could send the billboard graphics to the Board and asked how the messaging will be worded. Commissioner Gelder suggested the Board receive billboard graphics electronically. Ms. Fong informed the Board that the CDP program has a media outreach toolkit for this campaign. She said the campaign focuses on positive messages to youth, such as “You can achieve your dreams. Marijuana will not help you get there.” Mayor Erickson asked the Health District to send digital files of the Billboard graphics to the Board so members can print and display the graphics in their buildings. Ms. Fong agreed to send the Board digital graphics.

There was no further comment.

DRAFT DRINKING WATER SUPPLY REGULATIONS

Mr. John Kiess, Environmental Health Director, approached the Board regarding updates and revisions to drinking water supply regulations. Mr. Kiess explained that Kitsap Public Health Board Ordinance 1999-6, Rules and Regulations for Private and Public Water Supplies, has become antiquated and is in need of an update. He said the purpose of today’s presentation is to refresh the Health Board on the history and progress of this rule update in preparation for a formal public hearing on a final updated ordinance during the Board’s regular meeting on June 5, 2018. He indicated that no action is required of the Board at this time.

Mr. Kiess reminded the Board that, at the July 2016 regular meeting of the Health Board, a presentation was made about the drinking water regulatory framework in Kitsap County and proposed changes to Ordinance 1999-6 to make it current and more effective for the protection of drinking water supplies. Ordinance 1999-6 addresses both Group B public water systems (systems serving three to 14 connections) and private water supplies (individual wells and two-party well systems), new well construction, abandoned well decommissioning, monitoring and oversight of small public water systems, and procedures for coordinating with the local building departments to determine water adequacy for building permit applications. He explained that much of the Health District’s work with wells is directly tied to building and development.

He said the proposed changes and updates to the ordinance were developed through a stakeholder group which included water purveyors in Kitsap County, the Kitsap Public Utility District, and the Kitsap County Department of Community Development. At the July 2016 meeting, the Health 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.

He noted that large public water systems (systems with 15 or more connections) are regulated by the state Department of Health.

Mr. Kiess said that, during regular Health Board meetings in March and April 2017, the Health Board was updated about the status of the proposed changes to the draft ordinance, with a special emphasis on Group B public water systems. A summary of the proposed changes to the oversight of Group B public water systems was presented to both the Health Board and public, including a public listening session targeted towards operators and users of Group B public water systems. An email listserv for interested parties was developed along with a webpage dedicated solely to the ordinance development process. Based on public input, the Health Board elected to have the Policy Committee review the proposed ordinance requirements.

The Policy Committee convened in June 2017. During this meeting, committee members reviewed applicable state and local drinking water authorities, laws, and regulations; Health District service mandates from Ordinance 1999-6 and the Kitsap County Coordinated Water System Plan; proposed and previously eliminated program elements; and discussed public comments collected during the previous Health Board meetings, the public listening session, and comments submitted through email or the Health District website. At the end of the meeting, the policy committee recommended Health District staff continue moving forward with proposed updates and the development of a new Board ordinance to replace Ordinance 1999-6.

The Policy Committee was reconvened December 2017 to discuss proposed regulatory options developed by the Health District in response to Health Board and public comments; pros and cons associated with each option; and staff recommendations for each option. Mr. Kiess said, based on the committee's input during the December meeting, that the Health District has finalized the draft ordinance with the recommended changes.

At today's meeting, Mr. Kiess presented an overview of the drinking water issues the Health District is proposing to address, the development process of the draft Drinking Water Supply Regulations, and a summary and comparison of the major elements of Ordinance 1999-6 to the proposed draft ordinance. Mr. Kiess' presentation also included details about:

- Health District legal and program mandates;
- Health District drinking water program services;
- The local drinking water issues the proposed ordinance seeks to address;
- Group B public water system management issues the proposed ordinance seeks to address;
- A summary of the public comments received in 2017 which influenced the current draft of the proposed ordinance, along with Health District response; and
- A cost analysis to implement the proposed ordinance.

Mr. Kiess noted that currently no fee is paid by Group B systems to the state or the Health District for services received unless the systems are newer and are required to have a state manager. The Health District does not currently collect fees to support or sustain this program. He reminded the Board that the Health District is legally required to provide some of these services, and the Health District is the only agency authorized to provide these services.

Mr. Kiess explained that 95 percent of Group B systems are out of compliance with the current ordinance's inspection requirements. Mayor Erickson asked what specifically the regulation requires. Mr. Kiess said the current ordinance requires a sanitary survey (inspection) at least once every five years. He also said that the Health District used to complete sanitary surveys at no-cost to the Group B water systems, because the state used to provide funding for this service. Mr. Grellner added that when the state cut funding for this service, the state law changed to allow for optional sanitary surveys, however the local ordinance still requires it. He said Group B systems can currently opt for the inspection by the Health District at their own expense.

Mr. Kiess said that 30 percent of Group B systems do not currently sample their water, which is also a requirement. Of the 70 percent of systems that collect water samples, 9 percent fail standards. Additionally, 20 percent of inspected water systems have significant deficiencies. Mr. Kiess noted that these tasks of identifying items of noncompliance and assisting Group B systems into compliance was important work required by the existing ordinance, but unfunded under the current system.

Commissioner Gelder commented that the Health Board has two options: it can remove requirements for Group B systems from local code or, if it finds a valid reason to maintain the program, it should seek sustainable funding. Mayor Erickson said the Board likely wants to maintain the program due to the number of systems that fail or have significant deficiencies.

Mr. Kiess said the Health District recognizes that there are systems in the county that are very well run by conscientious owners. He explained that this program is needed because not all systems in the county are managed that way. In addition, all Group B water systems, both compliant and non-compliant, receive basic administrative services.

Mr. Kiess explained that the program proposal includes an annual operating permit fee of \$75 per system, time of sale water status reports, required formal water user agreements which would be recorded to the property title, and eliminates required sanitary survey inspections. All systems would be required to pay the annual permit fee. Each system could opt for an inspection at their own expense.

Mr. Kiess continued that the Health District estimates the cost to fully fund this program is about \$65,000 for administrative costs per year. Mr. Kiess said that, if every system came into compliance, the cost of the program would be covered. He mentioned that the state DOH may provide additional funds, which the Health District can use to fill the gaps for service, but the Health District is unsure of how sustainable this funding is, because it has been discontinued in the past. Mr. Kiess also noted that many other local health jurisdictions in the state are implementing Group B water programs and charge systems an average of \$110 per year.

Mr. Kiess explained that the time of sale water reports will require sellers to provide a water status report to buyers to provide information about the water supply serving the property. This would provide information to buyers about the compliance status of the water supply. He said this would parallel the Health District's onsite sewage time of sale reporting. He explained that this is a passive enforcement technique, because Group B systems would be required to check in

with the Health District before passing the home onto a new owner. Both Group B water systems and private water supplies would be subject to the time of sale water status report requirement, which would address public concerns about drinking water protection equity between the different types of water supplies.

Commissioner Gelder asked how this would affect new connections adding on to an existing Group B system. Mr. Kiess said most of the systems are already at capacity, but this program would help current water system owners get ahead of any problems before new buyers tried to add a connection.

Mr. Kiess said the other option is for the Health Board to remove all Group B requirements from code. He said the Health District does not recommend this option.

Lastly, he said the Health District will solicit more public comment and feedback on the proposed ordinance through a public meeting scheduled on May 7, 2018, and a targeted outreach to Group B public water system operators and users through the drinking water ordinance listserv. The Health District intends to bring a final draft proposal of the ordinance to the Health Board for formal consideration during the June 5, 2018, regular meeting.

Mayor Erickson asked for a summary of fees. Mr. Kiess said the proposed annual operating permit fee is \$75 per year per water system and time of sale reporting fee for a water status report is \$130 which would only be required at the time of sale and is not recurring. Mayor Erickson asked if a homeowner pays for the time of sale report and, within the next five years, another home on the same water system wants to sell, they can use the same report without paying the fee again. Mr. Kiess confirmed this and said the report is valid for five years for all users connected to the system.

Mayor Medina noted that many of the items in the proposed ordinance are the same requirements from the current ordinance, however in several instances a note is made that education and outreach would occur. Mr. Kiess confirmed and said due to lack of funding, the Health District had not been able to do as much education and outreach as they would like. He said that under the new ordinance, the Health District would be able to once again respond to calls and do site visits to help water system operators understand what issues are occurring and how to fix them. The Health District feels this is a vital public health service. He said education of water system operators is a key component of the program.

Mayor Medina asked if there is something that could be done to cause greater compliance with required water sampling for nitrate levels once every three years. Mr. Kiess said yes, because currently when systems do not sample, there is no longer follow up from the Health District as there used to be. With the new program, Mr. Kiess said the Health District would be able to send water system operators a reminder to do sampling and continue to follow up.

Mayor Medina asked if water systems will be reviewed outside of just the selling of property. Mr. Kiess said yes, that water systems would still be reviewed by the Health District for building

and land use permit applications. He said the Health District typically reviews water adequacy during the building permit application process and at time of sale.

Commissioner Wolfe thanked Mr. Kiess for listening to feedback and creating a more balanced ordinance. He also asked if the Health District has received feedback from the Kitsap Building Association. Mr. Kiess said Health District staff attend the Builders Association monthly meetings and solicit their input, however he said they haven't weighed in heavily, because the Building Association is not involved much after the structures are built.

Commissioner Wolfe said he's aware the public doesn't want another permit, but he understands the intent. He also noted that this program could potentially reduce costs for homeowners if they are able to do self-testing on their water systems. Mr. Kiess confirmed that Group B water systems can already self-test their water and that there is no certification required to do so. However, Mr. Kiess explained that inspections over and above water sampling should be done by a third-party professional, preferably the Health District. Commissioner Wolfe also asked if the testing is to ensure the water is safe. Mr. Kiess confirmed that is one part of the intent, but also noted that a water sample may not be reflective of the water system over time. Mr. Kiess explained that having good infrastructure is more important than testing the water once per year, because good infrastructure prevents water quality issues.

Mayor Medina noted issues on Bainbridge Island with salt water intrusion and decommissioned wells. He said the city doesn't have enough data on this issue. Mr. Kiess said that when the Health District receives a proposal to drill a well, staff investigate to find out why a new well is being drilled. He also said that when a well is drilled near an area of concern, the Health District may require testing for indicators of salt water intrusion. However, Mr. Kiess said the Health District does not necessarily have data for why every well is decommissioned, but he said he could provide Mayor Medina with a report of a few wells that have been decommissioned on Bainbridge Island.

Mayor Medina asked if this new draft ordinance has been released to the public yet. Mr. Kiess said it was emailed to the individuals who signed up for the regulatory update listserv or showed an interest in the ordinance changes during the last few rounds of review. He added that it will be circulated more broadly and has been available on the Health District website. And there will be a public listening session on May 7, 2018. Mr. Grellner added that the Health District has received several similar comments from a small group of people. He said several comments were from the same individuals, and from individuals on the same water system. He explained that there was some opposition, but it wasn't widespread.

Additionally, Mr. Kiess noted there previously appeared to be some confusion about this program and the Hirst decision, which are unrelated. He said some people thought this program would regulate how much water was used by Group B systems, which it will not. He said the Health District is not regulating water consumption.

Mayor Erickson thanked Mr. Kiess for the presentation and said the Board has been discussing this issue for a few years now and she feels it is time to either take action or put it to rest.

There was no further comment.

SEXUALLY TRANSMITTED DISEASE MONITORING, TRACKING & RESPONSE

Ms. Beth Phipps, Public Health Nurse Supervisor of Clinic Services, and Ms. Kari Hunter, Epidemiologist, gave a presentation to the Board regarding sexually transmitted disease monitoring, tracking and response.

They explained that, in recent years, the burden of sexually transmitted diseases in Kitsap County has been increasing dramatically. The rate of gonorrhea cases has been increasing on average 29 percent annually since 2010, resulting in almost six times as many cases in 2017 as in 2010 (104 per 100,000). The rate of chlamydia has been increasing more slowly since 2010 but has a much higher rate than gonorrhea. In 2017, there were 418 cases of chlamydia for every 100,000 residents. And, with more than 12 cases of syphilis for every 100,000 residents in 2017, the rate of syphilis in Kitsap is more than three times what it was in 2010.

These disease trends highlight the need for continual monitoring, case investigating and control implementation measures by public health. Despite these increases in rate for all three sexually transmitted diseases, Kitsap rates remain lower than Washington State's rates for all three diseases (gonorrhea 135 per 100,000, chlamydia 438 per 100,000 and syphilis 24 per 100,000 residents).

Ms. Phipps said the Health District received limited, but critical, Foundational Public Health Services (FPHS) funding to expand its prevention and control of communicable disease and other notifiable conditions for 2018. FPHS funds received in fall of 2017 enabled the Health District to hire a full-time nurse who supports the Health District's monitoring, investigation and response to notifiable sexually transmitted infections.

Ms. Phipps introduced Gus Bell, the public health nurse hired with FPHS funds. She said that Mr. Bell has helped the Health District prioritize case investigations for gonorrhea and complex syphilis cases and offer expedited partner therapy (EPT). He has also been formalizing outreach and education to providers in the community about EPT and has established a dedicated phone line and business cards for the program.

Ms. Phipps explained that the program's next steps are to develop outreach education strategies for providers and the community.

Mr. Grellner reminded the Board that communicable disease, sexually transmitted infections (STI) and expedited therapy are all foundational public health services. He explained that these programs have lacked funding over the years and therefore haven't been able to assist in STI investigations. He also noted the rise in STI rates since 2010 was not unrelated to the funding cuts in 2009. Additionally, he explained that the FPHS funding Ms. Phipps mentioned in the presentation was from a one-time down payment from the state. The Health District received

\$150,000 over two years (mid-2017 through mid-2019). Mr. Grellner said the Health District hopes to keep the program running and will continue to advocate for more funding.

Mayor Erickson said the more money the Health District has for these programs, the more people they can help.

There was no further comment.

ADJOURN

There was no further business; the meeting adjourned at 3:02 p.m.



Becky Erickson
Kitsap Public Health Board



Keith Grellner
Administrator

Board Members Present: *Mayor Becky Erickson; Commissioner Charlotte Garrido; Commissioner Rob Gelder; Mayor Kol Medina; Mayor Greg Wheeler; Commissioner Ed Wolfe.*

Board Members Absent: *Mayor Rob Putaansuu.*

Community Members Present: *Cami Apfelbeck, City of Bainbridge Island; Eva Crim, Kitsap County; Susan Daniel, League of Women Voters – Kitsap; Jack Ford, Self; Karen Jangas, New Life Community Development Agency; Tad Sooter, Kitsap Sun.*

Staff Present: *Gus Bell, Public Health Nurse, Communicable Disease; Angie Berger, Administrative Assistant, Administration; Karen Bevers, Communications Coordinator and Public Information Officer; Eric Evans, Program Manager, Drinking Water and Onsite Sewage; Yolanda Fong, Assistant Director, Community Health Division; Keith Grellner, Administrator; Nicole Gress, Secretary Clerk 2; Support Services; Grant Holdcroft, Program Manager, Pollution Identification and Correction; Renee Johnson, Environmental Health Specialist 1, Pollution Identification and Correction; Kari Hunter, Epidemiologist 2, Assessment and Epidemiology; Dayna Katula, Manager, Food and Living Environment; John Kiess, Director, Environmental Health Division; Brandon Kindschy, Environmental Health Specialist 1, Drinking Water and Onsite Sewage Systems; Staci McDowell, Environmental Health Specialist 1, Drinking Water and Onsite Sewage Systems; Megan Moore, Community Liaison, Chronic Disease Prevention; Beth Phipps, Public Health Nurse Supervisor, Communicable Disease; Shelley Smith-Rose, Community Liaison, Communicable Disease; Jim Zimny, Assistant Director, Environmental Health Division.*