

**KITSAP PUBLIC HEALTH BOARD
MEETING MINUTES
Regular Meeting
September 4, 2018**

The meeting was called to order by Board Chair, Mayor Becky Erickson at 1:45 p.m.

REVIEW AND APPROVE AGENDA

There were no changes to the agenda.

BOARD MEETING MINUTES

Commissioner Charlotte Garrido moved and Commissioner Rob Gelder seconded the motion to approve the minutes for the July 3, 2018, regular meeting. The motion was approved unanimously.

CONSENT AGENDA

The September consent agenda included the following contracts:

- 1596 Amendment 1 (1843), *University of Washington, PIC Water Sampling*
- 1749 Amendment 4 (1857), *Washington Department of Health, Consolidated Contract*
- 1829, *Jefferson County Public Health, Nurse Family Partnership*
- 1847, *Olympic Education Service District, Head Start*

Commissioner 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

Mayor Erickson noted that only public comment regarding things other than the drinking water regulations will be accepted at this time. She said verbal testimony for Drinking Water Supply Regulations is completed and closed.

Michael Overfield provided public comment regarding minutes from the previous meeting. He expressed concerns about discussion of a single-use plastic bag ban. He asked the Board if they felt this was a public health issue, if anyone has ever gotten sick from plastic bags, or what percentage of solid waste plastic bags contribute to. He said plastic bags contribute to less than one percent of solid waste. Additionally, Mr. Overfield said the packet from the previous meeting included information on the needle exchange program. He said the presentation notes the program cost is \$300,000. He said the drinking water program is proposing new fees for something that costs far less than that, because there are not enough funds for the program, yet he said the Health District is able to give free needles to drug users. He said he doesn't feel the needle exchange program is a good use of government resources.

There was no further public comment

HEALTH OFFICER/ADMINISTRATOR'S REPORT

Health Officer Update:

Dr. Susan Turner, Health Officer, provided the Board with two updates and then mentioned a string of public health threats that challenged the Health District's capacity over the past month.

First, she said Clallam County now has a new Health Officer, Dr. Allison Unthank, who took Dr. Frank's place. Next, she informed the Board that the second regional Opioid Summit, will be held October 17, 2018 from 12:30-4:30 pm at the Suquamish Clearwater Resort.

Next, Dr. Turner listed several public health threats the District has worked on over the past month. She noted that these responses represent foundational public health services (FPHS), for which the District has limited funds, using mostly local and some state flexible dollars. Dr. Turner explained that, when the District has multiple incidents together, without dedicated funding and staff, it challenges the District's ability to respond and get normal critical work done. The biggest responses included:

- Detailed and time-intense work with the public health system on preparing the FPHS Legislative Ask, especially communicable disease and including tribal public health;
- Multiple community meetings and forums related to homelessness, suicide, and school and youth mental health issues;
- Proposed state law changes urged by HIV advocacy interests, to "decriminalize HIV";
- Horseshoe Lake 2018 norovirus outbreak response over first two weeks August;
- Wildfire smoke/very poor air quality concerns;
- Naval Base Kitsap sewage spill response;
- Identification of two rabid bats and threats they posed to people—resulting in four-month quarantine order of a dog, and one bat that exposed three children, all now receiving prophylaxis due to our investigation after a call from a mom;
- Drug-contaminated apartments that were evacuated, which Mr. Grellner will explain in more detail.

Dr. Turner thanked the Board for the privilege the District experiences in protecting the public in these ways. She also acknowledged the Board's support and sometimes participate in this work, and said the District appreciates it.

There was no further comment.

Administrator Update:

Mr. Keith Grellner, Administrator, informed the Board that the District launched its new "know before you go" website tool last week that allows users to get restaurant and other food service establishment inspection scores through a GIS mapping tool. The app is compatible with mobile devices and shows the location of every permitted food establishment in Kitsap County. All users have to do is click on the icon for the food establishment to get basic info, and then click on the inspection report link to see all inspections reports for that facility. Additionally, he said

that, per Policy Committee recommendation, the comments for a food establishment inspection are now listed at the top of the first page of each inspection report for easier access.

Next, he said the Health District responded to a report of a drug overdose and storage of dangerous drugs at an apartment complex in Poulsbo on August 17th. Based on information from law enforcement, the Health District posted eight apartments with warnings to not occupy them until further notice due to the potential presence of hazardous chemicals. He explained that RCW 64.44 requires local health jurisdictions to post potentially contaminated structures and require testing and cleanup of those structures once notified by law enforcement of the presence of hazardous drugs, or the chemicals to manufacture those drugs. He said the District was able to remove the postings of 5 of the 8 apartments on August 24th after testing showed no contamination in those units. He said the three remaining units with positive results of contamination still need to be decontaminated before they can be reoccupied.

Mr. Grellner reminded the Board about the Horseshoe Lake norovirus outbreak in August, and following up on Dr. Turner's comments, reported that District staff logged about 300 hours of work on the Horseshoe Lake and overdose incidents. This significant amount of time was time that was not spent on normal District work duties.

Mr. Grellner reminded the Board that the Finance Committee will meet to discuss the draft 2019 budget on Tuesday, September 25th at 3:30 pm at the District offices. The Finance Committee members are Mayors Erickson and Wheeler, and Commissioner Garrido.

Next, Mr. Grellner informed the Board that Karen Bevers, the District Public Information Officer (PIO) resigned and has taken a job with the Bremerton School District. He said the District will not have a PIO for a few months until the position is filled.

Mayor Erickson commented that the drug overdose occurred in her jurisdiction, Poulsbo, and said that Mr. Grellner and District staff were amazing and dedicated many hours to resolving this tragic situation. She added that it would have been incredibly difficult for our community to deal with this without the District's expertise and resources. She thanked the District for their help.

There was no further comment.

PUBLIC HEARING CONTINUED FOR DISCUSSION ONLY (NO PUBLIC TESTIMONY): ORDINANCE 2018-01, DRINKING WATER SUPPLY REGULATIONS

Mr. John Kiess, Environmental Health Director, approached the Board regarding Ordinance 2018-01, Drinking Water Supply Regulations. He provided the Board with a summary of the process so far, which is also included in the Board packet. He explained that the process began about two years ago. Since then, the District has gathered feedback from Board, stakeholders, public sessions, online, etc. Based on feedback, staff made significant changes to create an ordinance that balanced stakeholder concerns with public health requirements.

Based on the Board's direction, public comments, and staff recommendations, the proposed drinking water supply regulations include the following changes as compared to the existing rules, Ordinance 1999-6:

- **Eliminates** an existing requirement that all Group B public water systems undergo a complete sanitary survey inspection by the Health District at least once every 5 years.
- **Requires** owners of property connected to a Group B public water system or private well to apply to the Health District for a "Water Status Report" only at the time of property sale. A water status report provides information about the drinking water supply and will address any applicable drinking water requirements or concerns. In the past, these reports have been optional, but under the proposed ordinance would now be required. This requirement has an effective date of 6-months after ordinance adoption (see Section 9, page 30 of the draft ordinance).
- **Requires** Group B public water systems to obtain an annual operating permit (\$75/year) to cover Group B water systems administration costs. The permit fees would raise approximately \$65,000/year to fund Group B administration work (recordkeeping, sampling reminders, data management, technical assistance, complaint response, and enforcement) as required through state and local codes and agreements. This revenue will replace state funding to operate the program that was cut in 2009 and will allow the Health District to resume basic levels of service for Group B systems. This requirement has an effective date of 6-months after ordinance adoption (see Section 9, page 25 of the draft ordinance).
- **Requires** each Group B public water system to file a "user's agreement" if there is not one already in place. A user's agreement legally establishes details about the water system's ownership and management and is recorded to the title of each property connected to the system. This requirement has an effective date of 12-months after ordinance adoption (see Section 9, page 24 of the draft ordinance).
- The proposed ordinance **does not** require owners of 1 or 2 party private wells to obtain an annual operating permit or pay an annual fee.

Mr. Kiess address the primary concern from public comments: "Why should I have to pay fees if my water system is in compliance?" Mr. Kiess explained that the fee is to fund an existing public health program, which provides services to all Group B water systems, and which the District hopes to improve.

Commissioner Gelder, said, as he understands it, at some point there was a decision by the State Department of Health to devolve this Group B program to local health jurisdictions (LHJs), but the state level funding has slowly eroded over time and has not been consistent or stable. Mr. Kiess confirmed. Commissioner Gelder continued that this has slowly shifted the burden and funding to LHJs (who do not have taxing authority) and currently local tax dollars are now subsidizing this program, whether they're on public water or wells. Mr. Kiess confirmed this as

well. Mr. Grellner said nobody is in favor of additional fees but noted that since there is not stable state funding and Board budget policy directs the District to recover the costs of services where possible, the proposed fees are warranted if the Board agrees with the District that the Group B work is important to do. Mr. Kiess clarified that the state stopped funding Group B water systems in 2009. He noted that, last year, the state provided a small amount of funding and said LHJs could implement fees for service. He explained that this has been an ongoing issue since 2009 and the District is trying to get an adequate program running again.

Commissioner Ed Wolfe asked if this funding is necessary to meet state and federal standards? Mr. Kiess confirmed that it is necessary to meet state and local requirements and noted that the District is the only agency with the legal authority to perform these requirements.

Commissioner Wolfe asked Mr. Kiess to confirm that the District has no taxing authority. Mr. Kiess confirmed that the Health District has no taxing authority and said the District can only charge a fee for service.

Commissioner Garrido asked Mr. Kiess to confirm that the fee for service only covers costs and does not provide the District with a profit. Mr. Kiess confirmed and said the District cannot make profit. Mr. Kiess added that the fee being discussed is the \$75 annual operating fee. He said this was determined via economic analysis which was included in a previous meeting packet. He said, once the program is running, if it is determined that the program costs far less, the fee will be adjusted accordingly.

Mr. Grellner added that, under state law, the District cannot charge a fee in one program and use those monies to support services in another program. The fee must be used for the program in which it was charged.

Mayor Erickson closed the public hearing at 2:05 p.m. Mayor Erickson entertained a motion.

Mayor Kol Medina move and Commissioner Gelder seconded the motion to approve Ordinance 2018-01, Drinking Water Supply Regulations,

Mayor Medina said many comments have been received that this is about the money. Mayor Medina said it is, in part: The District needs more money to properly fund this program. Additionally, he said comments have been received that there isn't a problem, so there is no need to change anything. Mayor Medina said he does not agree with creating more and more government regulations, but said he feels this regulation is needed. He said that with public health, you don't have a problem until you do... and then someone gets really sick or someone dies. He said that this program is worth investing to ensure we don't have a serious problem in the future.

Commissioner Gelder added that the updated ordinance eliminates the existing requirement that all Group B system undergo a sanitary survey at least once every five years. He said that while the update includes a fee to support the administration of this program, it also takes a proactive approach by repealing certain elements of the former ordinance.

The motion was approved unanimously.

There was no further comment.

PUBLIC HEARING: RESOLUTION 2018-04, APPROVING AMENDED ENVIRONMENTAL HEALTH SERVICE FEES

Michael Overfield approached the Board to provide public testimony regarding Resolution 2018-04, Approving Amended Environmental Health Service Fees. Mr. Overfield said the ordinance eliminates the sanitary survey, but every time a house sells, there must be an inspection done, which is about once every two years, more often than the sanitary survey was required. He said there is a \$150 fee for that inspection. Additionally, he said there is another fee for every non-municipal water system in the county every time someone sells their house, which is \$300. He also said there are fees on homeowners to fix things in order to sell their homes. He also said he pays over \$50 a month to pay a satellite management agency that maintains and takes water samples of his system, which he also pays for. He said when samples are submitted electronically, there is no administrative work required. He said now he must pay another \$75 fee. Mr. Overfield said his primary concern is if he doesn't pay the fee, he will be put in jail. He said this fee is being imposed on people whose systems have never had the fee before. He said the Board is forcing the power of government on people.

There were no further public comments. Mayor Erickson closing the public hearing at 2:12 p.m.

Commissioner Gelder said he was looking for a redline version of fees that was not included in the packet. Mr. Grellner directed the Board's attention to page one, line item 6, "Group B Public Water System Annual Operating Permit", \$75, and said this new fee is the only change in fees. Commissioner Gelder asked if the other fees related to Group B systems have been part of the schedule already. Mr. Grellner confirmed and said they have been on the schedule for several years.

Commissioner Gelder moved Mayor Rob Putaansuu second the motion to approve Resolution 2018-04, Approving Amended Environmental Health Service Fees. The motion was approved unanimously.

Mayor Erickson commented that this was two years in the making.

There was no further comment.

EXECUTIVE SESSION; PURSUANT TO RCW 42.30.140(4)(B), DISCUSSION RELATED TO COLLECTIVE BARGAINING

At 2:15 p.m., Mayor Erickson announced that the Board would adjourn for approximately 15 minutes for an Executive Session for discussion related to collective bargaining.

At 2:34 p.m., Mayor Erickson announced that the Executive Session has ended and opened the meeting to regular session

COMMUNICABLE DISEASE PREVENTION: SYRINGLE EXCHANGE PROGRAM

Ms. Katie Eilers, Community Health Director, provided the Board with a PowerPoint presentation regarding the District's syringe exchange program.

Ms. Eilers explained that preventing and controlling the spread of disease is a core duty and responsibility of local health boards and local health officers (RCW 70.05). Drug use practices that can lead to transmission of HIV and other harms are a critical public health issue affecting communities across the U.S. and Kitsap County. International evidence demonstrates that effective communicable disease prevention programming for people who use drugs can reduce transmission of HIV. Drug user participation in programs like the District's syringe exchange program has been shown to lead to reduced HIV incidence and prevalence and reduced needle and equipment reuse.

Ms. Eilers said that, by providing an adequate supply of sterile syringes to intravenous drug users, coupled with education on safe injection practices and linkage to social and health resources, the risk for the spread of disease declines. While disease transmission prevention is the primary driver of the District's syringe exchange program, this strategy also fills an important space in the opioid response continuum of services in our county by serving as a bridge between intravenous drug users and treatment services. Additionally, as an exchange program where clients return used syringes, the District plays an important role in safe syringe disposal.

The presentation provided an overview of the District's syringe exchange program, a profile of the impact of intravenous drug use in the County, a highlight of syringe distribution/collection data for the program, and a summary of recommended next steps for the program.
Insert paragraph from memo here.

Ms. Eilers said the District would like to propose a time-limited, multidisciplinary working group to convene this fall. The District would like four board members, treatment providers, public health, and other partners to attend.

Commissioner Wolfe asked Ms. Eilers if he understood correctly that there is a secondary exchange which delivers clean syringes directly to the users and provides Narcan kits. Ms. Eilers confirmed that someone could call the secondary exchange to receive these services. When the mobile team arrives, they collect the used syringes and exchange for clean syringes and other supplies, including Narcan.

Commissioner Wolfe asked for numbers of increased cost to the District of the mobile exchange. Ms. Eilers said the District would be happy to share a line item budget with the Board and said the cost of the secondary exchange is encompassed in the subcontract for those services.

Mayor Wheeler said the presentation addressed several of his concerns. He asked if the goal of the working group was to be finished in the fall. Ms. Eilers confirmed this. Additionally, Mayor Wheeler noted the presentation didn't mention the disadvantage of citizens, including children, picking up needles in public places such as parks. Ms. Eilers thanked Mayor Wheeler for mentioning this and said it should be a topic included in the conversation. Mayor Wheeler said he has been receiving many reports of citizens finding needles in parks and some say that they won't use city parks until there is a handle on this. Mayor Wheeler said he would like to be on the working group.

Mayor Erickson said she would also like to be on the working group. She also asked if the mobile exchange is one-to-one or just gives out syringes without getting some back. Ms. Eilers clarified that it is an exchange, though not necessarily one-to-one, because staff are unable to count the syringes due to safety issues. She said staff estimate by volume, in addition to users requesting specific numbers of syringes.

Mayor Erickson asked if someone could participate in syringe exchange on behalf of another person. Ms. Eilers confirmed that they can. Mayor Erickson said it is her understanding that part of the exchange program is providing information about treatment options. She asked how a user would get treatment information if another person is doing the exchange on their behalf. Ms. Eilers said staff would need to ask the secondary exchange how information is shared in those circumstances. Ms. Eilers reminded the Board that the primary purpose of the program is to prevent the transmission of disease, so the program is considered a win if every time someone uses, they use a sterile needle. However, she said an additional goal is to connect users to treatment whenever possible.

Mayor Erickson noted that, according to the graph in the presentation, there are at least 8 individuals with HIV in the county, and the needle numbers are rising. She said this is concerning and she would like to participate on the group. She also said this presentation focused on the communicable disease aspect and didn't touch on the treatment side of the issue, which also needs to be addressed.

Mayor Wheeler said the City of Bremerton treats every needle found as though it poses a threat of HIV or Hepatitis.

Katie thanked Mayor Erickson and Wheeler for their comments and volunteering to participate on the working groups,

Commissioner Gelder said that during the last legislative session, a bill regarding safe injection sites had a part about banning needle exchange programs. Keith confirmed that it was part of the original bill, but said it was removed from the bill as it moved through the legislature.

Mayor Medina suggested in the future, update the presentation to show the graph with needle rates rising with a corresponding graph of an 'advantage' of disease rates going down. Ms. Eilers thanked Mayor Medina for the suggestion.

There was no further comment.

ADJOURN

There was no further business; the meeting adjourned at 3:01 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 Rob Putaansuu; Mayor Greg Wheeler; Commissioner Ed Wolfe.*

Board Members Absent: *None*

Community Members Present: *Lisa Al-Hakim, Peoples Harm Reduction Alliance; Susan Daniel, League of Women Voters – Kitsap; Monty Levine, Peoples Harm Reduction Alliance; Michael Overfield, Self; T.L. Tobbals, Self; Rod Younker, Summit Law Group.*

Staff Present: *Amy Anderson, Public Health Educator, Public Health Emergency Preparedness and Response; Angie Berger, Administrative Assistant, Administration; Katie Eilers, Director, Community Health Division; April Fisk, Program Coordinator 2, Communicable Disease; Yolanda Fong, Assistant Director, Community Health Division; Lauren Funk, Disease Intervention Specialist, Communicable Disease; Keith Grellner, Administrator, Administration; Karen Holt, Program Manager, Human Resources; John Kiess, Director, Environmental Health Division; Melissa Laird, Program Manager, Accounting and Finance; Kaela Moontree, Social Worker 1, Communicable Disease; Megan Moore, Community Liaison, Chronic Disease Prevention; Beth Phipps, Public Health Nurse Supervisor, Communicable Disease; Lacey Rhoades, Management Analyst, Human Resources; Shelley Rose, Community Liaison, Communicable Disease; Dr. Susan Turner, Health Officer, Administration; Jim Zimny, Assistant Director, Environmental Health Division.*