

**CLALLAM COUNTY BOARD OF HEALTH
REGULAR MEETING MINUTES
October 19, 2004**

I. ROLL CALL TO ORDER

The meeting was called to order at 1:35 p.m. by Michael C. Chapman, Vice Chair.

Present: Michael C. Chapman, Vice Chair
Howard "Mike" V. Doherty, Jr.
Camille Scott
Jeanette Stehr-Green, M.D.

Excused: Stephen P. Tharinger, Chair
Jim Leskinovitch

Absent: John Beitzel

II. AGENDA REVIEW AND APPROVAL

Dr. Stehr-Green asked if item VIII. B. should be discussed before item VI. Appeal Hearing. Dr. Locke said that the appeal is based on the current policy and the policy revisit is to review possible changes to the future policy. Mr. Doherty moved to approve the agenda as written. Dr. Stehr-Green seconded and the motion carried.

III. APPROVAL OF MINUTES

Mr. Doherty moved to postpone approving the minutes until the November meeting when a quorum of the attending members will be present.

IV. PUBLIC COMMENT

None.

V. OLD BUSINESS & INFORMATIONAL ITEMS

None.

VI. Appeal Hearing: Fee Waiver Denial for Don Roberts and Peninsula NW Shooting Park Association.

Dr. Locke told the Board that their packet includes copies of all correspondence between Mr. Roberts and Dr. Locke. He said the Board of Health passed a policy in June 2003 that created criteria for a Fee Waiver Policy. The category that this waiver is being requested under is a Not-for-Profit Organization Waiver. The organization may be eligible based on the determination that it is providing a local public benefit through its activities. The factors that were considered included: 1) 501c3 status, 2) financial resources of the organization, 3) demonstrated benefit of the organization to the community, and 4) level of public risk associated with the activity subject to a fee. Dr. Locke said that at the time of the policy approval, the Board did not wish to create a blanket exemption for all Not-for-Profit Organizations. They wanted to be somewhat more restricted than that, at the advice of the Public Health Advisory Committee.

The application for the Peninsula NW Shooting Park Assoc. states that the organization is a 501c4 which is slightly different from what the policy says, but the concept is essentially the same and was not considered in the denial. Dr. Locke said that the basis of his decision really came down to the benefit to the community based on the information given on the application.

Don Roberts, Peninsula NW Shooting Park Assoc., said that organization requested a 501c3 and was given a 501c4. The only difference is that with a 501c3 you can write gifts and donations off, where as with a 501c4 you can't. Clallam County is one of the few counties that does not have

a public shooting range. The PNSPA is responsible for a public range. There will be members who run and construct the range, but if an individual wants to come out and shoot on the range, they are welcome during the scheduled times. There will be times that it will be closed for events. Mr. Roberts read the Association's ByLaws to the Board. Safety and shooting and firearm education training will be provided at the range. They support the Jr. Rifle Team who took the 2004 State Championship on air rifles which advanced them to Nationals in North Carolina. Live shooting will also be available for law enforcement as well as the public.

Mr. Roberts said that he wants to make sure than the Board realizes that the Association is a public entity and they do support the public. The ground that they intend to build the range on belongs to the community and they want to keep it that way.

Mr. Roberts asked the Board to reconsider the waiver request because the kitchen only brings in between \$300-\$400 and all of the money goes right back into the business. The food is not there for profit; it is there to provide a service for the people. \$85 is quite a sum to remove from that when the organization is brining in so little.

Mr. Chapman asked Mr. Roberts to verify that they do sponsor Jr. Rifle Team and they do sponsor the Hunter Safety Course. Mr. Roberts said yes to both. Mr. Chapman asked Mr. Roberts to verify that the insurance that they purchase covers more than just the organization members. Mr. Roberts said that one insurance required covers the members and officers and another covers the shows and organization events.

Ralph Gatien, member of the PNSPA, said that the Board may want to reconsider amending their policy to add 501c4 because the Federal Government will make almost all new organizations 501c4 because of the tax implications.

The purpose of the Association is to work with the County to provide a quality public range and a range that brings funds into the community. It is a volunteer organization without considerable funds which provides a quality public service. Mr. Gatien said that the Association feels they meet the criteria and qualifications for the waiver.

Mr. Doherty said that the PNSPA could have made a better case on their application. He would suggest that they be more specific to the requirements on the application on future requests. He said that he feels there is a Countywide benefit, but the organization did not do the best job of helping the Health Officer understand that when they attempted to make their case.

Motion:

Mr. Doherty moved to approve the Fee Waiver Request. Mr. Chapman seconded and the motion carried.

VII. PUBLIC HEALTH ADVISORY COMMITTEE (PHAC) REPORT

Virginia Clark, PHAC representative, thanked the Board of Commissioners and Rachel Anderson, Tobacco Prevention Specialist from Health & Human Services for passing the No-Smoking Policy on County Property at this morning's Commissioner's Meeting. This will include an entire public education campaign. She said Andy Brastad gave an update on Environmental Health programs and Kathryn McDaniel, Health Services Manager, gave a program overview on Health Services programs. There was also a discussion about getting the east and west end community members involved in their meetings and to possibly travel to each end of the county once per year.

JoAnne Dille, Director of Health & Human Services, said that the PHAC invited the State Representatives to their next meeting. Ms. Dille also extended the invitation to the Board of Health members. The PHAC meeting will be held Friday November 5th at 12:00 in the Health & Human Services conference room in the basement of the County Courthouse.

VIII. HEALTH OFFICER'S REPORT

- A. Deputy Health Officer proposal. Dr. Locke presented the latest draft of the Deputy Health Officer proposal. He reviewed information on two eligible Health Officers from other

Counties (hard copies given to the Board at the meeting) and suggested the Board pass the proposal and appoint Frank James and Scott Lindquist as Clallam County's Deputy Health Officers. Dr. Locke said that he has been appointed the Deputy for San Juan and Kitsap Counties.

Dr. Stehr-Green moved to approve the Deputy Health Officer proposal and appoint Frank James and Scott Lindquist as Clallam County's Deputies. Mrs. Scott seconded and the motion carried.

B. Fee Waiver Policy Revisited.

Dr. Locke said over the last 15 months there have been 41 Fee Waiver Applications. Thirty five have been approved, 6 have been denied. One of the 6 chose to appeal, which was the appeal heard during the meeting. It was the discussion in June 2003 that the Not-for-Profit waiver be somewhat restricted, but it doesn't have to be. The goal of the fees for Environmental Health is to support these mandatory programs, so waiving the fees just transfers the inequity to somewhere else.

Dr. Stehr-Green asked if it is worth the time and cost of having Dr. Locke review these. Dr. Locke said he started having this duty to see what kinds of requests would be made and what the process would entail, then transferring this duty to the Environmental Health Director.

After a discussion by the Board, Dr. Locke will draft changes to the policy to delegate that authority to the Environmental Health Director, add 501c4 to the criteria, keep the language stating limited financial resources, add a multi-event scenario and make this a blanket waiver policy (i.e., no demonstration of public benefit by the organization is necessary). Applicants would still have to apply for the waiver, but Andy said that this will reduce staff time and make it much easier to review. It would be much easier to administer and the most cost effective if the Board chose to approve a blanket waiver.

Dr. Locke added that the policy can be revisited by the Board any time they choose. If it comes that changes to the policy result in a loss of revenue, the Board can revisit it again.

C. Influenza Vaccine Shortage Update.

Dr. Locke reported on the influenza vaccine shortage. There are 95 million people who will meet the criteria for needing the vaccine. There are 55 million doses available to cover this need. Of the 55 million doses, 30 million have already been randomly distributed unevenly.

Our local situation is that there are 1000 doses in the Forks/West End area. There are 1200 doses in Sequim. Costco has had two events which distributed about 1600 doses. In Port Angeles, Public Health is the only agency with vaccine. We ordered 2000 doses from Advantix. We received half of our order because the CDC intercepted the other half. We do not know if we will receive the other half. We are currently working on how we will distribute to the people who meet the criteria. Priorities will be Nursing Homes, Long Term Nursing Facilities and the Hospitals.

IX. ENVIRONMENTAL HEALTH DIRECTOR'S REPORT

- A. On-Site Sewage Operations and Maintenance: Part 3. Andy Brastad, Environmental Health Director, reviewed that in his presentation given in September, that the state is revising the On-Site Regulations as to the County's and the homeowner's responsibilities. In the packet there were some surveys that were presented to the State Board of Health. The surveys show that a lot of the counties are where Clallam is, as they have been hit-and-miss with their O&M programs without a good plan to address the issue. For some background, Andy also included a memo from the Puget Sound Action Team that outlines some of the discussions of what is currently happening and what might happen with the update of these regulations, as well as a letter from the EPA saying that the state does have some responsibilities that they need to fill if they want to get funding from EPA.

The regulations currently say that each county needs to come up with a management plan for on-site systems. The updated regulations say that especially marine shoreline counties have to have a plan within a timeframe after the adoption of the new regulations. Some of the things that the new regulations say are that we will have to identify high risk areas of concern and look to see if additional requirements should be in place in those areas and then to develop a database of all known on-site systems and then to describe the capacity and funding currently being used to take on any new programs that would be developed under this management scheme.

Andy suggests that we wait to see what actually comes out of the adopted final draft of the regulations. He thinks it is due for adoption either the end of this year, or beginning of next year. Then we can see if the timelines change and if the requirements for the plan will stay the same. At that point we can see what will need to be done and in what amount of time and how the programs will be funded long term. So he feels that we stay on course with the program that we already have funded and continue to see how things evolve at the state level. An option to increase fees to support O&M is something to look at if the Board would like to move in that direction.

Dr. Stehr-Green stated her concern with the wait-and-see approach, although it may have benefits, she feels we may be needing an interim plan to spend time on strategizing and identifying priorities for our community. Ultimately the decisions are going to be with the county deciding what we need to do and if it takes a couple of months off the timeline, maybe we should start prioritizing now while we wait for the mandates to come down from the state.

Andy said that some of the areas are already prioritized. The areas that would probably be the highest priorities are around Dungeness Bay and Carlsborg and Agnew. There are others we haven't looked at yet (critical areas and marine shoreline areas) but will have to be evaluated.

Part of the problem is that we are taking on more work and it is good to have grant funding, but it doesn't cover all that we do. We are now at our capacity and it will only get harder. A lot of the projects we do are mandated and there is not much we can cut.

Mr. Chapman said that Rob Robertson is working on Fee Increases in the Building Department and maybe Andy should speak to him about what he is doing and piggy back his request. He said it would make sense since a fee for a septic system would tie into the building department's permits. Currently our fees are way under for counties of similar size. Mr. Chapman said that these are decisions that he thinks the Board of Commissioners should be making all at one time.

Dr. Stehr-Green said she thinks that placing some of the burden on current on-site system owners needs to be considered if the Board of Commissioners takes on the fee increase decision, not just new system owners.

Andy agreed to work with Rob to discuss fee reviews and revenue.

X. HEALTH DIRECTOR'S REPORT

A. Health & Human Services Program Overview: Communicable Disease Surveillance, Immunization, Sexually Transmitted Disease, Syringe Exchange and Travel Medicine.

This item was postponed until November to better benefit the new Board of Health members. Mr. Chapman also requested a tour of the Health Department offices in Port Angeles, and suggested looking at having a Board meeting in Forks in 2005 including a tour of the Forks Health Department facility.

Ms. Dille, Director of Health & Human Services, will work with Kathryn McDaniel, Health Services Manager, to coordinate the tours.

XI. OTHER

CDBG Grant discussion. Mrs. Scott requested a letter of support from the Board of Health. It brings us into the future in the Westend. The Hospital is in the process of purchasing 18 acres of land next to the Hospital to bring together the location of health care services.

Mr. Doherty moved to have the Chair of the Board of Health sign a letter of support for the Westend CDBG Grant. Dr. Stehr-Green seconded and the motion carried. Mrs. Scott will draft the letter and get it to Mr. Tharinger for signature.

XII. ACTIVITIES CALENDAR UPDATE

XIII. NEXT MEETING AGENDA ITEMS

Tour of Health & Human Services in Port Angeles

Fee Waiver Policy #500.4

XIV. PUBLIC COMMENT

None.

XV. ADJOURNMENT

Mr. Chapman adjourned the meeting of October 19, 2004 at 3:42 p.m.

APPROVED AND ACCEPTED THIS _____ DAY
OF _____, 2004.

CLALLAM COUNTY BOARD OF HEALTH

Excused Absence
Stephen P. Tharinger, Chair

ATTEST:

Michael C. Chapman, Vice Chair

Rene A. Leonard, Clerk of the Board

Howard V. Doherty, Jr.

Excused Absence
Jim Leskinovitch

Absent
John Beitzel

Camille Scott

Jeanette Stehr-Green, M.D.