



To Protect and Promote the Health and the Environment of the People of Kittitas County

KITTITAS COUNTY BOARD OF HEALTH

Special Meeting/Public Hearing Minutes

June 29, 2011 at 6:00 p.m.
Upper County Courthouse

Present: **Board Members:** Obie O'Brien, Alan Crankovich, Paul Jewell

Called to order at 6:00 p.m. by Paul Jewell

Paul Jewell introduced everyone. Also present Rich Elliott, Linda Navarre, Suzanne Becker, Mark Larson, and Amber Simon

Other Attendees: Jan Naragon (BOHAC)

Kittitas County Public Health Department (KCPHD):

This special combined meeting of the Board of Health (BOH) and the Board of County Board of County Commissioners (BOCC) is being held to hear public testimony and to consider adopting the Kittitas County Code Title XII Water and Sewer Amendment. Legal notice of the meeting was published.

Dr. Larson read the staff report and gave an overview of each of the different parts of Code Title 13. He also read a summary of the entire code. Then he thanked those from banks, DOE, water haulers, well drillers, etc., who had added input to help develop this code.

Obie O'Brien asked Dr. Larson about the formula for the amount of water required. Discussion occurred regarding the number of people that live in the house vs. the number of people that may actually be in the house at any given time.

Alan Crankovich referred several questions/suggested changes to Suzanne Becker:

13.25.030 - The amounts specified (1 million and 2 million) are not in dollar amounts. Ms. Becker agreed that the change should be made to clarify that these are monetary figures.

13.25.040 (1)(a) – Discussion occurred regarding what could be hauled in the truck.

13.25.040 (2) – Section regarding initial truck disinfection – Discussion occurred about what kind of documentation should be available in the trucks regarding the sanitation measures. Ms. Becker will make amendment adjustments to this section to clarify the issue.

APPROVED
8/16/2011

13.25.040 - Paul Jewell pointed out that there are two sections which seem to have different specifications regarding paperwork. He questioned whether every single delivery needs to be listed and carried in the truck. It was suggested that they should carry current records instead of historical cleaning and hauling records. Ms. Becker will look into this.

13.25.080 (1)(a)(i) and (1)(a)(ii) – Alan Crankovich asked that if a cistern is approved and something changes to provide another water source, does a decommissioning of the system happen. Suzanne Becker noted that it is not specified at this time.

Open to public testimony at 6:41 p.m.

Jim Miller-581 Strange Rd, Ellensburg, WA: (representing himself as a land owner in DOE moratorium red zone) – Mr. Miller had a concern about someone who chooses to supply water for themselves having to go through the same steps of what a commercial supplier has to go through. This would be financially prohibitive.

Mr. Miller's second concern was in regards to the sizing requirements. His impression is that the requirement seems to be regardless of how the structure is designed and its size and he feels it should be adjusted to consider size and design.

Mr. Miller had more statements to make, but his three minute time allotment expired.

Dave Whitwell-211 W Mt Hood Ct Ellensburg, WA:(representing Central Washington Homebuilders Association) – Mr. Whitwell appreciates the effort put into this coding and recognized the advancement to workability from the time that the DOE Well Moratorium was imposed. Mr. Whitwell has concerns about the self hauling option without a license and he feels that the licensing requirement section is an area of concern. He feels that a supplier will not want to go through the licensing process until there are customers available. At the same time, he feels, the customers will not start with their homebuilding until there is a licensed supplier available. So his concern is about the catalyst that will get this process started.

Dale Loveland- 806 E 6th Ave Ellensburg, WA(representing Cashmere Valley Bank) – Mr. Loveland stated that the bank feels that the cistern system will be beneficial to community; however, they are concerned over this draft of the code because of a couple of issues and the bank will not lend if these parts are not changed.

The first concern is regarding the restriction of usage (primary vs. rentals) and its affect on home values. If values are affected bank is restricted on ability to lend.

The second concern involves the reporting requirements by the owner of the property. Foreclosure situations would probably mean that records are not available. The code stipulates that if records are not available then the cistern system would be decommissioned. Such decommissioning would affect valuation of the collateral.

Rich Elliott pointed out that the BOH is looking for way to ensure public health safety while the bank has valuable economic concerns. His concern is that we can't take away reporting requirements

without making room for health issues. Discussion ensued regarding the lack of reporting available after foreclosure.

Pat Deneen: Cle Elum: (Water System Developer) - Mr. Denean has committed to be a licensed provider. He understands that the delivery of water to a cistern would be from a Class A system and would somehow like to incorporate the cistern into the Class A system that the water is coming from. Mr. Denean suggested that an easy fix to making sure that all of the reporting documents are available despite foreclosures or other changes of ownership is to have a declaration for each delivery. Those declarations would be on file with the water delivery provider's office and he believes this would assist in resolving the banks concerns.

In summary, Mr. Deneen recommends adopting the code as is and getting the program started with the idea that issues can be ironed out as the program goes forward.

Rich Elliott then asked Mr. Whitwell to return to the microphone. Mr. Whitwell was asked for his opinion on how the plan can be changed or modified without negating BOH concerns about health safety. Discussion occurred regarding emergency water deliveries that have recently occurred during the Yakima County flooding and what policies other counties have in place.

Closed to public testimony at 7:04 p.m

Paul Jewell addressed that licensing is required only for commercial haulers. Private individuals are not required to be licensed (as evidenced in 13.25.030(1) and 13.25.030(2)). He pointed out that there are other container and testing requirements.

Mr. Jewell also emphasized that this code is meant for private facilities and it is not meant to allow commercial facilities such as a daycare or a bed and breakfast to have a cistern system. The Board agrees that this restriction needs to be maintained as this code was written with the intention to make sure potable water is available in the DOE Moratorium red zone.

Mr. Jewell then addressed the concerns about tank sizing requirements. RCW 19.27 guides us in requiring a 2500 gallon minimum tank size. The KCPHD held discussions with DOH to be sure of the calculations used to obtain this guideline. Obie O'Brien addressed Mr. Miller's concerns about the sizing requirements and pointed out that the tanks would need to be refilled less often for smaller dwellings, but the ability is there to be able to draw the water as needed.

Paul Jewell asked Suzanne Becker if the SEPA process was completed. Ms. Becker indicated that it is her belief that it did in fact go through the SEPA process and other agencies were notified. Mr. Jewell indicated that no comments were received during the SEPA process.

Mr. Jewell then invited Ms. Becker to share the changes that she made to the draft based on the recommendations received from the Department of Health. Ms. Becker reviewed the following:

13.03.030 and 13.25.080 – the DOH recommends that the cistern source of water should originate from a community Group A water system. The current wording excluded the word “community.” Ms. Becker agrees.

13.03.080 - the DOH recommends replacing the word “connections” with “well units.” Ms. Becker agrees.

13.25.020 – the DOH recommends replacing “single family homes” with “dwelling units.” Ms. Becker agrees.

13.25.040(6) – the DOH recommends removing “to DOH” so that the records would only be available to KCPHD. Ms. Becker agrees.

13.25.040 – the DOH recommends changing “department” to “KCPHD.” Ms. Becker agrees.

13.25.080(1)(a)(ii) and **13.25.080(1)(b)(i)** the DOH recommends adding “and” at end of sentence. Ms. Becker agrees.

13.25.090(1)(f) – the DOH recommends adding “rainwater is surface water with the purposes of determining treatment standards”.

13.25.090(2)(a)- The DOH recommends adding “filtration” to the list of possible treatment’s available as well as “all water withdrawn from the cistern for use inside the building shall be suitably treated”.

Ms. Becker indicated that the DOH had additional comments that she considered to be items that the Health Officer would need to address:

13.25.040(3) – the DOH indicated that the limits on residual amounts of chlorine could be increased.

13.35.050(2)(b) – the DOH felt that a four hour draw down test may be a low number to produce adequate supply per day.

Discussion regarding these two issues occurred. Dr. Larson feels that the four hour draw down test is an acceptable minimum requirement and does not feel there needs to be a change. As for the chlorine content, Dr. Larson feels that there would be more latitude allowed with the water haulers and he does not recommend changing the limits that were set.

Approval of the Kittitas County Code Title XII Water and Sewer Amendment:

Alan Crankovich recommended continuing the hearing until July 5, 2011 at 2:00 p.m. in the BOCC Conference room at the Kittitas County Courthouse. This will allow time for staff to make the recommended changes and bring a final clean document to the proceedings.

Paul Jewell discussed all recommended changes

BOH Approval of the Kittitas County Code Title XII Water and Sewer Amendment:

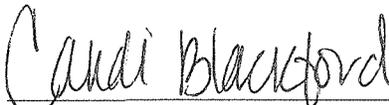
Motion 06-01: Motion to continue the public hearing to July 5, 2011 at 2:00pm in the Commissioners Auditorium and have staff present changes to the Kittitas County Code Title XIII Water and Sewer Amendment as discussed in meeting. Rich Elliot moved to continue the public hearing to July 5, 2011 at 2:00pm in the Commissioners Auditorium and have staff present changes to the Kittitas County Code Title XIII Water and Sewer Amendment as discussed in meeting. Obie O’Brien second. All approved. Motion 06-01 move to continue the public hearing to July 5, 2011 at 2:00pm in the Commissioners Auditorium and have staff

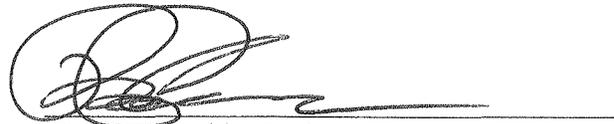
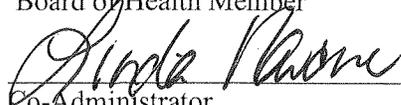
present changes to the Kittitas County Code Title XIII Water and Sewer Amendment as discussed in meeting.

BOCC Approval of the Kittitas County Code Title XII Water and Sewer Amendment:

Motion 06-02: Motion to continue the public hearing to July 5, 2011 at 2:00pm in the Commissioners Auditorium and have staff present changes to the Kittitas County Code Title XIII Water and Sewer Amendment as discussed in meeting. Alan Crankovich moved to continue the public hearing to July 5, 2011 at 2:00pm in the Commissioners Auditorium and have staff present changes to the Kittitas County Code Title XIII Water and Sewer Amendment as discussed in meeting. Obie O'Brien second. All approved. Motion 06-02 moved to continue the public hearing to July 5, 2011 at 2:00pm in the Commissioners Auditorium and have staff present changes to the Kittitas County Code Title XIII Water and Sewer Amendment as discussed in meeting.

Meeting adjourned at 7:31pm


Clerk of the Board of Health


Board of Health Member

Co-Administrator
Kittitas County Public Health Department