



COUNTY COMMISSIONERS

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**PUBLIC HEALTH AND
SOCIAL SERVICES DEPARTMENT**

Sherri McDonald, RN, MPA

Director

Diana T. Yu, MD, MSPH

Health Officer

Risk-Based O&M Program Project: Advisory Committee

Meeting Notes from April 14, 2004

7:00 – 9:00 pm

Members Present: Chair – Tris Carlson Nisqually SPD

Peter Heide, Henderson SPD

David Hall, Thurston Conservation District Supervisor

Terry Hull, Puget Sound Water Quality Action Team

Mike Petit, WRIA 13 Planning Unit

Randy Jackson, Certified Septic System Designer

Bill Dewey, Shellfish Industry

Priscilla Terry, Henderson Watershed citizen

Tom Terry - Henderson Watershed citizen

Fred Michelson – Nisqually SPD

Linda Malatesta – Nisqually SPD

Mark Blosser – City of Olympia and Henderson SPD

Bryan Wilson – Nisqually SPD

Seldon Hall - WDOH

Staff: Linda Hofstad, Environmental Health
Steve Petersen, Environmental Health
Mark Swartout, Development Services

Guests present: Mark Fischer, Community Shellfish Farm Project

1. No comments on the March 23rd Meeting Notes
2. Discussed the legal answers to some questions:
 - A. Can we charge sewer hook ups the base fee for the septic program? No, not if the authority of the fee is the Article IV of the Sanitary Code.
 - B. Can we file a notice of violation on a property title at the Auditor's office? The PAO

suggested not doing this unless it is based on a court finding. There is a risk of liability if the violation was corrected and the county didn't remove the notice on the title in a timely manner. There is also an \$8 fee for both transactions.

- C. Can we do selective enforcement? Consistent codes for the entire county. Potential liability if areas are treated differently. However, the Henderson Watershed Protection Area could require operational certificates for all systems – which is not required throughout the rest of the County. Because of the reasons it needs protection, not having a current certificate within the Protection Area would be a violation of the sanitary code. So because of the program, enforcement could be different.
 - D. Can we ramp up faster enforcement based on risk? In practice, the division does use different means of enforcement based on situation.
 - E. Could the question of how to collect the fee be put to the public? Putting this question on the ballot is very expensive.
3. Discussed Service Providers - the group agreed:
- A. Inspection of low-risk systems would be done by private, certified providers. Perhaps at some point a program could be offered whereby homeowners could qualify.
 - B. Begin program with random inspections of 10% of the low-risk systems. This percentage can either increase or decrease based on the results of the inspections.
 - C. Fees need to accurately reflect the actual costs of the program and be adjusted regularly by being adaptive to the data.
 - D. Those systems that have automated remote monitors could use the printed reports to support their renewal certificates.
 - E. Property owners wishing not to have the county do the dye testing of their systems would be given a list of preferred contractors that are willing to perform the service. The contractors would be paid by the county for a mutually agreed to flat fee that accurately reflects the actual cost.
4. Enforcement – the group agreed:
- A. Inspections can only be performed by either professionals or certified homeowners for their regular certificate renewal cycle. Homeowners could get certified at septic workshops.
 - B. The group wanted the 3rd paragraph starting with “A reinstatement fee...” to be rewritten for clarity.
5. Funding formulas and billing mechanisms – the group agreed:
- A. The fees listed on the last page are backwards.
 - B. Include in the report that these rates need to be changed to accurately reflect today's cost.
 - C. Need to clarify Community Systems fees – perhaps a flat fee may not reflect the variable costs associated with them.
6. Miscellaneous discussion items.
- A. Add a field in parcel information found on the County's GeoData website to include the

property is located in a shellfish protection district and an area of special concern.

- B. The O&M Program needs to be accountable to the public.
- C. The program needs to include a sunset clause in 10 years.
- D. The program needs to be evaluated in 5 years.
- E. An annual performance report should be provided.
- F. Develop an adaptive management approach, as recommended by the stakeholder group, as a way to measure performance.
- G. An annual performance report / newsletter sent to the residents in the Henderson Watershed Protection Area would be desirable.
- H. When the county holds their workshops in the community, please invite the Board members to attend.

Next meeting scheduled for May 12, 2004 from 7:00 PM to 9:00 PM.