

**Okanogan Board of Health**  
**Tuesday, November 12th, 2021, 1:30 PM**

*These notes were taken by a County Watch volunteer. Every attempt is made to be accurate. Notes are verbatim when possible, and otherwise summarized. Note taker comments or clarifications are in italics. These notes are published at <https://countywatch.org> and are not the official county record of the meeting. For officially approved minutes, which are normally published at a later time, see the Okanogan County Commissioners' website at <https://www.okanogancounty.org>.*

**Present:**

Lori Jones, BOH Director  
Dr. James Wallace (JW), Health Officer  
Patricia Stanton (PS), board member  
Marianne Williams (MW), board member  
Dave Hilton (DH), BOH, Environmental Health  
Chris Branch (CB), Commissioner, board member  
Jim Detro (JD), Commissioner, Board Chairman  
Chuck Zimmerman, Health District Attorney

*Time stamps refer to a Zoom recording on the County Watch website.*

**Summary of Important Discussions:** *Complaint against public employee to be taken up in second executive session; Environmental Health Officer announces fee increases, need for more staff; discussion of public comment and agenda; Environmental Health shopping for new 4WD pick-up; State insurance plan adopted for County employees; attorney Chuck Zimmerman outlines stipulations for soon-to-be-finalized Regional Health District, says new board could closely resemble this one but WAC process must be followed; Covid cases half as high as early September but tenfold what they were in June, Health Officer Wallace willing to clear up any confusion on "protective" vaccination process he says has proven itself; LJ explains differences between state and county websites' death numbers; Cistern resolution not for anytime soon; Commissioner Detro's mother-in-law may not have to get septic permit after all but to avoid conflict of interest someone else should advocate for her in the continued discussion of the subdivision.*

00 :40 – JD : I have *(an agenda item)*. A follow-up on the scenario of « another one bites the dust ». MW : What ? JD : A recording that was not hung up on and *(a health officer ?)* signs a little ditty « another one bites the dust. » CB : It seems this was previously in an executive session. JD : I have some more information if you guys want. CB : If the same rules apply *(as with BOCC)*, the employee has the option to discuss it in an executive session or in public. *Attorney CZ confirms that an employee charged with alleged misconduct has this choice, and suggests that the matter be pursued in another executive session unless the employee wants it to be public.*

8 :05 – Fee schedule increase – DH : We've roughly applied a 5% increase across the board. Environmental Health was a tough call. It wasn't the level of expense. It's a difficult budget time. *Talk of external funds covering costs.* AH : In the past was it covering costs ? DH : Yes. *AH and CB ask about sufficiency of staff numbers and adequacy of service. DH says he could use another person, in fact LJ asked that a.m. for a job description, she says they could also use a nitrogen machine. Increase is approved by board.*

16 :42 – Public Comment rules – CB : There’s a requirement that says that public comment must be received before (*BOH meeting ? inaudible*). JD : That has been advertised before. I received an email from Isabelle Spohn saying that wasn’t on the agenda last time but it was on our agenda when we asked for public comment. I want to be on the same page... CB : It sounds like a prerequisite to comment. DH : But what if we change the agenda ? *JD says people must get what’s on the agenda. Board members agree to put comment period after introductions so that they may address any modifications to agenda, and to specify that it’s «written public comment » and not « public comment » that must be received beforehand.*

30:49 – Vehicle purchase - DH : We’re looking to replace a jeep at the end of its life with a Colorado-type pick up, something small and 4WD, bought locally if possible. The last price we got was \$34,000 but the supply is almost non-existent... CZ : you might make (*the purchase*) conditional on approval by the board chairperson, with a limit of \$50,000. *Amendment approved.*

37:27 – State insurance plan for public employees – *AH moves to accept plan. CB remarks that Omak Pharmacy, which many people use, has been remove from this plan, and wonders makes those decisions.*

New District Health Board – *LJ has reached out to CZ to explain how the re-organization will affect the board’s configuration. CZ : With Senate Bill 52 the difficult hoop to get through will be that the BOH becomes half elected and half non-elected, including one appointed member of the Tribe (selected by the American Indian Health Commission)... It’s written as if the BOH selected, but the bill states the Commissioners have the final decision. The board could do interviews and ultimately non-elected members would be approved in a vote by the Commissioners... Candidatures should be finalized in January or February. If you want to keep people on the board they should recuse themselves from the selection process. An 8-person board looks good to me. There are still some unknowns but the main known is that the three county commissioners will continue to be on the board... and for every elected official you should have a non-elected official...*

51 :18 - LJ : The board currently has four elected officials (*including one from the city of Okanogan*). Two of its three non-elected members are from the private sector and represent environmental health, and one is from the medical profession. *CZ says the WAC (Washington Administrative Code) stipulates diversity in the members, that no two represent the same category unless all others are filled. One non-filled category is the business community or a non-profit. Another is a consumer of public health who has lived health iniquities and been on a public program. LJ suggests that ideally the tribal appointee would fulfill this category. CZ : At the end of the process you could look very much like you look right now... But the process has to be followed. That’s my advice. AH : Could you amend our by-laws right now so we don’t have to wait until June to appoint a new member ? CZ : I think you should wait to fill the vacant post and see what the WAC actually is, and develop a process for the selection for the original board, and at some point we should have the charter amended... CB : Trying to show a position that has both qualifications seems difficult and I would prefer just a slightly larger board... As far as the tribal member is concerned, I’d prefer they come from the medical profession. I have several in mind. CZ reminds the board that for each non-elected member there should be an elected member, and that comments on rule-making are open through November 19th.*

1 :5 :53 - Medical Officer’s report – JW : We’re still in the middle of the Delta surge : 624 cases per 100,000 population, down from 13,000 at the beginning of September, but high compared with 60 cases in June. A month ago our hospitals were full of severely ill patients due to our inability to transfer patients out. Now hospitalizations are down, but we’ve been able to transfer people out. Central Washington’s ICU is full with 35-45 Covid patients a day and because of the overload people are having to go farther away to Yakima and Spokane. Schools are doing a fantastic job bringing

students back in full time. There have been a few outbreaks of more than 3 cases in a 14-day period in a classroom but schools are working with Public Health to identify positive cases and direct quarantines. There's more and more testing, and meetings and updates for K-12 requirements... Have been able to ease up on quarantine measures and there's lower absenteeism, thanks to the good work of hospitals, clinics, EMS and long term care, the sharing of resources and expanding access to tests. While we're not the most vaccinated county in WA, 55.6% are fully vaccinated, and it's related to the number of cases we see. If you look at posted comparisons, it's clear that the vaccination process is protective. *He mentions vaccinating the newly eligible age group and invites those confused about treatment or regulations to come to him with their questions.*

1 :16 :16 – *A listener draws attention to the discrepancy between the state's and county's death rate figures*: The DOH website posts 87 Okanogan deaths, on average one per day for the last month, and not (*the same as*) the County site. LJ : We don't call it a Covid death until we see a death certificate. Many die out of the county, and there are still several that are pending. *Listener* : There are 21 not counted. LJ : There are numerous people who have been sent out of the county, or they live in Walla Walla but still list Okanogan as their address so there are several deaths we're unaware of, also deaths where we're waiting to see if they're a Covid death. We resolve that in the state data base system once we verify those... *Listener* : But no other county has that discrepancy. LJ : Some depend on the State DOH and we investigate the cause.

1 :21 :10 – Cistern resolution – DH : In an e-mail to you I noted my concerns, primarily the source. Where are we going to get the water to build these to start with? Business can be pretty graded and you can probably find a way to get water during inclement weather but we sure can't figure out how to get water where we can't get it from. So is there any more input ? CB : When you say you can't get it, are you saying that there would be a legal transactions, water that would be serving another site somewhere else? DH : I'm a realist. If somebody's buying water from some connection but can go get it down the road in a middle of the night pick-up, we're not going to be patrolling. But if you are going to approve a policy where you can get water adequacy established and approved for the use of a cistern-type system to serve a residential structure, a lot of big things have to happen. One is the source—it has to be approved and it has to be for life. AH : The court did make a ruling last Friday that would not necessitate necessarily the need for cisterns. My thought is we table this for awhile until we know what's going to happen. Whether appeal—whatever happens...

1 :24 :30 - Sue Christopher short plat update – *JR says he will recuse himself from any vote, the land owner being his mother-in-law, but he will participate in the discussion.* CZ : If you are recusing yourself from voting, you must recuse yourself from discussing the matter because, under the Appearance of Fairness doctrine, you might persuade others, (*even*) with body language, and could influence the outcome... JD : There's nobody else here to represent family because we didn't feel it was necessary because this is the way we did it last time. So if you want me to, I can engage in this, and if you want me to vote on it, I'll vote on it. CZ : It sounds as if we're beyond the appearance of fairness issue and you're advocating for the applicant... You obviously can't participate in the vote. JR : Okay. I would like one more comment. His comments are going to be adversarial and in retaliation and prejudicial, so I'll leave it with that and we'll just have to see you in court. CZ : I did not know anything about this until just now. Can we continue this at a time when there's someone else who could represent the family rather than a board member ? JR : Well he's drug this out for a month now and he's been adversarial with the proponent and we've got this hole exposed with bad weather coming.

1 :27 :40 – *AH has questions for the attorney. JR offers to leave, AH says he can just refrain from discussion. AH asks if they have to dig up a septic system that was built before a permit was required. DH reads him the regulation requiring that the applicant for a subdivision provide*

*certification by a valid certificate that the on-site sewage disposal system meet current standards. AH asks if a house built prior to the 1974 permit requirement would need a new septic tank.*

1 :31 :30 – CZ *(after hearing that system still functions properly)* : Why are we having this discussion, if there's no failure ? The drain field on the lot would, in my mind, be lawful and non-conforming. Do we have adequate land on-site for the new system, and a back up place ? That's what we need to be considering. DH : Our regulation for 14 years has in it when a subdivision is applied for you must certify the existing system with a valid permit, and if no records are available, that it shall meet current on-site requirements. *AH requests an attorney review outside of the board meeting, saying other questions need to be addressed in terms of appeals. CB asks that a definition of the process be a part of the review, to make things easier for the applicant and the staff. CZ agrees to meet with both of them. A Zoom meeting to discuss the short plat is scheduled for Tuesday November 16th. CZ recommends that JD not participate since he and his wife are hiring the surveyor for that property.*

1 :50 :36 – Meeting adjourned.