

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50
51
52
53

WHATCOM COUNTY COUNCIL
Health Committee

February 16, 2010

CALL TO ORDER

Committee Member Barbara Brenner called the meeting to order at 9:00 a.m. at the Whatcom County Civic Center Annex, Second Floor Meeting Room, 322 N. Commercial, Bellingham, Washington.

ROLL CALL

Present: Kathy Kershner, Barbara Brenner and L. Ward Nelson.
Absent: None.
Also Present: Sam Crawford, Ken Mann, Bill Knutzen and Carl Weimer

OTHER BUSINESS

1. ELECTION OF COMMITTEE CHAIR (AB2010-021)

Brenner nominated Councilmember Nelson.

The motion carried by the following vote:

Ayes: Nelson, Brenner, Kershner (3)
Nays: None (0)

COMMITTEE DISCUSSION AND RECOMMENDATION TO COUNCIL

1. ORDINANCE AMENDING WHATCOM COUNTY CODE 24.05, ON-SITE SEWAGE SYSTEM (OSS) REGULATIONS, TO ALLOW FOR SELF EVALUATION OF OSS BY HOMEOWNERS (AB2009-135A) (COUNCIL ACTING AS THE WHATCOM COUNTY HEALTH BOARD)

Brenner asked about the definition of "agent." There should be a definition, "A person delegated by the homeowner to do his or her inspection, who has taken the class for that type of system and who is not being reimbursed."

The following people answered questions:

- Regina Delahunt, Health Department Director
- John Wolpers, Health Department, stated there is.

Discussion included whether there is a fee system set up for inspector exams; fees for taking the class; all the fees a homeowner has to pay related to the process; actual costs not met by the filing fee; the definition of "repeatedly" in 24.05.160(C); the incentive for a homeowner to be honest; targeting certain sensitive areas; the reason for the language in section 24.05.160(A)(1)(i); repairing a system to functionality versus replacing the entire system; not requiring a permit for replacement, addition, or modification of certain broken or malfunctioning components; clarifying the language in sections 24.05.160(A)(12) and (13); when a report of system status (ROSS) is due during the

1 property transfer process; funding for financing a program to replace a failed system;
2 training Public Works Department staff to identify failed systems; the Auditor responsibilities
3 for recording documents; the inspection process for Glendon systems; whether the Health
4 Department and installers promote Glendon systems; why they would allow a friend or
5 relative to inspect on behalf of a homeowner;
6

7 **Kershner moved** to amend the language in 24.05.160 (C), "...If OSS owners are
8 discovered to be repeatedly noncompliant with this section, the health officer may
9 proceed..." It's unnecessary and subjective. Make sure program participants will
10 participate with good intentions.

11
12 The motion carried by the following vote:

13 **Ayes:** Nelson, Brenner, Kershner (3)

14 **Nays:** None (0)

15
16 **Brenner moved** to amend to:

- 17 • add language to 24.05.160(C), "...until property transfer. In cases of
18 hardship, the health officer may approve the homeowner's selection of a
19 designee who has completed the appropriate class to perform the evaluation.
20 If OSS owners..." and
- 21 • delete "or their agent" in 24.05.160(B) and
- 22 • delete "or their agents" in both instances in 24.105.160(C).

23
24 The motion carried by the following vote:

25 **Ayes:** Nelson, Brenner, Kershner (3)

26 **Nays:** None (0)

27
28 **Brenner moved** to recommend approval as amended to the full Board of Health

29
30 The motion carried by the following vote:

31 **Ayes:** Nelson, Brenner, Kershner (3)

32 **Nays:** None (0)

33
34 Crawford stated they should reverse subsections (12) and (13) because they are out
35 of order.

36
37 **Brenner** stated she is fine with that. She **moved** to amend to switch
38 24.05.160(A)(12) and 24.05.160(A)(13).

39
40 The motion to amend carried by the following vote:

41 **Ayes:** Nelson, Brenner, Kershner (3)

42 **Nays:** None (0)

43
44 Wolper stated he will provide information on costs to homeowners associated with
45 the ROSS, as requested.

46
47
48 **OTHER BUSINESS**

49 There was no other business.

1 **ADJOURN**

2

3 The meeting adjourned at 10:30 a.m.

4

5

6

7 Bill Niven, Minutes Transcription

Please contact the Council Office to obtain an
official, signed copy:
360-676-6690 or council@co.whatcom.wa.us

16 Dana Brown-Davis, Council Clerk

L. Ward Nelson, Committee Chair