

## Mason County Onsite Sewage Advisory Committee

### Meeting Minutes for 9/13/22

- 1) Call to order: 5:04pm at Public Works
- 2) Roll call and determination of Quorum (6 required)  
Present: Wes Graves, Paula Johnson, James Medcalf, Rhonda Thompson, Constance Ibsen, Keith Fuller, Thad Bamford, Jim Henry
- 3) Guest Introductions: Cindy Waite, Ian Tracy
- 4) Review & Approval of 6/29/22 minutes: Approved
- 5) Public Comment: None
- 6) County updates: Ian said there are some clerical staffing changes up front. Sunni is now doing food inspection and Shelly is moving upstairs as a permit tech. We have hired two new staff up front but there will be a lot of knowledge lost and we will do our best to make sure there is no major disruption to service.

Paula said she has been coming across some scanning issues. In some cases, the pages scanned aren't properly sized, so the document is only taking up a small portion of the scanned area. She also said they have not been receiving their approved copy lately. She has installers that are ready to put the systems in but no one has a copy of the design. Emails are not returned.

Ian said thank you for bringing these issues to my attention. He said his job is to fix problems so feel free to reach out to him if your issues aren't being resolved.

Cindy asked that copies of the application page should be sent out with approved permits. Other designers agreed they would like a copy of the application page with their copy of approved design. Rhonda says since she started, there has only been the one application page that is kept for county records. Cindy said perhaps the reason why it is like that now is because in the past installers were taking it upon themselves to change the excavation depth if they could read what the county soil logs were. Ian said he will look into this.

Rhonda said permitting is stable and we are caught up with both building and septic permits. We are also planning on another deficiency letter mailout for next month- probably around 700 letters again.

- 7) Old Business:

#### 7.1 EH- Building Permit Review flowchart

Ian gave an overview of what had happened since the last meeting. Since Cindy gave us an idea of when the building permit flow chart may have been updated (2001), we were able to get the BOH

minutes and attachments from around that time frame from the state archives. We found the 12/7/2000 minutes where a few things were changed and we updated a flow chart to reflect those minor changes that took place in 2000 which is the version we are currently using. We also created a version that updated some language and code references which is the copy you have in front of you. Ian opened it up for comments and questions.

Cindy asked for clarification on TLB, can you continue to use old gravity drainfield? Rhonda said yes, that was the intention.

Jim asked for clarification on the Full Compliance with Current Code section that says "System installed with an approved permit will be considered in compliance with current code if the date of final approval is within the past five years". Ian clarified the full compliance with current code is for expansion only. Perhaps it is confusing that all of the boxes in the flow chart are directed towards the definitions box. We talked about moving the definitions page to a new page.

Rhonda said to be in full compliance with current code you either need to have a system that meets all current state and local code, or if your system got final approval within the last 5 years it will be considered in full compliance. This sentence was from the old flow chart and Rhonda kept it because if the WAC changes in say 2023, and someone's newly installed 2022 system becomes out of compliance due to new code a year later, this sentence will allow their system to be in full compliance with current code for five years until 2027. That sentence is intended to give the homeowners some grace period for recent code updates.

Constance asked how this chart applies to short term rentals. She asked if the structural or use changes involved in the short term rental would be reviewed using this flow chart. Keith said he was not sure the county has the authority to regulate on AirBnBs. For example, at Lake Cushman their HOA is limiting number of occupants for rentals based on the approved septic permit.

Ian talked about a property on Northshore where the property owner rented the house out to a family and the family then brought in many more people which resulted in a septic system failure and breakout to the surface. Ian said this situation would be no different than a short term rental situation with regard to the county's ability to regulate how a property owner uses their septic system. It is up to the property owner to maintain their system. Jim Henry agreed.

Constance said AirBnb permitting should require limits on number of guests. Paula suggested for the AirBnB permits, the county could require a Certificate of residential use to be recorded to title.

Ian said he has come across short term rental situations where the tanks are overflowing, drainfield still works, but effluent surfacing out of the tank and going on the beach. The tanks get pumped out and marked as satisfactory because they get the system up and running again. Ian said these are the problems we face with AirBnBs.

Constance asked if we would be able to comment on the short term rental ordinance. Ian said it is possible that Kell and planning commission will include Environmental Health in the planning process, but they may just put it out for formal public comment in which we could then add

feedback. Constance didn't think that would be enough of an opportunity to make sure public health concerns were addressed in the permitting. Constance clarified that we would require annual O&M for the short term rentals and Ian said that would be a great idea. Ian said ultimately homeowners will have to face the costs of any failures or repairs and comply with Kell's ordinance.

Keith says some AirBnb owners are aware of the risk to the septic system, and some are not. He said they end up making the same amount of money if they rent it out to 6 people vs 12 people. He said renters are turning off alarms and not notifying the property owners.

Constance said she knows of a property where the new property owner is now renting out an RV and teepee on their property and those people are exceeding the capacity of the septic system. Keith mentioned he has seen outdoor showers advertised on AirBnB listings.

It was asked if we had any educational resources about septic system usage to be handed out to AirBnB owners and Rhonda said we did. She however said she wasn't sure how well they were being utilized.

Ian said talk to your commissioners about the short term rental ordinance. If there are shellfish closures and a negative impact on jobs as a result of a poorly managed short term rental septic systems, then the commissioners will want to know about it. Keith said Airbnbs are good for the economy especially in our area, but they can have negative impact on environment. He doesn't want the county to be anti-short term rental, but aware of the impacts it can have on the shoreline water quality and environment. Jim said he doesn't think anyone is going to apply for the short term rental permit.

Going back to the agenda, Paula asked that say you are looking at a property that has sketchy septic records, but the assessor lists it for higher number of bedrooms, what is the county's position on repair designs. Jim said the assessor sometimes just takes a property owners word for listing how many bedrooms the house has. Ian said we use a variety of different sources to determine number of bedrooms such as sales transaction records, old building permits, septic records. We will have to take these case by case.

Ian brought up a recent situation in which we got a repair septic design by Micah. The assessor listed the house for a 3bd, but the original septic records showed a 1 bedroom. Over the years there were some additions, and the house became a 3 bedroom. The owners only wanted to put in a 2 bedroom septic system. We required the Certificate of Residential Use: Limitation on Number of Bedrooms and we had the Assessor's office update the number of bedrooms listed online. So we allowed the two bedroom system with these conditions.

It was brought up that at some time in the past, Lake Cushman HOA wouldn't allow people to put any structures on parcels that didn't have living space in them. So it was required that they have a least one bedroom, which then required a septic system. Although the septic design stated one bedroom, the systems were often installed as a 2bd systems.

Paula and Jim agreed that it is very common to see more bedrooms listed on Assessors webpage than what the septic system is designed for.

Jim asked about Mason County Property Transfer Inspections. Rhonda said that county staff does not do property sale inspections, that it is just required that they have an O&M inspection within the last year. Ian added that there may be some WAC updates around this. Rhonda said it likely won't have any impact on what we are doing here in Mason since we require the O&M already within the last year. Jim talked about how the property sale transactions work in Thurston County. He said the EH staff review each property sale by looking at records, number of bedrooms the house is assessed for and the inspection report. The staff will mark the system as non-conforming if there are no septic records, or if there is a number of bedrooms conflict, or a deficiency on septic system. He says new property owners are sometimes surprised to find out their system is in non-conforming status when they go to apply for a garage building permit.

Keith said that the majority of failures seem to be during property sales. He says more failures are being detected now that we are requiring O&M for each property sale.

Ian asked if everyone else wanted the "drainfield, deep trench, seepage pit" to be added back on to the flow chart. Jim and Wes said they wanted it added back on. Ian again gave background to the whole situation. He said Dave didn't want the seepage pit to be allowed to be used for the approval of new shoreline building permits.

Cindy asked if we are still requiring final before occupancy. Rhonda said yes but there have been some instances recently where we have discovered that people were given final occupancy without the septic system permit being closed out. This is likely due to a lot of staff turnover and the new Smartgov permitting system in 2019-2020.

Paula asked if there were going to be extra conditions added to building permits in these cases. Ian says there should be no secrets and said sometimes things the health department would like to see can't necessarily be enforced. If the seepage pit is really close to the shoreline, we will want to work with homeowners to try and protect the shoreline water quality as well as support their development.

Paula said she is also walking the same fine line with the homeowner's projects and protecting the beaches. She wants to do what is most cost effective with her customers money and also protect public health, or protect people from themselves, essentially.

Paula asked about testing or dye testing that could be added as a condition. Ian gave some background on dye testing and that there are many limitations. There must be a discreet flow of water in the vicinity of the septic system to be able to sample after adding the dye. That is not always the case. You cannot dye test a shoreline property and put the charcoal packet in the surf. So you cannot dye test in all situations.

Rhonda said she removed the O&M recording requirement from the flow chart because it is not something that we have actually been requiring for some time. Cindy said it is good to require for

the purpose of property sales so new owners are aware of the maintenance requirements for the septic system.

Ian again asked the group if we would like to add back in the drainfield, dry well, deep trench. Several people agreed that they would like that added back in. Rhonda asked for clarification on how exactly it would be worded. Paula said she would like the sentence “must consist of a non-failing drainfield, deep trench, or dry well” added after what is already there. Paula said we could remove the septic tank part as they will likely be replacing the tank anyways. Cindy said maybe not, if the existing septic tank would be used as a trash tank. Rhonda said adding that sentence after the sentence requiring Treatment Level B is confusing and that the first sentence almost contradicts the second sentence.

Rhonda said the intention behind changing the language to “must have asbuilt, satisfactory O&M inspection within the last year, and a septic system that meets Treatment Level B” was that it was concise and broad and would not exclude the use of seepage pits, dry wells, etc. as long as there was Treatment Level B in front of it. Paula has concerns that it could be misinterpreted in the future if it didn’t explicitly say that deep trenches and dry wells were allowed.

It was agreed that we needed to think more about the language and how exactly it is to be written.

8) New Business: none

Close of meeting: 6:59 PM

Next meeting: December 13, 2022 in person Public Works

Taken and submitted for review by Rhonda Thompson