

## Open Work Session

### Update from the Wicomico County Health Department – Division of Environmental Health September 21, 2021

Ms. Lori Brewster, Health Officer, and Mr. Dan Williams, Acting Director of Environmental Health, came before Council. Ms. Brewster passed out a handout and said these are some graphs on performance for the Wicomico County Environmental Health Division. She said she will not go over each and every graph, but she wants to give Council an overall summary of the increase in applications they are seeing across the County. She said they have seen an increase of 48 percent in building permits and a decrease in land evaluations, which she is sure Mr. Williams is grateful for right now because they are very, very time-consuming. She said new construction permits are up 91 percent, so there are things occurring in the County. She said replacement systems are up 22 percent, which is of concern because that means they have failing septic issues, and then there is a 36 percent decline in tank-only permits in the County from 2019 to 2020. She said the last couple of pages of her handout provide Council with the average number of days to completion from January to June because Council was concerned about completion times, and then they also have completion times for July and August of this year. She said Council will see that the completion times are generally declining, which is a good thing. She clarified, when they see an increase, sometimes that can be related to weather because they do not want to be out there trying to perk a piece of property in the rain, or it could just be issues with the type of system having to go through approval with the Maryland Department of Environment.

Mr. Williams said they had 64 applications completed in 2019, 68 in 2020, and in 2021 they have had 104, so the numbers are going up, and they are getting them completed better.

Mr\$. Acle asked them to talk about the stages of the approval process because she did not realize who needs to sign off on even a simple thing such as screening in a porch, to which Mr. Williams responded, they are one of several agencies that sign off. He said, with porches, handicapped ramps, etc. they need to see that there is no intrusion or interference with the recovery area for a septic system. He said, if someone builds a porch where they were going to put a future septic system, that becomes a problem, particularly on older properties as he mentioned the last time he was here. He said it is hard to get repairs on smaller lots, so if he has a 20,000 square-foot lot and then puts a 1,000 foot addition, he has taken 1,000 feet away from where a drain field might go for a new tank. He clarified, again, they are one of several agencies who look at it to see if it interferes with the sewage recovery area, and then it goes to the other agencies – the building department, Planning and Zoning, etc.

Mrs. Acle asked, if someone brings plans to Planning and Zoning to build a ramp, does Planning and Zoning then distribute it to the agencies, to which Mr. Williams responded, they do their comments and then distribute it, but the Health Department also comments and sends their comments back to Planning and Zoning. He said handicapped ramps are normally a fairly easy process unless it is with some of the older homes. He said they just had one the other day where they were building a ramp and did not take into consideration that the existing septic tank had been put five feet from the foundation of the house, which puts it right underneath the ramp, but they were able to create a floating ramp so that, if they ever needed access to the septic tank, they could move it, so they did a workaround.

Mr. Cannon said, on the page that has August 2021, he is guessing replacements or tank-only would be about two months, to which Mr. Williams responded, it depends, but it can be up to two months. He

said what they have to take into consideration is that, even though it says tank-only, they still evaluate the drain field to make sure there are no problems with it. Mr. Cannon asked if replacements are also about two months, to which Mr. Williams responded, yes. Mr. Cannon asked if that is the norm for what they would say is the average throughout Maryland, to which Mr. Williams responded, he would say they are probably about two to three weeks longer right now. Mr. Cannon said he appreciates Mr. Williams being forthright about that.

Mr. Cannon asked how they are coming along as far as employment is concerned because he knows they were talking about bringing new people in, and they had talked about some prospects, so he is curious as to how successful that has been, to which Mr. Williams responded, honestly, they had a candidate who was extremely interested. He said they were excited and they had a place set up for this candidate, but the candidate had to turn them down because he cannot afford to live here on the salary. Mr. Cannon asked if that problem should be addressed at the local level or the State level, which he assumes it is at the State level, to which Ms. Brewster responded, it is. She said the Health Officers just submitted their report on the Joint Chairman's Report. She said the State had to provide information as to what classifications need a bump up in salary, and environmental specialist was one of those. She said they also asked the State to look at hiring bonuses as well as some type of retention. She clarified, this was just a report that was required through the Joint Chairman's Report, but it identified that the Health Officers and Environmental Health Directors have asked for an annual salary review in which they look at salaries across the State as well as comparable positions in the community and possibly will increase the salary. She said this is also on the agenda for the Maryland Department of Health Secretary and Maryland Department of Environment Secretary meeting in November to discuss salary issues.

Mr. Cannon asked if their funding comes from the Maryland Department of Health or from the Maryland Department of Environment, to which Ms. Brewster responded, the positions are in the State system, but the County budget funds those positions as part of the core match, so the County budget is funding them. She clarified, just because the County is funding them does not mean she can increase the salary to those positions because that is dictated by the State. Mr. Cannon asked if it would help for the Acting County Executive together with the Council to maybe send a letter since they are paying the bill. He said it may benefit everyone to send a letter to appeal to whomever controls all of that, to which Ms. Brewster responded, yes, that would be very beneficial. She said she thinks it would be beneficial if it came from the Acting County Executive and the County Council, and she would suggest it go to the Secretary of Health because that is the division they fall under. She said their positions fall under the Secretary of Health even though they are delegated responsibility from the Maryland Department of the Environment. Mr. Cannon suggested they go that route. He said they are coming up on a budget season, but six months away may be too late, so he does not know if there are any immediate procedures they could take to help them. He suggested they work with Mr. Psota on this because it is a high priority for this Council and the County as a whole, and it has been for years. He said Council would love to see what their proposals might be, even if transferring funding from reserves.

Mr. Dodd said he saw Mrs. Hurley writing something. He then asked if she is taking notes on this, to which Mrs. Hurley responded, yes, and she will draft a letter. Mr. Cannon said they have to recognize the fact that the funding would be okay with the Executive Branch as well, and put it in for next year.

Ms. Brewster said she has not discuss this with the Acting County Executive, but in other jurisdictions the Counties realize there is a pay inequity with the private sector and they provide supplemental

funding for the positions in Environmental Health, which could be a possibility of a faster fix if they could possibly look into that. She said she will further discuss that with Mr. Psota.

Mr. Dodd asked what kind of salary the candidate was asking for because obviously he was interested or he would not have met with Mr. Williams, to which Mr. Williams responded, the salary they offer starts at \$38,000, which is for a college graduate with a degree in science. Mr. Dodd said that is embarrassing. Mr. Williams said there is a one-year training period that is required at the employee's own expense to obtain their license, and there is a \$200 licensing fee.

Mr. Hastings said, with the graphs Ms. Brewster put together with the types of applications, obviously replacement is what stands out the most. He said they have two concurrent goals, not only to address as many failing septic systems as possible, but also lowering the amount of nitrogen phosphorous in their soils because they have to meet their obligations for the Local Watershed Implemental Plan. He said most people think the citizens in his District are in the middle of Salisbury, but actually they are in the County, and he has heard them say they want to be in the City and they just do not know how to go about the process, so they really need an effort to bring together those two groups because many of them are having the same situation. He clarified, they go to sell their house and find out it is going to cost \$30,000 to fix, and it would be easier if they had a cost share and went in with the City of Salisbury, which is what they have been wanting to do. He said they somehow need to have a program or some sort of concerted effort to reach out to the individuals who are currently within the municipal area but are specifically County properties and ask if they want to be part of a municipality. He said one way or another there are a lot of folks who want to be hooked up and be a part of the municipalities, which could be helpful in this situation and also could be helpful for advancing water quality goals. Ms. Brewster responded, she thinks that will be a part of the water and sewer master plan moving forward.

Mr. Holloway said he sees listed that they have replacement tanks only, but he knows in a lot of cases people just put in drain fields, but he did not see that listed, to which Ms. Brewster responded, that falls under replacements. Mr. Holloway asked if it counts as a replacement even though it was not a tank and just a drain field, to which Ms. Brewster responded, yes. Mr. Williams added, sometimes the replacement can be the whole system – the tank and the drain field as opposed to a tank only.

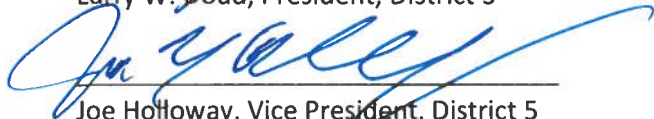
Mr. Holloway said he asked Ms. Brewster this question previously, but she has interaction with installers about how to repair an existing drain field. He said there are situations where they will not let them put in new systems, but some installers say they can dig out what is there and completely backfill, but he was told that is against the rules. He then asked how they can change that, to which Mr. Williams responded, change the law. Mr. Holloway asked, if it can be proven that it is beneficial, do they go through the Delegation, to which Mr. Williams responded, they would have to go through the General Assembly and someone would have to introduce a Bill that would amend the law to allow for rehabilitation. He said, when he first started in Environmental Health in 1974, they did rehabs all the time, but over the years they found that rehabilitations just did not last. He explained, they might get six to eight months out of them, but not the ten to fifteen years they were trying to achieve, so it was around 1985 that they decided they could not rehab the old ones anymore.

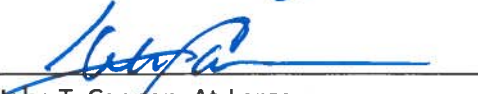
Mr. Hastings said a couple of years ago the University of Maryland Environmental Finance Center was doing funding research for septic systems to try to figure out the best way to do nutrient uptake, and he would love to see a second round of that. He said they were talking about putting switchgrass or other kinds of grasses over the top of drain fields to be able to pull up more nutrients, but this has not really

been advanced at the State level. He said maybe there has not been the appetite to do that because there has not been the research, but they have some good research institutions around them, so maybe that is something they could do to try to find more options. He said of course public sewer and water is where the future is.

There was no further discussion.

  
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Larry W. Dodd, President, District 3

  
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Joe Holloway, Vice President, District 5

  
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John T. Cannon, At-Large

  
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absent  
William R. McCain, At-Large

  
\_\_\_\_\_  
Ernest F. Davis, District 1

  
\_\_\_\_\_  
Nicole Aclé, District 2

  
\_\_\_\_\_  
Josh Hastings, District 4

  
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Laura Hurley, Council Administrator