MEMBERS PRESENT:
Katie Scholl
Roger De Haan
Wayne Chilcote
Jeff Burrows
Mick Turner

Members Absent:
None.

STAFF PRESENT:
Chris Taggart, minutes
Angelia Allen, PHN
Lyndsay Stover, Tobacco Free
Carol Calderwood, PHN
John Palacio, RCEH

STAFF Absent:
None.

Guests Present:
David Lockhart

The meeting was called to order at 3:00 PM by Chairman Jeff Burrows.

I. March 14, 2018 draft minutes
Roger made a motion to approve the March 14, 2018 minutes as amended. Seconded by Katie. Public comment on motion: none. Discussion: none. All voted “aye” (5-0).

II. CORRESPONDENCE:
Theodore Weidow letter
Warren Weidow letter

III. AMENDMENTS TO THE AGENDA:
None.

IV. DEPARTMENT REPORTS:
Health Officer: Dr. Carol Calderwood
Still very busy but flu is slowing down. There are still some A & B flus, some moderate strep cases and some secondary infections. Weather is tapering off more slowly.
Public Health Nurse: Angie Allen

Year to date there have been 371 flu cases including 2 deaths, approximately 20 hospital stays and 66 cases in March. Currently we are following an e coli case in Ravalli County, Missoula County and Kalispell. DPHHS is tracking the e coli (H7) closely. Also, hopefully wrapping up an outbreak of Influenza A and RSV in a nursing home. It’s been a normal month for PHN Office. They did hand out free bike helmets at the County Easter egg hunt. Next year we are partnering with Fish, Wildlife and Parks and will hand out gun trigger locks. We have seen an increase in teen Chlamydia. She would like to get the school nurses to help with diagnosis, treatment and education. If kids knew the statistics within Ravalli County, they might think about things better. There were three cases in 2017 of Gonorrhea and one of Syphilis. PHN is still getting a lot of push back on HPV vaccines. PHN has a FB page and asked BOH to like their page.

RCEH: John Palacio

Handed out monthly stats and said the RCEH is up to a roaring start for spring. RCEH has issued 33 new permits and performed 52 site evaluations. Jenni has stepped up in keeping inspection numbers on average and not letting it dip down. She has also started ground water monitoring and mapping each and every pipe being monitored. Some of which have already failed Kelly, Brian and John will all help complete ground water monitoring. A full time position for RCEH is now open. Rod Daniels last day was March 30. Kelly has taken on a bulk of his responsibilities. It has been a busy season for licensing. RCEH Office conversation amongst sanitarians is delegation of authority between Health Officer and RCEH, BOH and the State. RCEH will presenting a draft vendor closures policy for BOH review next month. Discussion ensued.

Dan Browder, Civil Counsel is now present 3:19 PM.

Tobacco Coordinator Report: Lyndsay Stover

Lyndsay met with Lone Rock School Board and presented the Excellence Policy to them. They are on board to add the Excellence Policy into their school policy. She will also be attending the Lone Rock School Board meeting in May to present the new policy which will include the Excellence Policy. Two more schools to go in order to have all schools be tobacco free. She has held Tobacco education with the sixth, seventh and eighth grades as there has been an influx of schools wanting to talk about E-cigs; which has been a huge problem in the middle and high schools. She recently collaborated with the Anaconda specialist to schedule an event in Bonner. The speaker, who lost face to chewing tobacco, will be there.

V. OLD BUSINESS:
1. Back Up Health Officer – Carol and John (insurance requirements review from Civil Counsel)

John P to talk with Howard Recht, Civil Counsel. Take off agenda.

2. Discussion of Replacement Septic Systems Policy – John

John explained that his Policy brief was sent out last month. RCEH wants to discuss permitting for failed drain fields, which were installed illegally. Regulations now, state that there is an option to see if system is still functioning. If a system is installed pre-1972 (pre-permitting time) or
without a permit, between 1972 to 1982, they are considered as ‘grandfathered in’ for the number of bedrooms that Montana Cadastral records show. If they want to increase the use/number of bedrooms, they will need to meet current standards. But as time goes on we will be seeing 30 year old systems (1988) installed without a permit that will be failing. Is there an option available to BOH if the house is there for 25 years and the system works and all is fine OR, will all cases be brought before the BOH and looked at on a case by case situation? Roger proposed adding a 3rd category that includes RCEH being able to issue a permit for a system which was installed per regulations that were in place at the time of install, but did not receive a permit. Mick asked if someone has a non permitted system and their system fails and a permit was not issued, that the problem. If the issue can be worked around, that is one thing. Otherwise, we need to think about variances. Is there a possibility that perhaps we should have a period of dispensation? John explained how the office handles issues now. He referred to the Judd Creek Hollow area. RCEH has been able to back track on some but it’s the ones that they cannot back track on with any information. Jeff asked Dan about other counties or case law on this. Dan said current regulations do allow for a variance to be applied for. Discussion ensued.

**BOH consensus:** Katie and Roger to work with John to write up a draft.

3. Continued: E Cigs Presentation – Lyndsay

Lyndsay completed her E Cigs power point presentation.

New Business:

2. Clean Indoor Act – Electronic Tobacco Products AMENDED DRAFT – Lyndsay

Lyndsay handed out an amended Draft Clean Indoor Air Act Enforcement Protocol which included some additions (highlighted in yellow Page 1). Language is from MTUP.

Lyndsay to email Chris more information regarding agencies who support her documentation and language and Civil Counsel needs to review.

**BOH consensus:** Continue to next month for discussion and possible approval.

New Business:

3. Tobacco Free Parks – Lyndsay

Dan Browder said he thinks that Ravalli County Parks Board does have authority on this. Roger spoke about the Victor Park Board and the troubles they have trying to maintain order. John suggested placing signs in each park.

**BOH consensus:** have Lyndsay take this request to the Ravalli County Park Board and other park boards.

4. Preliminary By Laws – Final Draft for review and possible approval

Mick moved to approve BOH by laws final draft as presented. Seconded by Roger. Public comment on motion: none. Discussion: none. *All voted “aye” (5-0).*

Chris will get the By Laws recorded and place them on the County website.

5. Preliminary MOU DRAFT – review
PROPOSED COMMENTS AND ADDITIONS TO MEMORANDUM OF UNDERSTANDING BETWEEN BOARD OF COUNTY COMMISSIONERS AND BOARD OF HEALTH

By: Roger De Haan for regular meeting of March 14, 2018

1) The secretary of the Board of Health, with duties described in the BOH by laws, shall be an employee of the County provided to the BOH for necessary tasks.

2) Appropriate discipline may be administered to any member of the BOH or BCC, by mutual consent of both Boards, if said member is found to be in dereliction of duty or intentionally obstructing the mission or duties of the Board of Health.

3) Any employee of the Departments of Environmental Health or Public Health Nursing (i.e. departments supervised by the BOH) may choose to bring a work related grievance to the BOH in addition to the traditional grievance process through the County Dept. of Human Resources. If such grievance is supported by the BOH, the BOH and BCC will work together to achieve a mutually satisfactory resolution.

4) Any employee of the Department of Environmental Health may choose to bring a grievance to the BOH and/or the BCC if they feel that a decision of the BOH was made incorrectly or without sufficient evidence or information. If such a grievance is supported by either the BOH or BCC they will work together to achieve a mutually satisfactory resolution.

5) At the time of this writing there is no budget allocated for the BOH. If at any time in the future the BOH is able to obtain funding for a budget, through grant writing, accumulation of fines, or other means, the BCC and BOH will work together to set up the administration and distribution of the budget through the County Financial Office. Fines collected through the Department of Environmental Health will remain within the DEH budget unless otherwise mutually agreed by the BOH and BCC.

6) Any policy decisions that affect the Departments of Environmental Health or Public Health Nursing (i.e. policies that are not specifically addressed in State or County regulations) must be made concurrently by both the BCC and BOH.

Item 1:  Add a new E, under Board of County Commissioners and include Secretary requirement.
Item 2:  Removed
Item 3:  Remove

BOH Consensus:  Continue to next month.

VI. NEW BUSINESS:
1. Compliance Order for Trailer Court Licensing in Darby (Lockhart) – John

John explained that this issue started in May 2017. Mr. Lockhart is trying to get a trailer court license in the Town of Darby. RCEH mailed out two certified letters and the property owner is here today. John is requesting that the BOH approve and sign the compliance order to obtain the trailer court license. The trailer court is serviced by city sewer and water.

Mr. David Lockhart explained that they have owned this trailer court for approximately two years. When he received the first letter stating that a license was required, he thought the letter was referring to a business license. When he spoke with RCEH he learned that he was required to obtain a trailer court license. He picked up the trailer court license application and has since been trying to figure out and complete the application. The trailer court was never licensed. He thinks he will have the application completed within next few weeks, but would like to have 30 days as
he will probably need to hire help from a plumber or someone to help him complete the application. He also requested seeing an example of a completed application in order to see what a completed application entails.

John explained the phone conversation between himself and Mr. Lockhart in November 2017. He requested the BOH consider the 30 day timeline request in order for Mr. Lockhart to complete the trailer court licensing application and get it submitted to the State for review.

Katie asked Mr. Lockhart what stopped him from contacting RCEH after receiving both the certified letters. Mr. Lockhart again assumed he was required to get a business license not a trailer court license. He has never owned a trailer court before. There was some confusion.

Jeff asked Mr. Lockhart is if he is willing to complete the trailer court licensing process. Mr. Lockhart said yes. John requested the 30 day compliance order be issued to ensure completion. Mick asked to change the deadline dates on page three from April 25, 2018 to May 31, 2018; and from May 31, 2018 to June 30, 2018. John said that having the compliance order in place will hopefully compel Mr. Lockhart to complete the process. RCEH will provide copies of all the property information they have to Mr. Lockhart in order to assist him with the application.

Roger moved to issue the compliance order as amended here today (dates). Seconded by Katie. Public comment on motion: none. Discussion: none. All voted “aye” (5-0).

4. Farmer’s Market Authorization by a Municipal or County Authority – John

BOH consensus: table to next month.

5. Current Rabies Protocol - Angie
Angie provided an Animal Bite Protocol draft and suggested that the BCC amend the Ordinance or adopt a new policy. The County does not have enough staff nor are they trained to handle issues. Katie suggested bringing it all together in one ordinance. Carol stated that the PHN and HO are attending a rabies training next month. Dan asked BOH if BCC would be open to combining all information into the Ordinance. Jeff said yes. PHN is using a quarantine form which will be updated in the near future. She will bring to BOH for review.

Angie to email Chris the ordinance, protocol and new quarantine form.

BOH Consensus: Continue to next month.

VII: PUBLIC COMMENT
None.

VIII. NEXT MEETING:
May 17, 2018 at 3:00 PM

IX. ADJOURNMENT:
Mick made a motion to adjourn the meeting at 5:20 PM. Seconded by Katie. All voted “aye” (5-0).