MEMBERS PRESENT:
Jeff Burrows
Wayne Chilcote
Katie Scholl
Mick Turner

Members Absent:
Roger De Haan

STAFF PRESENT:
Chris Taggart, minutes
John Palacio, RCEH
Carol Calderwood, Health Officer
Lyndsay Stover, MTUPP
Kelly Arnold, RCEH

STAFF Absent:
Angelia Allen, PHN

Guests Present:
Ron Marshall
Deanna Marshall
Jim Cotton

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

I. November 14, 2018 draft minutes
Katie moved to approve the November 14, 2018 minutes as presented. Seconded by Mick.
Public comment on motion: none. Discussion: none. All voted “aye” (4-0).

II. CORRESPONDENCE:
None.

III. AMENDMENTS TO THE AGENDA:
None.

IV. DEPARTMENT REPORTS:
Health Officer: Dr. Carol Calderwood
There has been A little Flu A and some B, along with cough and colds. PHN ran out of flu vaccine. Carol to contact pharmacies about their flu vaccine inventories. There has been quite a lot of pneumonia vaccines given.

Public Health Nurse: Angie Allen
Absent. There has been one whooping case per Carol.

RCEH: John Palacio
The office is finishing out licensed establishment for the year. A lot of consultants are trying to submit subdivisions before the end of year. The Office offered a sanitarian job to a candidate but they are waiting on Department of Labor for licensing issue before that person starts.

During the winter months, staff will meet the last week of December to kick off new projects. In January a new policy for groundwater monitoring results will be available.

We are looking into our permitting and final inspection processes.

Tobacco Coordinator Report: Lyndsay Stover
Lyndsay handed out her report. The DUI Task Force and Tobacco Free have partnered together with local law enforcement for the third grade transition program. This pilot program began at Florence Elementary. The School Resource Office spoke about being positive, making good choices and then Monty, the Griz mascot, came and riled everyone up. Students then went back to their classrooms where the Resource Officer spoke with them about bicycle safety, don’t drink, don’t smoke and received treats. Lyndsay spoke about bringing tobacco prevention to juvenile detention. Next month she will presenting for Darby teachers on E cigs and tobacco use. She will then be presenting her normal presentation at Victor Middle School in January. She is preparing all across the state for the upcoming legislation session. Katie provided a survey from Gallatin County and suggested Lyndsay incorporate it into her program.

V. NEW BUSINESS:
1. Ravalli County Wastewater Regulations Revision - Discussion

John explained that he and Roger have made some notes on these. He requested that BOH review and add comments. In January 2019, we can schedule when and how to implement. John did speak with Dan Browder, who wanted more MCA language added for fine structure. John is hopeful to have these regulations passed and implemented no later than summer 2019 and they would be sent out to all interested parties. Of course, there would be legal notices for public hearings to accept public comments prior to implementation. Agenda item for January 2019 meeting.

2. Composting Application for 128 Bell Xing West (T Townsend)
This application is similar to the land application reviewed by BOH last year. The applicant needs Carol Calderwood’s signature before MDEQ can even review the application. Once signed and MDEQ reviews, MDEQ will send BOH the environmental assessment for review. The applicant will be trucking in material to a piece of property.
Mick moved to allow Dr. Calderwood to sign the application and start the certification process with MDEQ for this composting application. Seconded by Katie. Public comment on motion: none. Discussion: John, Jeff and Mick. All voted “aye” (4-0).

VI. OLD BUSINESS:
2. Ober complaint – Update with possible decision
Jeff gave an update on this Ober complaint. He explained that the Mo Fi lending source is now waiting on a bid to move forward. Jeff tried to contact Mrs. Ober but numbers were disconnected. Jeff does not know what the holdup is as Mrs. Ober seemed anxious to get this fixed and done. John said the site could be reviewed to see if there is an eminent threat to public health and safety. Kelly Arnold suggested to contact Mr. Ober. Katie asked if a site evaluation has been done and to kindly prod the Obers into moving forward. John explained that a site evaluation was done. Kelly will try and reach Mr. Ober and see where things are at.

Jeff asked Kelly or John to go see the site and see what conditions are happening. If the situation is bad, have John make Obers stop using system, along with submitting a bid to Mo Fi within 3 days. John said ok but asked Dan Browder what avenue would be taken. Dan explained that an injunction order could be issued by courts. John will have the Obers contact Jeff for bid assistance.

If there is no effluent on the ground, John will inform the Obers to have their bid and financing settled and a new system installed by the January 09, 2019 meeting. And if not, an injunction may be filed.

Wayne asked if freezing makes a difference to RCEH. John explained when it is this cold, the effluent does not spread as far but it still is a public health and safety issue.

Mick said the Obers could have tank pumped and then be very careful with usage. The Obers do need to take responsibility and move forward on this.

Kelly will go on site tomorrow, inspect the ground and knock on the door. If there is something on the ground, Kelly will inform the Obers that they could get the system pumped or don’t use the system and remove themselves from house within 3 days. She will also explain the strong possibility of an injunction being filed. Regardless, the Obers need to expedite the Mo Fi financing to get this system fixed. Dan said BOH can authorize the range of actions to be taken. Katie said RCEH can use their judgement with whichever case is found on site.

Continue to January 09, 2019 agenda.

1. Voth Complaint – Update with possible decision
Jeff explained that Mr. Voth did call him last week and the explained situation. Apparently, Mr. Voth has kicked a bunch of people out. Currently, there is a mobile home there which is being worked on, and they want to hook into the existing septic system. Jeff informed him Mr. Voth he cannot do that. Jeff informed Mr. Voth he, Mr. Voth, needs to call John at RCEH to speak about any sort secondary septic system installation. Jeff also told Mr. Voth to attend today’s BOH meeting. Jeff tried to call Mr. Voth to remind him of today’s meeting but the number was disconnected.
John said he has not heard anything from Mr. Voth. The Compliance order was issued with deadline of November 2018 BOH meeting date. In November 2018, the BOH issued one more letter which was hand delivered from the Sheriff Dept. Katie asked what recourse does the BOH have. Dan said a court action could be filed (injunction).

Jim Cotton, neighbor, brought up hobo camps or subdivision regulations (for rent or lease). As far as compliance, the mortgage company is located in Billings and they certainly would not allow for piggy backed renters. Dan said a violation of county subdivision regulations could be sited. Mr. Cotton stated his well contamination concerns. And now there is one RV with people living in it and they are always there. There is also 3 mobile homes which are abandoned and being used as storage sheds. In July 2016, the other two were hauled in and not in compliance as they are using Mr. Voth’s facilities. There is a second RV attached to one of the mobile homes.

John asked if a site visit would be warranted prior to an injunction being filed. BOH said no. Dan said a lawsuit must be served and it would not hurt to make another site visit and inform Mr. Voth he has one last chance. Jeff said no, this is the action BOH wants to implement via civil counsel

**Katie moved to have Civil Counsel file a legal complaint for an injunction to cease any residential uses, other than the house, for any RV’s and Mobile homes, on the property now or any time in the future. Seconded by Mick.** Public comment: Mr. Cotton. Discussion: John, Dan, Katie, Jeff. **All voted “aye” (4-0).**

John explained that at the last BOH meeting, cleaning up and accept changes for a clean draft. At this meeting, he requested that the BOH give the ok to send out this draft to interested parties to obtain comments and continue review with possible approval at January 09, 2019 meeting.

John suggested incorporating these policy changes into the new office regulations. Mick thinks we should move ahead with this and then work on the new regulations when they come before the BOH. Katie agreed and suggested trying to have these guidelines approved and available before spring time septic requests. This meeting is a quasi-second reading for BOH.

**Consensus:** BOH ok with John issuing this final policy draft to request public comment, place this draft on website and place the final BOH review with possible decision for the January 2019 agenda.

4. Draft Preliminary MOU – Update (Jeff B)
**Whereas:** BOH ok
**Section 1:** BOH ok
**Section 1.1 – 1.3:** BOH ok
**Section 1.4:** Add See Section 4.1 below for Overall Dispute Resolution
**Section 1.5** BOH ok
**Section 2:** BOH ok
**Section 2.1-2.2:** BOH ok
**Section 3:** BOH ok
**Section 3.1:** BOH ok
Section 3.2: Remove for
Section 3.3 Change shall to may
Section 4: Overall Dispute Resolution – Dan to re-draft to include committee consists of one BCC, one BOH and one person jointly choses. If third person cannot be jointly chosen, an Attorney General’s opinion shall be sought.

Continue to January 09, 2019 agenda.

VII: PUBLIC COMMENT:

None.

VIII. NEXT MEETING:

January 09, 2019 at 3:00 PM

IX. ADJOURNMENT:

Wayne moved to adjourn the meeting at 5:30 PM. Seconded by Katie. All voted “aye” (4-0).