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

Members Absent:
None.

STAFF PRESENT:
Chris Taggart, minutes
Dan Browder, Civil Counsel
Candice McCollom
Kelly Arnold
John Palacio, RCEH
Angie Allen, PHN
Neoma Greenfield, PHN

STAFF Absent:
Carol Calderwood

Guests Present:
Phyllis Johnson       Tony Monaco
Sherry Wood          Patti Monaco
Rosemary Hodge       Skip Chisolm
Ron Marshall         Courtney Wofford
Sharon Barrett       Rod Daniel

The meeting was called to order at 2:01 PM by Chairman Jeff Burrows.

I. Approval of meeting minutes:  August 14, 2019

Roger moved to approve the August 14, 2019 minutes as amended.  Seconded by Wayne,
Public comment on motion: none.  Discussion: none.  All voted “aye” (5-0).

II. Correspondence:
Correspondence received via Email from Judy Hoy.

III. AMENDMENTS TO THE AGENDA:
None.
IV. DEPARTMENT REPORTS:
Health Officer: Carol Calderwood - Absent

Public Health Nurse: Angie Allen
August was fairly uneventful for Ravalli County but their office was busy with back to school vaccines (adults and children). They held an In Service for Marcus Daly Hospital with the Nurses on staff. Most likely will be holding this annually. They are gearing up for flu season. October 17, 2019 there is going to be a Community Flu Clinic at the First Interstate Building at Fairgrounds from 10:00 AM to 6:00 PM. Pertussis is still going on in Missoula with 169 cases. Expecting an increase due to school being back in session. Ravalli County has only had 6 confirmed cases. The PHN budget has been approved to include hiring a new nurse which she will be advertising for very soon. State sent media message to not use vaping products.

Neoma:
She is continuing to work on the PODS with the Living Center in Stevensville and RML, which she plans to work through creating a pod (first closed and then open to community). She is drafting all ICS paperwork, which is 90% complete. RML is on board but is receiving push back on liability issues. Meeting next week to discuss further. Developing some public messaging.

Neoma explained a POD is point of dispensing with a cache of medicines which would be provided in the case of emergency. Medications are free but man power is needed. She explained the four steps which will occur at a POD. Discussion ensued.

RCEH: John Palacio
Site evaluations are up, as well as final inspections are up. With weather changes a lot more projects are being submitted before snow fall. Fair came and went and those inspections were completed before lunch on opening day. His office had to hold follow ups on a few. Two sanitarians will be attending the Sanitarian Association conference next week in Bozeman. Kelly Arnold will receive rookie of the year award.

Tobacco Coordinator Report:
None.

V. NEW BUSINESS:
1. C1 form: transfer authority and successor responsibility guidelines
Neoma needs approval on this.

Katie moved to approve the C1 Form as presented. Seconded by Roger. Public comment on motion: none. Discussion: none. All voted “aye” (5-0). Chairman Burrows to sign and Neoma to record.

2. Kirkpatrick fine assessment
John worked the problems out via the policy which included a relocation of the proposed house, relocation of the wastewater system (MDEQ modified site plan) and RCEH issued a permit
based upon the approved MDEQ modified site plan. Therefore, no further fine assessment consideration is necessary.

Discussion ensued regarding RCEH septic permit VS MDEQ approval. Board concluded that ALL construction requiring a permit begun without a permit requires to follow fine assessment procedure.

**BOH consensus: agree with action taken.**

3. Burns Fine Assessment – Construction w/o a permit
John explained that Mr. Burns lives out of state and was going to have a representative present but, they could not attend today’s meeting.

**TABLE TO OCTOBER 09, 2019 BOH meeting.**

4. Discussion with possible decision on compliance order for 223 Flower Street
John explained that the 2 bedroom single family residence on premises is being rented out. There is a tiny home parked on an adjacent lot which has 2 people living in it and the use the bathroom facilities of the 2 bedroom. Options: move the tiny house or move into the 2 bedroom home with the existing renter.

Sharon Barrett, renter of the 2 bedroom house, explained that the tiny house is being slept in.

John stated that the complaint received was included with 14 statements (neighbors).

Jeff explained that no trailer of any kind could be placed on the separate lot without an approved septic permit and system.

John explained that September 09, 2019 was the deadline. The Compliance Order will be issued to the property owner. The small lot with the tiny house would have mixing zone issues if they applied for a separate system but there is the City connection within a certain distance. No one can live in the tiny house or even sleep in it.

**Roger moved to issue a compliance order that by September 25, 2019 the owner will enforce a cease occupation of the tiny house, and that the only occupied dwelling on the properties is the 2 bedroom house, or have an approved wastewater system serving the tiny house. Seconded by Katie.** Public comment on motion: Rosemarie Hodge: there is more than one tiny house, there are several. She is unsure if they are all being lived on. Phyllis Johnson said it is unbelievable what is going on. A generator is running all night, every night, dogs barking all the time. It is a mess. Some of the time the dogs are contained. Sherry Borden said multiple people are always coming and going. Dogs barking is driving the neighbor’s nuts. **All voted “aye” (5-0).**

**CONTINUE TO OCTOBER 09, 2019 BOH meeting for update.**

5. Review with possible decision 521 Foley Lane
John stated that Mr. Foley was invited to today’s meeting but is not here. He reminded the BOH that when this first came up April 2019, Mr. Foley requested an appeal to RCEH denying a replacement system. The BOH stated at that time that Mr. Foley could live in the trailer until the completion and results of the groundwater results were in. The groundwater results failed. Mr. Foley does have a brother who has property to the north which has 2 GWM pipe locations that did pass groundwater monitoring.

Discussion ensued regarding options.

**Katie moved to issue a Cease and Desist order to remove the mobile home from the property or desist occupancy of living in the mobile home (deadline for action September 25, 2019). Seconded by Roger.** Public comment on motion: none. Discussion: none. **Katie, Roger, Mick and Wayne voted “aye”; Jeff voted “nay”; motion passed (4-1).**

**Katie moved to issue a compliance order immediately after the Cease & Desist deadline of September 25, 2019 IF the Cease and Desist order is not complied with. The Compliance Order shall have a deadline to comply of October 08, 2019. Seconded by Roger.** Public comment on motion: none. Discussion: Mick, Katie, Jeff and Roger. **Katie, Roger, Mick and Wayne voted “aye”; Jeff voted “nay”; motion passed (4-1).**

Skip Chisolm: BOH should feel good about how this Board reviews issues. All aspects are Considered. He thanked BOH.

**VI. OLD BUSINESS**

1. **647 Dusty Trail**
   John stated that the permit was written. Deadline is November 01, 2019. If the owner cannot complete by November 01, 2019, he will move in with parents.

   **CONTINUE TO NOVEMBER 2019 BOH meeting.**

2. **Tobacco prevention specialist continued discussion**
   Jeff stated that this is still in the discussion phase.

   **CONTINUE TO OCTOBER 2019 BOH meeting.**

Ron Marshall handed out information on vaping. The major problems are that illegal vaping units which include oils, are being used and causing health issues. In DC, this is a hot topic. The FDA are trying to shut this down. Hospitals should be checking for illegal chemicals within the vaping products. He is suggesting that we should be working together instead of apart. If you vape, make sure to purchase your products from a licensed vape shop and not off the street or from friends.

3. **King Update for 2703 Eastside Highway**
   John stated that the completed easement agreements have been received and now they just need the signature of the BOH Chairman.
Jeff explained that he did speak with Jake King, son of John King, who had questions on how to convert the two bedrooms into one bedroom. The upstairs will provide a 6 foot wide opening between rooms which will be sufficient. In the lower apartment, a mechanical room would be constructed. BOH agreed.

Tony and Patti Monaco, Property owners
Patti explained that they hired J&J and put full confidence in John King moving forward. Since speaking with Jeff, more has unraveled. John King was representing this project as his own project (to all sub-contractors and suppliers). It seemed there was some sort of deceit with John keeping her and her husband in the dark. They live in Bozeman. When the question of POA (Power of Attorney) came up, she was confused and she signed the POA. She was not kept informed of what was happened during the BOH meetings. On August 20, 2019 she and Tony came to check on the progress and attempted to get answers from John King. The fine assessment really concerns her but she was told by John King that he would pay the fine. John then gave them a tour and when they returned to John’s shop, they were followed in by some authorities. They were very uncomfortable. They felt like they needed to leave so they did. This was the same day John passed away. With that, the Monaco’s are holding the bag with all this. She asked if fine could be forgiven since the building is now in compliance. Patti then explained that Jake is working really hard trying to meet the October 07, 2019 deadline and they all are moving forward as best they can. Tony asked why the fine was assessed. Jeff explained.

Jeff reviewed the fine schedule for homeowners and the contractors.

June 12, 2019: Volunteer payment in lieu of fines was BOH approved at $8,100.00
- Owner = 1 day at $1,000.00 and day 2-44 = $4400, total = $5,400.00
- 8Contractor = 1 day at $500.00 and day 2-44 = 2,200.00; total $2,700.00

Mick is in favor of decreasing the owners’ portion of the volunteer payment in lieu of fines by 50%, from $5,400.00 to $2,700.00.

Roger stated that these are extenuating circumstances. Roger is willing to re-negotiate.

John explained that the permit issuance is stuck until all this is figured out and decided.

**Mick moved to renegotiated the payment in lieu of fine amount from $8,100.00 to $5,400.00, payable by owners today, and amend the two agreements to reflect this renegotiated amount, with BOH Chairman’s and Owners initials. Seconded by Katie.** Public comment on motion: none. Discussion: none. **All voted “aye” (5-0).**

Chris will record both agreements and send recorded copies AND a receipt for BOH payment in lieu of fine in amount of $5,400.00 to the Monaco’s. Permit will be written and issued by RCEH after the agreements are recorded.

4. Church at 869 Sleeping Child Road
John gave an update: they are working with MDEQ Enforcement (changing use from Church to something else and going from Septic system to a public sewer system).

CONTINUE TO OCTOBER 09, 2019 BOH meeting.

6. Quinlan appeal for P#806900
John explained that Quinlan thinks they have located the rectangular area where the car body septic system is might located. Site visit is scheduled for September 20, 2019.

CONTINUE TO OCTOBER 09, 2019 BOH meeting.

5. 242 Blodgett View Drive Complaint
Tomorrow is a civil trial on this property. The disconnected plumbing has been done. But an approved septic permit has not been issued, #2 of letter.

BOH consensus: give this issue to County Deputy Attorney Browder.

7. Continued review: Ravalli County DRAFT subsurface wastewater treatment and disposal regulations
   a. Public comment
   b. BOH Action

CONTINUE TO OCTOBER 09, 2019 BOH meeting.

VII. PUBLIC COMMENT:
None.

VIII. NEXT MEETING:
October 09, 2019 at 2:00 PM

IX. ADJOURNMENT:
Mick moved to adjourn the meeting. Seconded by Roger. All voted “aye” (5-0).