

**SPECIAL AND REGULAR MEETINGS  
OF THE  
RAVALLI COUNTY BOARD OF HEALTH**

**REGULAR MEETING 1:00 pm**

**Wednesday, February 10, 2021**

**Commissioners' Meeting Room  
County Administration Building,  
215 S. 4<sup>th</sup> St, Hamilton, MT 59840.**

**I. Roll call**

Jeff Burrows, Dr. Michael Turner, Katie Scholl (Zoom), Dr. Wayne Chilcote (Zoom) and Roger DeHaan.

**STAFF PRESENT:**

Chris Taggart, minutes

Also Present:

Jackie Smartt  
Skip Chisholm  
Ed Brenneman  
Kent Smartt  
Mike Kent  
Jenny Jessop  
Melody Carter

Kevin Carter  
Heather Jessop  
Peter Steel  
Tom Stringham  
Conner Eckert  
Greg Dowdy  
Angela Pravite

Erik Hoover, OEM  
Fran Graham, OEM  
TC Richardson  
Commissioner Dan Huls  
Rory McCarty, Civil  
Counsel  
Sheriff Steve Holton

**II. Approval of Meeting Minutes:**

- a. [January 13, 2021 meeting minutes](#)

[Attachment - DRAFT 01-13-2021 BOH minutes](#)

**Roger moved to approve the January 13, 2021 minutes as presented. Seconded by Dr. Turner.** Public comment on motion: none. Discussion: none. **All voted "aye" (5-0).**

- b. [January 28, 2021 special meeting minutes \(2 Parts\)](#)

[Attachment - DRAFT 01-28-2021 BOH minutes](#)

**Dr. Turner moved to approve the January 28, 2021 parts 1 and 2 special meeting minutes as presented. Seconded by Roger.** Public comment on motion: none. Discussion: none. **All voted "aye" (5-0).**

**III. Correspondence:**

Four comments regarding Draft Wastewater Regulation: BBIA, BV Board of Realtors, William Moore and Carrie Anne Nellis.

#### **IV. Department Reports:**

##### 1. Health Officer

Dr. Carol Calderwood is absent (excused).

##### 2. Public Health Nurse's Report/Emergency Preparedness/WIC o COVID update

Attachment - PHN 1

Attachment - PHN 2

Tiffany Weber, PHO

**Roger moved to approve and designate Erik Hoover, Ravalli County OEM Director as the single point of contact/Facilitator for vaccine distribution, contingent upon the distribution process is completely transparent and that Erik report back to BOH. Seconded by Dr. Turner. Public comment on motion: none. Discussion: none. All voted "aye" (5-0).**

#### COVID UPDATE - Public comments:

Jenny Jessop  
Peter Steel  
TC Richardson

##### 3. Environmental Health Report

John Palacio, RCEH

##### 4. Tobacco Coordinator Report

None.

#### **V. New Business:**

##### a. Board Elections:

##### 1. Chairman

##### 2. Vice-Chairman

**Dr. Turner moved to elect Jeff Burrows as the Board of Health Chairman for the 2021 calendar year. Seconded by Roger. Public comment on motion: Skip Chisholm. Discussion: none. All voted "aye" (5-0).**

2. Vice-Chairman

Katie moved to elect Dr. Michael Turner as the Board of Health Vice Chairman for the 2021 calendar year. Seconded by Roger. Public comment on motion: none. Discussion: none. All voted "aye" (5-0).

b. Variance: Sweeney-Smart

[Attachment - Variance Request Packet](#)

[Attachment - Variance Staff Report](#)

[Attachment - Variance Legal Ad](#)

Present:

Jackie Smartt

Kent Smartt

David Friedlander, TLI/IMEG (Zoom)

Danny Oberweiser, TLI/IMEG (Zoom)

Conclusions of Law 1-5:

1. Granting the variance will not:

a. Contaminate any actual or potential drinking water supply: **BOH concurs that this criterion is satisfied.**

b. Cause of public health hazard as a result of access to insects, rodents or other possible carriers of disease to humans: **BOH concurs that this criterion is satisfied.**

c. Cause a public health hazard by being accessible to persons or animals: **BOH concurs that this criterion is satisfied.**

d. Violate any law or regulation governing water pollution or wastewater treatment and disposal, including rules in ARM 17.36.922 except for the rule that the variance is requested from: **BOH concurs that this criterion is satisfied.**

e. Pollute or contaminate state waters, in violation of 75-5-605, MCA: **BOH concurs that this criterion is satisfied.**

f. Degrade state waters unless authorized pursuant to 75-5-303, MCA: **BOH concurs that this criterion is satisfied.**

g. Cause a nuisance due to odor, unsightly appearance or other aesthetic considerations: **BOH concurs that this criterion is satisfied.**

2. Compliance with the requirement from which the variance is requested would result in undue hardship to the applicant: **BOH concurs that this criterion is satisfied.**

3. The variance is necessary to address extraordinary condition that the applicant could not reasonably have prevented: **BOH concurs that this criterion is satisfied.**

4. No alternatives that comply with the requirement are reasonably feasible: **BOH concurs that this criterion is satisfied.**

5. The variance requested is not more than the minimum needed to address the extraordinary conditions: **BOH concurs that this criterion is satisfied.**

**Roger moved that based upon the findings of fact and conclusions of law, to approve the variance as requested, contingent upon the following five (5) conditions:**

- 1. Meets requirements of the Ravalli County permitting process**
- 2. 1.5" keyed area sand must extend to within 12" of the toe of the ESM**
- 3. Additional 5" of sand be added to the minimum 12" required under the ESM bed.**
- 4. Standard Operating Procedures and maintenance procedures must be provided and accepted by the property owner.**
- 5. One residential living unit**

**Seconded by Dr. Chilcote.** Public comment on motion: Skip Chisholm, Heather Jessop. Discussion: John Palacio. **All voted "aye" (5-0).**

- c. [Review and discussion with possible decision on Cooperative Agreement with DPHHS](#)

[Attachment - Coop Agreement 2021 with DPHHS](#)

**Dr. Turner moved to approve the 2021 Coop Agreement with DPHHS as presented. Seconded by Roger.** Public comment on motion: none. Discussion: none. **All voted "aye" (5-0).**

## **VI. Old Business:**

- a. [DRAFT WW regulations review](#)

[Attachment - DRAFT Wastewater Regulations](#)

**Roger moved to accept today's amended Draft Wastewater Regulations and move forward to the Public Hearing / First Reading with said Draft to Wednesday, February 17, 2021 at 1:00 P. Seconded by Dr. Turner.** Public comment on motion: Tom Stringham and Angela Pravite. Discussion: Jeff Burrows and Roger DeHaan. **All voted "aye" (5-0).**

## **VII. Public Comment**

Heather Jessop  
Tom Stringham  
Heather Jessop

## **VIII. Special Meeting/1st Reading/Public Hearing: February 17, 2021 at 1:00 PM**

## **IX. Meeting Adjournment**

**Dr. Turner Moved to adjourn the meeting at 5:24 PM. Seconded by Roger. All voted "aye" (5-0).**

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Chris Taggart, Administrative Assistant