

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

**REGULAR MEETING 1:00 PM**

**Wednesday, August 11, 2021**

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

**I. Roll call**

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

**STAFF PRESENT:**

Chris Taggart, minutes  
Rory McCarty, Civil Counsel  
Tiffany Webber, PHN  
John Palacio, RCEH

**Also Present:**

Richard Hulse  
Steve Kirkpatrick  
Mike Kent  
Sean Ashby  
Peter Steel  
Melissa Shields

Daniel Whaley  
Terri Lackey  
Alan Lackey  
Skip Chisholm  
James Olsen  
Heather Jessop

**II. Approval of Meeting Minutes:**

a. [July 14, 2021 minutes](#)

[Attachment - Draft minutes](#)

Correction to Page 3, Finding of Fact 5 to read: We did not find any evidence of a septic site and concluded that Highway 93 construction took place over the septic site.

**Roger moved to approve the July 14, 2021 BOH minutes as corrected. Seconded by Katie.** Public comment on motion: none. Discussion: none. **All voted "aye" (5-0).**

**III. Correspondence:**

Jeff hand out the Memorandum of Understanding (MOU) which was rescinded by BCC, along with a draft for a new MOU.

Public comment:  
Skip Chisholm  
Alan Lackey  
Sheriff Steve Holton  
Jim Olsen

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

##### 1. Health Officer

Dr. Calderwood: absent.

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

Attachment - PHN report 1 of 2

Attachment - PHN Report 2 of 2

Present:  
Tiffany Webber, PHN

Public comment:  
Peter Steel  
Shawn Ashby  
Skip Chisholm  
Peter Steel

#### Ravalli County School Districts – masks:

Public comment:  
Skip Chisholm  
Terri Lackey  
Jim Olsen

#### BOH Recommendations:

1. Teach children to wash their hands; everyone wash your hands often
2. If employee/teacher/student is sick - STAY HOME
3. Parent/student/Teacher/employee - choice to mask or not
4. Encourage tolerance and respect of personal choices

Public comment:  
Skip Chisholm

**Dr. Turner moved to adopt Board of Health Resolution No. 3 to issue the 4 recommendations to Ravalli County School Districts, to be signed by BOH Chairman Burrows, the Public Health Officer and the Public Health Nurse.. Seconded by Roger. Public comment on motion: Skip Chisholm. Discussion: none. All voted "aye" (5-0).**

##### 3. Environmental Health Report

John Palacio, RCEH

**V. New Business:**

1. "Discussion with possible decision on the allowance of an Experimental System as an approved Wastewater Treatment System submitted by Scott Moore of Eljen Corporation." - JP

Attachment - Request

Attachment - JP

TABLED to September 08, 2021 BOH meeting.

2. "Discussion with possible decision on appeal to overturn RCEH's determination of a Non-conforming system" – JP

Attachment - Request

Attachment - Email Correspondence

Present:

Melissa Shields, Real Estate Agent

Daniel Whaley, property owner

Findings of Fact (FOF):

FOF 1. A trailer has been proven to be on site as early as 1982;

FOF 2. A 3 bedroom house was built in 1990;

FOF 3. Real Estate agent stated that there are two - 500 gallon shallow tanks (proven via pumping);

FOF 4. The parcel is slightly over 1 acre;

FOF 5. The original MDEQ approval was issued through the subdivision review in 1972; and

FOF 6. An affidavit received from the previous owner states that there was a three bedroom trailer on site (16'X65') 1982 and then replaced with a new 16'X70' trailer in 1989.

**Katie moved that base upon the Findings of Fact to overturn the denial, approve the appeal as requested and issue the Certificate of Compliance for a three bedroom structure. Seconded by Roger.** Public comment on motion: Skip Chisholm and Melissa Shields. Discussion: Dr. Turner, Roger, Jeff, Katie and John Palacio. **All voted "aye" (5-0).**

**VI. Old Business:**

1. Update on 807 Bear Creek Trail – JP

Shirley and Mr. Hendrix - phone call.

Jeff asked Mr. Hendrix if he and Shirley were willing to try and resolve the issues.

Mr. Hendrix stated, "This is my property and I have rights. There is no sewage coming from my RV, where I live. My mother in law lives in my house bedroom". Jeff again asked if they would like to work on resolving the issues. Mr. Hendrix hung up.

**Dr. Turner moved to approve sending the compliance order for 807 Bear Creek Trail to the County Attorney's Office for action. Seconded by Dr. Chilcote. Public comment on motion: Skip Chisholm and Heather Jessop. All voted "aye" (5-0).**

**VII. Public comment**

Alan Lackey  
Skip Chisholm  
Jim Olsen  
Terri Lackey  
Richard Hulse  
Peter Steel

**VIII. Next regular BOH meeting: August 11 2021 at 1:00 PM**

September 08, 2021 at 1:00 PM

**IX. Meeting Adjournment**

**Dr. Turner moved to adjourn the meeting. Seconded by Katie. All voted "aye" (5-0).**

-----  
Chris Taggart, Administrative Assistant