

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

**REGULAR MEETING 1:00 PM**

**Wednesday, September 14, 2022**

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

**I. Roll call**

Jeff Burrows (Conference call), Dr. Michael "Mick" Turner, Katie Scholl and Roger DeHaan.

Louis Danes is absent (will be late), arrived at 2:15 PM.

**STAFF PRESENT:**

Chris Taggart, minutes  
John Palacio, RCEH  
Tiffany Weber, PHN  
Marissa Thurmann, MTUPP  
Dr. Carol Calderwood, PHO  
Jeff Rodrick, PHEP  
Clay Leland, Civil Counsel

**Also present:**

Skip Chisholm  
Debi Shelby  
Shirley Hendrix  
Russ  
Mike Kent  
Heather Jessop  
Scott Schmiedeke

**II. Approval of Meeting Minutes:**

a. August 10, 2022 minutes

Attachment - DRAFT 8 10 22 BOH minutes

**Katie moved to approve the August 10, 2022 BOH minutes as presented. Seconded by Roger. Public comment on motion: none. Discussion: none. All voted "aye" (4-0).**

**III. Correspondence:**

None.

**IV. Department Reports:**

1. Health Officer

Dr. Carol Calderwood

2. Public Health Nurse's Report

Tiffany Webber

[Attachment - Report 1 of 2](#)

[Attachment - Report 2 of 2](#)

3. MTUPP Report

Marissa Thurman

Public comment:  
Skip Chisholm

4. PHEP Report

Jeff Rodrick

5. Environmental Health Report

John Palacio

**VI. Old Business:**

1. Update – Camping on HWY 93 – John P.

John Palacio – update only.

Public comment  
Skip Chisholm

2. Update - Compliance Order Issued for Parcel #'s 1290000, 1290080, 1290210, and 1290070 – Clay

Clay Leland, Civil Counsel – Update only.  
John Palacio

Public comment:  
Skip Chisholm

3. Update –196 Pine Dr., Victor. Occupied building without an approved means of wastewater treatment.” – John P.

Present  
Scott Schmiedeke  
John Palacio

Jeff - Additional Update: 807 Bear Creek Trail (court Judgement, raw sewage)

Shirley Hendrix  
Clay Leland  
Ruby Hutchison  
Shirley Hendrix  
Darryl Hendrix

Louis Danes is here 2:15 PM

Public comment:  
Skip Chisholm

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

1. “Discussion with possible decision on Compliance Order for use of RV’s as Occupied Buildings on Nightmare Lane” – John P. and Jeff B.

Jeff Burrows

#### Finding of Fact (FOF):

FOF 1: Comments received from a person living on the property, plus photos taken, testimony from the neighbor to the south and eye witnesses (Jeff & John P), the two trailers are not the only units being lived in.

**Katie moved that based upon the Finding of Fact to issue the Compliance Order for Nightmare Lane and include that:**

1. **The most western mobile home (with an approved septic system) and the eastern mobile home (which has been there since before 1982) be the only units to be occupied;**
2. **All other permanent or temporary living units must be removed and ceased from living in them immediately;**
3. **All motor homes need to be removed immediately and not lived in;**
4. **The shack cannot be lived in at any time;**
5. **All tents must be removed; and**
6. **The Compliance Order be delivered by Deputy Sheriff.**

**Seconded by Roger.** Public comment on motion: Skip Chisholm. Discussion: none. **All voted “aye” (5-0).**

Jeff is no longer on the conference call.

2. “Discussion with possible decision on appeal of Non-conforming Certificate of Compliance for 3963 Illinois Bench Rd., Stevensville” – John P.

Shawn Kramer

John Palacio

Findings of Fact (FOF):

FOF 1: BOH received an affidavit from the previous owner stating there was a 3 bedroom mobile home on site;

FOF 2: The groundwater depth is unofficially at 2 feet.

**Roger moved that based upon the Findings of Fact to accept the received affidavit and allow a replacements system for a three bedroom, which said replacement system will require an additional 1 foot of sand be added onto the elevated sand mound. Seconded by Katie.** Public comment on motion: Skip Chisholm and Mike Kent. Discussion: none. **All voted “aye” (4-0).**

3. [“Discussion with possible decision on appeal of Non-conforming Certificate of Compliance for 1258 US HWY 93 S, Hamilton” – John P.](#)

William Miller ZOOM  
Debi Shelby, Exit Realty  
John Palacio

Findings of Fact (FOF):

FOF 1: BOH received an affidavit stating this was a 3 bedroom;

FOF 2: BOH received a pumpers report;

FOF 3: The old root cellar has never shown any water within it (dry) (6' deep from surface).

**Roger moved that based upon the Findings of Fact to accept the received affidavit and continue the 3 bedroom use for a replacement system. Seconded by Katie.** Public comment on motion: Skip Chisholm. Discussion: none. **All voted “aye” (4-0).**

4. [“Discussion with possible decision on BOH funds use for septic permit folder and mailing costs” – John P.](#)

John Palacio  
Mike Kent

**Katie moved to deny using BOH funds for the septic permit folder and mailing costs but recommended that the BCC consider raising fees to include the purchase of septic permit folders and permit mail out costs. Seconded by Louis.** Public comment on motion: Skip Chisholm. Discussion: John Palacio, Mike Kent, Katie and Roger. **All voted “aye” (4-0).**

**VII. Public comment**

Skip Chisholm

**VIII. Next regular BOH meeting: October 12, 2022 at 1:00 PM**

**IX. Meeting Adjournment**

**Roger moved to adjourn the meeting at 3:36 PM. Seconded by Louis. All voted “aye” (4-0).**

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Chris Taggart, Administrative Assistant