

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

REGULAR MEETING 1:00 PM

Wednesday, November 09, 2022

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

I. Roll call

Jeff Burrows, Katie Scholl (Via ZOOM) and Dr. Michael Turner. Louis Danes is on his way.

Roger DeHaan is absent (excused).

STAFF PRESENT:

Chris Taggart, minutes

Clay Leland, Civil Counsel

III. Correspondence:

Attachment - 3 lot minor SD proposal

Attachment - 10 lot major SD

IV. Department Reports:

1. Health Officer

Dr. Carol Calderwood

2. Public Health Nurse's Report

Attachment - PHN 1 of 2

Attachment - PHN 2 of 2

Tiffany Webber, PHN

3. MTUPP Report

Tiffany Webber, PHN

4. PHEP Report

Jeff Rodrick, OEM Deputy Director

5. Environmental Health Report

John Palacio, RCEH

VI. Old Business:

1. Public Health Official – Resignation UPDATE
2. “Review with possible decision on Compliance Order for Parcel # 179500. RV used as residence” – John P. UPDATE
3. Camping on HWY 93 – John P. UPDATE
4. Compliance Order Issued for Parcel #'s 1290000, 1290080, 1290210, and 1290070 – Clay UPDATE Extended to December 7, 2022 via court system.
5. 196 Pine Dr., Victor. Occupied building without an approved means of wastewater treatment.” – John P. UPDATE
6. 807 Bear Creek Trail – Jeff/Clay UPDATE
7. Compliance Order Issued for use of RV's as Occupied Buildings on Nightmare Lane” – John P. and Jeff B. UPDATE

Present:
Mike Knight
Patrick Knight

Louis Danes is now present at 1:30 PM.

II. Approval of Meeting Minutes:

- a. October 12, 2022 minutes

Attachment - DRAFT 10-12-2022 BOH minutes

Louis moved to approve the October 12, 2022 Board of Health meeting minutes as presented. Seconded by Katie. Public comment on motion: none. Discussion: none. **All voted “aye” (4-0).**

V. New Business:

1. “Review with possible decision on a variance request on 7013 Bear Hollow, Darby – request to allow continued use of non-conforming system” – John P.

Attachment - Submitted information

[Attachment - legal ad](#)

[Attachment - RCEH letter](#)

[Attachment - PowerPoint](#)

[Attachment - RCEH Staff Report](#)

Present:

Dorene Sain, Realtor
David Freeman, Property Owner
Dion D'Almeida, Excavator
Kelly Arnold, RCEH

Variance request: Treat the existing system as a conforming system, conditioned upon a new system being installed (along with a possible deed restriction on 2nd dry cabin).

Variance Criteria:

1a: Dr. Turner, Katie and Louis: not satisfied; Jeff: satisfied for a newly installed system (3-1)

1b: Satisfied for a newly installed system (4-0)

1c: Satisfied (4-0)

1d: Satisfied (4-0)

1e: Dr. Turner, Katie and Louis: not Satisfied; Jeff: satisfied (3-1)

1f: Dr. Turner, Katie and Louis: not satisfied; Jeff: satisfied (3-1)

1g: Satisfied (4-0)

2: Dr. Turner, Katie and Louis: not satisfied; Jeff: satisfied (3-1)

3: Dr. Turner, Katie and Louis: not satisfied; Jeff: satisfied (3-1)

4: Satisfied (4-0)

5: Louis, Jeff and Katie: satisfied; Dr. Turner: not satisfied as the owner is asking for seasonal use and the property can be permitted seasonally (3-1)

Louis moved to deny the variance, based upon the variance criteria review. Seconded by Dr. Turner. Public comment on motion: David Freeman and Skip Chisholm. Discussion: none. **Dr. Turner, Katie and Louis voted “aye”; Jeff voted “nay”; motion passed (3-1), variance request denied.**

Louis moved to approve the allowance for six (6) months of continued use of the non-conforming system at 7013 Bear Hollow. Seconded by Katie. Public comment on motion: none. Discussion: none. **All voted “aye” (4-0).**

5. [Final Draft Rabies Ordinance for BOH review](#)

[Attachment - DRAFT Rabies Ordinance](#)

Present:

Tiffany Webber, PHN
Dr. Carol Calderwood, PHO

Amendments:

- change Vet to licensed Vet

- define clearance

Dr. Turner moved to recommend approval of the final draft Rabies Ordinance to the County Commissioners, as amended here today. Seconded by Louis. Public comment on motion: Skip Chisholm. Discussion: none. **All voted “aye” (4-0).**

2. “Review with possible decision on a variance request on 59 Bell Xing W., Stevensville – request to allow increased use that does not meet current requirements” John P.

Attachment - Submitted Information

Attachment - legal ad

Attachment - RCEH Staff Report

Present:

Michelle Hoffman

BOH consensus:

- **postpone this variance request until the new house will be lived in**
- **allow under construction new house to be connected to the existing 3 bedroom WW**
BUT the new house will not be lived in
- **RCEH and BOH be contacted within 6 months or passing of the father. The trailer, at that point will no longer be used and will be disconnected.**

3. “Discussion with possible decision on a Compliance Order for 167 Camas Ranch Rd., Hamilton – Occupied building without approved wastewater system” John P.

BOH consensus: RCEH meeting on this next week, postpone this request until the December 14, 2022 BOH meeting.

4. “Discussion with possible decision on a Compliance Order for 507 Chickadee Lane, Victor – Occupied building without approved wastewater system” John P.

Present:

Melissa Shields

BOH consensus: Continue to December 14, 2022 for an update by John P.

VII. Public comment

Ronald Gray

RE: 223 N Kootenai Creek Road

RE: corner of Eastside Highway and Ambrose

Skip Chisholm

VIII. Next regular BOH meeting: December 14, 2022 at 1:00 PM

IX. Meeting Adjournment

Louis moved to adjourn the meeting. Seconded by Katie. All voted "aye" (4-0).

Chris Taggart, Administrative Assistant