

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

REGULAR MEETING 1:00 PM

Wednesday, December 14, 2022

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

I. Roll call

Jeff Burrows, Katie Scholl, Roger De Haan, Louis Danes and Dr. Michael Turner.

STAFF PRESENT:

Karen De La Luz Martinez, minutes

Also present:

Patrick Knight

Mike Knight

Skip Chisholm

Mike Kent

Melissa Shields

Ronald Gray

Clay Leland, Civil Counsel

II. Approval of Meeting Minutes:

- a. November 09, 2022 minutes

[Attachment - DRAFT 11 09 2022 BOH minutes](#)

Katie moved to approve the November 09, 2022 Board of Health minutes as presented. Seconded by Dr. Turner. Public comment on motion: none. Discussion: none. **All voted "aye" (5-0).**

III. Correspondence:

None.

IV. Department Reports:

- 1. Health Officer

Dr. Calderwood not present.

Dr. Calderwood report given at 1:35 PM.

2. Public Health Nurse's Report

Attachment - PHN 1 of 2

Attachment - PHN 2 of 2

Present:

Tiffany Webber, PHN

3. MTUPP Report

Jenna Abejar

4. PHEP Report

Present:

Jeff Rodrick, OEM Deputy Director

5. Environmental Health Report

Present:

John Palacio

V. Old Business:

1. Discussion with possible recommendation to BCC on Public Health Official (Interview by BCC12/8/22)

Katie moved to recommend the appointment of Todd Wohlman as the new Public Health Officer to the Board of County Commissioners, contingent upon the background check. Seconded by Roger. Public comment on motion: Skip Chisholm. Discussion: none. All voted "aye" (5-0).

2. "Review with possible decision on Compliance Order for Parcel # 179500. RV used as residence" – John P. UPDATE

Present:

John Palacio

3. Camping on HWY 93 – John P. UPDATE

Present:

John Palacio

4. Compliance Order Issued for Parcel #'s 1290000, 1290080, 1290210, and 1290070 – Clay UPDATE

Present:

Clay Leland, Civil Counsel
John Palacio

Public comment:
Skip Chisholm

5. 196 Pine Dr., Victor. Occupied building without an approved means of wastewater treatment.” – John P. UPDATE

Present:
John Palacio

6. D&S Hendrix 807 Bear Creek Trail – Jeff/Clay UPDATE

Present:
John Palacio

BOH consensus: Have the property owners provide proof of a pumper reports every 2 weeks / for approximately six months (informally).

Public comment:
Skip Chisholm

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

Katie moved to require that the following items be completed within time lines stated:

- **By December 29, 2022, non-degradation analysis must be applied for with the Ravalli County Environmental Health Department (RCEH).**
- **By December 29, 2022, the western mobile home must be altered as per Department of Revenue requirements to disqualify it as a mobile home.**
- **By January 11, 2023, provide the Board of Health information regarding the certified installer that will install the septic system and financing information regarding the installation of the system, if the permitting process is finished with RCEH.**
- **The owners will come back to the Board of Health within a month.**

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

8. “Review with possible decision on a variance request on 7013 Bear Hollow, Darby – John P. UPDATE

Present:
John Palacio

9. "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. UPDATE

Present:
John Palacio

VI. New Business:

1. "Discussion with possible decision on a Compliance Order for 167 Camas Ranch Rd., Hamilton – Occupied building without approved wastewater system" John P. UPDATE (RCEH meeting) Postponed from 11/09/2022 to 12/14/2022

Present:
John Palacio

2. "Discussion with possible decision on a Compliance Order for 507 Chickadee Lane, Victor – Occupied building without approved wastewater system" John P. UPDATE Continued from 11/09/2022

Present:
Kelly Christopherson, GIS
Mellissa Shields (Zoom)

Roger moved to issue a Compliance Order stating the following: by January 1, 2023, no other building or structure on the property, other than the 3-bedroom dwelling, may be occupied. (The dwelling and office building built in 2021, any recreational vehicle (RV), or any other building on the Property, other than the 3-bedroom dwelling may NOT be occupied). Seconded by Katie. Public comment on motion: Skip Chisholm. Discussion: Clay Leland. All voted "aye" (5-0).

3. "Discussion with possible decision on Variance request: E&T Allen for 5516 Old US HWY 93 Florence P#1451000 to allow for a mixing zone for a drain field to overlap onto private property without an easement" – John P.

Attachment - Legal Ad

Present:
Toni Allen
Einar Allen
Tony Hilliard, Worth Engineering

Variance Criteria Questions:
1a. 3, is satisfied; 2 not satisfied
1b. 5-0, is satisfied
1c. 5-0, is satisfied
1d. 5-0, is satisfied
1e. 5-0, is satisfied
1f. 5-0, is satisfied

- 1g. 5-0, is satisfied
2. 1-4, is not satisfied
3. 3- 2, is satisfied
4. 1-4, is not satisfied
5. 1-4, is not satisfied

Roger moved to deny the variance request for 5516 Old US Highway 93 North. Seconded by Louis. Public comment on motion: Skip Chisholm. Discussion: Clay Leland. **All voted “aye” (5-0).**

4. “Discussion with possible decision on appeal of Administrative fee for starting construction on a wastewater system without a permit at 44 Darby Bridge Rd.” – John P.

John Palacio: this has been taken care of.

5. “Discussion with possible decision on Non-conforming Certificate of Compliance for 472 Dickson Creek Rd.” – John P.

Table to next month (January 11, 2023)

VII. Public comment

Skip Chisholm

VIII. Next regular BOH meeting: January 11, 2023 at 1:00 PM

Public comment:
Ronald Gray

IX. Meeting Adjournment

Dr. Turner moved to adjourn the meeting. Seconded by Roger. All voted “aye” (5-0).

Chris Taggart, Administrative Assistant