

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

REGULAR MEETING 1:00 PM

Wednesday, March 08, 2023

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

I. Roll call

Jeff Burrows, Dr. Michael Turner, Katie Scholl, Louis Danes and Skip Chisholm.

Also Present

Roger DeHaan, BOH Ex Officio
Patty Gruenhagen
Ken Gruenhagen
Ed Brenneman
Lisa Bennett
Ceko Mulyando
Scott Pfahler
Tom Stringham

Angela Previte
Chara Jacobs
Adrian Scibby
Harris Himes
Mike Travis
Brian Wrede
Lesli Shields

STAFF PRESENT:

Chris Taggart, Minutes

II. Approval of Meeting Minutes:

- a. February 08, 2023 minutes

[Attachment - DRAFT 02-08-2023 BOH minutes](#)

Louis moved to approve the February 08, 2023 Board of Health minutes as presented. Seconded by Skip. Public comment on motion: none. Discussion: none. **All voted "aye" (5-0).**

III. Correspondence:

Alpenglow: Owners notice for Scott Turner to represent them.

Jeff stated that the BOH will be changing up the agenda due to County Attorney's schedule and start with Old business agenda #3.

V. Old Business #3:

3. D&S Hendrix 807 Bear Creek Trail (CA Injunction 2/8/23) – Jeff UPDATE

Hendrix IMG_9177

Hendrix IMG_9178

Hendrix IMG_9179

Present:

Bill Fulbright, County Attorney

Lisa Bennett, Realtor

Katie moved to enforce this injunction order up to and including eviction, no later than March 29, 2023. Seconded by Louis. Public comment on motion: Lisa Bennett. Discussion: Jeff Burrows and Bill Fulbright. **All voted “aye” (5-0).**

IV. Department Reports:

1. Health Officer

2. Public Health Nurse’s Report

Attachment - PHN 1 of 3

Attachment - PHN 2 of 3

Attachment - PHN 3 of 3

Present:

Todd Wohlman, PHO

Tiffany Webber, PHN

3. MTUPP Report

None.

4. PHEP Report

None.

5. Environmental Health Report

John Palacio, RCEH

V. Old Business continued from above:

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

Update only.

3. 196 Pine Dr., Victor. Occupied building without an approved means of wastewater treatment.” – Kelly A. UPDATE

No update, still working with MDEQ.

Attachment - J Palacio EM 02-03-2023

4. Compliance Order for 507 Chickadee Lane, Victor – Occupied building without approved wastewater system” Kelly A. UPDATE POSSIBLE VARIANCE APP

507 Chickadee

Present:

Taylor Haggen, Attorney via ZOOM

Dr. Turner moved to approve the 120 days maximum temporary holding tank with the following conditions:

1. An alarm system be installed with a 24-hour notice;
2. A pumping schedule be submitted to RCEH and followed;
3. If groundwater monitoring fails, the premises will be vacated within 7 days;
4. If groundwater monitoring fails, the owner will immediately start remediation on the issues; and
5. RCEH can inspect the property, with a 24-hour notice given.

Seconded by Louis. Public comment on motion: none. Discussion: Katie, Roger and Dr. Turner. **Jeff, Skip, Louis and Dr. Turner voted “aye”;** **Katie voted “nay”;** **motion passed (4-1).**

5. "Discussion with possible decision on Non-conforming Certificate of Compliance for 472 Dickson Creek Rd." - John P. (tabled from 12/14/22 and 01/11/202 and 02/08/2023)

OB 5 472 Dickson Creek Rd Darby CONTINUED from Dec 2022

Remove from agenda until the owners contact RCEH.

Jeff stated that the BOH will start new business with agenda #5.

VI. New Business:

5. "Discussion with Possible decision on Big Sky Church RV trailers" - BOH

Attachment - H Himes letter 02-24-2023

Attachment - MDEQ Plat Approval

Attachment - Septic Permit

Attachment - Church

Attachment - 4 plex

[Attachment - Restaurant](#)

[Attachment - RCEH Staff Report](#)

[Attachment - Pictures 1 of 2](#)

[Attachment - Pictures 2 of 2](#)

Present:

Harris Himes

Adrian Scibby

Mike Travis

Dr. Turner moved that Mr. Himes come back to the April 12, 2023 BOH meeting to submit a site plan which shall include the following:

- 1. All buildings and their locations;**
- 2. All septic systems and their locations;**
- 3. All wells and their locations;**
- 4. A breakdown of which septic systems serve which buildings and the number of people they are serving;**
- 5. Well monitoring results**

Seconded by Katie. Public comment on motion: Ed Brennamen, Harris Himes and Mike Travis. Discussion: Dr. Turner, Katie, Jeff and Skip. **All voted "aye" (5-0).**

2. ["Discussion with possible decision on Compliance Order for 195 Pine Drive, Victor" – John P.](#)

[Attachment - RCEH Letter](#)

Present:

Ceko Mulyando

BOH consensus: report back next month.

3. ["Discussion with Possible decision on Variance Application for Parcel # 49730 \(corner of Willow Creek and Honeyhouse" - John P.](#)

[Attachment - Variance App](#)

[Attachment - Lot Layout](#)

[Attachment - Vicinity Map](#)

[Attachment - GW Monitoring Memo](#)

[Attachment - GW Monitoring Logs](#)

[Attachment - GW Model](#)

[Attachment - Review Criteria Memo](#)

[Attachment - RCEH Staff Report](#)

[Attachment - Legal Ad](#)

Present:

Scott Pfahler, Evenson Engineering

Variance Criteria:

#1

- a. BOH consensus: not satisfied.
- b. BOH consensus: is satisfied.
- c. BOH consensus: is satisfied.
- d. BOH consensus: not satisfied.
- e. BOH consensus: not satisfied.
- f. BOH consensus: not satisfied.
- g. BOH consensus: is satisfied.

#2. BOH consensus: not satisfied.

#3. BOH consensus: not satisfied.

#4. BOH consensus: not satisfied.

#5. BOH consensus: not satisfied

Katie moved to deny the variance request based upon the variance criteria review. Seconded by Louis. Public comment on motion: none. Discussion: none. **All voted “aye” (5-0).**

- 4. [“Discussion with Possible decision on Administrative Fee Appeal for Parcel # 318700, 2772 Alpenglow, Stevensville” – John P.](#)

Present:

Scott Turner, builder and representative

Katie moved to deny the appeal request and enforce the fee on the owners of 2772 Alpenglow. Seconded by Dr. Turner. Public comment on motion: none. Discussion: John, Jeff, Skip and Scott. **Skip, Louis, Katie and Dr. Turner voted “aye”; Jeff voted “nay”; motion passed (4-1)**

- 5. [“Discussion with Possible decision on Administrative Fee Appeal for Parcel # 283720” – John P.](#)

Present:

Ken Gruenhagen

Patty Gruenhagen

Dr. Turner moved to deny the appeal request but cut the administrative fee in half, from \$1,000.00 to \$500.00. Seconded by Louis. Public comment on motion: none. Discussion: none. **All voted “aye” (5-0).**

VII. Public comment

None.

VIII. Next regular BOH meeting: April 12, 2023 at 1:00 PM

IX. Meeting Adjournment

Katie moved to adjourn the meeting. Seconded by Louis. All voted “aye” (5-0).

Chris Taggart, Administrative Assistant