

Description			
Date	03/25/2010	Location	Board of Health
Time	Speaker	Note	
6:55:19 AM		Board Members Present: Robin Cory, Berk Knighton, Brian Leland, Bill Murdock, Gretchen Rupp, Carson Taylor, Barbara Vaughn Excused Members: Laura Larsson, Buck Taylor Staff: Sean Hill, Matt Kelley, Toni Lucker, Tom Moore, Stephanie Murphy, Tim Roark, Liz Wildman Public: William Dreyer; Rick Gale; Amber Geer; R.A. Gustin; Gary Keegan; Sean O'Callahan; Jim Potts; Peter Rothing; Brent Schmall	
7:03:07 AM		Meeting called to Order	
7:03:15 AM		Disclaimer for Audio Broadcasting	
7:03:46 AM		Public Comment on a Non-Agenda Item	
7:04:09 AM	Rick Gale	Rick is the Gallatin County Tobacco Prevention Coordinator. He presented the 6-month status since the full implementation of the Montana Indoor Air Act.	
7:06:43 AM		Board Chair introduced Matt Kelley, new Health Officer	
7:07:25 AM		Consent Agenda	
7:07:45 AM	Motion	Robin made a motion to adopt the minutes as written.	
7:07:48 AM	Second	Brian seconded the motion.	
7:07:56 AM	Vote	Roll Call: Brian - yes Bill - yes Robin - yes Gretchen - yes Carson - yes Barb - yes Berk - yes The motion passed unanimously.	
7:08:10 AM		Regular Agenda Variance Request #2010 - 003, Montana Rail Link	
7:08:31 AM		Staff Report, Proof of Notice & Questions by the Board The variance was noticed in the March 14th & 24th edition of the Bozeman Chronicle Tim presented the staff report.	
7:15:15 AM		Board discussions and questions for clarification regarding ice jam dynamics, ground elevation discrepancies, floodplain permits and hydraulic modeling.	
7:16:04 AM	Sean O'Callahan	Sean, Floodplain Administrator, discussed these issues with the Board.	

7:34:21 AM		Comments by Petitioner and questions by the Board
7:34:50 AM		Toni swore in those who were to give testimony.
7:35:14 AM	Bill Dreyer & Jim Potts, DOWL HKM	Bill & Jim presented and discussed the HKM floodplain survey results with the Board.
7:45:39 AM		Bill requested that condition #5 be removed - re-evaluating the septic system every 5 years.
7:46:01 AM		Questions and discussion by the Board
7:57:00 AM	Randy Gustin	Randy, assistant chief engineer, presented information on the shop facility for staff.
7:59:01 AM		Board discussion.
8:02:04 AM		Brian explained his reluctance to grant a variance for a septic system in the floodplain.
8:03:25 AM		Written comments - none
8:03:36 AM		Public comment
8:03:54 AM	Amber Geer	Amber has lived in Logan since 1986. She lives on the north side of the tracks and has a well that she is afraid would be jeopardized by the installation of a septic system by Montana Rail Link. She encouraged the Board to consider not granting a variance for this septic system as there are many septic systems already in Logan that are failing and impacting wells.
8:07:17 AM	Brent Schmall	Brent lives on the north side of track property and asked if a holding tank would be the best solution?
8:07:43 AM		Tim responded to the comments.
8:09:50 AM	Tom Moore, GCHD	Board discussion with Tom about the well location and any impacts.
8:12:15 AM		Board discussion about the size of the proposed septic system.
8:12:50 AM		Petitioner's Rebuttal Comments
8:12:59 AM		Bill & Jim discussed the impacts of the old highway bridge and the railroad bridge and the site surveys that included looking at wells to protect water.
8:16:51 AM		Board discussion.
8:18:14 AM	Sean O'Callahan	Sean, Gallatin County Floodplain Administrator, provided information on the floodplain permitting process.
8:20:18 AM		Close Factual Record and Board Deliberation
8:20:31 AM	Bill Murdock	Bill commented on the variance and conditions. He was concerned about the known water quality problems in Logan and asked why consider the addition of more individual septic systems to this area. Bill is in favor of a holding tank.

8:21:20 AM		The Board asked Tim to discuss the advantages and disadvantages of a holding tank.
8:23:11 AM		Board discussion on Logan as an area of special concern and holding tanks as a viable option in this area.
8:26:31 AM	Barbara Vaughn	<i>Re-opened the Comment Process</i>
8:26:41 AM	Bill Dreyer, DOWL HKM	Bill Dreyer addressed the Board's question regarding the use of a holding tank.
8:28:37 AM		<i>Closed Factual Record</i>
8:29:10 AM		Board discussion.
8:30:43 AM	Barbara Vaughn	Barbara discussed why she was in favor of a long-term solution of a pressure-dosed septic system.
8:32:10 AM	Gretchen Rupp	Gretchen commented that she was satisfied with protection of potable water sources. She discussed why she was not satisfied that the system would not cause pollution of state waters and that she would not vote for the variance.
8:33:22 AM	Berk Knighton	Berk discussed that a new system created in a floodplain was a bad deal and he was inclined to vote against the variance.
8:34:38 AM	Brian Leland	Brian commented that the ambiguity of the flood elevation and that he was not satisfied that the system would protect pollution of state waters as reasons he was inclined to vote against the variance.
8:36:19 AM		Board discussion with staff regarding flooding in Logan.
8:38:18 AM	Motion	<p>Robin made a motion to grant the variance with the following findings:</p> <ol style="list-style-type: none"> 1. The Gallatin City-County Board of Health has jurisdiction to grant a variance (ARM 17.36.922); 2. Pursuant to ARM 17.36.922(2)(a), that granting the variance will not contaminate any actual or potential drinking water supply; and 3. Pursuant to ARM 17.36.922(2)(b), that granting the variance will not cause a public health hazard as a result of access to insects, rodents, or other carriers of disease to humans; and 4. Pursuant to ARM 17.36.922(2)(c), that granting the variance will not cause a public health hazard by being accessible to persons or animals; and 5. Pursuant to ARM 17.36.922(2)(d), that granting the variance will not violate any law or regulation governing water pollution or wastewater treatment disposal, including the rules contained in this subchapter except for the rule that the variance is requested from; and 6. Pursuant to ARM 17.36.922(2)(e), that granting the variance will not

		pollute or contaminate state waters in violation of 75-5-605, MCA ; and 7. Pursuant to ARM 17.36.922(2)(f), that granting the variance will not degrade state waters unless authorized pursuant to 75-5-303, MCA; and 8. Pursuant to ARM 17.36.922(2)(g), that granting the variance will not cause a nuisance due to odor, unsightly appearance or other aesthetic consideration.
8:40:04 AM	Second	Gretchen seconded the motion.
8:41:40 AM	Vote	Roll Call: Brian - no Bill - no Robin - no Gretchen - no Carson - no Barb - yes Berk - no The motion was denied.
8:41:58 AM		Board discussion about applying for a holding tank in a floodplain.
8:47:31 AM		BREAK
8:53:18 AM		Robin reported on the Task Force meeting for accreditation that she attended. Steph Murphy reported on vacc-prev disease book available on Immunization.org.
8:55:53 AM		Welcome New City-County Health Officer - Matthew Kelley
9:05:12 AM		Meeting adjourned

Secretary

Date

Chair

Date