

Description	Gallatin County Courthouse Community Room, 311 W. Main, Bozeman, MT		
Date	05/23/2013	Location	Board of Health
Time	Speaker	Note	
7:03:14 AM		<p><i>Board Members Present:</i> Carson Taylor, Buck Taylor, Joe Skinner, Berk Knighton, Laura Larsson, Gretchen Rupp, Becky Franks, Steve Custer <i>Excused:</i> Robin Cory <i>Staff:</i> Matt Kelley, Toni Lucker, Tim Roar, Jill Steeley, Shane , Brittney Nelson <i>Public:</i> Rick Gale, Bob Griffith, G. Shane Lewis, Brittney Nelson, Duane Vinger</p> <p>These log notes provide only a part of the official record. The remainder of the official record is in the audio recording of the meeting. Section 2-3-212, MCA. The audio recording is available upon request.</p>	
7:04:10 AM		Meeting Called to Order	
7:04:51 AM		Public Comment	
7:04:56 AM	Rick Gale	Representing the Vietnam Veterans of America in Gallatin County, Rick invited the Board of Health and the Public to an event on Saturday June 15th - the 4th Annual Veteran Stand Down - from 9:00am to 2:00pm. Includes free medical, dental and vision screenings, free counseling and free chiropractic to veterans, homeless and the public.	
7:08:02 AM		Consent Agenda	
7:08:13 AM	Motion	Buck made a motion to approve the consent agenda	
7:08:20 AM	Second	Dr. Custer seconded the motion.	
7:08:27 AM	Vote	<p>Roll Call: Becky - yes Steve - yes Berk - yes Joe - yes Carson - yes Buck - yes Laura - yes Gretchen - yes</p> <p>The motion passed unanimously.</p>	
7:08:41 AM		Regular Agenda Decision to Approve the Proposed FY 14 Gallatin City-County Health Department Budget	
7:08:41 AM		Gretchen reported the activities of the Budget Subcommittee to the Board.	
7:08:52 AM		Matt reported that the Budget Subcommittee voted to recommend approval of the proposed budget to the full board. Matt presented the proposed FY 14 budget to the Board and answered questions from the Board.	
7:20:13 AM		Questions were asked about the Communicable Disease Reserve, Federal grants, cross-training of EHS staff to handle an increase in demand of services, use of capital reserves, and inspections of daycares & group homes.	
7:42:33 AM		The Board discussed indirect cost rates related to administering the grants and funding for needed direct services staff.	
7:51:35 AM		Commissioner Taylor asked if he had more money, what would Matt do with it? Matt	

		described his top priorities: increased WIC staffing and a public health communications position dedicated to communicating with the public to empower the public and connecting people to the resources.
7:54:26 AM		Gretchen commented that the proposed budget depends on maintaining the current mill revenue from the county and on the commissioners approving the subsidy request for the indirect costs of the grants.
7:55:25 AM		Joe abstained from voting on the budget that will come before him as the County Commissioner.
7:55:32 AM	Motion	Laura made a motion to adopt the FY 2014 budget as proposed.
7:55:41 AM	Amended Motion	She added the condition that this budget is proposed based on the current mill levy of 5.52 mil that goes to Health and Mental Health.
7:56:56 AM	Second	Becky seconded the motion.
7:57:06 AM		Buck asked if the 50% subsidy for the ICAP be added in the motion?
7:57:35 AM	Amended Amended Motion	add to the amended motion: 'and subsidy for the ICAP'. Motion to adopt the FY 2014 budget as proposed with the condition that this budget is proposed based on the current mill levy of 5.52 mil that goes to Health and Mental Health and the subsidy for the ICAP.
7:57:55 AM	Second	Becky seconded the motion.
7:58:01 AM	Vote	Roll Call: Buck - yes Joe - abstained Carson - yes Berk - yes Laura - yes Gretchen - yes Becky - yes Steve - yes The motion passed.
7:58:20 AM		The County Commission will deliberate on the budget June 12 & 13.
7:58:55 AM		The Board Chair called for a five-minute break
8:04:06 AM		The Board Chair reconvened the meeting.
8:04:11 AM	reconvene	Variance Request #2013 - 002 & - 003, Rankin Investments
8:04:37 AM		<i>Report from Staff and Questions by the Board</i>
8:04:46 AM		Tim Roark described the two variance requests: 1) installation of a septic disposal system in an area with groundwater within 48-inches of natural ground surface; and 2) not to complete groundwater monitoring this water year.
8:05:12 AM		The variance application was published in the May 12 & 22 editions of the Chronicle
8:05:53 AM		The addition of 2 extra bedrooms requires the septic system upgrade.
8:06:33 AM		To satisfy the first variance request - The engineer is proposing an elevated sand mound with 2-feet of sand under the trenches resulting in the required 4-feet of separation
8:07:19 AM		Request #2 - not to complete groundwater monitoring this year. In this application, the applicant and engineer are conceding that the groundwater comes within 72-inches of the ground surface and in addition, due to the drought conditions this year,

		the ground water separation may not be reflective of the actual site condition.
8:08:30 AM		Regarding the applicant's answers to the criteria, Tim pointed out the the applicant answered correctly but opposite of what the Board considers appropriate.
8:09:56 AM		The Board asked about the monitoring requirements of 2001 versus now.
8:11:23 AM		The Board asked about the results of the 2001 groundwater monitoring.
8:11:47 AM		Tom Moore stated that there was no monitoring in 2001 and a permit was issued based on the engineer's test pit that resulted in the groundwater did not exceed 66-inches. It was in 2004 that the state regulations changed to require monitoring if the test pit results in water 84-inches.
8:12:43 AM		More questions and discussion by the Board regarding soil evidence.
8:13:40 AM		Comments by the Petitioner and Questions by the Board
8:14:02 AM		Toni swore in the commenter.
8:14:05 AM	Duane Vinger	As the site evaluator, Duane commented that he relies on the expertise of the Environmental Health staff regarding the site and then proceeds to do his work. He added that since there is an existing system, an elevated sandmound would provide the best form of secondary treatment. Duane answered questions by the Board
8:15:03 AM		Dr. Custer asked if Duane had test pits and if he saw evidence of soil mottling?
8:16:59 AM		Dr. Custer followed-up with another question about how close was the site to the floodplain?
8:17:51 AM		Gretchen Rupp asked why the system was placed on the 24-acre property where the mixing zone was entirely off site?
8:19:12 AM		Written comments - none
8:19:22 AM		Public comment - none
8:19:31 AM		Staff comments - Tim noted the staff recommendations approve this variance request.
8:19:54 AM		Factual Record Closed
8:19:58 AM		Board Discussion and Deliberation
8:20:08 AM		Gretchen asked Dr. Custer about the mixing zone drawn with groundwater flow direction per a 50-year old report (Slagel map) - is that the best we can do?
8:24:10 AM		Gretchen added this is not an optimal situation but it is a substantial improvement.
8:24:46 AM		Reading of the variance criteria and finding the applicant has met the criteria
8:24:49 AM	Motion	Laura made a motion to grant Variance Request #2013-002 and -003 from compliance with ARM 17.36.914.3 (high groundwater) and 17.36.914.5 (required groundwater monitoring).
8:25:24 AM		Laura supports the motion because the following criteria are satisfied and the variances will not: i. Contaminate any actual or potential drinking water supply; ii. Cause a public health hazard as a result of access to insects, rodents, or other possible carriers of disease to humans; iii. Cause a public health hazard by being accessible to persons or animals; iv. Violate any law or regulation governing water pollution or wastewater treatment and disposal, including the rules contained in this subchapter except for the rule that the variance is requested from; v. Pollute or contaminate state waters, in violation of 75-5-605, MCA;

		<p>vi. Degrade state waters unless authorized pursuant to 75-5-303, MCA;</p> <p>vii. Cause a nuisance due to odor, unsightly appearance, or other aesthetic consideration;</p> <p>b) Compliance with the requirement from which the variance is requested would result in undue hardship to the applicant due to the high groundwater on that property;</p> <p>c) The variance is necessary to address extraordinary conditions that the applicant could not reasonably have prevented - the high groundwater;</p> <p>d) No alternatives that comply with the requirement are reasonably feasible; and</p> <p>e) The variances requested are not more than the minimum needed to address the extraordinary conditions.</p>
8:26:58 AM	Second	Steve seconded the motion.
8:27:34 AM	Vote	<p>Roll Call:</p> <p>Becky - yes</p> <p>Steve - yes</p> <p>Berk - yes</p> <p>Joe - yes</p> <p>Carson - yes</p> <p>Buck - yes</p> <p>Laura - yes</p> <p>Gretchen - yes</p> <p>The motion passed unanimously.</p>
8:28:58 AM		Radon Research Report by Laura Larsson
8:29:10 AM		Laura reported on the results of the 3-year study in partnership with Environmental Health.
8:55:20 AM		(Becky had to leave)
9:01:27 AM		Health Officer Report
9:01:46 AM		Matt reported on Hantavirus season and for citizens to exercise great caution when cleaning areas frequented by rodents and their droppings. He noted the recent fatal case of the disease in a young Gallatin County resident.
9:03:30 AM		Matt reported that the Health Department submitted an application for National Accreditation.
9:03:45 AM		He welcome the new Sanitarians to the Board - Shane Lewis and Brittney Nelson
9:04:06 AM		Board Updates - none
9:04:22 AM		Meeting Adjourned