



## Gallatin City-County Health Department

<b>Description</b>	Gallatin County Community Room, 311 W. Main, Bozeman MT		
<b>Date</b>	9/25/2014	<b>Location</b>	Board of Health
<b>Time</b>	<b>Speaker</b>	<b>Note</b>	
<a href="#">6:49:30 AM</a>		<p><i>Board Members Present:</i> Robin Corey, Steve Custer, Becky Franks, Tracy Knoedler, Gretchen Rupp, Joe Skinner, Buck Taylor, Carson Taylor  <i>Excused Members:</i> Berk Knighton  <i>Staff:</i> Matt Kelley, Toni Lucker, Tom Moore, Tim Roark, Dustin Schreiner, Stefanie Tassaro  <i>Public:</i> Bill Anderson, Caroline Bianchini Thayer, Jason Karp, Jane Mahlow, Marie McClum, Al Schaaf, Nancy Walters, Samantha Tartaglino</p> <p><b><i>These log notes provide only a part of the official record. The remainder of the official record is in the audio recording of this meeting. Section 2-3-212, MCA. The audio recording is available upon request.</i></b></p>	
<a href="#">7:02:10 AM</a>		<b>Meeting called to order</b>	
<a href="#">7:02:22 AM</a>		<b>Audio Disclaimer</b>	
<a href="#">7:03:03 AM</a>		<b>Public Comment on a Non-Agenda Item - none</b>	
<a href="#">7:03:23 AM</a>		<b>Consent Agenda</b>	
<a href="#">7:03:42 AM</a>	<b>Motion</b>	Becky made a motion to adopt the consent agenda	
<a href="#">7:03:47 AM</a>	<b>Second</b>	Buck seconded the motion.	
<a href="#">7:03:51 AM</a>	<b>Vote</b>	<p><u>Roll Call:</u>                      Steve - yes                      Becky - yes                      Tracy - yes                      Gretchen - yes                      Joe Skinner - yes                      Buck - yes</p> <p>The motion passed unanimously.</p>	
<a href="#">7:04:23 AM</a>		<b>Regular Agenda</b>	
<a href="#">7:04:31 AM</a>		<b>Variance Request 2014-006, Al Schaaf</b>	
<a href="#">7:04:47 AM</a>		<i>Staff Report</i>	
<a href="#">7:04:55 AM</a>		(Carson arrived)	
<a href="#">7:05:19 AM</a>	Tim Roark	Tim presented information on the request for variance: ground water less than 48-inches from natural ground surface, move drain field and increase to 5 bedrooms	
<a href="#">7:08:59 AM</a>		Tim reported public notice in Chronicle on September 14th and 24th editions	
<a href="#">7:09:08 AM</a>		(Robin arrived)	
<a href="#">7:09:23 AM</a>		<i>Questions from the Board</i>	
<a href="#">7:09:30 AM</a>	Carson Taylor	Carson asked about the present system, which is located on the adjoining property and	

		was permitted in 1973.
<a href="#">7:10:00 AM</a>		Carson asked if the system was interfering and polluting the groundwater.
<a href="#">7:10:39 AM</a>	Joe Skinner	Joe asked about the fill used to make up the 48 inches and if it gives additional risk to a system.
<a href="#">7:11:46 AM</a>	Steve Custer	Steve asked about the engineered fill and if it adds any impact to shunting water out to the surface.
<a href="#">7:12:10 AM</a>	Tim Roark	Tim discussed the engineered fill and the requirement in DEQ 4 of how it is performed.
<a href="#">7:13:07 AM</a>	Steve Custer	Steve asked about any requirements to abandon the drain field located on another property and not being used.
<a href="#">7:14:10 AM</a>	Becky Franks	Becky asked about the adjacent neighborhood being developed, would it be better to hook up to a system, and is 1,200 feet excessive piping
<a href="#">7:14:37 AM</a>	Tim Roark	Tim discussed the 1,200 feet of transport line.
<a href="#">7:15:47 AM</a>	Becky Franks	Becky asked about connection to the public system, would it be a better system or equal to the updated system?
<a href="#">7:16:02 AM</a>	Tim Roark	Tim discussed the proposed system and connection to a public system.
<a href="#">7:16:58 AM</a>	Gretchen Rupp	Gretchen asked for clarification about Meadowcreek subdivision and its public water system, is it part of the city of Bozeman?
<a href="#">7:17:21 AM</a>		<i>Comments by Petitioner</i>
<a href="#">7:17:32 AM</a>		Toni swore in the commenter, Bill Anderson
<a href="#">7:17:48 AM</a>	Bill Anderson	Professional engineer of Anderson Engineering Inc in Bozeman. He presented information about the variance request.
<a href="#">7:18:50 AM</a>		Bill commented on what it would take for annexation to the City and to connect to the existing public wastewater system in Meadowcreek Subdivision.
<a href="#">7:20:19 AM</a>		<i>Questions by the Board</i>
<a href="#">7:20:25 AM</a>	Tim Roark	Tim asked Bill Anderson to discuss the engineering challenges to laying a 1,200 ft transport line.
<a href="#">7:21:41 AM</a>	Steve Custer	Steve asked for clarification regarding the easement issue.
<a href="#">7:24:08 AM</a>	Robin Cory	Robin asked if the costs of connecting to public systems are part of Board consideration.
<a href="#">7:24:58 AM</a>	Carson Taylor	Carson asked if the proposed system is bigger system than what exists?
<a href="#">7:25:21 AM</a>	Bill Anderson	Noted the proposed system is larger due to expanding to a 5-bedroom house.
<a href="#">7:25:43 AM</a>	Carson Taylor	Clarified that the system would have to be changed regardless of the size of the house since the drain field is on the adjoining property.
<a href="#">7:26:18 AM</a>		Carson also asked how this system would be monitored.
<a href="#">7:26:27 AM</a>	Bill Anderson	Sand mound systems are required to have monitoring points.
<a href="#">7:26:51 AM</a>		Carson asked if those monitoring points are generally checked by someone, or wait for failure.
<a href="#">7:27:02 AM</a>		Bill noted the checks are required by DEQ
<a href="#">7:27:25 AM</a>	Carson Taylor	Is it expensive to check annually?
<a href="#">7:27:30 AM</a>		Bill discussed the inexpensive small nitrate sample
<a href="#">7:27:41 AM</a>		Carson asked if the client would object to a condition that in the next few years the system is checked annually?
<a href="#">7:27:50 AM</a>		Bill noted Mr. Schaaf shaking his head that he would not object to that condition.
<a href="#">7:28:05 AM</a>	Steve Custer	Steve asked some technical questions regarding materials and groundwater distance to

		surface as 61.48 inches.
<a href="#">7:30:10 AM</a>	Tim Roark	Tim described the key zone: slight bit of excavation to break the surface and this one is 4-inches
<a href="#">7:30:54 AM</a>	Carson Taylor	Schaaf Trust owns the property?
<a href="#">7:31:09 AM</a>	Gretchen Rupp	Gretchen asked for clarification that a new septic tank and dosing tank would be installed.
<a href="#">7:31:17 AM</a>		Gretchen asked Bill Anderson if his client would object to a condition on the permit involving abandoning the old septic tank according to the official protocol of the health department.
<a href="#">7:31:28 AM</a>		Bill noted that is in the plan.
<a href="#">7:31:32 AM</a>	Gretchen Rupp	Gretchen would like to see that condition in the staff recommendations.
<a href="#">7:31:45 AM</a>		Gretchen asked Bill Anderson to talk about the existing water feature.
<a href="#">7:32:43 AM</a>		Gretchen asked about plans for constructing the pond?
<a href="#">7:33:31 AM</a>		Gretchen also asked about surface runoff into the pond and about plans for a dam.
<a href="#">7:34:22 AM</a>	Robin Cory	Robin asked about full-time residency in the new house.
<a href="#">7:34:32 AM</a>	Matt Kelley	Matt requested clarification on the easement issue.
<a href="#">7:36:12 AM</a>		<i>Written comments - none</i>
<a href="#">7:36:21 AM</a>		<i>Staff comments - none</i>
<a href="#">7:36:52 AM</a>		<i>Rebuttal Comments by Petitioners - none</i>
<a href="#">7:37:07 AM</a>	Carson Taylor	Carson asked Tim about any burdens to staff to review annual testing.
<a href="#">7:38:55 AM</a>		<i>Public Comment - none</i>
<a href="#">7:39:15 AM</a>		<i>Close Factual Record; Board Deliberation and Decision</i>
<a href="#">7:39:23 AM</a>	Steve Custer	Steve expressed his concern with the abandoned drain field on the other property if the property is developed.
<a href="#">7:40:35 AM</a>	Gretchen Rupp	Gretchen asked Tim if an old drain field represents a health risk if the septic tank is abandoned properly.
<a href="#">7:41:40 AM</a>	Carson Taylor	Carson is in favor of the variance, discussed the annexation issue and noted this great use of the 5-year sunset policy.
<a href="#">7:43:39 AM</a>		Carson wants to add a condition of annual testing for the first 5 years and is reported at end of the 5 years for staff review. Also an abandonment condition to be added. Carson feels all conditions have been met for hardship
<a href="#">7:44:30 AM</a>	Joe Skinner	Joe is in favor of the variance request and not in agreement of adding annual monitoring.
<a href="#">7:44:55 AM</a>	Gretchen Rupp	Gretchen noted it is essential that the new pond not include a dam of any kind.
<a href="#">7:45:39 AM</a>	Tim Roark	Tim asked for clarification on Carson Taylor's comments on monitoring - nitrate monitoring?
<a href="#">7:46:04 AM</a>	Carson Taylor	Regarding Joe Skinner's comments, Carson proposed to make a motion without the condition of annual testing, then he would move to amend it in, and the Board vote on it separately.
<a href="#">7:46:18 AM</a>		Carson's proposed some language for the added condition.
<a href="#">7:47:15 AM</a>	<b>Motion</b>	Carson made a motion to grant a variance to the Schaaf trust from ARM 17.36.914(3) with the following conditions: conditions 1-6 as listed in the Staff Recommendations and with the further condition that the abandonment of current system be in accordance with accepted protocol.

<a href="#">7:47:57 AM</a>	<b>Second</b>	Buck seconded the motion
<a href="#">7:48:00 AM</a>	Carson Taylor	<p>1) Granting the variance will not:</p> <p>a) Contaminate any actual or potential drinking water supply;</p> <p>b) Cause a public health hazard as a result of access to insects, rodents, or other possible carriers of disease to humans;</p> <p>c) Cause a public health hazard by being accessible to persons or animals;</p> <p>d) 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;</p> <p>e) Pollute or contaminate state waters, in violation of 75-5-605, MCA;</p> <p>f) Degrade state waters unless authorized pursuant to 75-5-303, MCA;</p> <p>g) Cause a nuisance due to odor, unsightly appearance, or other aesthetic consideration;</p> <p>2) Compliance with the requirement from which the variance is requested would result in undue hardship to the applicant - because of the high groundwater in existence on the property at present and in the future;</p> <p>3) The variance is necessary to address extraordinary conditions that the applicant could not reasonably have prevented - high groundwater;</p> <p>4) No alternatives that comply with the requirement are reasonably feasible - connection to city services is not reasonably feasible at this time;</p> <p>5) The variance requested is not more than the minimum needed to address the extraordinary conditions.</p>
<a href="#">7:50:12 AM</a>	<b>Amendment to the Motion</b>	Carson made a motion to add a further condition that annual testing for nitrates of the efficiency of the system be performed in accordance with however staff requires and that those tests be reviewed one time - when the 5-year sunset expires under staff condition #4.
<a href="#">7:50:52 AM</a>	<b>Second of the Amended Motion</b>	Buck seconded the amended motion
<a href="#">7:50:57 AM</a>	Carson Taylor	Carson added in support of this amendment that the party has not objected to it; is not a burden on staff; and this is an added check that the system works.
<a href="#">7:51:41 AM</a>	Steve Custer	Steve added that the sand mound systems have been used before and this requirement has not been done before - why is this case special?
<a href="#">7:52:29 AM</a>	Gretchen Rupp	Gretchen added she will vote against this as she sees no reason to add this condition now since it has not been added to previous approvals of this kind of system.
<a href="#">7:52:39 AM</a>	<b>Vote on the Amended Motion</b>	<u>Roll Call:</u> Joe - no Tracy - yes
<a href="#">7:52:48 AM</a>	Tracy Knoedler	Tracy asked for clarification about why annual testing when the results would not be reviewed until at the end of 5 years.
<a href="#">7:54:19 AM</a>	Robin Cory	Robin asked what the applicant would do if an annual test showed the system was not working.
<a href="#">7:54:40 AM</a>	<b>Continued Vote on the</b>	<u>Roll Call:</u> Robin - no

	<b>Amendment Motion</b>	Carson - yes Buck - yes Steve - no Becky - no Gretchen - no  Motion fails
<a href="#">7:55:34 AM</a>		More discussion on the variance request motion
<a href="#">7:55:40 AM</a>	Steve Custer	Discussion about the proposed pond, which is not in the Board's authority.
<a href="#">7:56:19 AM</a>	Joe Skinner	Joe supports the findings and added that properly engineered sand mounds are a feasible and workable solution.
<a href="#">7:57:15 AM</a>	<b>Vote on Variance Request 2014-006</b>	<i>Roll Call:</i> Joe - yes Tracy - yes Robin - yes Carson - yes Buck - yes Gretchen - yes Steve - yes Becky - yes  Motion passed unanimously.
<a href="#">7:57:52 AM</a>		<b>Consideration and Vote of Letter of Support for Belgrade Active Communities Initiative</b>
<a href="#">7:58:33 AM</a>	Matt Kelley, Health Officer	Introduced Jason Karp, City Planner from City of Belgrade and both Matt and Jason presented information on the Letter of Support for Belgrade Active Communities Initiative
<a href="#">8:21:56 AM</a>	Buck Taylor	Buck commented on the experiences of the Belgrade Community Health Partners walking group
<a href="#">8:22:40 AM</a>	<b>Motion</b>	Buck made a motion to support this resolution
<a href="#">8:22:47 AM</a>	Becky	Becky described the success of the E. Helena to Helena walking trail that directly addresses obesity rates and improving the health of the people.
<a href="#">8:23:41 AM</a>	<b>Second</b>	Becky seconded the motion
<a href="#">8:23:53 AM</a>	Steve Custer	Steve supports this and added that this initiative is consistent with the community health improvement public meeting discussions on trails, walking and biking access.
<a href="#">8:24:46 AM</a>	Carson Taylor	Carson added that the City of Bozeman has a Complete Streets Policy too and is conscious on how to get folks walking and biking
<a href="#">8:25:24 AM</a>	<b>Vote</b>	<i>Roll Call:</i> Joe - yes Tracy - yes Robin - yes Carson - yes Buck - yes Gretchen - yes Steve - yes Becky - yes  The motion passed unanimously.
<a href="#">8:25:42 AM</a>		<b>Subcommittee Reports</b>
<a href="#">8:25:53 AM</a>	Gretchen Rupp	Gretchen reported on the Document Review Committee. Deputy County Attorney Erin Arnold advised the Board to adopt new, clean By-Laws and incorporate the rest into Board of Health Policy & Procedures.

<a href="#">8:28:29 AM</a>	Buck Taylor	Buck suggested the Document Review Committee meet and bring back updates to the full Board.
<a href="#">8:28:46 AM</a>	Becky Franks	Becky agrees with Buck to work this out and bring a clean version to board once attorney reviews both documents.
<a href="#">8:29:38 AM</a>	Gretchen Rupp	Document Review Committee will reconvene for a proposal for the attorney office
<a href="#">8:29:57 AM</a>	Matt Kelley	<b>Health Officer Report</b>
<a href="#">8:30:10 AM</a>		Matt introduced Stefanie Tassarò, VISTA.
<a href="#">8:31:21 AM</a>		Matt announced Dustin Schreiner's promotion to Senior Sanitarian leading the Establishment Program
<a href="#">8:31:48 AM</a>		Matt reported that the walk-in Flu clinics have started every Monday, 3:30pm - 5:00pm and Tuesday, 8:30am - 11:00am or call for an appointment
<a href="#">8:32:47 AM</a>		DPHHS announced: LAUNCH grant awarded! (one HV position at GCCHD; 2 at mental health and 1 at Thrive)
<a href="#">8:33:59 AM</a>		Matt also reported no significant communicable disease issues and no confirmed enterovirus
<a href="#">8:34:52 AM</a>		Matt will send his Health Officer Report and the communicable disease numbers to the Board next week
<a href="#">8:35:08 AM</a>	Steve Custer	Steve asked about strep.
<a href="#">8:35:40 AM</a>	Robin Cory	In response to Robin's question, Matt reported on the status of accreditation.
<a href="#">8:37:26 AM</a>	Tim Roark	Tim reported Chapter 3 feedback is expected from the attorney on Friday.
<a href="#">8:38:10 AM</a>	Matt Kelley	Matt expressed appreciation for Chris Gray and Erin Arnold of the County Attorney's office for their support of the Board of Health
<a href="#">8:39:17 AM</a>		Meeting Adjourned