

Gallatin City-County Health Department

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BOARD OF HEALTH AGENDA

October 13, 2016

7:00am

Health Department Education Room
215 W Mendenhall

[07:12:44 AM \(00:00:00\)](#)

A. Call to Order

[07:12:47 AM \(00:00:03\)](#)

B. Disclaimer for Audio Broadcasting












[07:13:07 AM \(00:00:23\)](#)

C. Public Comment on a Non-Agenda Item

No public comment

[07:13:20 AM \(00:00:36\)](#)

D. Consent Agenda

1. Board Meeting Minutes July 28, 2016 
2. Board Meeting Minutes August 25, 2016 
3. Workplace Breastfeeding Policy 
4. Contracts
 - a. DPHHS Task Order 16-07-5-21-009-0: WIC Amendment #2 for Breastfeeding Peer Counseling Program 
 - b. DPHHS Task Order 16-07-5-01-090-0: Amendment #2 for MIECHV (Maternal, Infant and Early Childhood Home Visiting Program) 
 - c. Valley Professional Center Partnership Rental Agreement for WIC Belgrade Location 
 - d. LAUNCH MOU with Child Care Connections 
 - e. LAUNCH MOU with Community Health Partners 
 - f. LAUNCH MOU with Greater Gallatin United Way 
 - g. LAUNCH MOU with Gallatin Mental Health Center 
 - h. LAUNCH MOU with THRIVE 

[07:13:55 AM \(00:01:11\)](#)

Steve Custer requested to remove the minutes of July 28, 2016 from the consent agenda.

[07:14:07 AM \(00:01:23\)](#)

Motion: Buck made a motion to approve the consent agenda as written with the Board meeting minutes from July 28, 2016 removed.

Buck added a caveat for the Board that he works for Community Health Partners. There is an MOU on the consent agenda. He does not derive any benefit from that MOU but he wanted to state this for the record.

[07:14:35 AM \(00:01:51\)](#)

Second: Steve seconded the motion.

[07:14:44 AM \(00:02:00\)](#)

Vote

[Board Vice-Chair - Buck Taylor: Motion](#)
[Board Member - Steve Custer: 2nd](#)
[Board Member - Richard Damon: Approve](#)
[Board Member - Steve Custer: Approve](#)
[Board Chair - Becky Franks: Approve](#)
[Board Vice-Chair - Buck Taylor: Approve](#)
[Board Member - Jane Mahlow: Approve](#)
[Board Member - Joe Skinner: Approve](#)
[Board Member - Chris Mehl: Approve](#)
[Board Member - Laura Larsson: Approve](#)
[Board Member - Seth Walk: Approve](#)

The motion passed unanimously.

[07:14:52 AM \(00:02:08\)](#)

Board Meeting Minutes July 28, 2016

Steve described that the listed votes in the written minutes for the two appeals were missing one member's vote.

[07:16:09 AM \(00:03:25\)](#)

Motion: Steve made a motion that page 5 of 9 of the Board minutes to include Seth Walk's disapprove vote; and the minutes on page 7 of 9 to also include Seth Walk's disapprove vote.

[07:16:50 AM \(00:04:06\)](#)

Second: Dick Damon seconded the motion

[07:16:56 AM \(00:04:12\)](#)

Vote

[Board Member - Steve Custer: Motion](#)
[Board Member - Richard Damon: 2nd](#)
[Board Member - Richard Damon: Approve](#)
[Board Member - Steve Custer: Approve](#)

[Board Chair - Becky Franks: Approve](#)
[Board Vice-Chair - Buck Taylor: Approve](#)
[Board Member - Jane Mahlow: Approve](#)
[Board Member - Joe Skinner: Approve](#)
[Board Member - Chris Mehl: Approve](#)
[Board Member - Laura Larsson: Approve](#)
[Board Member - Seth Walk: Approve](#)

The motion passed unanimously.

[07:17:06 AM \(00:04:22\)](#)

E. Regular Agenda with Public Comment

1. Variance Request #2016-006 and -007, Judith Ivey

[07:17:53 AM \(00:05:09\)](#)

Staff Report including proof of notice and questions by Board

Tom Moore presented the staff report of the Judith Ivey variance request for 1) installation of a new septic system in an area with ground water that is less than 48-inches from natural ground surface and 2) to not complete a full season of groundwater monitoring as required.

Public notice was published on Oct 2 & 12th in Chronicle

[07:21:52 AM \(00:09:07\)](#)

Staff suggested adding one condition to the variance – that landowners are required to obtain any necessary floodplain permits prior to construction in the floodplain.

[07:22:29 AM \(00:09:44\)](#)

Joe Skinner asked Tom if the engineer could tell by the composition of the soil how far groundwater comes up.

[07:23:20 AM \(00:10:35\)](#)

Buck Taylor asked Tom if the new septic will cover the 3bdrm main house and 1bdrm apartment.

[07:23:55 AM \(00:11:10\)](#)

Chris Mehl asked for clarification about the height of the sandmound.

No written comments

More Board discussion

[07:25:20 AM \(00:12:35\)](#)

More Board discussion about ground water monitoring and clay and upper soil zone

Comments by Petitioner and questions by the Board

[07:27:46 AM \(00:15:01\)](#)

Mike Stenberg , Hyalite Engineering, was sworn in and provided testimony

Questions by the Board

[07:31:18 AM \(00:18:33\)](#)

Board questions about the irrigation ditch; scarification process and the sandmound structure

[07:35:12 AM \(00:22:30\)](#)

No written comments

[07:35:22 AM \(00:22:37\)](#)

Public comment and questions by the Board

No public comment.

[07:35:32 AM \(00:22:48\)](#)

Staff comments

[07:35:38 AM \(00:22:53\)](#)

Matt reminded the board about the recommendation that is not in the write-up: **to require the applicant to obtain all necessary approvals and reviews by the Gallatin County Floodplain Administrator**

Petitioner's rebuttal comments and questions by the Board

[07:36:13 AM \(00:23:28\)](#)

Mr. Stenberg noted the landowner had no problems with the recommendations

[07:36:46 AM \(00:24:02\)](#)

Judith Ivey, property owner, was sworn in and asked the Board for any questions.

[07:37:51 AM \(00:25:07\)](#)

Factual record closed with board deliberation and discussion

[07:38:17 AM \(00:25:32\)](#)

Steve commented this was a win-win situation and is a better system in a better place.

[07:38:46 AM \(00:26:01\)](#)

Motion: Joe made a motion to grant the variance to the Ivey's for the installation of a new septic system in an area with ground water less than 48-inches from natural ground surface and to not complete a full season of ground water monitoring as required by ARM 17.6.914(5)(c).

With conditions that were suggested in the staff report plus the additional condition that the landowner will be required to get all floodplain permits.

Joe supports this motion because of the following criteria:

- 1) Granting the variance will not
 - Contaminate any actual or potential drinking water supply, ARM 17.36.922(2)(a)(i)
 - Cause a public health hazard as a result of access to insects, rodents, or other possible carriers of disease to humans, ARM 17.36.922(2)(a)(ii);
 - Cause a public health hazard by being accessible to persons or animals, ARM 17.36.922(2)(a)(iii);
 - 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, ARM 17.36.922(2)(a)(iv);
 - Pollute or contaminate state waters, in violation of 75-5-605, MCA, ARM 17.36.922(2)(a)(v)
 - Degrade state waters unless authorized pursuant to 75-5-303, MCA, ARM 17.36.922(2)(a)(iv)
 - Cause a nuisance due to odor, unsightly appearance, or other aesthetic consideration; ARM 17.36.922(2)(a)(vii) ;
- 2) Compliance with the requirement from which the variance is requested would result in undue hardship to the applicant, ARM 17.36.922(2)(b) – Joe stated because the applicant did not cause this situation on their land;

- 3) The variance is necessary to address extraordinary conditions that the applicant could not reasonably have prevented, ARM 17.36.922(2)(c)- *Joe stated the applicant bought this property and there was no other place to put the system and they found the best place on the property to do it;*
- 4) No alternatives that comply with the requirement are reasonably feasible, ARM 17.36.922(2)(d) – *Joe added that the engineer stated that they looked at a variety of places on the property and this seems to be the best place to do it; and in Joe’s opinion they went above and beyond the minimum to do this and they should be commended as they have done more than they need to, to make sure that the environment is protected;*
- 5) The variance requested is not more than the minimum needed to address the extraordinary conditions, ARM 17.36.922(2)(e) – *Joe stated that it is actually more than needed to address the extraordinary conditions, and as he stated before he thinks they have gone above and beyond to ensure the environment and the groundwater is protected.*

Joe finds that all of the variance criteria are met

[07:42:22 AM \(00:29:37\)](#)

Chris Mehl seconded the motion

[07:42:22 AM \(00:29:38\)](#)

Further discussion

There was no further discussion.

[07:42:28 AM \(00:29:44\)](#)

Vote

[Board Member - Joe Skinner: Motion](#)

[Board Member - Chris Mehl: 2nd](#)

[Board Member - Richard Damon: Approve](#)

[Board Member - Steve Custer: Approve](#)

[Board Chair - Becky Franks: Approve](#)

[Board Vice-Chair - Buck Taylor: Approve](#)

[Board Member - Jane Mahlow: Approve](#)

[Board Member - Joe Skinner: Approve](#)

[Board Member - Chris Mehl: Approve](#)

[Board Member - Laura Larsson: Approve](#)

[Board Member - Seth Walk: Approve](#)

The motion passed unanimously

[07:44:49 AM \(00:32:05\)](#)

2. Discussion & Decision regarding new Electronic Medical Records

Matt provided a PowerPoint presentation to the Board

[08:20:18 AM \(01:07:34\)](#)

Comments by the Board

Motion

[08:21:21 AM \(01:08:37\)](#)

Buck Taylor made a motion to pursue the contract with Patagonia information systems at this time, knowing that we will be getting a contract to review in the future.

Second

[08:21:38 AM \(01:08:53\)](#)

Laura seconded the motion

[08:21:36 AM \(01:08:52\)](#)

Further discussion

Chris Mehl asked Buck if he meant “review and approve”

[08:21:50 AM \(01:09:06\)](#)

Dick Damon asked about updating by Patagonia regarding timeframes.

[08:22:26 AM \(01:09:42\)](#)

Vote

[Board Vice-Chair - Buck Taylor: Motion](#)

[Board Member - Laura Larsson: 2nd](#)

[Board Member - Richard Damon: Approve](#)

[Board Member - Steve Custer: Approve](#)

[Board Chair - Becky Franks: Approve](#)

[Board Vice-Chair - Buck Taylor: Approve](#)

[Board Member - Jane Mahlow: Approve](#)

[Board Member - Joe Skinner: Approve](#)

[Board Member - Chris Mehl: Approve](#)

[Board Member - Laura Larsson: Approve](#)

[Board Member - Seth Walk: Approve](#)

The motion passed unanimously.

[08:22:54 AM \(01:10:09\)](#)

3. Discussion & Decision regarding Environmental Health Subcommittee membership

Matt reported that Dr. Dick Damon would be leaving the board and his position on the Environmental Health Subcommittee at the end of his term in January. Matt suggested Dr. Seth Walk to serve on the subcommittee.

Motion

[08:23:30 AM \(01:10:46\)](#)

Chris Mehl made a motion to have Dr. Seth Walk serve on the Environmental Health Subcommittee.

Second

[08:23:35 AM \(01:10:51\)](#)

Dr. Dick Damon seconded the motion.

[08:23:45 AM \(01:11:01\)](#)

Further Discussion

The Board thanked Dr. Damon for his service and time on the Board.

[08:24:05 AM \(01:11:21\)](#)

Board discussed the date of the effective transfer of Dr. Seth Walk to the subcommittee.

[08:24:52 AM \(01:12:08\)](#)

Amended Motion

Chris Mehl amended the motion that Dr. Seth Walk transfer to the subcommittee effective today.

[08:24:58 AM \(01:12:14\)](#)

Vote

- [Board Member - Chris Mehl: Motion](#)
- [Board Member - Richard Damon: 2nd](#)
- [Board Member - Richard Damon: Approve](#)
- [Board Member - Steve Custer: Approve](#)
- [Board Chair - Becky Franks: Approve](#)
- [Board Vice-Chair - Buck Taylor: Approve](#)
- [Board Member - Jane Mahlow: Approve](#)
- [Board Member - Joe Skinner: Approve](#)
- [Board Member - Chris Mehl: Approve](#)
- [Board Member - Laura Larsson: Approve](#)
- [Board Member - Seth Walk: Approve](#)

The motion passed unanimously.

[08:25:14 AM \(01:12:29\)](#)

4. Project LAUNCH Presentation

Matt introduced Sarah Webb with United Way as the Young Child Wellness Coordinator for the Project LAUNCH grant and together, they described the ongoing activities related to the grant.

Matt offered to have Dr Haynes & Lisa Curry make a presentation to the Board on the evaluation piece of the grant sometime after the New Year.

F. Health Officer Report

[09:15:38 AM \(02:02:53\)](#)

Meeting adjourned

Secretary

Date

Chair

Date-