

Description	County Courthouse, Community Room, 311 W. Main, Bozeman, MT	
Date	06/24/2010	Location Board of Health
Time	Speaker	Note
6:48:54 AM		<p><i>Members Present:</i> Laura Larsson, Brian Leland, Bill Murdock, Gretchen Rupp, Buck Taylor</p> <p><i>Excused Members:</i> Robin Cory, Berk Knighton, Carson Taylor, Barbara Vaughn</p> <p><i>Public:</i> Lisa DeWitt, Roger Hoogerheide, Rebecca Fabich, Mark Fasting, Liz Wildman</p> <p><i>Staff:</i> Chris Gray, Matt Kelley, Toni Lucker, Tim Roark, Liz Wildman</p>
7:07:32 AM		Meeting called to order
7:07:39 AM		Audio Disclaimer
7:07:50 AM		Consent Agenda
7:07:59 AM		Brian made a request to pull the Montana Learning Collaborative and CHC software contracts from the Consent Agenda.
7:08:06 AM	Motion	Brian made a motion to approve the May 18th minutes and the Medical Officer and School Nursing Contracts
7:08:18 AM	Second	Buck seconded the motion
7:08:38 AM	Vote	<p><u>Roll Call:</u> Gretchen - yes Bill - yes Laura - yes Buck - yes Brian – yes</p> <p>The motion passed.</p>
7:09:01 AM		Montana Learning Collaborative - Brian asked why the delay in Board approval of this contract based on the date of the contract and the current date; and will we meet the requirements for the first quarter in time to receive the first quarter payment? Matt explained he was working with the state to change the way payments were made and sees no problem with making the deadlines or receiving payment from the state.
7:10:43 AM		CHC Software - Brian asked for clarity about the amount of the maintenance agreement contract, which is between \$1,400 - \$1,600.
7:11:54 AM	Motion	Brian made a motion to approve the Montana Learning Collaborative & CHC Software contracts
7:12:03 AM	Second	Buck seconded the motion.
7:12:07 AM	Vote	<p><u>Roll Call:</u> Gretchen - yes Bill - yes Laura - yes Buck - yes Brian – yes</p> <p>The motion passed unanimously.</p>
7:12:31 AM		Public Comment on a Non-Agenda Item

7:12:48 AM	Mark Fasting, Allied Engineering	Mark commented on the new, recently adopted gray water disposal system approved by DEQ. He discussed an RV campground that would be ideally suited to use this option. Mark requested that the Board become familiar with the gray water system as he plans to work closely with the Health Department while actively pursuing this option to replace an obsolete system at the campground.
7:16:16 AM		Idaho Pole Superfund Site Status
7:16:26 AM	Roger Hoogerheide	Roger presented the background & status of the site and discussed EPA's proposal for Board consideration - to minimize the area for controlled groundwater area.
7:23:29 AM		Board discussion and questions.
7:25:48 AM	Rebecca Fabich,	Rebecca is the Site Manager for Idaho Pole Company and discussed how city water is available to the site but is currently not turned on.
7:26:50 AM		Tim reiterated that the site is served by city water so future development will have sewer & water
7:27:11 AM		Roger continued discussion regarding groundwater remedy at the site and PCP, the contaminate of concern.
7:49:12 AM		The Board expressed interest in a site tour. Roger requested that the Board proceed forward by instructing the technical subcommittee to consider the EPA proposal and he offered a site tour to enhance the Board's understanding.
7:51:26 AM		Board discussion with Tim about the Board's jurisdiction in making this decision.
7:51:57 AM		Tim commented that this is an update and re-introduction to the Board of the Idaho Pole superfund site. Following a site visit by the Board's wastewater subcommittee and the LWQD, a formal request by EPA for the Board to consider a request to modify the control groundwater area would proceed. At that time, it would be clear to the Board about what future development could happen at the site to reduce the stigma and return the site to the city's tax base.
7:53:58 AM		Roger added that this would be the first loosening of the groundwater control area in the state.
7:55:51 AM		The Board discussed a site tour.
7:58:04 AM		DEQ Variance Criteria Update
7:58:24 AM	Chris Gray, Deputy County Attorney	Chris gave the history and progress of the variance criteria issue.
7:58:43 AM		The Board proposed changes to DEQ regarding the regulations to bring back the criteria to a point where the local regulations had a parallel in the way the Board evaluated variances.
7:58:44 AM		DEQ moved forward and what is before the Board are the proposed regulatory changes that could be adopted in early fall. DEQ added what the Board requested and more.
8:00:13 AM		Chris was present to answer questions by the Board. He advised that the new regulations will make it more difficult for the Board to evaluate but is more akin to what a variance is...the ability for the Board to look at an extraordinary circumstance and allows the Board to set aside the regulations.
8:01:07 AM		Chris addressed the significant changes in the draft regulations.

8:02:48 AM		The Board discussed undue hardship and a definition that would work.
8:06:33 AM		Chris suggested dropping 2(c) and 2(d) and put all under undue hardship.
8:08:14 AM		Board discussion on the proposed DEQ Variance Criteria.
8:10:53 AM		Chris suggested making it clear what an undue hardship is - base it on a definition.
8:13:06 AM		Board discussion on a definition of an undue hardship.
8:15:30 AM		Chris advised requesting public comment on this issue before moving forward.
8:16:38 AM		<p>Tim added that this proposed regulation will go to the Board of Environmental Review in September to start the rule making process. He reminded the Board that the Chapter 3 re-write of local regulations was stopped until the DEQ regulation was completed for incorporation into the local regulations.</p> <p>The ARMs subchapter that deals with subdivisions was adopted into our Chapter 3 local regulations, however, the Board did not adopt specific state regulations and may now want to revisit what to include in the local regulations. For instance, the subdivision regulation defines what costs determine a hardship but the Board did not adopt this.</p>
8:20:05 AM		DEQ wants feedback from the Board on the proposed variance criteria.
8:21:21 AM		Board discussion on the variance criteria.
8:23:29 AM		Public Comment on the Proposed Changes to the DEQ Variance Criteria
8:23:44 AM	Mark Fasting, Allied Engineering	As the Board decides on the proposed DEQ variance criteria, Mark asked the Board to consider the uniqueness of each project and the many situations where there is an obsolete system on an existing parcel and the owner wants to build a new one - the new construction issue.
8:25:16 AM		Tim is scheduled to meet with DEQ next week to give Board feedback on the variance criteria.
8:25:49 AM		Health Officer Updates
8:26:04 AM	Matt Kelley, Health Officer	Matt updated the Board on the County budget process, the spring communicable disease status in the county; the assertive marketing campaign to raise awareness and educate the public about the low vaccination rates in Montana; discussions with the Mental Health Association about what can be done related to suicides in the community; and a September tabletop exercise around a waterborne disease outbreak
8:30:12 AM		Meeting adjourned.

Secretary

Date

Chair

Date