

Teton County Board of Health

May 3, 2011-Minutes

Present: Tim Sinton, Lora Wier, Corrine Rose, Florence Anderson, Gayle Harris, Randy Morris, Jane DeBruycker

TOPICS:

Legislative Update: Lora reported that the 2011 Montana Legislature presented several challenges relating to topics of interest to Public Health. She thanked the Board for their commitment and follow-through with contacting the legislators. Of interest, the primary seatbelt act for youth 0-18 years of age passed. The Legislature accepted the federal monies for Family Planning/Planned Parenthood, but the \$500,000 general fund money was not reinstated to these programs. How this affects the Teton County Planned Parenthood program is not known. The federal monies for WIC infrastructure and Electronic Medical Records were also accepted. Funding for tobacco was reduced to \$4,000,000 from \$8,000,000. How this reduction will affect the local level has yet to be determined.

Health Department reports: No Chlamydia was reported. 1 case of Ecoli , 1 salmonella.

Health Fair: The health department personnel participated in the TMC Health Expo. There were displays for cancer control, and tobacco prevention. Immunizations for Choteau Grade School and Choteau High School youth were given.

Adolescent Immunization Program: For the month the department has been working on updating the immunization records and status of Children between 10-18 years of age in Teton County. This year we have taken the clinics to the schools instead of having kids come to the department. Over 150 youth have been immunized. If kids are up to date on the recommended immunizations they were eligible for a Wii Sport.

Memorandum of Agreement: The area public health departments are working on a MOA that indicates that nursing staff from the various departments will be available to provide back-up on a temporary basis.

Truck Wreck Protocols: Corrine Rose is working on a truck wreck protocol that is required as a deliverable under preparedness planning. She has spoken with Keith VanSetten about it.

Exempt Subdivisions w/ failed systems or open-ended systems: One purpose of subdivision review is to make sure that the newly created parcels are suitable for water, sewer, and solid waste disposal. The laws/rules that address this review process are somewhat vague when

applied to existing systems. Rose has always made sure that an existing system was functioning hydraulically (not surfacing) and basically met the general requirements under ARM 17.36.914. It has always been easier to require that the system be brought up to the current code prior to approving the subdivision or approving the use of an exemption. Rose has never been questioned about this until recently when she was told that she could not require that a septic system that “open-ended” be upgraded as part of the subdivision process. The authority to require that septic systems, which are in violation of the ARM 17.36.914 General Requirements, be brought into compliance is in the Board of Health Statutes (specifically 50-2-116 MCA). As sanitarian, Rose requests that she be allowed to start the enforcement process to bring a septic system into compliance prior to a Board of Health meeting. This would be done when the system owner is not willing to cooperate. The responsible party always has the right to appear before the Board of Health to request a variance or to provide evidence that he/she is not out of compliance. The Board agreed to this.

School Food Service in non-traditional settings: In Teton County these non-traditional school food programs are in Hutterite Colonies and Rose continues to struggle with licensing them. They have upgraded plumbing and installed fire suppression systems. Her issue comes with DPHHS requirements such as using only food from approved sources, employee hygiene (especially hand washing), and proper dishwasher procedures. These kitchens are also used for all the other Colony meals and those are not subject to any rules.

Office of Public Instruction (OPI) is the agency that is requiring the food purveyor license but continues to fund these programs without the license. Food & Consumer staffs have met with OPI to try to get their agency to cooperate. These meetings have not been productive. FCSS supervisor said that it is up to each County to decide how to deal with licensing and inspecting these non-traditional settings.

The Board agreed to support a decision not to license the Colonies if that is what Rose believes was in the best interest of the County. The Board directed Rose to discuss this with the County Attorney and then to notify all involved agencies of my decision.

Waiver request for Fairfield area subdivision: Just outside the Fairfield city limits are two very small parcels, which were created in the late 1950's with homes and on-site water and septic system. The owners discovered a few years ago that their boundary fence on the north side of their parcels was actually on the adjacent property. They want to do a “change of common boundary” with this neighbor who has a 5 acre parcel—the adjacent property owner has agreed to this.

Even with this addition of property, these two tracts of land still do not meet the minimum lot size for on-site septic system and public water (both landowners have gotten approval to hook

to city water – along with annexation to Fairfield). Last year, both homeowners had their septic tanks pumped and their wells sampled. Rose looked at both of these small tracts of land. The existing septic systems appear to be functioning hydraulically and Rose requests a letter from the Board of Health approving the relocation of the common boundary. The Board agreed to support a waiver from the Subdivision Rules. Rose will type a letter of support for Tim Sinton to sign as the Teton County Health Officer.