

**GUNNISON COUNTY ENVIRONMENTAL HEALTH BOARD
AGENDA: April 28, 2005**

**Planning Commission Meeting Room, Blackstock Government Center,
Gunnison County 221 N. Wisconsin, second floor.
All meetings are open to the public.**

Anyone needing special accommodations please contact the Environmental Health
Office prior to the meeting.

- 09:00 a.m. Call to order; determine quorum**
- 09:15 a.m. Meeting with County Attorney**
- 10:15 a.m. Unscheduled Citizens**
- 10:30 a.m. CONTINUATION OF PUBLIC HEARING Special Review request, (3-127), for a proposed alteration to an Individual Sewage Disposal System, (ISDS) on a property located at 10123 Highway 135, Almont, Colorado, owned by Richard Mayer. "An ISDS shall not be permitted to be installed on a parcel of land less than one acre in size unless part of a subdivision approved prior to the adoption of the ISDS Regulations if that approval included siting for ISDS systems." (3-113) The parcel of land is less than one acre (.28 acre). The applicant proposes specialized engineering and requests variance from the minimum lot size.**
- 11:15 a.m. Approval of minutes from April 7, 2005 meeting**
- 11:30 a.m. Adjourn**

**Gunnison County Environmental Health
Regular Meeting
April 28, 2005**

The Gunnison County Environmental Health Board conducted a regular meeting on April 28, 2005 in the Commissioner's Meeting Room in the Blackstock Governmental Center.

Present were:

Lucinda Lull, Chairperson	Steve Glazer, E. H. Board Member
Ted Violett, E. H. Board Member	Harley Tripp, E. H. Board Member
Maureen Hall, E. H. Board Member	James McDonald, E. H. Board Member
Arthur Grana, E. H. Board Member	Alternate #1
Alternate #2	
Richard Stenson, Environmental Health Official	Michelle Spain, Administrative Assistant

09:00 a. m. Call to order; 09:07 a.m. Present all but James McDonald **determine quorum; Meeting has been properly posted.**

09:15 a.m. Meeting with County Attorney. This meeting has been canceled.

Meeting turned over to R Stenson. Stenson requested that the minutes from last meeting be reviewed. Two changes requested. Motion by Glazer, 2nd Hall to ratify minutes as presented. Vote. All approved

Stenson starts his presentation.

Jim McDonald enters meeting at 09:15 a.m.

Stenson continued with his presentation on the direction of this board and how he feels this board should continue. Professionalism of this board was discussed and the view of this board to the public. Statements should be made from the "I think" perspective. Public statements need to be analyzed prior to speaking. Jim McDonald stated that he will have to resign from this board. He has been appointed as a judge and will now have conflict of interest. His position is Assistant Municipal Judge. Stenson then continued that each time a statement is made during a public hearing this is all recorded and is then public record. Violett asked if there be a replacement for McDonald. Stenson will go to the commissioners and request that this position be replaced. Protocol for a Public Hearing is discussed by Stenson. Hall questioned Stenson about bringing up topics that may not have anything to do with the subject being discussed. Stenson responded that if it is pertinent to the request being reviewed that is OK. Stenson suggested that he be allowed to monitor this and have the authority to bring the discussion back to the item on the table. State guidelines were reviewed by Stenson for interpretation of density. House size has been brought to this board before. Tripp indicated his house request was brought to this board. EPA has currently updated their findings that most ground pollutants are now coming from black top (paving). Stenson then elaborated on the natural pollutants that each approved Septic system emits. Septic pumping and disposal was discussed and the dumping locations were noted. Quasi Judicial is discussed. Stenson also discussed that the Chairperson should be the one to rein in the discussion to a more appropriate topic. Glazer discussed prior year leadership. Stenson stated that this current board is more balanced than in past years. Stenson indicated that all statements need to be heard, but try to keep your emotions in check. Stenson had exparte communications hand outs to give to the board. Tripp asked if the State had revised their guidelines? Tripp requested a copy of these guidelines for all members. Glazer requested a date be set for the next meeting. Discussion ensued as to date and time. June 16, 2005, 9:00a.m. Glazer asked that McDonald try to respond on the drafted ISDS regs before he is unable to do so. An all day meeting is discussed but may

not be necessary. The review process was discussed. ISDS Board then to The Board of County Commissioners. Planning staff have all ready reviewed the Regulations. Stenson discussed the items of the Regulations that he is currently enforcing. Policy issues were discussed. Location of all septic tanks in Gunnison County need to be enacted. This is a common complaint from owners and installers and needs to be addressed. Most property owners do not know where their septic tanks are located. Stenson discussed GIS location of all septic tanks and the possibility of acquiring a grant to do this. Stenson passed out Exparte Communications information for the board to review. Discussion started about outside conversations concerning the application. Decisions may not be made outside of this meeting. If a communication was made outside this board you must bring it to the board's attention and make it a matter of record. You may talk about policy or procedures about not the application that may be presented. Reducing the risk of personal liability needs to be read for further discussion with our attorney. Next meeting June 16, 2005 at 9:00a.m.

10:15 a. m. Unscheduled Citizens: None

10:30 a. m. CONTINUATION OF PUBLIC HEARING Special Review request, (3-127), for a proposed alteration to an Individual Sewage Disposal System, (ISDS) on a property located at 10123 Highway 135, Almont, Colorado, owned by Richard Mayer. “An ISDS shall not be permitted to be installed on a parcel of land less than one acre in size unless part of a subdivision approved prior to the adoption of the ISDS Regulations it that approval included siting for ISDS systems.” (3-113) The parcel of land is less than one acre (.28). The applicant proposes specialized engineering and requests variance from the minimum lot size.

Others attending Public Hearing: Mrs. Betty Mayer, owner, Mr. Michael Dawson, Attorney, Mr. Larry Parachini, Septic Installer, Mr. Ralph Spear, Contractor.

Chairperson reconvened the Public Hearing and inquired if adequate notice was posted. Stenson confirmed that all notices were given. The purpose of this meeting is a special review of the above listed request as stated. Lull requested that staff give comments as to if this needed to be reviewed by The Planning Commission. Stenson met with the Director of Planning and Ralph Spear. See Attached letter dated April 18, 2005 from Director Joanne Williams. Testimony from applicant and or the public. Spear began with discussion of size for this house. The tax rolls have it listed as a 3 bedroom home, but the current house has 4 bedrooms. Spear discussed the adequate and superior system that is being proposed for installation. Tripp questioned if this is an approved system with the State of Colorado. The leach field is also questioned by Tripp. Parachini responded that the specs are in compliance. Rated as an 80 square feet and the house would use 40 square feet. This product was approved by the state in June of 1989. The current system is rated at 80 square feet per unit. Tripp questioned if this product was still approved with the State. The County is using the State approval letter on this product and is using the engineers' statement from Gerry Greene.

Violett leaves the hearing at 10:45 a.m.

The County would have approved this system as presented. Glazer asked if the applicant had reviewed the draft conditions and if they were in agreement with these conditions. Glazer had concerns on the conditions and if they can be met. Mrs. Betty Mayer then reviewed the conditions with her attorney. Tripp does not understand how the State Regulations apply with the brochure on the system. Parachini requested that we call the State of Colorado at this time and get a ruling. Mrs. Mayer agreed to the terms and conditions that this board has set. Grana stated that he agrees that the applicant had presented this in an appropriate manner. Hall asked about the neighbors being notified of this proposed increase of house size? Tripp stated that this board has never approved this small of a septic system. Hall agreed but struggled with the application. Parachini explained the annual testing of these units and reporting to the state. Glazer asked if there had been any discussion as to tying into the adjoining system. Mrs. Mayer had agreed to tie into this system when space became available. Stenson commented on the waste water treatment plant. Three Rivers had given notice to the County that no further use will be allowed at this time. They are now 80% with future commitments. Glazer asked if the system was able to accept more can the Mayer's line be in compliance to this. Stenson explained the verification of Public and Private systems. Hall asked who is

responsible to monitor when ISDS systems must tie into the sewer system. Stenson explained the process and how it would work. Tripp asked if this was a soil absorption system. Multiplier of 2 was discussed and the old system must be removed prior to this new system being installed. **Close Public Hearing.** Comments began. Glazer requested that the prior minutes reflect that there is no room for 2 systems, and the garbage disposal system can not be used. Garbage disposals are not good for septic systems. Glazer had concerns on the 4 homes in close proximity and the impact on the wells that these homes have. Lull stated that the wells had exceeded the requirements. Tripp reviewed the number of feet guidelines. Review of the State Guidelines commenced. Item number 3 on the listing. Lull stated that the board had asked staff to check certain items and that staff had complied with the requirements as requested. Lull requested approval. Grana stated that this application needs to be looked at as the only request at this time. Glazer asked Tripp if he had any further conditions. Tripp stated that this is a marginal system and he indicated that he could not agree to this. McDonald agreed with his 1st vote. Tripp made a motion to limit the bedrooms to 3, 2nd by Glazer. Applicant's attorney addressed the board. Michael Dawson stated that the board is not asked to make this bedroom limit decision. Lull called for a vote on this motion. Tripp yes, Hall no, Glazer yes, McDonald no, Lull no. Motion failed.

Hall left 11:00a.m.

McDonald made a motion to accept the proposed request as presented. 2nd Lull. Discussion. Glazer clarified the conditions that need to be met. Tripp asked if we were to accept this and the rules were ignored who would enforce. Stenson explained the guidelines. Glazer responded to staff's guidelines. Lull requested further comments. Chair called for a vote. Glazer no, Tripp no, McDonald yes, Grana yes, Lull yes. Application passed. Mrs. Mayer thanked the committee. Tripp requested that staff call the State Engineer to see what size unit can be approved by them. Motion to adjourn by Lull and 2nd by McDonald.

Adjourned 11:20am

Lucinda Lull, Chairperson
Date Signed: _____

Minutes Prepared by:

Michelle Spain, Environmental Health Board Secretary