

GUNNISON COUNTY ENVIRONMENTAL HEALTH BOARD
Scheduled Meeting
AGENDA: May 15, 2013
9:30 a.m. till Noon

**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, (970-641-5105), prior to the meeting.

- 9:30 a.m. Call to order; determine quorum;
- 9:35 a.m. Introduction of Environmental Health Board Members;
- 9:50 a.m. Approval of minutes from the March 7, 2013 meeting;
- 10:00 a.m. Gunnison County Attorney yearly meeting with the Environmental Health Board;
- 11:00 a.m. Scheduled Break;
- 11:10 a.m. Colorado Water Quality Control Division Proposal—OWTS (ONSITE WASTEWATER TREATMENT SYSTEM) Regulation 43 Status. Discussion of Gunnison County OWTS Regulations considering Regulation 43;
- 11:35 a.m. Unscheduled Citizens;
- 11:45 a.m. Planning for the next Environmental Health Board Meeting;
- 12:00 p.m. Adjourn.

**GUNNISON COUNTY ENVIRONMENTAL HEALTH BOARD SCHEDULED MEETING
May 15, 2013**

The Gunnison County Environmental Health Board conducted a meeting, in the Commissioners' Meeting Room in the Blackstocks Government Center, Planning Commission room.

Present Were:

Lucinda Lull, Chairperson
Rodney Due, EH Board Member
Eddy Balch, EH Board Member
Steve Glazer, EH Board Member
Michelle Spain, Admin. Assistant

Larry Parachini, Vice-Chairperson
Jeff Sellen, EH Board Member
Ed Bavouset, EH Board Member
Richard Stenson, EH Official

Absent Were: None

9:34:48 AM Call to order; determine quorum; adequate notice was posted in the paper and Posting locations. Procedures reviewed by Stenson.

9:34:48 AM Introduction of Environmental Health Board Members. Ed Bavouset and Jeff Sellen were introduced and all other members gave a brief review of their positions and time with this Board. 1995 was when this board was originated for the review of applications that required special review and or appeals.

Stenson reported. Variances and appeals are a small amount of the review process at this time. Stenson was asked to review his back ground and position with the County. Numbers for new septic systems for 2012 were reviewed. Lull requested Spain to email a copy to all board members.

9:58:00 AM Approval of minutes from the March 7, 2013 meeting; Motion to approve by Balch, 2nd Parachini, Passed. Meetings times were discussed. Budget constraints were discussed. Fees were discussed.

10:01:19 AM Gunnison County Attorney yearly meeting with the Environmental Health Board; Baumgartner was introduced and commenced his review.

- 1) Reducing Risks of Person Liability
- 2) Colorado Sunshine Law
- 3) Ex Parte Communications in Quasi-Judicial Proceedings

All items were reviewed and copies given to all board members. Questions were requested and Glazer asked about the appeal process with the BOCC. Quasi-Judicial proceedings were discussed.

Questions on policy came from Sellen. Policy can be discussed with EH official or this Board.

Lull was instructed by attorney that policy needs to be discussed within the confines of this office. Baumgartner leaves the session. 10:27am.

Stenson indicated that we need to start the 11:00am on time.

Since the meeting is ahead of time other items were discussed. Re-open the original discussion.

10:31:09 AM = Break=

10:53:33 AM Reconvened. Review with new members on minutes with procedures involved.

Clarification on “More stringent requirements”. Glazer indicated that a review of the current regulations was needed to determine if we comply with Regulation 43.

Stenson reviewed Regulation 43 and our participation in the process.

Glazer reviewed the prior guidelines. Set back and lot size were the 2 main items that we differed with the State guidelines. Stenson will email our breakdown (cheat sheet) on the differences from our regulations to the State’s current regulation.

Sellen asked who would make the final determination on approval of the regulations. BOCC will make the final determination. EH Board will review and make the needed changes and present them to the BOCC.

Bavouset asked about the process and if we had road blocks involved in this process.

Lull indicated that our attorney will make the decision when these items may go to the BOCC.

Glazer discussed vault privies and how this board requested that this item be brought before the BOCC.

Sellen asked what the role of the county attorney was. Glazer responded that he is our council.

Bavouset asked if there were other avenues that we could explore. Work sessions, public meetings.

Parachini asked if Baumgartner has submitted anything in writing to this board concerning vault systems. Stenson replied that we were waiting to see what Relation 43 of the State was going to finalize on this issue. Parachini indicated that the quarterly meetings are very important.

11:14:15 AM Colorado Water Quality Control Division Proposal—OWTS (ONSITE WASTEWATER TREATMENT SYSTEM) Regulation 43 Status. Discussion of Gunnison County OWTS Regulations considering Regulation 43;

Stenson commenced his review of this Regulation of the State. The Commission sets the Regulation, the Division reviews and makes recommendations.

- 1) Transfer of title inspection
- 2) Renewable permits
- 3) High tech systems

These are the three items that are discretionary. This board will review to see if we want to adopt the items as is or modify our regulations with amendments.

Stenson recommended that we take a look at the big picture of this regulation.

Stenson asked for questions.

Lull asked about a post statement hearing from the state on effluent discharge. Lull asked what was the most important or controversial item that was reviewed by the State. Stenson responded that the biggest change was performance base systems; training of these individuals did not get approved. The State still allowed the counties to determine the extent of compliance. Systems greater than 2000 gallons per day are still being permitted by the state. The counties will have a more active participation in these large commercial systems.

Stenson indicated that we as available to schedule meetings to review these regulations so we can determine which way would be the best for our County. The re-write of this regulation will be at the end of May 2013 and we will have 1 year to decide what way this board feels we should go.

Lull indicated that we should ask the BOCC to join in a work session.

Parachini wants this board to do a work session to see which way we want to go first.

Due requested that this board focus on our regulations and how it applies to Regulation 43.

Stenson responded that we should start with Regulation 43 and do a comparison to our current regulations. Discussion ensued.

Counties are able to adopt the State's regulations as is.

Glazer asked if Stenson had looked at the vault privy proposed by the state. Glazer indicated that the County would have to review the cost for a renewable permit. Record keeping fees, and time were discussed.

Balch stated that it does start an education to the property owner. Title transfer was discussed. Balch discussed renewable permits.

Due indicated that reviewing the transfer of title may be the best place to start for this County.

Renewal permits discussed. Enforcement of these permits was discussed.

Real Estate Sales for the county need to be researched. Elgin systems were discussed.

Sellen asked if the set back requirements can be chosen by the developer. Stenson indicted that we would have to analyze these.

Balch indicated that he would like the items sent to all members, Regulation 43, cheat sheet, cliff notes.

Sellen requested any additional back ground reading for the new members. Glazer requested next meeting date. June 5th.

11:35 a.m. Unscheduled Citizens; None

11:59 am Planning for the next Environmental Health Board Meeting; Next meeting work session June 12, 2013 09:30am

12:00 p.m. Adjourn. By Balch, 2nd Due passed

/S/ Michelle Spain
Administrative Assistant
Gunnison County Community Development Department