

Lincoln County
City-County Board of Health Agenda
North Lincoln County Annex, Eureka
6:00 PM, July 8, 2025

- **Call to Order**
 - Pledge of Allegiance
 - Roll Call
- **Administrative Items**
 - Variance Request Procedure Discussion
 - *Public comment on non-action agenda item*
- **Public Comment on Items Not on Agenda**
- **Approval of Minutes**
 - *Action Item:* Approval of 5/13/25 Minutes
- **Unfinished Business**
 - Crisis Response Update
 - *Public comment on non-action agenda item*
- **New Business**
 - *Action Item:* Maule Variance Request
 - *Action Item:* Letter to EPA RE: Libby Asbestos Superfund Site
- **Program Reports:**
 - Zero to Five
 - Public Health
 - Environmental Health
 - Solid Waste and Recycling
- **Public Comment**
- **General Comments from Board Members**
- **Adjourn**

ZOOM Login – Meeting ID: **5451478326** / Password: **59923**

MISSION STATEMENT

The City-County Board of Health for Lincoln County works to prevent disease and illness, ensures a healthy environment and promotes healthy choices by setting county-wide policies to protect the health of Lincoln County residents.

PUBLIC COMMENT

The Board encourages public comment and time is designated for public comment on every agenda. Public comment on non-action agenda items and non-agenda items is welcomed during the general public comment period. Action items will include public comment as follows:

- Presentation of the action item
- Board motion and second
- Board discussion
- **Public comment**
- Additional Board discussion
- Board vote

GROUND RULES

1. Plan comments to be concise, relevant, and meaningful.
2. Keep questions and comments respectful in content and tone.
3. Submit lengthy, detailed comments or supporting documentation in writing
4. Address the problem not the person.
5. Be prepared by reviewing the agenda and pertinent information.
6. Listen with an open mind.
7. Focus on the mission statement.
8. Encourage participation of all board members and attendees.
9. Public participation according to Operating Procedure #2:
 - Participants will address the Board at the time designated in the agenda or as directed by the Board, by presenting before the Board and stating their name audibly.
 - Persons wishing to speak, including Board members, shall first be recognized by the Chair. One speaker shall be given the floor at a time and may not re-enter the discussion without being given recognition by the Chair.
 - Verbal comments will be limited to 3 minutes per individual or as time permits.
10. Participants ask the chair for permission to speak. Participants are to give their full name and topic.
11. Questions or remarks shall be addressed to the board as a body and not to any member of the board or staff without permission from the chair.
12. If a remark has been made, the attendee can agree with what was previously stated. Repetition is unnecessary.

Everyone is responsible for enforcing ground rules.

**Lincoln County
City- County Board of Health
Lincoln County Courthouse, Libby
6:00 PM, May 13th, 2025**

- **Call to Order**
 - Pledge of Allegiance
 - Roll Call
 - Jan Ivers, Amy Fantozzi, Kristin Smith, Jim Hammons, Amy Casazza (Zoom). Quorum present. Members of the public present in person were DC Orr, Danielle Faris, Helena Cassidy, Nels Gamaas, Caroline Weiss- KPAX Reporter, Evan Comella, and Ray Stout were present on Zoom.
- **Administrative Items**
 - None at this time.
- **Public Comment on Items Not on Agenda**
 - DC Orr expressed his concerns about the recent CARD Clinic closure not being on the agenda.
- **Public Comment on Non-Action Agenda Items**
 - None at this time.
- **Approval of Minutes**
 - *Action Item:* Approval of 1/14/25 minutes
 - Kristin motioned to approve the 01/14/25 minutes. Jim Hammons seconded. All in favor. Motion carried.
- **Unfinished Business**
 - None at this time.
- **New Business**
 - None at this time.
- **Program Reports:**
 - **Zero to Five**
 - Staffing Update
 - Dorey Rowland retired at the beginning of April. Alissa Fifield has moved into the position as the Local Collaboration Coordinator and Lucy Orr has moved into the Family Engagement Coordinator.
 - General Program Update
 - Alissa gave an overview of what events Zero to Five has planned coming up including 12 Kids Corners.

- **Public Health**

- *Action Item:* Consider Approval of Foodborne Illness Response Plan
 - Zach Sherbo asked for board approval of the Foodborne Illness Response Plan. Kristin motioned to approve the recommended updates to the plan. Jan seconded. All in favor. Motion passes.
- *Action Item:* Consider Approval of Truck Wreck Protocol
 - Zach Sherbo asked for board approval of the Truck Wreck Protocol. Kristin motioned to accept the recommended updates to the plan. Jim Hammons seconded. All in favor. Motion passes.

- **Environmental Health**

- Staffing Update
 - Dustin Webb left the Health Department on April 30th. Robin Blumberg has been promoted to the Environmental Health Manager position. There is a vacant position open that will be filled to oversee the programs that Dustin managed.
- Lincoln County Animal Shelter
 - Kathi said that two part time employees have been hired for the animal shelter. The county took over the operation of the animal shelter on March 1st and they are working on getting contracts and policies in place. She said they are pursuing constructing a new animal shelter which involves working with a few different funding agencies. Right now, there is an application submitted to support the design of a shelter.
- Air Quality Update
 - Robin Blumberg gave an update on the April burn season. He said that there were 17 management burn permits issued but not all of them were ignited. There were 819 residential burn permits issued with 922 uses. 2 violations were issued.

- **Solid Waste and Recycling**

- Expansion Update
 - Kathi said the expansion is underway and the contractor is expected to complete the expansion in September.

- **General Comments from Board Members**

- Jan said that a few board members attended a conference that had a specific segment for Board of Health members. She said it was very informative. Kristin is wondering if the board would be willing to change the order of the agenda so that the “Public Comment on Items Not on Agenda” be moved so that the public can have a chance to comment on other agenda items. Amy suggested adding public comment time at the end of each Action Item.

- **Adjourn**

- Next meeting is scheduled for July 8th in Eureka. Meeting is adjourned at 6:27.

Zoom Login- Meeting ID: **5451478326**/ Password: **59923**

**Operating Procedure #3
City-County Board of Health
Lincoln County, MT
October 2017**

Purpose: The purpose of this document is to outline the procedures for handling requests for variances to Lincoln County's Health and Environment Regulations.

The following Procedures apply to the City-County Board of Health (Board) and any committees thereof.

General Requirements:

- A person who owns or is in control of a property subject to Health and Environment Regulations may apply to the Board for a variance.
- The Board may grant or renew a variance if it finds:
 1. A variance from a requirement of these regulations does not conflict with state or federal law;
 2. The variance does not create a danger to public health or safety; and
 3. Compliance with the regulation from which a variance is sought would produce hardship without equal or greater benefit to the public.
- The Board may place conditions on a variance and the person subject to the variance shall adhere to those conditions. Failure to adhere to the conditions is cause for revocation of the variance and other appropriate legal action.
- Variances are non-transferable and remain valid only for the applicant to whom they are granted.

Application:

- An application for a variance may be in the form of a letter and must contain the following information:
 1. Applicant's name, address and contact information;
 2. Specific regulation and provision from which a variance is requested;
 3. Legal description or address of property where variance would apply;
 4. Detailed and accurate description of the circumstances under consideration, including an explanation of why compliance is not justified and description of alternatives considered;
 5. Any other relevant information that the department or Board may require.
- The application will be submitted to the Lincoln County Health Department (Department).

Decision:

- The Department may grant a temporary variance for up to ninety (90) days.
- The Department will forward the application to the Board with their advisory opinion.
- The application will be considered at the Board's next regularly scheduled meeting, provided that the application is received at least fourteen (14) days prior to the scheduled meeting date. At this meeting, the applicant may appear in person or be represented by another person.
- The Board will make a final decision within thirty (30) days following the hearing, unless it notifies the applicant that more time is needed.
- The final decision must be in writing and signed by the chair of the Board.

MONTANA DESIGN SERVICES, INC.

PO BOX 1855

EUREKA, MT 59917

July 1, 2025

MDS04825

TO: Robin Blumberg Lincoln County

SUBJECT: Maule Variance Request

We would like to request a variance for the 10' property line setback for the Maule Sand Mound system proposed at 674 Glen Lake Drive, Eureka, Mt 59917. In order to improve upon the two existing systems that do not meet the requirements for setback to the lake or the well, we are proposing a sand mound system that will need to be within 2' of the north and west property lines.

Would like to be on the agenda for the board of health meeting scheduled for July 8th in Libby, MT.

Please review and let me know if I need to provide any additional information.

Sincerely,

Buck Schermerhorn

Montana Design Services, Inc.

MDS04825/2025-memos



To: Board of Health

From: Robin Blumberg

Date: July 3, 2025

Re: Eric Maule Variance Request

674 Glen Lake Drive, Eureka, MT 59917

Glen Lake Tracts, S27, T36 N, R26 W, LOTS 4-5

Assessment Code 7486

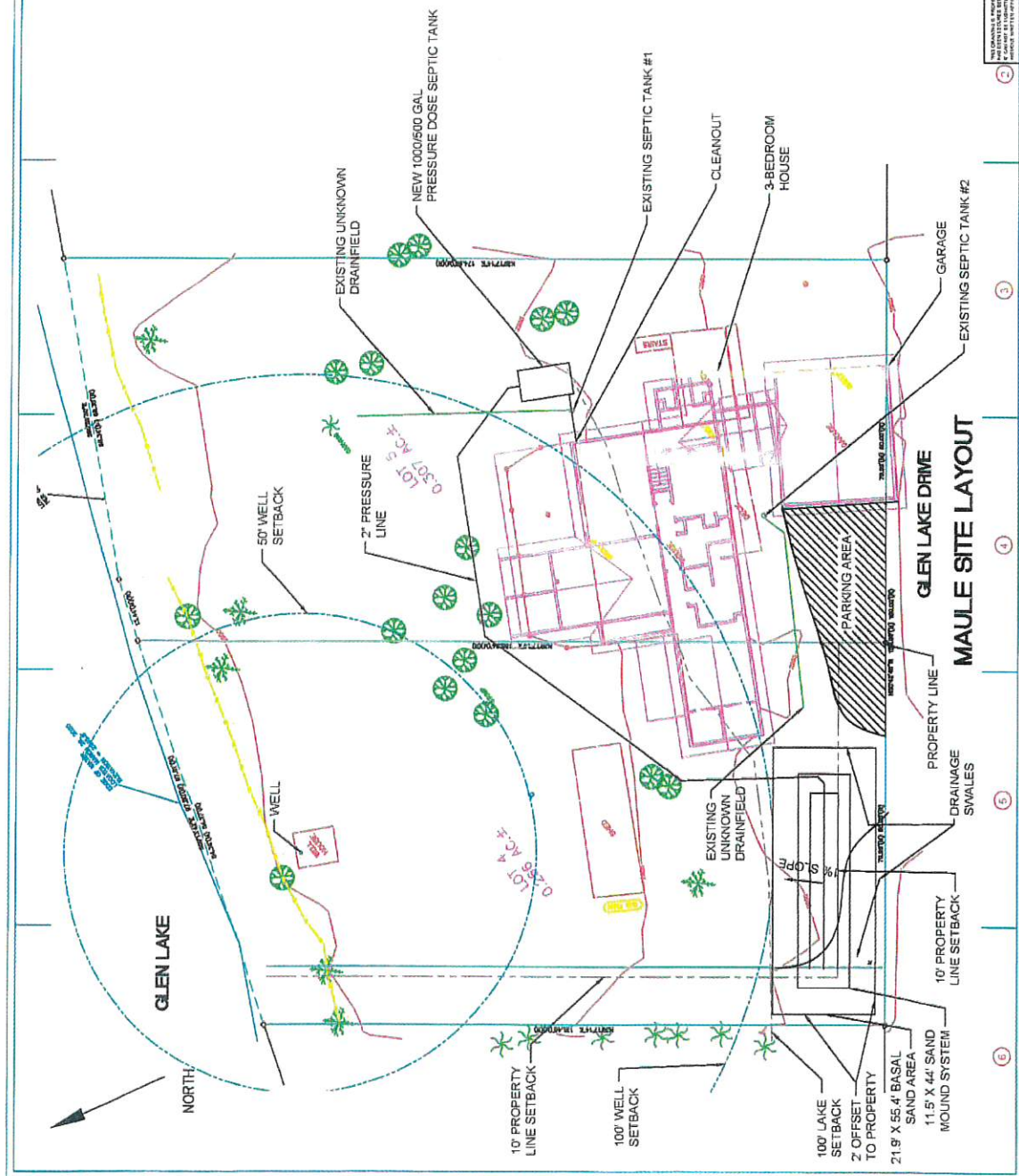
The proposed Elevated Sand Mound (ESM) does not meet the 10' setback requirements from the property boundary per ARM 17.36.323 Setbacks. The ESM is 2' from the property boundary to the west and 2' from the property boundary on Glen Lake Drive. The Right of Way setback for Glen Lake Drive is 60' and if the variance is approved, the Road Department will need to approve the proposed installation on the Right of Way. The ESM is to replace the two illegal systems on the property and does meet the 100' setback from the lake and is out of the 100' well isolation zone. Environmental Health supports the variance request because it meets the well and lake shore setbacks, is replacing two illegal systems, public and environmental health are not at risk, and it appears that no other location on the property is available.

Robin Blumberg R.S.

6.3750 ACRES
6274 GLAN LAKE DRIVE, EUREKA, MT 59917
S27, T36N, R26W, GLEN LAKE TRACTS
ASSESSMENT #0000007486
GEO 56-4824-27-1-02-23-0000

Montana Design Services, Inc.

Value	Units	Notes
7.5	[m]	Required, may not meet standards
40.5	[m]	Required, may not meet standards
5.5	[m]	Derived from Proposed, may not meet standards
3.5	[m]	Derived from Proposed, may not meet standards
3.4	[m]	Derived from Proposed, may not meet standards
21.0	[m]	Derived from Proposed, may not meet standards
44.3	[m]	Derived from Proposed, may not meet standards
33.4	[m]	Derived from Proposed, may not meet standards
21.0	[m]	Derived from Proposed, may not meet standards

[illegible]

City-County Board of Health for Lincoln County

418 Mineral Ave
Libby, MT 59923



July 8, 2025

Cyrus Western, Administrator
US EPA, Region 8
1595 Wynkoop Street
Denver, CO 80202

RE: Libby Asbestos Superfund Site

Dear Sir:

We have recently learned that the EPA determined in their 2025 Five Year Review (FYR) that the remedy for the Libby Asbestos Superfund Site (Site) is still "protective". We strongly disagree and support the concerns raised in the Libby Asbestos Superfund Oversight Committee (LASOC) letter dated June 27, 2025. Additional information since the last FYR clearly indicates that protectiveness cannot be determined until further information is obtained (consistent with EPA Guidance).

The Position Statement adopted in January 2018 by both the Board of Health and the Lincoln County Commissioners includes a core element that protection of human health and the environment will serve as the universal criterion for judging actions and activities at the Site. That Position remains and guides us, and we can no longer assure the public that the remedy is protective, but rather that now protectiveness can no longer be determined.

We expect to provide additional comment on the FYR report.

Sincerely,

Amy Fantozzi,
Chairperson
City-County Board of Health for Lincoln County