

LEWIS AND CLARK CITY-COUNTY  
BOARD OF HEALTH MEETING  
LEWIS AND CLARK PUBLIC HEALTH  
CONFERENCE ROOM at 1930 9<sup>th</sup> Ave or ZOOM  
May 23, 2024  
1:00-3:00pm

REGULAR BOARD MEETING AGENDA

1:00      **CALL TO ORDER**

1:00      **REVIEW OF AGENDA**  
1. Review and revision of agenda .....Pg. 1

1:05      **MINUTES**  
2. April 25, 2024 .....Pg. 2

1:10      **ACTION ITEM**  
3. Recommend FY25 budget to BoCC .....Pg. 5  
4. Approve updated Specimen Transport Plan .....Pg. 20  
5. Soil Displacement Regulation revision presentation and open public comment .....Pg. 31

2:10      **BOARD DISCUSSION**  
6. Health Officer Annual Appraisal Reminder .....Pg. 50

2:15      **BOARD TRAINING**  
7. Return on Investment for Public Health .....Pg. 51

2:45      **PUBLIC COMMENT**  
8. Public comments on matters not mentioned above .....Pg. 52

**Adjourn**

*Our mission is to improve and protect the health of all Lewis and Clark County Residents*

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**LEWIS & CLARK CITY/COUNTY BOARD OF HEALTH**  
**Helena, Montana**

**BOARD AGENDA ITEM**

**Meeting Date**

**May 23, 2024**

**Agenda Item No.**

**1**

Minutes     Board Member Discussion     Staff & Other Reports     Action     Hearing of Delegation

**AGENDA ITEMS:** Review of Agenda

**PERSONNEL INVOLVED:** Board Members

**BACKGROUND:** Time is allowed for board members to review the agenda and to add any new agenda items.

**HEALTH DIRECTOR’S RECOMMENDATION:** Approval

ADDITIONAL INFORMATION ATTACHED

**BOARD ACTION:**

**NOTES:**

	M O T I O N	S E C O N D	A Y E	N A Y	A B S T A I N	O T H E R
Bedell						
Collins						
Harris						
Kaufman						
MacLaurin						
Murgel						
Payne						
Weber						
Weltz						

**LEWIS & CLARK CITY/COUNTY BOARD OF HEALTH**  
**Helena, Montana**

**BOARD AGENDA ITEM**

**Meeting Date**

**May 23, 2024**

**Agenda Item No.**

**2**

Minutes     Board Member Discussion     Staff & Other Reports     Action     Hearing of Delegation

**AGENDA ITEMS** April 25, 2024 Minutes

**PERSONNEL INVOLVED:** Board Members

**BACKGROUND:** Upon approval, the minutes represent official actions of the Board of Health. Every effort is made to have these recommended minutes accurately portray the proceedings and procedures of the board.

**HEALTH DIRECTOR’S RECOMMENDATION:** Approval

**ADDITIONAL INFORMATION ATTACHED**

**BOARD ACTION:**

**NOTES:**

	M O T I O N	S E C O N D	A Y E	N A Y	A B S T A I N	O T H E R
Bedell						
Collins						
Harris						
Kaufman						
MacLaurin						
Murgel						
Payne						
Weber						
Weltz						

**LEWIS AND CLARK CITY-COUNTY  
BOARD OF HEALTH – MINUTES  
1930 9<sup>th</sup> AVE, HELENA, MONTANA 59601  
In-Person/Zoom Meeting, 1:00 p.m.  
April 25, 2024**

Members Present

Brie MacLaurin, chair  
Dr. Mikael Bedell, vice chair  
Commissioner Candace Payne  
Katherine Weber  
Justin Murgel  
Lisa Kaufman  
Rex Weltz

Staff Present

Drenda Niemann  
Jolene Helgerson  
Beth Norberg  
Shelly Maag  
Julie Bir  
Mary Sparks  
Heather Parmer

Vivi Tyler  
Charity Middlemas

Members Absent

Mayor Wilmot Collins  
Mayor Kelly Harris

Guests Present

Representative Mary Ann Dunwell  
Carroll College Students

Brie MacLaurin, chair, called the meeting to order at 1:00 p.m. A quorum was established.

**REVIEW OF AGENDA**

Drenda Niemann, Public Health Officer, requested adding the Horse Creek Hills ruling out of Broadwater County and the CASPER Health Assessment to agenda item 4. No public comment was given.

**MINUTES**

Ms. MacLaurin asked if there were any corrections or additions to the March 28, 2024, minutes. There being no changes, the Board approved the minutes as written. No public comment was given.

**INTRODUCTIONS**

New staff introductions of Charity Middlemas, Home Visiting Community Health Worker; Vianka Tyler, CONNECT Referral were made. Drenda Niemann, Health Officer announced that Julie Bir, Behavioral Health & Chronic Disease Prevention Supervisor, was awarded the Employee of the Quarter. No public comment was given.

**BOARD MEMBER DISCUSSION**

3<sup>rd</sup> Quarter FY24 Finance Report: Heather Parmer, Finance Coordinator, referenced the FY24 comparison to budget and cash flow for July through March 2024 (see Attachment “A”). Ms. Parmer noted that the department is 75% through the fiscal year. Total revenue to date is \$2,275,134 or 73% of the amount budgeted; actual expenditures are \$2,225,355 or 72% of the amount budgeted. Revenues are over expenditures by \$49,778; total ending cash is \$646,767. Current cash reserves are at a 77-days which is below the 90-day recommendation.

Preliminary FY25 Budget: Ms. Niemann presented the Preliminary FY25 Budget (see “Attachment B”) in which she highlighted actual and budgeted revenues, expenses, and revenues less expenses for the FY25 Mill, FY25 Grants, FY Budget WQPD.

Public Health Reaccreditation Update: Public Health had their virtual reaccreditation site visit on April 10-11. After the site visit was completed, the accreditation site visitors provided the Public Health Reaccreditation team with measures that needed corrected along with the department’s strengths and challenges which Ms. Niemann read to the Board. Ms. Niemann will provide the Board with a copy of the final report via email. On May 14, the Public Health Accreditation Board (PHAB) will review the site visit report and determine if Lewis and Clark Public Health achieved reaccreditation. In answer to a question by a guest from Carroll College, Ms. Niemann discussed the benefits of accreditation.

Strategic Plan Annual Update: Ms. Niemann and staff members presented an update on the first year of the 2023-2026 Strategic Plan (see Attachment “C”) in which they highlighted the successes and improvements made in each of the 5 strategic initiatives.

Horse Creek Hills Ruling: Beth Norberg, Environmental Health Supervisor, discussed the Horse Creek Ruling in which she provided background information on the reason for water rights permitting and ruling that occurred in Broadwater County, the roles of the Lewis and Clark County Subdivision and Platting Act Title 76-3, Sanitation in Subdivisions Act Title 76-4 and Local Permitting Title 50, who is involved, and examples of water rights in each category (see Attachment “D”). Ms. Norberg explained new subdivision application are on hold until both the state and county make the necessary changes to address the concerns stated in the ruling.

CASPER Survey Update: Ms. Niemann provided an update on the progress of the door-to-door CASPER Survey collaboration between Lewis and Clark, Broadwater, Jefferson, Powell, and Meagher counties, along with PureView Health Center, St. Peter’s Health, United Way, and Rocky Mountain Development Council. The Community Assessment for Public Health Emergency Response (CASPER) Survey will take place on June 25, 2024, and will consist of 30 two-member teams for Lewis and Clark County. More information about the survey and link to volunteer is at this location:  
<https://www.lccountymt.gov/Government/Public-Health/Healthy-Together-Steering-Committee/2024-CASPER-Survey>

State Senator Mary Ann Dunwell, member of the public, congratulated public health staff on their upcoming reaccreditation approval and department success. She also noted that she hopes that at the next legislative session there are ways to better fund public health services.

### **BOARD TRAINING**

Ms. Niemann led board member training on Public Health 3.0 (on pages 28-29 of the board packet).

No public comment was given.

### **PUBLIC COMMENT**

No public comment was given.

The meeting adjourned at 2:54 p.m.

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Brie MacLaurin, Chair

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Drenda Niemann, Secretary

**LEWIS & CLARK CITY/COUNTY BOARD OF HEALTH  
Helena, Montana**

**BOARD AGENDA ITEM**

**Meeting Date**

**May 23, 2024**

**Agenda Item No.**

**3**

Minutes     Board Member Discussion     Staff & Other Reports     Action     Hearing of Delegation

**AGENDA ITEMS**    Recommend FY25 budget to BoCC

**PERSONNEL INVOLVED:**    Drenda Niemann, Health Officer

**BACKGROUND**    The Board will review the final FY25 budget for recommendation to the BoCC.

**HEALTH DIRECTOR’S RECOMMENDATION:**    N/A

X **ADDITIONAL INFORMATION**

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**BOARD ACTION:**

**NOTES:**

	M O T I O N	S E C O N D	A Y E	N A Y	A B S T A I N	O T H E R
Bedell						
Collins						
Harris						
Kaufman						
MacLaurin						
Murgel						
Payne						
Weber						
Weltz						

**Date:** May 23, 2024  
**To:** Lewis & Clark City-County Board of Health  
**From:** Drenda Niemann, Health Officer  
**Subject:** Proposed Fiscal Year 2025 Lewis and Clark Public Health Budget

Attached is the proposed budget packet for Lewis and Clark Public Health for Fiscal Year 2025. The Board of Health reviewed a preliminary budget at the April 25, 2024 board meeting and will be taking action to recommend approval at the May 23, 2024 meeting. The Water Quality Protection District Board voted to recommend approval at their April 23, 2024 board meeting.

### **Budget Highlights**

The Health Department FY25 budget is presented in three distinct sections:

- Health Mill which includes foundational public health services and administrative support funded primarily by property tax revenue.
- Grants which reflect funding from 18 grants. This is a decrease of 1 grant from prior year.
- Water Quality Protection District which is funded by fee assessment on properties within the district boundaries.

### **Revenue:**

- Total Revenue which includes property taxes, assessments, fees, fines, charges for services, and grants \$6,515,120 (\$822,872 less than FY24).
- Cash reserves in the Health Mill portion at the end of FY24 are projected at \$882,506. Use of cash reserves are not anticipated to balance the budget.
- WQPD prior year cash reserves will be used because the anticipated revenue is less than the anticipated expenditures. The fund balance is greater than the recommended 90-day reserve and is sufficient to fully fund the budgeted expenditures.

## **Expenditures:**

- Total Expenditures = \$6,295,033 (\$833,759 less than FY24)
- Total FTE = 39.45
  - Staffing changes include the following:
    - .15 FTE increase in WQPD for outreach and education
    - Reduction in Force by 5.25 FTE during reorganization and budget balancing efforts
- Salaries reflect regular step increases, longevity, and a proposed matrix adjustment of 3.5% cost of living increase.
- Fixed Expenses:
  - Personnel: \$3,758,959 (\$293,524 less than FY24)
  - Fixed including rent and IT: \$712,405 (\$204,064 less than FY24)
- The Health Mill continues to subsidize and match funds as required:
  - \$23,592 subsidizes Air Quality Program for additional workload in the event of poor air events due to inversions in the winter or wildfires during the summer.
  - \$306,335 subsidizes the Licensed Establishment program to conduct core public health restaurant, retail, and wholesale food facilities, pool, public accommodations, and childcare and group home inspections.
  - \$46,940 reflects the required 75% match for the Maternal Child Health Block Grant from the Montana Department of Public Health and Human Services.
- Capital Improvement Plan (CIP) expenditures planned in FY25:
  - Large copier/printer/fax/scanner replacement (~\$8,000)
  - WQPD equipment purchase (~7,500)
  - Depositing \$150,000 into the MILL CIP which brings account back to fully funded.
  - Depositing \$38,135 into the WQPD CIP which brings account back to fully funded.



**COMBINED BUDGETS - summary**

		2021-22 Actual	2022-23 Actual	2023-24 Budget	2023-24 Actual	2024-25 Budget
<b>Revenues</b>		7,223,452	6,298,592	7,337,992	5,091,369	6,515,120
Revenues	Taxes	1,422,820	1,520,382	1,594,562	937,588	1,700,584
Revenues	Licenses & Permits	2,685	2,400	2,280	2,580	2,620
Revenues	Intergovernmental Revenues	2,935,292	2,421,617	3,725,610	2,508,025	3,062,790
Revenues	Charges for Services	622,669	655,291	768,658	605,228	727,295
Revenues	Fines & Forfeitures	5,894	5,165	4,100	3,010	3,500
Revenues	Miscellaneous Income	410,720	510,963	387,000	392,305	440,240
Revenues	Investment/Royalty Income	0	46	0	0	0
Revenues	Other Financials	1,823,371	1,182,728	855,782	642,634	578,091
<b>Expenses</b>		7,067,343	6,462,054	7,125,849	5,035,818	6,292,090
Expenses	Personal Services	4,315,360	3,890,798	4,052,483	3,227,415	3,758,959
Expenses	Operations & Maintenance	1,699,934	1,400,986	1,793,245	936,217	1,250,724
Expenses	Fixed Charges	625,028	748,190	916,469	593,149	712,405
Expenses	Other Financing Uses	427,021	422,080	363,652	279,037	570,002
<b>Revenues Less Expenses</b>		156,109	-163,462	212,143	55,551	223,030
	<b>Ending Cash</b>	<b>1,198,518</b>	<b>1,035,056</b>	<b>1,247,199</b>	<b>1,090,607</b>	<b>1,470,229</b>

**MILL - SUMMARY**

	2021-22 Actual	2022-23 Actual	2023-24 Budget	2023-24 Actual	2024-25 Budget
<b>Revenues</b>	2,717,859	2,958,757	3,457,007	2,412,525	2,975,427
Revenues Taxes	1,311,952	1,402,348	1,471,338	864,314	1,570,698
Revenues Intergovernmental Revenues	339,710	472,556	832,401	659,154	490,884
Revenues Charges for Services	572,310	630,381	738,858	586,907	702,202
Revenues Fines & Forfeitures	5,894	5,165	4,100	3,010	3,500
Revenues Miscellaneous Income	16,094	13,452	0	5,230	5,500
Revenues Investment/Royalty Income	0	42	0	0	0
Revenues Other Financials	471,899	434,813	410,310	293,910	202,643
<b>Expenses</b>	2,777,719	2,962,766	3,167,085	2,365,900	2,727,099
Expenses Personal Services	1,533,994	1,567,763	1,692,249	1,293,119	1,268,460
Expenses Operations & Maintenance	482,756	567,894	541,909	400,674	462,566
Expenses Fixed Charges	413,299	473,870	569,275	396,255	464,206
Expenses Other Financing Uses	347,670	353,240	363,652	275,852	531,867
<b>Revenues Less Expenses</b>	-59,860	-4,009	289,922	46,624	248,328
<b>Ending Cash</b>	<b>596,593</b>	<b>592,584</b>	<b>882,506</b>	<b>639,208</b>	<b>1,130,834</b>
<b>33% of Operating Expenses</b>	<b>916,647</b>	<b>977,713</b>	<b>1,045,138</b>	<b>780,747</b>	<b>899,943</b>

**MILL - SUMMARY**

			2021-22 Actual	2022-23 Actual	2023-24 Budget	2023-24 Actual	2024-25 Budget
<b>Revenues</b>			<b>2,717,859</b>	<b>2,958,757</b>	<b>3,457,007</b>	<b>2,412,525</b>	<b>2,975,427</b>
<b>Revenues</b>	<b>Taxes</b>		<b>1,311,952</b>	<b>1,402,348</b>	<b>1,471,338</b>	<b>864,314</b>	<b>1,570,698</b>
Revenues	Taxes	(311.10-00) Real Property Tax	1,182,744	1,258,660	1,362,216	793,204	1,457,367
Revenues	Taxes	(311.20-00) Personal Prop Tax	29,967	37,658	0	6,150	0
Revenues	Taxes	(312.00-00) Penalty & Interest	2,078	1,984	0	1,826	0
Revenues	Taxes	(316.00-00) Entitlement Levy-Tax	97,163	104,045	109,122	63,134	113,331
<b>Revenues</b>	<b>Intergovernmental Revenues</b>		<b>339,710</b>	<b>472,556</b>	<b>832,401</b>	<b>659,154</b>	<b>490,884</b>
Revenues	Intergovernmental Revenues	(331.11-45) COVID Relief Funding	473	37,149	348,041	348,041	383,175
Revenues	Intergovernmental Revenues	(331.40-00) Health Related Fed Grants	2,830	0	0	0	0
Revenues	Intergovernmental Revenues	(331.85-00) Fed Grts - Perform Based	140,181	214,803	316,190	184,695	0
Revenues	Intergovernmental Revenues	(334.00-00) State Grant	61,185	52,651	51,985	33,041	13,742
Revenues	Intergovernmental Revenues	(335.23-00) Entitlement Rev	85,429	86,517	91,230	68,423	93,967
Revenues	Intergovernmental Revenues	(337.00-00) Local Sources	49,612	81,437	24,955	24,955	0
<b>Revenues</b>	<b>Charges for Services</b>		<b>572,310</b>	<b>630,381</b>	<b>738,858</b>	<b>586,907</b>	<b>702,202</b>
Revenues	Charges for Services	(341.01-02) Reimbursements	50,702	52,766	20,000	39,829	20,000
Revenues	Charges for Services	(341.08-50) Administrative Fees	106,469	132,993	197,344	76,590	145,010
Revenues	Charges for Services	(344.01-10) Dog Control Licenses	5,292	4,597	5,000	3,806	5,000
Revenues	Charges for Services	(344.06-72) COVID	0	0	0	7,685	40,000
Revenues	Charges for Services	(344.06-75) VFC	6,421	8,370	12,635	7,795	12,635
Revenues	Charges for Services	(344.06-76) Flu Shots	43,471	71,639	77,586	37,269	77,586
Revenues	Charges for Services	(344.06-78) Non-Slide Non-Travel	70,498	150,544	190,548	225,710	185,548
Revenues	Charges for Services	(344.06-83) School Districts	0	0	5,500	0	4,098
Revenues	Charges for Services	(344.06-85) Immunes - Travel	22,773	45,028	60,000	44,690	42,000
Revenues	Charges for Services	(344.06-93) Titters/test	6,040	8,395	8,165	11,205	8,165
Revenues	Charges for Services	(344.09-10) Site Evaluation Applicat	147,595	65,050	70,000	49,265	70,000
Revenues	Charges for Services	(344.09-11) Non-Degradation Fee	3,780	3,360	2,100	5,090	2,100
Revenues	Charges for Services	(344.09-14) Env Health - Hourly Rate	0	640	0	320	0
Revenues	Charges for Services	(344.09-15) Septic Tank Only	4,340	4,200	4,200	3,600	4,200
Revenues	Charges for Services	(344.09-16) Gravity Septic-Cert Instl	15,540	14,280	14,000	12,460	14,000
Revenues	Charges for Services	(344.09-17) Pressure Dosed System	37,380	28,413	33,600	25,560	33,600
Revenues	Charges for Services	(344.09-18) Individual Engineered Sys	420	0	420	480	0
Revenues	Charges for Services	(344.09-19) Public/Multi User System	3,780	2,520	630	720	630
Revenues	Charges for Services	(344.09-20) Certified Installer Fee	17,250	18,625	18,750	18,875	18,750
Revenues	Charges for Services	(344.09-21) Gravity Sept-NonCert Inst	6,300	5,040	5,600	5,400	5,600
Revenues	Charges for Services	(344.09-30) Septic Admin Penalty	530	0	0	500	0
Revenues	Charges for Services	(344.09-45) Groundwater Monitor Appli	13,230	5,040	3,780	5,760	3,780
Revenues	Charges for Services	(344.09-50) Septic Variance Applicatn	4,200	3,524	3,500	1,400	3,500
Revenues	Charges for Services	(344.09-60) Septic Maint - \$40 Fee	160	0	0	80	0
Revenues	Charges for Services	(344.09-62) Septic MaintInspector Fee	1,250	1,125	500	1,125	500

Revenues	Charges for Services	(344.09-63) Inspector Reporting Fees	4,888	2,108	2,000	1,692	2,000
Revenues	Charges for Services	(344.09-66) Septic Class Fees	0	2,125	3,000	0	3,500
<b>Revenues</b>	<b>Fines &amp; Forfeitures</b>		<b>5,894</b>	<b>5,165</b>	<b>4,100</b>	<b>3,010</b>	<b>3,500</b>
Revenues	Fines & Forfeitures	(351.01-40) Animal Control Fines	5,894	5,165	4,100	3,010	3,500
<b>Revenues</b>	<b>Miscellaneous Income</b>		<b>16,094</b>	<b>13,452</b>	<b>0</b>	<b>5,230</b>	<b>5,500</b>
Revenues	Miscellaneous Income	(362.01-00) Misc Revenue	1,590	4,184	0	1,001	500
Revenues	Miscellaneous Income	(362.03-00) Copier Charges	6,836	8,294	0	4,037	5,000
Revenues	Miscellaneous Income	(362.09-70) Cred Card Convenience Fee	4	0	0	0	0
Revenues	Miscellaneous Income	(365.02-00) Donations-Private	7,665	974	0	192	0
<b>Revenues</b>	<b>Investment/Royalty Income</b>		<b>0</b>	<b>42</b>	<b>0</b>	<b>0</b>	<b>0</b>
Revenues	Investment/Royalty Income	(371.02-00) Interest Earnings	0	42	0	0	0
<b>Revenues</b>	<b>Other Financials</b>		<b>471,899</b>	<b>434,813</b>	<b>410,310</b>	<b>293,910</b>	<b>202,643</b>
Revenues	Other Financials	(383.01-00) Interfund Transfers	471,899	434,813	410,310	293,910	202,643
<b>Expenses</b>			<b>2,777,719</b>	<b>2,962,766</b>	<b>3,167,085</b>	<b>2,365,900</b>	<b>2,727,099</b>
<b>Expenses</b>	<b>Personal Services</b>		<b>1,533,994</b>	<b>1,567,763</b>	<b>1,692,249</b>	<b>1,293,119</b>	<b>1,268,460</b>
Expenses	Personal Services	(11-01) Regular Salaries	1,145,408	1,171,367	1,217,516	946,906	944,836
Expenses	Personal Services	(11-02) Temporary Salaries	1,811	1,373	1,200	7,989	1,200
Expenses	Personal Services	(12-01) Overtime	4,690	1,635	0	486	0
Expenses	Personal Services	(13-01) Termination Pay	18,248	12,251	15,000	24,445	0
Expenses	Personal Services	(15-10) Employer FICA	69,940	70,955	75,560	58,453	58,654
Expenses	Personal Services	(15-20) Employer Medicare	16,357	16,594	17,671	13,670	13,718
Expenses	Personal Services	(16-10) Employer PERS	101,676	106,441	110,429	88,870	85,696
Expenses	Personal Services	(17-10) Employer Health Ins.	166,516	178,326	202,236	146,298	157,131
Expenses	Personal Services	(17-20) Unemployment Ins	4,078	4,064	4,875	2,449	3,784
Expenses	Personal Services	(17-30) Workers Comp Ins	5,269	4,757	6,393	3,553	3,441
Expenses	Personal Services	(19-10) Misc Payroll	0	0	41,368	0	0
<b>Expenses</b>	<b>Operations &amp; Maintenance</b>		<b>482,756</b>	<b>567,894</b>	<b>541,909</b>	<b>400,674</b>	<b>462,566</b>
Expenses	Operations & Maintenance	(21-10) Office Supplies	8,748	7,863	5,800	4,069	5,200
Expenses	Operations & Maintenance	(21-20) Minor Equipment	2,540	5,379	12,750	11,106	3,700
Expenses	Operations & Maintenance	(22-10) Operating Supplies	47,047	42,297	86,894	46,752	10,100
Expenses	Operations & Maintenance	(22-23) Non-Slide Non-Travel	90,721	151,001	161,000	159,337	100,000
Expenses	Operations & Maintenance	(22-24) Vaccines-Flu	81,507	52,205	58,576	15,614	50,000
Expenses	Operations & Maintenance	(22-25) Vaccines-COVID	0	0	0	2,554	65,000
Expenses	Operations & Maintenance	(22-26) Travel Vaccines	16,794	22,087	33,152	31,642	40,000
Expenses	Operations & Maintenance	(22-27) Lab Expenses	2,312	1,082	3,850	2,768	3,600
Expenses	Operations & Maintenance	(22-61) Titers/Test	3,541	984	2,390	0	0
Expenses	Operations & Maintenance	(23-10) Repair & Maint Supplies	91	13	0	150	200
Expenses	Operations & Maintenance	(23-20) Gas Oil, & Etc.	3,718	3,130	3,200	2,298	3,600
Expenses	Operations & Maintenance	(31-20) Postage Box Rent Etc.	8,409	4,554	4,291	3,810	5,700
Expenses	Operations & Maintenance	(31-40) Vehicle Parking	2,856	1,680	1,632	1,260	0
Expenses	Operations & Maintenance	(31-45) Vehicles- Registration	0	22	0	0	0
Expenses	Operations & Maintenance	(31-60) Bank/Credit Card Fees	4,815	6,683	5,900	6,002	7,600
Expenses	Operations & Maintenance	(31-65) Cr Credit Fees	1,935	2,362	2,100	2,215	3,000
Expenses	Operations & Maintenance	(32-10) Print Dupl Typing Binding	16,845	8,887	3,550	2,907	4,100
Expenses	Operations & Maintenance	(33-10) Publicity Subscrip Dues	771	950	755	153	200
Expenses	Operations & Maintenance	(33-20) Advertising	40,378	33,092	15,093	15,110	1,200

Expenses	Operations & Maintenance	(33-50) Membership Dues	6,180	8,780	15,850	6,745	11,125
Expenses	Operations & Maintenance	(33-60) Licence Fees	950	1,483	1,700	1,158	740
Expenses	Operations & Maintenance	(33-70) Education Awareness	0	7,416	0	0	5,300
Expenses	Operations & Maintenance	(33-80) Health Club Dues	50	180	200	120	200
Expenses	Operations & Maintenance	(34-10) Utility Services	0	0	0	1,200	0
Expenses	Operations & Maintenance	(34-50) Telephone & Answering Ser	16,720	20,974	21,067	15,285	16,501
Expenses	Operations & Maintenance	(35-10) Professional Services	7,329	10,888	14,650	11,788	9,350
Expenses	Operations & Maintenance	(35-65) Patient's Ancillary Serv	4,639	2,130	1,500	1,454	2,500
Expenses	Operations & Maintenance	(35-70) Community Projects	1,225	7,100	9,066	9,066	0
Expenses	Operations & Maintenance	(36-10) Repair & Maint Services	320	1,484	100	86	100
Expenses	Operations & Maintenance	(36-20) Office Machines	7,556	8,112	6,400	5,612	8,950
Expenses	Operations & Maintenance	(36-30) Motor Vehicles	1,592	565	100	195	200
Expenses	Operations & Maintenance	(37-10) Travel	2,130	20,065	4,681	3,255	1,700
Expenses	Operations & Maintenance	(37-50) Board Meeting Expenses	717	527	0	0	0
Expenses	Operations & Maintenance	(38-10) Training	12,943	21,965	13,372	2,577	2,700
Expenses	Operations & Maintenance	(39-10) Other Purch/Contract Serv	75,528	110,919	52,290	34,386	100,000
Expenses	Operations & Maintenance	(39-20) Recruitment Services	286	1,038	0	0	0
Expenses	Operations & Maintenance	(39-61) Software Maintenance	11,564	0	0	0	0
<b>Expenses</b>	<b>Fixed Charges</b>		<b>413,299</b>	<b>473,870</b>	<b>569,275</b>	<b>396,255</b>	<b>464,206</b>
Expenses	Fixed Charges	(50-10) Admin Fees - General	62,516	65,883	69,014	51,761	77,905
Expenses	Fixed Charges	(50-11) Admin Fees - Departments	9,113	13,685	10,492	14,686	0
Expenses	Fixed Charges	(50-20) Insurance	31,200	36,468	35,341	26,967	39,301
Expenses	Fixed Charges	(50-30) Rent- County owned	183,673	206,935	268,942	161,877	176,333
Expenses	Fixed Charges	(50-40) Technology	126,796	136,616	143,519	103,295	127,229
Expenses	Fixed Charges	(50-41) Software Agreements	0	14,284	41,967	37,669	43,438
<b>Expenses</b>	<b>Other Financing Uses</b>		<b>347,670</b>	<b>353,240</b>	<b>363,652</b>	<b>275,852</b>	<b>531,867</b>
Expenses	Other Financing Uses	(80-10) Transfers to Other Funds	306,108	352,040	362,452	275,852	381,867
Expenses	Other Financing Uses	(80-15) Transf to Other Fund-CIP	40,362	0	0	0	150,000
Expenses	Other Financing Uses	(80-20) Trans to Outside Source	1,200	1,200	1,200	0	0
<b>Revenues Less Expenses</b>			<b>-59,860</b>	<b>-4,009</b>	<b>289,922</b>	<b>46,624</b>	<b>248,328</b>
<b>Ending Cash</b>			<b>596,593</b>	<b>592,584</b>	<b>882,506</b>	<b>639,208</b>	<b>1,130,834</b>
<b>33% of Operating Expenses</b>			<b>916,647</b>	<b>977,713</b>	<b>1,045,138</b>	<b>780,747</b>	<b>899,943</b>

**GRANTS - summary**

	2021-22 Actual	2022-23 Actual	2023-24 Budget	2023-24 Actual	2024-25 Budget
<b>Revenues</b>	<b>4,106,950</b>	<b>2,917,424</b>	<b>3,473,512</b>	<b>2,428,462</b>	<b>3,133,301</b>
Revenues Taxes	110,868	118,034	123,224	73,274	129,886
Revenues Licenses & Permits	2,685	2,400	2,280	2,580	2,620
Revenues Intergovernmental Revenues	2,595,582	1,949,061	2,893,209	1,848,870	2,571,906
Revenues Charges for Services	47,045	22,930	29,800	15,621	25,093
Revenues Miscellaneous Income	13,140	91,525	0	147,136	46,940
Revenues Investment/Royalty Income	0	4	0	0	0
Revenues Other Financials	1,337,630	733,470	424,999	340,980	356,856
<b>Expenses</b>	<b>3,948,436</b>	<b>3,129,114</b>	<b>3,439,713</b>	<b>2,316,182</b>	<b>3,067,870</b>
Expenses Personal Services	2,519,316	2,069,984	2,012,424	1,677,491	2,124,442
Expenses Operations & Maintenance	1,181,388	764,120	1,120,066	464,228	728,931
Expenses Fixed Charges	172,958	234,195	307,223	171,278	214,497
Expenses Other Financing Uses	74,774	60,815	0	3,185	0
<b>Revenues Less Expenses</b>	<b>158,514</b>	<b>-211,690</b>	<b>33,799</b>	<b>112,280</b>	<b>65,431</b>

**GRANTS - summary**

			2021-22 Actual	2022-23 Actual	2023-24 Budget	2023-24 Actual	2024-25 Budget
<b>Revenues</b>			<b>4,106,950</b>	<b>2,917,424</b>	<b>3,473,512</b>	<b>2,428,462</b>	<b>3,133,301</b>
Revenues	Taxes		110,868	118,034	123,224	73,274	129,886
Revenues	Taxes	(311.10-00) Real Property Tax	107,948	114,432	123,224	72,553	129,886
Revenues	Taxes	(311.20-00) Personal Prop Tax	2,734	3,424	0	559	0
Revenues	Taxes	(312.00-00) Penalty & Interest	186	177	0	162	0
<b>Revenues</b>	<b>Licenses &amp; Permits</b>		<b>2,685</b>	<b>2,400</b>	<b>2,280</b>	<b>2,580</b>	<b>2,620</b>
Revenues	Licenses & Permits	(322.70-00) Cottage Food Registration	400	320	280	360	120
Revenues	Licenses & Permits	(322.75-00) Temporary Food Fac Small	1,020	1,275	1,000	1,530	1,500
Revenues	Licenses & Permits	(322.80-00) Temporary Food Fac Large	1,265	805	1,000	690	1,000
<b>Revenues</b>	<b>Intergovernmental Revenues</b>		<b>2,595,582</b>	<b>1,949,061</b>	<b>2,893,209</b>	<b>1,848,870</b>	<b>2,571,906</b>
Revenues	Intergovernmental Revenues	(331.00-00) Federal Grants	173,398	69,661	798,355	303,650	777,475
Revenues	Intergovernmental Revenues	(331.11-45) COVID Relief Funding	659,152	27,120	0	15,540	0
Revenues	Intergovernmental Revenues	(331.40-00) Health Related Fed Grants	437,322	560,409	574,653	404,928	648,671
Revenues	Intergovernmental Revenues	(331.40-10) MCH Block Grant	63,576	60,743	60,553	48,739	62,586
Revenues	Intergovernmental Revenues	(331.85-00) Fed Grts - Perform Based	384,782	328,802	488,772	405,308	731,160
Revenues	Intergovernmental Revenues	(334.00-00) State Grant	450,298	403,602	727,610	272,030	78,000
Revenues	Intergovernmental Revenues	(334.40-00) Plan Reviews	16,555	16,415	17,360	9,510	15,000
Revenues	Intergovernmental Revenues	(334.50-00) Inspections	10,815	9,990	10,820	7,525	8,000
Revenues	Intergovernmental Revenues	(334.60-00) Health Related Grants	228,221	250,169	36,186	217,180	91,092
Revenues	Intergovernmental Revenues	(335.00-00) State Shared Revenue	143,518	148,900	148,900	151,964	159,922
Revenues	Intergovernmental Revenues	(337.00-00) Local Sources	27,946	73,250	30,000	12,496	0
<b>Revenues</b>	<b>Charges for Services</b>		<b>47,045</b>	<b>22,930</b>	<b>29,800</b>	<b>15,621</b>	<b>25,093</b>
Revenues	Charges for Services	(341.01-00) Misc Collections	0	0	13,800	0	6,480
Revenues	Charges for Services	(344.06-15) Medicaid - Home Visiting	2,195	316	0	17	0
Revenues	Charges for Services	(344.06-16) Medicaid - Nutrition	20,383	21,893	16,000	14,867	16,613
Revenues	Charges for Services	(344.06-21) Private Insurance	0	110	0	737	0
Revenues	Charges for Services	(344.06-30) Training Classes/Workshop	360	611	0	0	0
Revenues	Charges for Services	(344.15-00) Public Health Charges	24,106	0	0	0	0
Revenues	Charges for Services	(344.15-10) State	0	0	0	0	2,000
<b>Revenues</b>	<b>Miscellaneous Income</b>		<b>13,140</b>	<b>91,525</b>	<b>0</b>	<b>147,136</b>	<b>46,940</b>
Revenues	Miscellaneous Income	(362.01-00) Misc Revenue	2,540	2,370	0	1,673	0
Revenues	Miscellaneous Income	(365.02-00) Donations-Private	100	14,786	0	19,058	0
Revenues	Miscellaneous Income	(365.03-00) Contrib - Outside Sources	8,900	0	0	2,400	0

Revenues	Miscellaneous Income	(365.04-00) Grants-Private	1,600	74,369	0	124,005	0
Revenues	Miscellaneous Income	(365.05-00) Local Match	0	0	0	0	46,940
Revenues	Investment/Royalty Income		0	4	0	0	0
Revenues	Investment/Royalty Income	(371.02-00) Interest Earnings	0	4	0	0	0
Revenues	Other Financials		1,337,630	733,470	424,999	340,980	356,856
Revenues	Other Financials	(383.01-00) Interfund Transfers	1,337,630	733,470	424,999	340,980	356,856
Expenses			3,948,436	3,129,114	3,439,713	2,316,182	3,067,870
Expenses	Personal Services		2,519,316	2,069,984	2,012,424	1,677,491	2,124,442
Expenses	Personal Services	(11-01) Regular Salaries	1,490,903	1,547,973	1,412,135	1,202,948	1,535,029
Expenses	Personal Services	(11-02) Temporary Salaries	399,497	27,002	0	22,013	73,000
Expenses	Personal Services	(12-01) Overtime	66,629	5,245	0	2,382	1,000
Expenses	Personal Services	(13-01) Termination Pay	37,941	11,299	0	37,824	0
Expenses	Personal Services	(15-10) Employer FICA	121,097	96,169	87,551	76,380	98,860
Expenses	Personal Services	(15-20) Employer Medicare	28,321	22,491	20,476	17,863	23,121
Expenses	Personal Services	(16-10) Employer PERS	152,632	139,655	128,081	114,155	139,229
Expenses	Personal Services	(17-10) Employer Health Ins.	204,842	206,457	223,212	195,422	239,441
Expenses	Personal Services	(17-20) Unemployment Ins	6,980	5,569	5,649	3,163	6,377
Expenses	Personal Services	(17-30) Workers Comp Ins	10,475	8,124	8,695	5,341	6,585
Expenses	Personal Services	(19-10) Misc Payroll	0	0	126,626	0	1,800
Expenses	Operations & Maintenance		1,181,388	764,120	1,120,066	464,228	728,931
Expenses	Operations & Maintenance	(21-10) Office Supplies	3,403	1,527	5,446	2,897	20,553
Expenses	Operations & Maintenance	(21-20) Minor Equipment	10,928	3,278	36,000	5,581	1,000
Expenses	Operations & Maintenance	(22-10) Operating Supplies	68,841	35,417	14,155	30,240	45,579
Expenses	Operations & Maintenance	(22-27) Lab Expenses	429	527	500	776	6,100
Expenses	Operations & Maintenance	(22-40) Janitorial	281	454	0	0	0
Expenses	Operations & Maintenance	(23-10) Repair & Maint Supplies	0	78	500	0	500
Expenses	Operations & Maintenance	(23-20) Gas Oil, & Etc.	2,286	2,932	3,800	2,809	6,600
Expenses	Operations & Maintenance	(31-20) Postage Box Rent Etc.	1,843	1,459	3,300	1,730	3,596
Expenses	Operations & Maintenance	(31-40) Vehicle Parking	1,428	840	816	630	0
Expenses	Operations & Maintenance	(31-50) Vehicle Tow In Service	500	1,000	2,500	900	2,500
Expenses	Operations & Maintenance	(32-10) Print Dupl Typing Binding	13,245	7,585	2,300	1,804	4,496
Expenses	Operations & Maintenance	(33-20) Advertising	197,679	61,611	3,764	21,504	9,397
Expenses	Operations & Maintenance	(33-50) Membership Dues	545	345	200	345	825
Expenses	Operations & Maintenance	(33-60) Licence Fees	640	2,780	2,520	754	1,370
Expenses	Operations & Maintenance	(33-70) Education Awareness	75	38	250	57	19,129
Expenses	Operations & Maintenance	(33-80) Health Club Dues	195	98	350	125	300
Expenses	Operations & Maintenance	(34-10) Utility Services	1,341	1,670	2,000	1,588	2,000
Expenses	Operations & Maintenance	(34-20) Electric Utility Service	1,593	0	1,700	0	0
Expenses	Operations & Maintenance	(34-30) Water Utility Service	754	0	800	0	0
Expenses	Operations & Maintenance	(34-40) Gas Utility Service	1,666	0	1,800	0	0



Expenses	Operations & Maintenance	(34-50) Telephone & Answering Ser	24,117	23,897	23,269	20,170	23,071
Expenses	Operations & Maintenance	(35-10) Professional Services	32,081	29,184	17,500	15,310	40,200
Expenses	Operations & Maintenance	(35-70) Community Projects	2,991	13,986	0	300	300
Expenses	Operations & Maintenance	(36-10) Repair & Maint Services	13	1,464	1,350	228	1,500
Expenses	Operations & Maintenance	(36-20) Office Machines	225	0	250	0	0
Expenses	Operations & Maintenance	(36-30) Motor Vehicles	0	0	0	1,547	0
Expenses	Operations & Maintenance	(37-10) Travel	6,524	7,883	8,640	21,095	34,799
Expenses	Operations & Maintenance	(38-10) Training	21,389	12,785	5,000	10,563	13,717
Expenses	Operations & Maintenance	(39-10) Other Purch/Contract Serv	784,350	553,242	981,356	323,274	491,399
Expenses	Operations & Maintenance	(39-20) Recruitment Services	2,025	39	0	0	0
Expenses	Fixed Charges		172,958	234,195	307,223	171,278	214,497
Expenses	Fixed Charges	(50-11) Admin Fees - Departments	97,356	119,308	186,852	61,904	136,319
Expenses	Fixed Charges	(50-20) Insurance	1,848	1,848	1,848	1,848	2,000
Expenses	Fixed Charges	(50-30) Rent- County owned	41,566	47,239	53,723	36,458	48,402
Expenses	Fixed Charges	(50-32) Rent-Ext Non Cnty Owned	30,300	62,340	64,800	54,567	7,800
Expenses	Fixed Charges	(50-40) Technology	1,888	3,460	0	3,976	6,200
Expenses	Fixed Charges	(50-41) Software Agreements	0	0	0	12,524	13,776
Expenses	Other Financing Uses		74,774	60,815	0	3,185	0
Expenses	Other Financing Uses	(80-10) Transfers to Other Funds	10,261	60,815	0	3,185	0
Expenses	Other Financing Uses	(80-15) Transf to Other Fund-CIP	25,183	0	0	0	0
Expenses	Other Financing Uses	(80-20) Trans to Outside Source	39,330	0	0	0	0
Revenues Less Expenses			158,514	-211,690	33,799	112,280	65,431

**WATER QUALITY - summary**

	2021-22 Actual	2022-23 Actual	2023-24 Budget	2023-24 Actual	2024-25 Budget
<b>Revenues</b>	398,643	422,411	407,473	250,382	406,392
Revenues Charges for Services	3,315	1,980	0	2,700	0
Revenues Miscellaneous Income	381,486	405,986	387,000	239,939	387,800
Revenues Other Financials	13,842	14,446	20,473	7,744	18,592
<b>Expenses</b>	341,188	370,175	519,052	353,736	497,121
Expenses Personal Services	262,051	253,052	347,811	256,804	366,057
Expenses Operations & Maintenance	35,789	68,972	131,270	71,315	59,227
Expenses Fixed Charges	38,771	40,125	39,971	25,617	33,702
Expenses Other Financing Uses	4,577	8,025	0	0	38,135
<b>Revenues Less Expenses</b>	57,454	52,237	-111,579	-103,354	-90,729
<b>Ending Cash</b>	<b>305,110</b>	<b>357,347</b>	<b>245,768</b>	<b>253,993</b>	<b>155,039</b>
<b>33% of Operating Expenses</b>	<b>112,592</b>	<b>122,158</b>	<b>171,287</b>	<b>116,733</b>	<b>164,050</b>

**WATER QUALITY - summary**

			2021-22 Actual	2022-23 Actual	2023-24 Budget	2023-24 Actual	2024-25 Budget
<b>Revenues</b>			398,643	422,411	407,473	250,382	406,392
<b>Revenues</b>	<b>Charges for Services</b>		3,315	1,980	0	2,700	0
Revenues	Charges for Services	(344.09-40) Well Monitoring Fee	3,315	1,980	0	2,700	0
<b>Revenues</b>			381,486	405,986	387,000	239,939	387,800
Revenues	<b>Miscellaneous Income</b>		379,796	381,680	387,000	238,198	387,800
Revenues	Miscellaneous Income	(363.01-00) Maintenance/Assessments	379,796	381,680	387,000	238,198	387,800
Revenues	Miscellaneous Income	(363.04-00) Pnlty & Int on Del Asmnts	1,690	1,565	0	1,741	0
Revenues	Miscellaneous Income	(365.02-00) Donations-Private	0	22,740	0	0	0
<b>Revenues</b>			13,842	14,446	20,473	7,744	18,592
Revenues	<b>Other Financials</b>		13,842	14,446	20,473	7,744	18,592
Revenues	Other Financials	(383.01-00) Interfund Transfers	13,842	14,446	20,473	7,744	18,592
<b>Expenses</b>			341,188	370,175	519,052	353,736	497,121
<b>Expenses</b>			262,051	253,052	347,811	256,804	366,057
Expenses	<b>Personal Services</b>		189,612	192,275	263,724	191,181	268,094
Expenses	Personal Services	(11-01) Regular Salaries	189,612	192,275	263,724	191,181	268,094
Expenses	Personal Services	(12-01) Overtime	0	78	0	135	0
Expenses	Personal Services	(13-01) Termination Pay	10,264	0	0	3,032	0
Expenses	Personal Services	(15-10) Employer FICA	12,023	11,687	16,351	11,844	16,622
Expenses	Personal Services	(15-20) Employer Medicare	2,812	2,733	3,824	2,770	3,887
Expenses	Personal Services	(16-10) Employer PERS	17,729	17,254	23,920	17,627	24,316
Expenses	Personal Services	(17-10) Employer Health Ins.	28,013	27,662	37,392	28,922	37,499
Expenses	Personal Services	(17-20) Unemployment Ins	700	674	1,055	486	1,072
Expenses	Personal Services	(17-30) Workers Comp Ins	897	687	1,545	806	1,116
Expenses	Personal Services	(19-10) Misc Payroll	0	0	0	0	13,451
<b>Expenses</b>			35,789	68,972	131,270	71,315	59,227
Expenses	<b>Operations &amp; Maintenance</b>		603	294	1,000	710	1,000
Expenses	Operations & Maintenance	(21-10) Office Supplies	603	294	1,000	710	1,000
Expenses	Operations & Maintenance	(21-20) Minor Equipment	0	13,301	3,000	8,489	4,000
Expenses	Operations & Maintenance	(22-10) Operating Supplies	7,765	1,192	7,000	3,872	3,000
Expenses	Operations & Maintenance	(22-27) Lab Expenses	6,931	19,632	30,000	11,384	16,500
Expenses	Operations & Maintenance	(23-10) Repair & Maint Supplies	0	13	500	28	800
Expenses	Operations & Maintenance	(23-20) Gas Oil, & Etc.	851	1,019	1,000	984	2,000
Expenses	Operations & Maintenance	(31-20) Postage Box Rent Etc.	545	610	745	706	1,000
Expenses	Operations & Maintenance	(31-40) Vehicle Parking	1,428	840	816	630	0
Expenses	Operations & Maintenance	(31-45) Vehicles- Registration	0	53	0	0	0
Expenses	Operations & Maintenance	(32-10) Print Dupl Typing Binding	2,660	2	500	0	500
Expenses	Operations & Maintenance	(33-20) Advertising	535	2,435	2,000	0	1,000

Expenses	Operations & Maintenance	(33-50) Membership Dues	125	50	800	782	1,000
Expenses	Operations & Maintenance	(33-70) Education Awareness	290	5,817	11,500	5,131	8,000
Expenses	Operations & Maintenance	(33-80) Health Club Dues	0	225	600	175	300
Expenses	Operations & Maintenance	(34-50) Telephone & Answering Ser	2,779	2,883	2,497	2,246	2,377
Expenses	Operations & Maintenance	(35-10) Professional Services	200	175	1,000	2,728	2,000
Expenses	Operations & Maintenance	(35-70) Community Projects	0	0	0	393	0
Expenses	Operations & Maintenance	(36-20) Office Machines	0	0	312	0	0
Expenses	Operations & Maintenance	(36-30) Motor Vehicles	13	163	0	0	0
Expenses	Operations & Maintenance	(37-10) Travel	1,514	2,587	4,000	1,820	4,000
Expenses	Operations & Maintenance	(37-50) Board Meeting Expenses	17	21	500	252	500
Expenses	Operations & Maintenance	(38-10) Training	535	3,850	8,000	1,446	1,000
Expenses	Operations & Maintenance	(39-10) Other Purch/Contract Serv	9,000	13,812	55,000	29,538	10,000
Expenses	Operations & Maintenance	(39-20) Recruitment Services	0	0	500	0	250
<b>Expenses</b>	<b>Fixed Charges</b>		<b>38,771</b>	<b>40,125</b>	<b>39,971</b>	<b>25,617</b>	<b>33,702</b>
Expenses	Fixed Charges	(50-10) Admin Fees - General	7,158	7,592	8,142	6,032	9,311
Expenses	Fixed Charges	(50-20) Insurance	3,372	3,748	3,875	2,907	3,833
Expenses	Fixed Charges	(50-30) Rent- County owned	16,341	16,341	16,995	8,497	10,608
Expenses	Fixed Charges	(50-40) Technology	11,900	12,444	10,959	8,181	9,950
<b>Expenses</b>	<b>Other Financing Uses</b>		<b>4,577</b>	<b>8,025</b>	<b>0</b>	<b>0</b>	<b>38,135</b>
Expenses	Other Financing Uses	(80-10) Transfers to Other Funds	0	8,025	0	0	0
Expenses	Other Financing Uses	(80-15) Transf to Other Fund-CIP	4,577	0	0	0	38,135
<b>Revenues Less Expenses</b>			<b>57,454</b>	<b>52,237</b>	<b>-111,579</b>	<b>-103,354</b>	<b>-90,729</b>
<b>Ending Cash</b>			<b>305,110</b>	<b>357,347</b>	<b>245,768</b>	<b>253,993</b>	<b>155,039</b>
<b>33% of Operating Expenses</b>			<b>112,592</b>	<b>122,158</b>	<b>171,287</b>	<b>116,733</b>	<b>164,050</b>

**LEWIS & CLARK CITY/COUNTY BOARD OF HEALTH  
Helena, Montana**

**BOARD AGENDA ITEM**

**Meeting Date**

**May 23, 2024**

**Agenda Item No.**

**4**

Minutes     Board Member Discussion     Staff & Other Reports     Action     Hearing of Delegation

**AGENDA ITEMS**    Approve update Specimen Transport Plan

**PERSONNEL INVOLVED:** Laurel Riek, Division Administrator

**BACKGROUND** Ms. Riek will present the updated Specimen Transport Plan for Board approval.

**HEALTH DIRECTOR’S RECOMMENDATION:** N/A

ADDITIONAL INFORMATION

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**BOARD ACTION:**

**NOTES:**

	M O T I O N	S E C O N D	A Y E	N A Y	A B S T A I N	O T H E R
Bedell						
Collins						
Harris						
Kaufman						
MacLaurin						
Murgel						
Payne						
Weber						
Weltz						

# Specimen Transport Plan

Laurel Riek, RS

Environmental Health and Disease  
Prevention Administrator

May 23, 2024

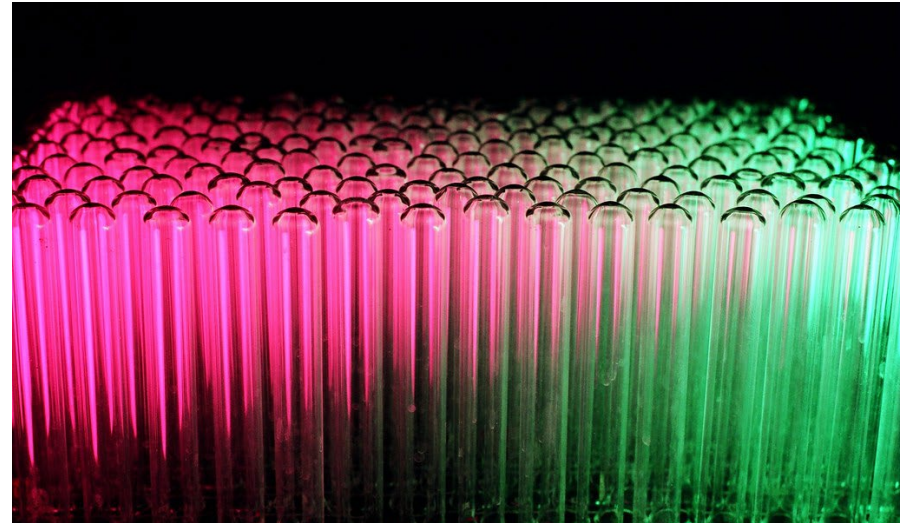


Lewis & Clark

**Public  
Health**

# Purpose

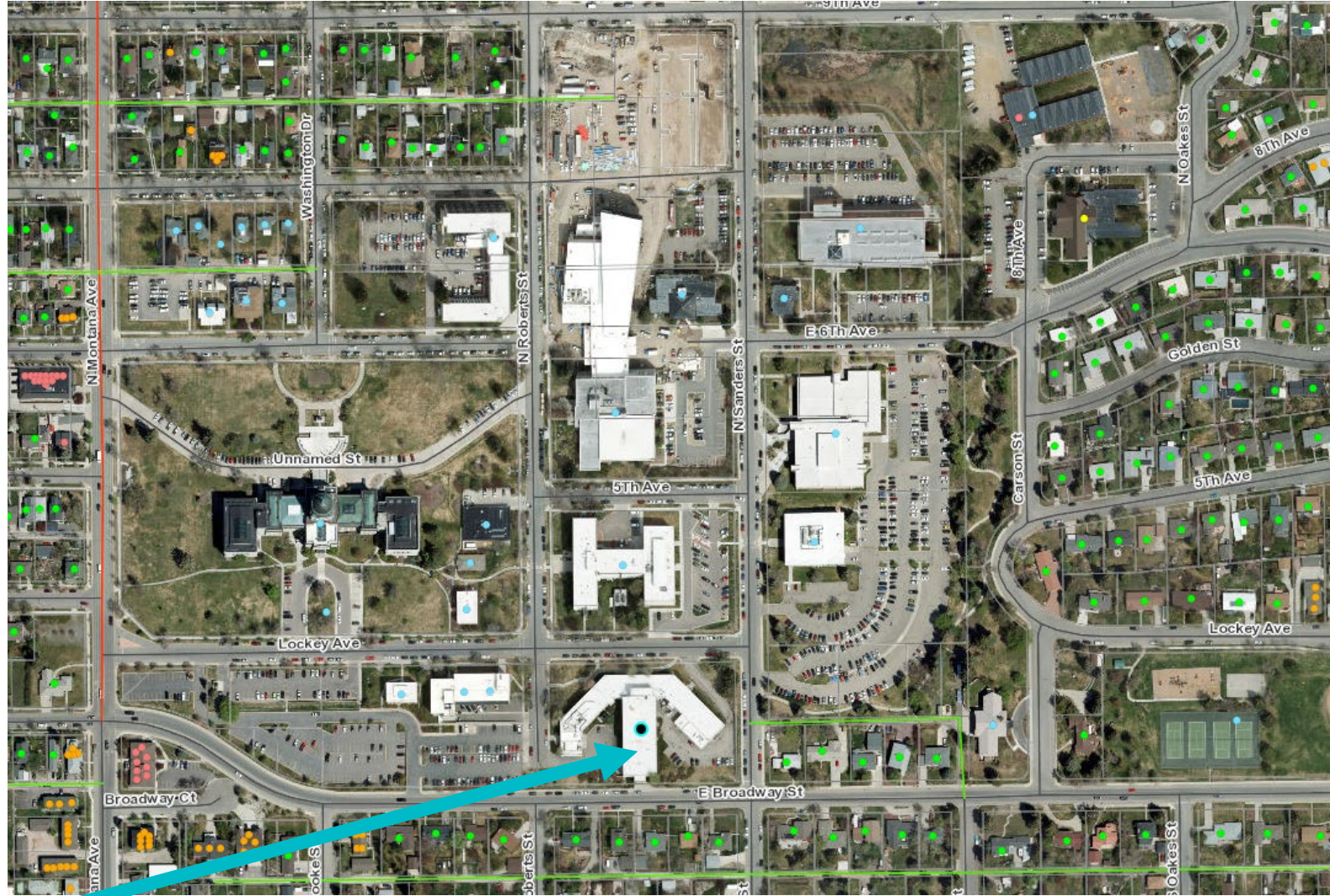
The Specimen Transport plan facilitates assessment and rapid delivery of specimens of immediate concern for laboratory analysis. These specimens may be of environmental or clinical origin and are needed to facilitate rapid response to an agent of concern.



# Situation

The close proximity of the Montana Department of Public Health and Human Services (DPHHS) Laboratory within our jurisdiction can minimize transport time. Chain of custody documentation will be implemented when a credible threat has been established. All agencies involved with submission of samples will be notified when chain of custody documentation is indicated.

**Cogswell Building**

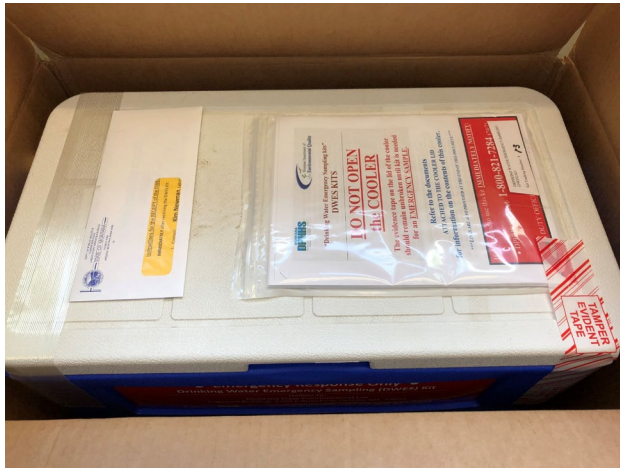




# Procedures

1. If an event is thought to be intentional, this will be reported to law enforcement.
2. Sealed samples and Chain of Custody documents needed and to provide evidence.
3. Call Montana Laboratory Services Bureau for sampling instructions for the agent of concern.  
24/7 access: (800) 821-7284
  - a) Biohazard bags for biological specimens
  - b) Who is transporting samples to the lab? Courier or response team
  - c) When will the MLSB staff meet you at the lab?
4. Gather supplies needed.
5. Seal with evidence tape and label as they are collected
  - a) Include blanks of the same lot number for tubes/cups used for samples for quality assurance

# Drinking Water Emergency Sampling Kit

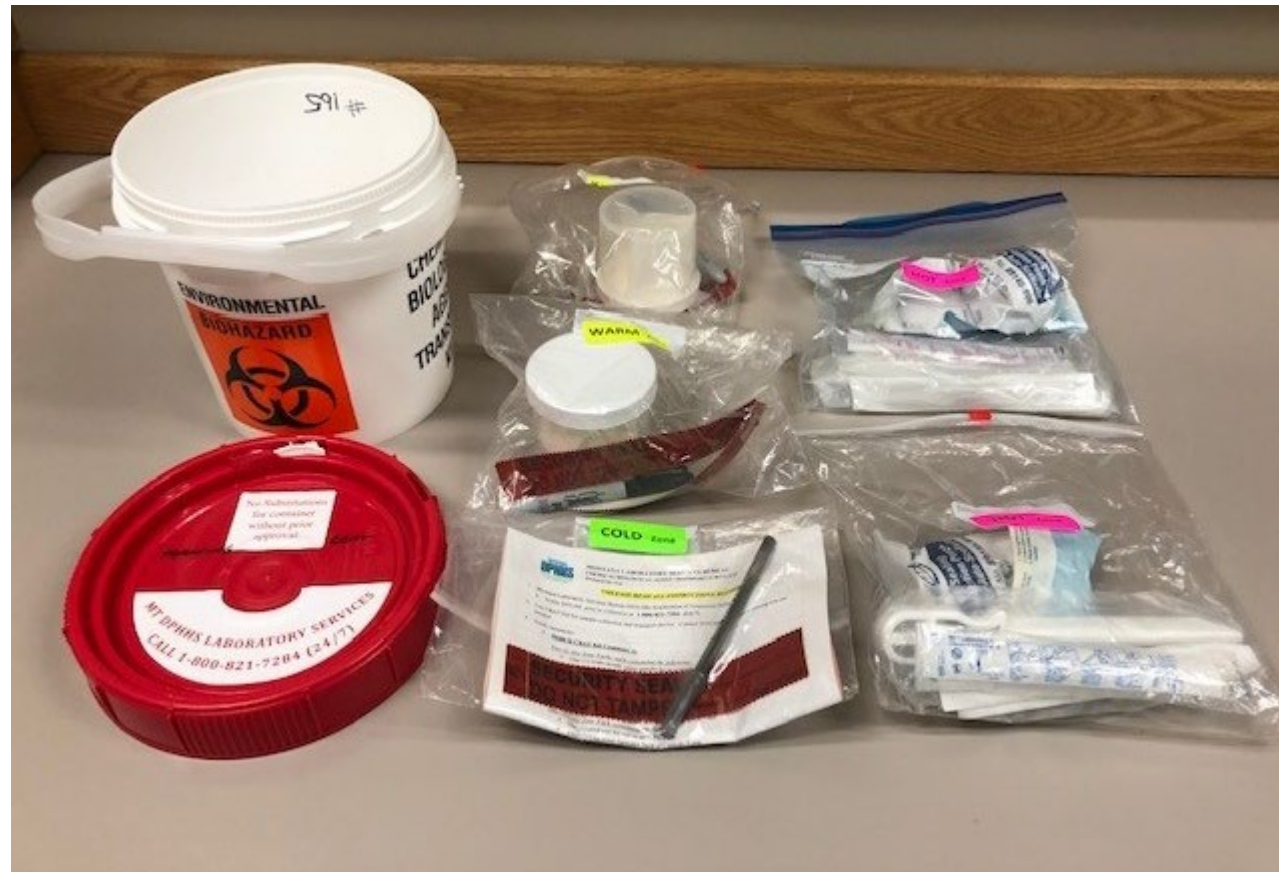


DWES Kit

# DWES Kit Locations

List Name	Vacant?	Organization Name	First Name	Last Name	Primary Phone	Ext	Cell	Email
DWES Kit 1	No	LCPH	Laurel	Riek	(406) 457-8914	-	-	lriek@lccountymt.gov
DWES Kit 2	No	City of Helena Water Treatment Plant	Trent	Scheuer	(406) 457-8575	-	-	tscheuer@lccountymt.gov
DWES Kit 3	No	DEQ	Kirk	Yoder	(406) 444-7494	-	-	kyoder@mt.gov
DWES Kit 4	No	Helena Fire Dept.	Capt. Mike	McDaniel	(406) 447-8472	-	-	mmcdaniel@helenamt.gov
DWES Kit 5	No	83rd Civil Support Team (CST)	SSG Derek	Harding	(406) 853-8182	-	-	derek.j.harding3.mil@army.mil

# Chemical, Biological Agent Transport Kit



# CBAT Kit Locations

CBAT Kit 1	No	LCPH	Laurel	Riek	(406) 457-8914	-	-	lriek@lccountymt.gov
CBAT Kit 2	No	Lewis & Clark Public Health	Laurel	Riek	(406) 457-8914	-	-	lriek@lccountymt.gov
CBAT Kit 3	No	83rd Civil Support Team	SSG Derek	Harding	(406) 324-3682	-	-	derek.j.harding3.mt@army.mil
CBAT Kit 4	No	Capital Security ( General Services Division)	Stephan	Baiamonte	(406) 444-0206	-	-	sbaiamonte@mt.gov
CBAT Kit 5	No	Capital Security ( General Services Division)	Stephen	Baiamonte	(406) 444-0206	-	-	sbaiamonte@mt.gov

# Maintaining Sample Kits



IF ANY OF THE SUPPLIES ARE USED, CONTACT THE LABORATORY SERVICES BUREAU FOR REPLACEMENT



AN ANNUAL INVENTORY IS REQUIRED TO BE SURE THE KITS ARE READY AND AVAILABLE WHEN THEY ARE NEEDED.



KITS MUST REMAIN SEALED UNTIL NEEDED OR DURING ANNUAL INVENTORY TO PROTECT THE INTEGRITY OF THE SAMPLING SUPPLIES.





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**Specimen Transport Plan**  
**March 2024**

**Purpose:**

The Specimen Transport plan facilitates assessment and rapid delivery of specimens of immediate concern for laboratory analysis. These specimens may be of environmental or clinical origin and are needed to facilitate rapid response to an agent of concern.

**Situation:**

The close proximity of the Montana Department of Public Health and Human Services (DPHHS) Laboratory within our jurisdiction can minimize transport time. Chain of custody documentation will be implemented when a credible threat has been established. All agencies involved with submission of samples will be notified when chain of custody documentation is indicated.

**Procedures:**

*Environmental Specimens*

*Clinical Specimens (including “Category A and Category B” defined on Page 4)*

Collection, packaging and transport of environmental and human samples will be done by clinical staff, incident response team or Lewis and Clark Public Health staff in accordance with procedures for the agent of concern.

1. If an event is thought to be intentional, this will be reported to law enforcement. A credible threat is determined by law enforcement. Any samples collected for a credible threat must be transported with chain of custody documents.
  - a. Once a credible threat has been established by law enforcement, a sample is collected by the appropriate response agency, sealed as evidence and transported to the state lab.
2. The appropriate response agency will call DPHHS Montana Laboratory Services Bureau at (800) 821-7284 for instruction to:
  - a. Determine what samples are needed for chemical or biological agent of concern.
  - b. Determine if additional protocols are needed for collection and packaging.
    - i. All biological specimens transported to the lab must be sealed inside a biohazard bag and, if needed, kept in a puncture proof container.
    - ii. Blood specimen containers can be obtained from the Montana Laboratory Services Bureau.
    - iii. Dry ice for packaging urine specimens for rapid toxin screen is available at Helena Safeway.



- c. Identify which laboratory can manage the samples.
  - d. Discuss emergency courier service or transport options
  - e. Determine laboratory staff availability for 24/7 access.
3. Gather supplies needed for samples.
  4. Seal with evidence tape and label containers, as they are collected.
  5. Include blanks of the same lot number for the tubes/cups used for samples.
  6. Prepare lab requisition, chain of custody and shipper's declaration as needed. Chain of custody forms will be used as needed to authenticate the sample results and are located with the specimen transport kits. (Copies are in the specimen transport kits.)
  7. Notify the lab of carrier and time of arrival.
  8. Clinical staff, incident response team or Lewis and Clark Public Health staff will coordinate transport of the specimen to the lab.
  9. Lewis and Clark Public Health will track the sample(s) and monitor its status.

***Environmental Specimens***

***Chemical, Biological Agent Transport Kits (CBAT)***

Local fire departments will utilize the Chemical, Biological Agent Transport Kits (CBAT Kits) when appropriate. One specimen transport kit (STP 310 – CBAT Kit) for unknown chemical exposure is located in Room 66 in the basement of the Michael A. Murray Building, 1930 9th Avenue, Helena. Door key for this room is 2, 4 then turn clockwise. See the list below for contact information or to make arrangements for using the CBAT kits.

CBAT Kit 1	No	LCPH	Laurel	Riek	(406) 457-8914	-	-	lriek@lccountymt.gov
CBAT Kit 2	No	Lewis & Clark Public Health	Laurel	Riek	(406) 457-8914	-	-	lriek@lccountymt.gov
CBAT Kit 3	No	83rd Civil Support Team	SSG Derek	Harding	(406) 324-3682	-	-	derek.j.harding3.mt@army.mil
CBAT Kit 4	No	Capital Security ( General Services Division)	Stephan	Baiamonte	(406) 444-0206	-	-	sbaiamonte@mt.gov
CBAT Kit 5	No	Capital Security ( General Services Division)	Stephen	Baiamonte	(406) 444-0206	-	-	sbaiamonte@mt.gov

***Drinking Water Emergency Sampling Kits***

Lewis and Clark Public Health will utilize Drinking Water Emergency Sampling Kits (DWES Kits), when appropriate. Lewis and Clark Public Health has 5 DWES kits available. See the list below for contact information or to make arrangements for using the DWES kits.

List Name	Vacant?	Organization Name	First Name	Last Name	Primary Phone	Ext	Cell	Email
DWES Kit 1	No	LCPH	Laurel	Riek	(406) 457-8914	-	-	lriek@lccountymt.gov
DWES Kit 2	No	City of Helena Water Treatment Plant	Trent	Scheuer	(406) 457-8575	-	-	tscheuer@lccountymt.gov
DWES Kit 3	No	DEQ	Kirk	Yoder	(406) 444-7494	-	-	kyoder@mt.gov
DWES Kit 4	No	Helena Fire Dept.	Capt. Mike	McDaniel	(406) 447-8472	-	-	mmcdaniel@helenamt.gov
DWES Kit 5	No	83rd Civil Support Team (CST)	SSG Derek	Harding	(406) 853-8182	-	-	derek.j.harding3.mil@army.mil

Replacement DWES kits or CBAT kits or their supplies can be obtained from Montana Laboratory Services Bureau. To protect the integrity of DWES sampling bottles, do not open the coolers unless needed or performing an annual inventory. DWES sampling is not for compliance testing and there are no expiration dates on the bottles. During the annual inventorying, inspect the CBAT kit contents to ensure seals are intact and swabs and transfer pipets have not expired. Do not open the sampling packages inside the CBAT kit.

### Packaging and Shipping Infectious Substances

US DOT regulation 49 CFR 173.199 outlines the requirements for packaging, marking, and documenting Category B materials. If the specimen is being shipped through UPS or FedEx, the shipper must reference IATA packaging instruction 650 under “Infectious Substances”

<http://www.iata.org/whatwedo/cargo/dgr/Pages/download.aspx>

DOT publication “Transporting Infectious Substances Safely” is a free brochure available on the DOT PHMSA website. This brochure includes definitions and examples of Category A infectious substances.

<https://www.phmsa.dot.gov/sites/phmsa.dot.gov/files/2022-06/Transporting-Infectious-Substances-Safely.pdf>

If specimens are taken in a car that is only being used at that time to transport that specimen, it is acceptable to have them in a biohazard bag in a cooler or other rigid container that is secured from spilling or excessive shifting. If the car is being used for other purposes at the same time, the rules above will apply. Special packaging is not required for the above as long as the packaging is strong and able to withstand shipment and required markings and labels are present.

### 24/7 Contacts

- **Lewis and Clark Public Health:**  
Answering Service (406) 523-5564
- **Law Enforcement:**  
City-County Dispatch (406) 447-8866
- **Lewis and Clark County Disaster & Emergency Services**  
City-County Dispatch (406) 447-8866

- **Montana Disaster & Emergency Services (DES)**  
After Hours Emergency Contact Cell Phone: (406) 324-4777 or (431-0411)
- **Montana Dept. of Public Health & Human Services (DPHHS)**  
After Hours Emergency Contact Cell Phone: (406) 461-2042
- **Montana Laboratory Services Bureau**  
24/7 access to laboratory services: (800) 821-7284
- **Montana Department of Environmental Quality (DEQ)**  
After Hours Emergency Contact Cell Phone: (406) 431-0014
- **Montana Department of Natural Resources & Conservation (DNRC)**  
After Hours call *DES Duty Officer* at (406) 324-4777 or 431-0411
- **Montana Fish Wildlife & Parks (FWP)**  
After Hours call *DES Duty Officer* at (406) 324-4777 or 431-0411
- **Montana Highway Patrol (MHP)**  
After Hours call *DES Duty Officer* at (406) 324-4777 or 431-0411
- **Montana Department of Transportation (MDT)**  
After Hours call *DES Duty Officer* at (406) 324-4777 or 431-0411

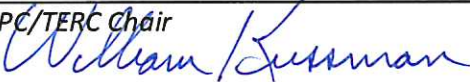
**Definitions:**

1. **Category A:** high-priority organisms that pose a risk to national security because they can be easily disseminated or transmitted from person to person; result in high mortality rates and have the potential for major public health impact; might cause public panic and social disruption; and require special action for public health preparedness.) These include:
  - Anthrax
  - Botulism
  - Plague
  - Smallpox
  - Tularemia
  - Viral hemorrhagic fevers
  
2. **Category B:** defined as “an infectious substance not in a form capable of causing permanent disability or life-threatening or fatal disease in otherwise healthy humans or animals when exposure to it occurs. This includes Category B infectious substances transported for diagnostic or investigational purposes.” The proper shipping name and identification number for Category B infectious substances is Biological substance, Category B, UN3373. These substances include specimens taken from patients with a communicable disease such as TB, HIV, or Hepatitis B and samples that are to be tested for infectious pathogens. They may also include samples taken for culture of pathogens that are on the list of Category A agents but have not yet been propagated and so are not classified as a culture.

**All-HAZARD LABORATORY SPECIMEN TRANSPORT PLAN CHECKLIST** Jurisdiction:       Lewis and Clark Public Health      

	Check here that item is included
1) <b>NOTIFICATION TO PARTNERS:</b> Does your plan include contact information for local and state partners who should be notified in a public health emergency? Does your plan include processes to consult with DPHHS Staff (Communicable Disease/Epidemiology and MT Public Health Laboratory) prior to implementing the transport plan for human specimens during outbreaks or involving reportable communicable conditions?	X
2) <b>PATIENT SPECIMEN COLLECTION:</b> Does your protocol outline steps for acquiring clinical ( <b>patient</b> ) specimens of immediate concern? Does your protocol outline steps for the proper transport of category B specimens?	X
3) <b>ENVIRONMENTAL SAMPLE COLLECTION:</b> Does your protocol address the collection of environmental samples for chemical or biological testing using the Chemical/Biological Agent Transport (CBAT) kit and/or the Drinking Water Emergency Sampling (DWES) kit? This will involve communication with the local Waterworks Operator, Sanitarian, or the regional HAZMAT team. Are the types of kits, their locations, kit tracking numbers, and contact person's information verified and updated in the MT Public Health Directory?	X
4) <b>SAMPLE SUBMISSION FORMS:</b> Does the protocol address forms needed for submission of samples to the MT Laboratory Services Bureau (MTLSB)? Examples are MT Public Health Laboratory <b>electronic</b> request forms for clinical specimens and paper Chain of Custody forms for legal samples. Chain of custody forms are inside all CBAT and DWES kits.	X
5) <b>SAMPLE TRANSPORT:</b> Does your protocol provide specific details regarding the different methods used to transport samples to the MTLBSB (e.g., laboratory courier, local law enforcement, private party, air transport, etc.) including contact information for these local partners?	X
6) <b>NOTIFICATION TO MT LSB:</b> Does your protocol address contacting MTLBSB to request emergency courier service or to ensure staff is available to receive samples during non-business hours?	X
7) <b>KIT REPLACEMENT:</b> Does your protocol include details on obtaining replacement DWES kits or CBAT kits or their supplies from MTLBSB as needed? <b>Note:</b> to protect the integrity of DWES sampling bottles, do not open the coolers unless performing an annual inventory. DWES sampling is not for compliance testing and there are no expiration dates on the bottles. During the annual inventorying, inspect the CBAT kit contents to ensure seals are intact and swabs and transfer pipets have not expired. Do not open the sampling packages inside the CBAT kit.	X
Local Use/Notes:	

**The below signed acknowledge that the above protocol/plan has been reviewed/revised and is satisfactory for FISCAL YEAR 2024**

<i>Chairperson – County Health Board</i>	<i>Date</i>	<i>County Health Officer</i>	<i>Date</i>
<i>LEPC/TERC Chair</i> 	<i>Date</i> <i>4/16/2024</i>		

**LEWIS & CLARK CITY/COUNTY BOARD OF HEALTH  
Helena, Montana**

**BOARD AGENDA ITEM**

**Meeting Date**

**May 23, 2024**

**Agenda Item No.**

**5**

Minutes     Board Member Discussion     Staff & Other Reports     Action     Hearing of Delegation

**AGENDA ITEMS** Soil Displacement Regulations revision presentation and open public comment

**PERSONNEL INVOLVED:** Beth Norberg, Sanitarian

**BACKGROUND** Ms. Norberg will present the Soil Displacement Regulations revision for board review and officially open the regulation for public comment.

**HEALTH DIRECTOR’S RECOMMENDATION:** N/A

ADDITIONAL INFORMATION

**BOARD ACTION:**

**NOTES:**

	M O T I O N	S E C O N D	A Y E	N A Y	A B S T A I N	O T H E R
Bedell						
Collins						
Harris						
Kaufman						
MacLaurin						
Murgel						
Payne						
Weber						
Weltz						

# Update to the Soil Displacement Regulation

## East Helena Superfund Site

Lead Education and Assistance Program

Beth Norberg

May 23, 2024



# What is a Superfund Site?

- CERCLA: Comprehensive Environmental Response, Compensation, and Liability Act
  - Informally called Superfund.
  - Allows EPA to clean up contaminated sites.
  - Forces the parties responsible for the contamination to either perform cleanups or reimburse the government for EPA-led cleanup work.
- When there is no viable responsible party, Superfund gives EPA the funds and authority to clean up contaminated sites.

# History of Site

- 140-acre ASARCO Lead and Zinc Smelter operated for over 100 years
- Areal deposition of lead, arsenic and other heavy metals
- Soil and water contamination

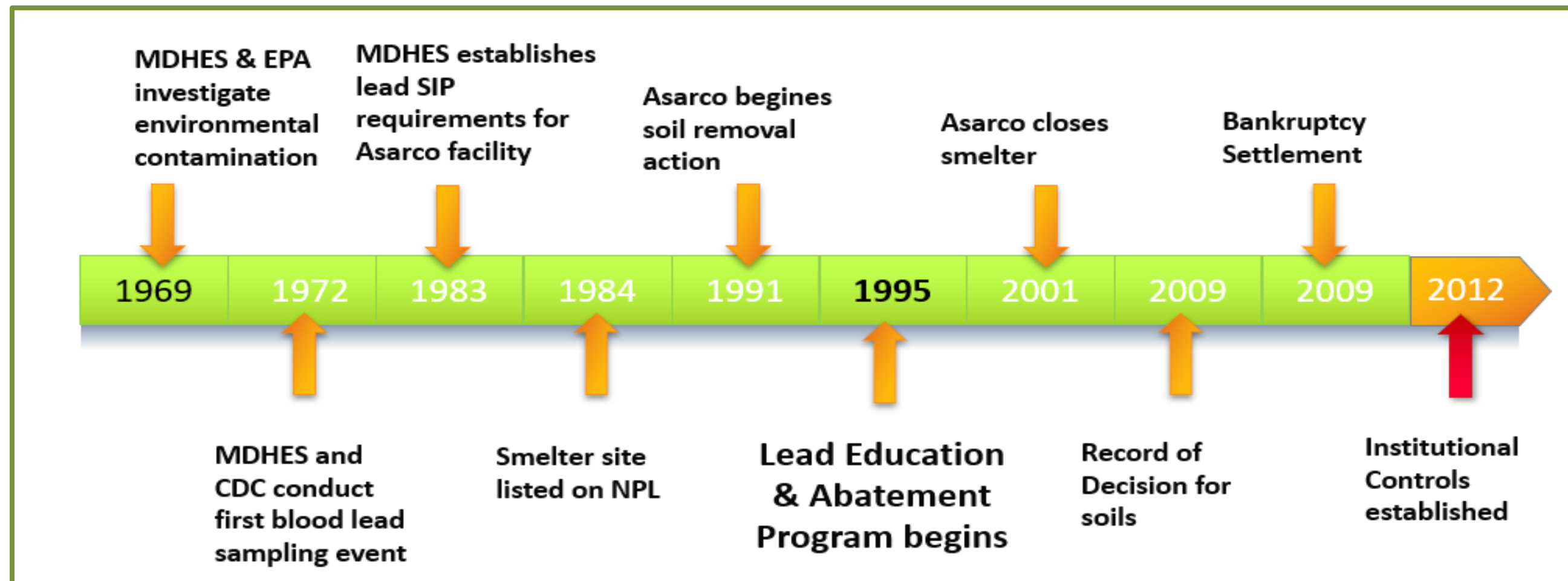




# Public Health and Industrial Activity

## Timelines

- Residential yard cleanup in the 1990's and early 2000's
- Institutional Controls in place to prevent further contamination-2012.
- Soils ordinance for displacement of soils in the IC Boundary



# Lead Education and Assistance Program (LEAP)

## Our Services:

- Education and resources on lead-safe practices
- Implement and administer institutional controls
- Administer the Regulations Governing Soil Displacement and Disposal
- Conduct residential environmental assessments
- Provide information on the status of clean-up and sampling results



Lead Education and Assistance Program  
LEWIS AND CLARK PUBLIC HEALTH

# Board of Health Roles and Responsibilities

## MCA 50-2-116 (2) (c)(v)(A)



- 50-2-116 (2): Local boards of health may:
  - (c) propose for adoption by the local governing body regulations that do not conflict with 50-50-126 or rules adopted by the department:
  - (v) for the establishment of institutional controls that have been selected or approved by the:
    - (A) United States environmental protection agency as part of a remedy for a facility under the federal Comprehensive Environmental Response, Compensation, and Liability Act of 1980, 42 U.S.C. 9601, et seq.;



# Soil Displacement Regulation

- Original regulation adopted 2013
- Permit may be required if disturbing more than 1 cubic yard of soil in the IC boundary
- Requires certification of any person disturbing soil
- Identifies lead and arsenic soil limits for displacement activities



# Why the Change in Regulation?

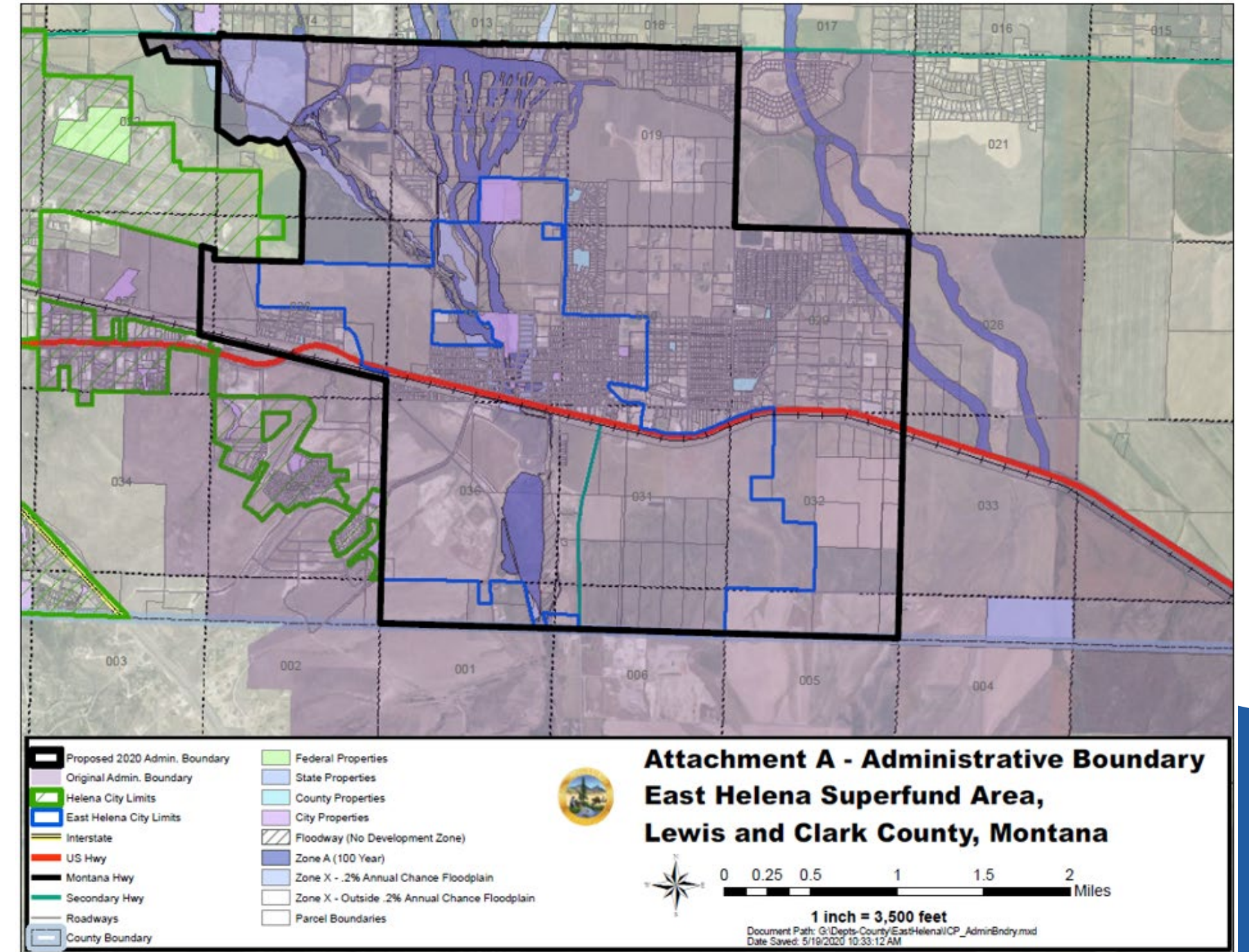


## Bioavailability in Lead

- Not all lead is created equal
  - Not all lead present in soil is in a form that can harm humans or animals. Certain forms of lead are not fully available or absorbed by the human body. The amount that is absorbed is referred to as "bioavailable," meaning it is in a form that can enter the bloodstream and affect human health.
- Explanation of Significant Differences defined bioavailability of lead in East Helena
  - 50 residential lots sampled April 2023
  - Used the IUEBK Model (Integrated Exposure Uptake Biokinetic Model)
  - Determined relative bioavailability between 52.5% and 85% with a mean average of 64%
  - **Lowered lead cleanup levels from 1,000 ppm to 400 ppm**

# Proposed Changes to the Soil Displacement Regulations

- Change requirement to obtain a soil displacement permit from 500 ppm to 400 ppm in soil for residential yards.
- Changed replacement soil requirements from 100 ppm to 50 ppm lead in soil.



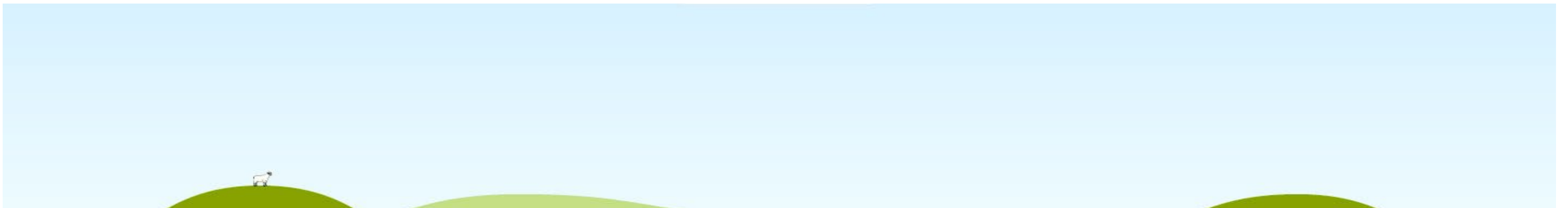
# Proposed Changes to the Soil Displacement Regulations



- Changed cleanup action level from 1000 ppm to 400 ppm lead in soil for:
  - residential properties,
  - Roads, alleys and Railroad Right of Ways,
  - Drainages, Floodplains and Irrigation Ditches.
- Updated definitions



Lead Education and Assistance Program  
LEWIS AND CLARK PUBLIC HEALTH



# Next Steps

1. Open 30 Day Public Comment Period
2. Public Hearing at the June Board of Health Meeting
3. Board of Health votes to recommend for approval changes to regulation
4. Local Governing Body votes to approve changes to the regulation





# Questions?



## **SECTION 1.0 AUTHORITY, DEFINITIONS, AND SCOPE**

### **1.1 TITLE**

These regulations will be known and cited as: THE REGULATIONS GOVERNING SOIL DISPLACEMENT AND DISPOSAL IN THE EAST HELENA SUPERFUND AREA IN LEWIS AND CLARK COUNTY, MONTANA.

### **1.2 AUTHORITY**

The Lewis and Clark City-County Board of Health promulgates these regulations under the authority of Section 50-2-116(2) (c) (v), Montana Code Annotated (MCA).

### **1.3 FINDINGS**

The Lewis and Clark City-County Board of Health finds that:

- (1) The United States Environmental Protection Agency (EPA) has identified and designated the City of East Helena and the surrounding area as a Superfund site and in 1984 placed the site on the EPA's National Priorities List for clean-up and remediation under the Comprehensive Environmental Response, Compensation, and Liability Act); and
- (2) The East Helena Superfund Site, Operable Unit No. 2, Residential Soils and Undeveloped Lands: Final Record of Decision (ROD), September 2009, identifies institutional controls that have been selected and approved by the EPA; and
- (3) The lead smelter, formerly owned by ASARCO, was the primary source of lead and arsenic soil contamination; and
- (4) East Helena and the surrounding area, as shown on the Administrative Boundary map attached to these regulations as Attachment A, contains lead and arsenic contaminated soils; and
- (5) Regulation of soil displacement within the Administrative Boundary is necessary to prevent lead and arsenic contamination of uncontaminated areas, prevent recontamination of remediated areas, and prevent potential health risks to humans; and
- (6) These regulations are necessary to protect public health and to control environmental lead and arsenic contamination within the Administrative Boundary.

## 1.4 DEFINITIONS

**ADMINISTRATIVE BOUNDARY** means the boundary area identified in Attachment A.

**BOARD** means the Lewis and Clark City-County Board of Health.

**CLEANED UP** means a property has been remediated to acceptable levels of contamination using EPA approved remediation methods which may be either in-situ treatments, such as deep tilling, or removal and replacement of contaminated soils.

**COMMERCIAL PROPERTY OR SITES** means property or sites having profit as a chief aim, excluding daycares, schools, and agricultural property.

**CONTAMINATED SOIL** means soil containing lead and/or arsenic in excess of background concentrations, identified in the “Remedial Investigation of Soils, Vegetation and Livestock for East Helena Site (Asarco), East Helena, MT”; EPA Work Assignment No. 68-8L30.0 May 1987.

**CUBIC YARD** means a volume of soil equal to a cube one yard long ~~on~~ each side, which is approximately the size of an average desk or washing machine.

**ENVIRONMENTAL SERVICES DIVISION** means a component of ~~the~~ Lewis and Clark Public Health.

**EPA** means the United States Environmental Protection Agency.

**ESD** means the 2024 Explanation of Significant Difference which modified the 2009 EPA Record of Decision for the East Helena Superfund Site Operable Unit 2 by changing the residential soil-lead cleanup level to 400 mg/kg.

**LEAP** means the Lead Education and Assistance Program of the Environmental Services Division of Lewis and Clark Public Health.

**LETTER OF EXEMPTION** means a letter sent to property owners whose property does not have lead concentrations above ~~500~~ 400 mg/kg, which releases the owner from having to obtain a soils displacement permit when disturbing more than 1 cubic yard of soil.

**MG/KG** means milligram per kilogram and is approximately equivalent to parts per million (ppm).

**QUALIFIED RESIDENTIAL YARD** means a ~~yard~~ that was in existence prior to the release of ~~the 2009 EPA ROD on September 17, 2009, and any part of that yard has at least one section with the EPA's current CERCLA remedy decision (until if/when any future decision, further updating~~ ed the cleanup for the Site is issued) with lead concentrations at or above 400

Regulations Governing Soil Displacement and Disposal in the East Helena Superfund Area, Lewis and Clark County, Montana 2020

Commented [BN1]: Is this still current? Does it need to be amended?

Commented [WB2R1]: Still current

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~~mg/kg, or an arsenic average concentration at or above 100 mg/kg, lead concentrations at or above 1000 ppm, or an arsenic average concentration at or above 100 ppm.~~

**PERMIT** means the written authorization from the Lead Education and Assistance Program to disturb soil within the Administrative Boundary.

**PERSON** means any individual, corporation, company, association, society, firm, partnership, Joint Stock Company or any branch of state, federal or local government; or any other entity that owns rents, or leases property subject to this regulation.

**PROJECT** means a plan or proposal resulting in or requiring the displacement of more than one cubic yard of soil.

**RCRA** means the Resource Conservation and Recovery Act, 42 U.S.C. Section 6901, et seq.

**RELOCATION** means the movement of any volume of soil from one location to another location.

**REPOSITORY** means an EPA-approved location for the disposition of contaminated soils.

**REPRESENTATIVE** means a person that is authorized to act as an official delegate or agent for another person.

**RESIDENTIAL YARD** means an area of land immediately adjacent to a house.

**ROD** means the 2009 EPA Record of Decision for the East Helena Superfund Site Operable Unit 2.

**SOIL DISPLACEMENT** means the relocation of one cubic yard or more of soil. Soil displacement does not include tilling if no excess soil is removed from the area.

**SOIL SAMPLING** means the collection and analysis of surface soil samples taken either as part of the Superfund clean-up action or taken in response to meeting conditions of this permit process.

**TILLING** means to prepare land for the raising of crops as by plowing or harrowing, or to cultivate or dig with a rototiller.

**-UNDEVELOPED LANDS** means an area of land that lacks infrastructure, services and buildings.

## 1.5 SCOPE

- (1) These regulations apply only to parcels of land lying within the Administrative Boundary of Lewis and Clark County.
- (2) These regulations apply to all persons engaging in soil displacement in excess of one cubic yard within the Administrative Boundary exclusive of tilling when no soil is removed from the parcel.
- (3) These regulations apply to all land use types, including but not limited to residential, commercial, recreational, right-of-ways, and industrial.
- (4) These regulations do not apply to parcels where the undisturbed native, average soil lead levels are less than ~~500~~400 mg/kg or to properties in which soils have been cleaned to less than ~~500~~400 mg/kg spatially and in depth.
- (5) In accordance with Section 9621(e) of Title 42 of the United States Code, nothing contained in this section -or these regulations shall require or be construed to require the obtaining of a permit by any agency, employee, or contractor of the United States, the State, or the Montana Environmental Custodial Trust (MECT) for activities conducted entirely within the Administrative Boundary and carried out in compliance with the provisions of the Comprehensive Environmental
- (6) These regulations do not apply to sampled properties where lead concentrations are below ~~500~~400 mg/kg and the average arsenic concentration is less than 100 mg/kg.

## **SECTION 2.0 PERMIT PROCEDURES AND REQUIREMENTS**

### **2.1 PROHIBITED ACTIVITY**

No person shall displace soil within the Administrative Boundary without first complying with the permit procedures and requirements as provided in this section.

### **2.2 APPLICATION PROCESS FOR PERMIT**

- (1) Application for a permit to displace soil within the Administrative Boundary is made by completing a permit application available at the LEAP office, Room 201, East Helena City Hall, 306 East Main Street, East Helena, MT 59635 or online at LewisAndClarkHealth.org.
- (2) The applicant must submit all information required by these regulations before the LEAP staff must begin review of the application.
- (3) The applicant is required to submit information including, but not limited to:
  - a. Name and address of property owner
  - b. Name and address of applicant, if different than the property owner.

- c. Address and legal description of location of proposed activity
  - d. Description of the proposed activity
  - e. Depth of any proposed excavation
  - f. Volume of soil to be excavated or displaced
  - g. Describe proposed method for controlling contaminated dust.
  - h. Describe proposed method for handling contaminated soil.
  - i. Location of final disposal site.
  - j. Source of replacement soil.
  - k. Name of contractor or other representative, if applicable.
- (4) Upon receipt of a complete application, LEAP staff must schedule an appointment within 5 working days to finalize the project plan. During the appointment, LEAP staff will develop a project timeline with the applicant or his/her representative. The project timeline will include:
- a. Start date
  - b. Proposed end date
  - c. Proposed date and time of final inspection
- (5) Prior to permit approval, LEAP must review existing soil sampling and clean-up information for the site, if any exists.
- (6) For undeveloped lands that have no sampling records, the applicant will refer to the [current Soil Sampling Program For Undeveloped Lands Quality Assurance Project Plan](#) and may contact the EPA for additional information. [Yards in existence prior to the release of the 2009 EPA ROD on September 17, 2009 will be sampled by EPA's Contractor at no cost to the owner.](#)
- (7) The person doing the work must complete training for certification as described in Section 3.
- (8) Upon applicant's compliance with the requirements of this Section, LEAP must issue a permit in writing and the applicant or his/her representative must comply with the terms of the permit.
- (9) Permits are valid for 2 years after date of issue. If work is not completed within 2 years, a new permit must be obtained.
- (10) All permits issued by LEAP must be in compliance with the conditions set forth in the 2009 Record of Decision and must meet the clean-up criteria for the land use identified in Table 2.2.
- (11) Emergency actions may be conducted by an applicant or their representative without a permit. The emergency action taken must be reported to LEAP as soon as possible and by the next business day at the latest. Emergencies may include water or sewer line leaks, natural gas line leaks, hazardous waste spills and other urgent events.

**Commented [WB3]:** Pretty sure this is expired. Added language to make the sentence relevant into the future.

**Commented [BN4]:** Get Bridget's comments. Does this statement need to be modified?

**Commented [WB5R4]:** modified

## 2.3 INSPECTIONS

- (1) Upon completion of the project, the applicant or the applicant's representative must notify the LEAP staff that the project is ready for a final inspection to determine compliance with these regulations.
- (2) Upon notification of project completion, LEAP will perform a final site inspection within 5 working days.
- (3) The final inspection LEAP staff will:
  - a. verify that work was conducted within the area described on the permit; and
  - b. verify that excess soils generated by the project are properly capped or have been removed to an approved repository; and
  - c. photograph the project site to document that the permit requirements were met; and
  - d. verify that the work has been completed in compliance with the permit requirements by signing and dating the permit.
- (4) Upon final inspection and approval of the project, LEAP staff must file the permit and documentation of project completion in the LEAP office. Summary information must be entered into the Soils Database by LEAP and will become part of the permanent site record. The permit will be the official record of compliance with the 2009 ROD and will be maintained on file for public review.

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Commented [BN6]: Are we doing this currently? What is this?

Commented [WB7R6]: I don't think so, but we can work out this process. It would be beneficial to have this as part of the record.

Commented [GM8R6]: At least at other sites, I've seen local gov'ts provide lists of parcels/properties where cleanup was performed to EPA through something like their Annual Report...just a list.

That often enables EPA to keep an updated accounting of the properties that have been addressed, etc.

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## 2.4 PERMIT FEES

No fees will be charged either to obtain a permit or to participate in the training or certification program held by the Lead Education and Assistance Program (LEAP) of the Lewis and Clark Public Health.

## 2.5 CONTROL OF EXCESS SOIL DISPOSAL AND REPLACEMENT SOIL STANDARDS

- (1) All excess soils removed from any property within the Administrative Boundary that is determined by LEAP to be contaminated must be transported by the applicant or the applicant's representative to one of the EPA approved repositories identified on the permit.
- (2) Excess soil from residential areas may be reused only on the property of origin if applicant demonstrates that lead concentrations are less than ~~500-400~~ milligrams per kilogram (mg/kg) and arsenic levels are below 100 mg/kg. Non-residential

properties may reuse excess soil on the property of origin if clean-up criteria listed in Table 2.2 can be met.

- (3) Soil brought in for replacement or backfill will meet the replacement requirements listed in Table 2-1. Source of soil must be approved by LEAP prior to use.

TABLE 2-1 REPLACEMENT SOIL REQUIREMENTS

Parameter	Requirements
Lead	≤ <del>100</del> 50 mg/kg
Arsenic	≤45 mg/kg

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Commented [BN9]: This is the state level set by DEQ. EPA requested that this number be 50 to match work they will be doing.

## 2.6 CLEAN-UP ACTION LEVEL

- (1) Soils from qualified residential yards and vacant lots meet the threshold and qualify for cleanup under the CERCLA statute (until a possible future CERCLA decision document is issued by EPA, at which point, these levels could be updated) if the yard is found to have: ~~Soils from qualified residential yards and vacant lots developed prior to the release of the 2009 ROD on September 17, 2009, will have soils excavated and disposed of when any section of a yard is found to have:~~
  - a. A soil lead concentration greater than ~~1,000~~400 milligrams/kilogram (mg/kg)- ~~All portions of the yard with soil lead greater than 500~~400 mg/kg will be cleaned up; or
  - b. An average yard arsenic concentration of greater than 100 mg/kg
- (2) Clean-up criteria for all land uses are listed in Table 2-2

Table 2-2 East Helena Superfund Site Operable Unit 2 Clean-up Criteria

Land Use	Frequency of use	Clean-up Criteria	
		Lead	Arsenic
Existing Residential and Public Use	Frequent or daily	<del>If any sample unit is greater than 1,000</del> 400 mg/kg, then all areas <del>Yard average greater than 500</del> 400 mg/kg	Yard average greater than 100 mg/kg
Proposed Residential and Public Use	Frequent or daily	Greater than <del>500</del> 400 mg/kg	Greater than 100 mg/kg

Regulations Governing Soil Displacement and Disposal in the East Helena Superfund Area, Lewis and Clark County, Montana 2020



Roads, Alleys, and Railroad Rights-of-Way (ROWs)	Adjacent to occupied residential or public use	Greater than <del>1,000</del> 400 mg/kg	Greater than 100 mg/kg
	Adjacent to Recreational or Industrial/Commercial	See Land Use	See Land Use
Drainages, Floodplains, and Irrigation Ditches	Adjacent to occupied residential or public use	Greater than <del>1,000</del> 400 mg/kg	Greater than 100 mg/kg
	Adjacent to Recreational or Industrial/Commercial	See Land Use	See Land Use
Recreational Land	Infrequent	Greater than 3,245 mg/kg	Greater than 794 mg/kg
Industrial and or Commercial	Frequent or daily	Greater than 1,482 mg/kg	Greater than 572 mg/kg
Agricultural and/or Undeveloped Land	Infrequent	Greater than 3,245 mg/kg	Greater than 794 mg/kg
	Frequent or Actively Managed	Greater than 1,482 mg/kg	Greater than 572 mg/kg

Note: mg/kg = parts per million = milligrams per kilogram (mg/kg)

Commented [BN10]: Need comment from Bridget. Do these numbers stay the same?

Commented [WB11R10]: Slight edit.

### **SECTION 3.0 - CERTIFICATION PROGRAM**

#### **3.1 CERTIFICATION**

- (1) Certification means that a person has demonstrated knowledge of these regulations and is able to undertake projects in compliance with these regulations.
- (2) Certification is free.
- (3) Applicants, applicant's representatives, contractors, construction workers, and property owners may obtain certification from LEAP. Certification is a privilege extended to an applicant, contractor, construction worker, and property owner, and is not a right.
- (4) Application for certification must be in writing and must contain the name, address, and phone number of the individual and other information deemed necessary by LEAP.
- (5) To become certified, an individual must attend and satisfactorily complete the LEAP's certification program:
  - (a) Training will be provided by LEAP on an appointment basis, as needed.
  - (b) Training includes, but is not limited to the following topics:
    - Reducing or eliminating exposure to lead from soil during excavation.
    - Information about personal protective clothing.

Regulations Governing Soil Displacement and Disposal in the East Helena Superfund Area, Lewis and Clark County, Montana 2020

- Requirements for covering loads of soils prior to hauling to reduce blowing dust.
  - Methods and best management practices for dust control at construction sites.
  - Proper cleaning of equipment before leaving a construction site.
  - Acceptable disposal or reuse of excess soils.
- (6) Certification will depend upon completion of training.
- (7) Certification is valid for two years.
- (8) Certification is a prerequisite for any excavation of soil in excess of one cubic yard for properties that have lead concentrations above ~~500~~400 mg/kg or have not been sampled.
- (9) Any person may attend training and become certified.

## **SECTION 4.0 VIOLATIONS AND ENFORCEMENT**

### **4.1 VIOLATIONS**

- (1) Failure to have a permit.
- (2) Failure to post the permit at the site.
- (3) Failure to comply with the permit requirements.
- (4) Failure to allow access by Health Department representatives will invalidate the permit and/or other written record of compliance with these regulations which are necessary to document that all work was completed in compliance with the 2009 ROD.

### **4.2 PENALTIES FOR VIOLATIONS**

Violations of any of the provisions of these regulations are a misdemeanor and are punishable as provided for in Section 50-2-124, Montana Code Annotated.

### **4.3 INJUNCTIONS**

The County Attorney may commence an action to restrain and enjoin acts in violation of these regulations. Violation of any such injunction is subject to punishment by the issuing court.

Regulations Governing Soil Displacement and Disposal in the East Helena Superfund Area, Lewis and Clark County, Montana 2020

## **SECTION 5.0 ACCESS, APPEAL AND SEVERABILITY**

### **5.1 ACCESS RIGHTS**

- (1) Health Department representatives are authorized and directed to make such inspections as are necessary to determine compliance with these regulations.
- (2) It is the responsibility of the owner, occupant, or contractor of a property to give Health Department representatives free access to the property at reasonable times for the purpose of making such inspections as are necessary for determining compliance with these regulations.
- (3) No person may interfere with representatives of the Health Department in the discharge of their duty.

### **5.2 APPEAL**

- (1) If a permit is denied or the department determines the permit requirements have not been met, the applicant or his/her representative may appeal the denial to the Board.
- (2) A written request for an appeal must be submitted to the Environmental Services Division Administrator at least 10 days prior to the next regularly scheduled board meeting or the appeal hearing. The request must include:
  - (a) A description of the proposed activity
  - (b) The boundaries and location of the proposed activity; and
  - (c) A summary of the reason for the appeal
- (3) Board Chair, in consultation with the Environmental Services Division Administrator and the Health Officer will determine whether the appeal will be heard by the Board or its designated hearing officer.
- (4) The Board or its designated hearing officer will hear the applicant's appeal and the permit requirements at a regularly scheduled board meeting or a specially scheduled appeal hearing, whichever occurs first.
- (5) The Board or its designated hearing officer must provide a decision in writing to the property owner or his/her representative within 10 working days after the hearing.
- (6) Decisions of the Board or the designated hearing officer may be appealed to District Court.

### 5.3 SEVERABILITY

In the event that any section, subsection, or other portion of these regulations is for any reason held invalid or unconstitutional, such section, subsection, or portion will be considered a separate provision of these regulations and such holding will not affect the validity of the remaining portions of these regulations which will remain in full force and effect.

## SECTION 6.0. REVISION, REPEALER AND EFFECTIVE DATE

### 6.1 REVISION

Revisions to these regulations may be made by the Board as needed to ensure proper administration and to allow for improved mitigation measures or procedures for protecting the previously conducted clean-up activities. The Board must hold a public hearing before any revision to these regulations.

### 6.2 REPEALER

All previous rules, regulations, resolutions and ordinances as adopted by the Lewis and Clark City-County Board of Health governing soil disturbances within the Administrative Boundary are hereby repealed.

### 6.3 EFFECTIVE DATE

These regulations must be in full force and effect

on the 1st day of August, 2020.

These regulations will be reviewed and evaluated by the Lewis and Clark City-County Board of Health at least two years from the effective date, and every two years thereafter.

Lewis and Clark City-County Board of Health

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Brie MacLaurin-Tyler-Ream, Chair

Date

Lewis and Clark City-County Board of Health

|

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Drenda Niemann, Health Officer  
Lewis and Clark Public Health

Date

DRAFT

Regulations Governing Soil Displacement and Disposal in the East Helena Superfund Area,  
Lewis and Clark County, Montana 2020

**LEWIS & CLARK CITY/COUNTY BOARD OF HEALTH  
Helena, Montana**

**BOARD AGENDA ITEM**

**Meeting Date**

**May 23, 2024**

**Agenda Item No.**

**6**

Minutes     Board Member Discussion     Staff & Other Reports     Action     Hearing of Delegation

**AGENDA ITEMS:** Board Member Discussion

**PERSONNEL INVOLVED:** Board Members/Staff

**BACKGROUND** Health Officer Annual Appraisal Reminder

**HEALTH DIRECTOR'S RECOMMENDATION:** N/A

ADDITIONAL INFORMATION ATTACHED

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**BOARD ACTION:**

**NOTES:**

	M O T I O N	S E C O N D	A Y E	N A Y	A B S T A I N	O T H E R
Bedell						
Collins						
Harris						
Kaufman						
MacLaurin						
Murgel						
Payne						
Weber						
Weltz						

**LEWIS & CLARK CITY/COUNTY BOARD OF HEALTH**  
**Helena, Montana**

**BOARD AGENDA ITEM**

**Meeting Date**

<b>May 23, 2024</b>
---------------------

**Agenda Item No.**

<b>7</b>
----------

Minutes     Board Member Discussion     Staff & Other Reports     Action     Hearing of Delegation

**AGENDA ITEMS**    Return on Investment to Public Health

**PERSONNEL INVOLVED:**    Board of Health members

**BACKGROUND**    The Board will participate in Return on Investment to Public Health training.

**HEALTH DIRECTOR'S RECOMMENDATION:**    N/A

ADDITIONAL INFORMATION ATTACHED

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**BOARD ACTION:**

**NOTES:**

	M O T I O N	S E C O N D	A Y E	N A Y	A B S T A I N	O T H E R
Bedell						
Collins						
Harris						
Kaufman						
MacLaurin						
Murgel						
Payne						
Weber						
Weltz						

**LEWIS & CLARK CITY/COUNTY BOARD OF HEALTH**  
**Helena, Montana**

**BOARD AGENDA ITEM**

**Meeting Date**

**May 23, 2024**

**Agenda Item No.**

**8**

Minutes     Board Member Discussion     Staff & Other Reports     Action     Hearing of Delegation

**AGENDA ITEMS:** Public Comment

**PERSONNEL INVOLVED:** Public and Board Members

**BACKGROUND:** Time is allowed for public comment on matters not mentioned in the agenda within the Board of Health’s jurisdiction.

**HEALTH DIRECTOR’S RECOMMENDATION:** n/a

ADDITIONAL INFORMATION ATTACHED

**BOARD ACTION:**

**NOTES:**

	M O T I O N	S E C O N D	A Y E	N A Y	A B S T A I N	O T H E R
Bedell						
Collins						
Harris						
Kaufman						
MacLaurin						
Murgel						
Payne						
Weber						
Weltz						



**Attendance Record for the  
Lewis & Clark City-County Board of Health**

**FY 2024**

	Jul	Aug	Sept	Oct	Nov/ Dec	Jan	Feb	Mar	Apr	May	Jun
Bedell	X	X	*	O	X	X	X	X	X		
Collins	O	X	*	X	X	X	X	X	O		
Harris	X	X	*	X	X	X	X	X	O		
Kaufman	X	X	*	X	O	X	X	X	X		
MacLaurin	O	X	*	X	X	X	O	O	X		
Murgel	O	X	*	X	X	X	X	X	X		
Payne	---	---	---	---	---	X	X	X	X		
Rolfe	X	X	*	X	X	---	---	---	---	---	---
Weber	X	X	*	X	O	X	O	O	X		
Weltz	O	X	*	O	X	O	O	O	X		

**Legend:**

X = Present

X<sub>p</sub> = Present by phone

--- = Not a member of the board at that time.

O = Absent

\* = No meeting held

P = Strategic Planning Session

T = Training



# Lewis & Clark Public Health

1930 Ninth Avenue  
Helena, MT 59601  
PH: 457-8900  
Fax: 406.457.8990

Candace Payne  
County Commissioner  
316 N. Park  
Helena, Montana 59623  
447-8304 (W) 447-8370 (Fax)  
E-mail: [cpayne@lccountymt.gov](mailto:cpayne@lccountymt.gov)

(1)  
Pleasure of L & C County Commission

Mayor Wilmot Collins  
City Commissioner  
316 N. Park  
Helena, Montana 59623  
447-8410 (W)  
E-mail: [wcollins@helenamt.gov](mailto:wcollins@helenamt.gov)

(2)  
Pleasure of City of Helena Commission

Rex Weltz  
Superintendent, Helena School Dist. No. 1  
55 S. Rodney  
Helena, Montana 59601  
324-2001 (W)  
E-mail: [rweltz@helenaschools.org](mailto:rweltz@helenaschools.org)

(3,a)  
Superintendent of Schools

Dr. Mikael Bedell -vice chair  
710 Madison Ave  
Helena, MT 59601  
208-630-3848 (C)  
E-mail [mbedell@sphealth.org](mailto:mbedell@sphealth.org)

(3,b)  
Term expires - June 30, 2025

Lisa Kaufman  
4322 Paso Fino Lane  
Helena, MT 59602  
438-1194(H) 444-5313 (W)  
E-mail: [lkaufman@mt.gov](mailto:lkaufman@mt.gov)

(3,c)  
Term expires - June 30, 2024

Mayor Kelly Harris  
P.O. Box 1170  
East Helena, MT 59635  
438-1031(C)  
E-mail: [kharris@easthelenamt.us](mailto:kharris@easthelenamt.us)

(3,d)  
Pleasure of East Helena City Council

Brie MacLaurin-chair  
710 N. Davis St.  
Helena, MT 59601  
461-0784 (C)  
E-mail: [briemaclaurin@gmail.com](mailto:briemaclaurin@gmail.com)

(3,e)  
Term expires - June 30, 2025

Katherine Weber  
3135 Bannack Drive  
Helena, MT 59602  
215-499-0050 (C)  
E-mail: [Katherine.weber@hotmail.com](mailto:Katherine.weber@hotmail.com)

(3,f)  
Term expires - June 30, 2024

Justin Murgel  
2502 Gold Rush Ave.  
Helena, MT 59601  
422-9928 (H)  
E-mail: [justin.murgel@pureviewhealthcenter.org](mailto:justin.murgel@pureviewhealthcenter.org)

(3,g)  
Term expires - June 30, 2024

Updated May 2023

*"To Improve and Protect the Health of all Lewis and Clark County Residents."*



# LEWIS AND CLARK CITY-COUNTY BOARD OF HEALTH

1930 Ninth Avenue  
Helena, MT 59601  
PH 406.457.8900  
Fax: 406.457.8990

## MEMBERS

Katherine Weber	Term expires - June 30, 2024	First Term
Justin Murgel	Term expires - June 30, 2024	Second Term
Mikael Bedell	Term expires - June 30, 2025	Second Term
Brie MacLaurin	Term expires - June 30, 2025	Second Term
Lisa Kaufman	Term expires - June 30, 2024	First Term
Rex Weltz	Superintendent of Schools	
Candace Payne	Pleasure of Lewis & Clark County Commission	
Mayor Wilmot Collins	Pleasure of Helena City Commission	
Mayor Kelly Harris	Pleasure of East Helena City Council	

## MEETING DATES FOR FISCAL YEAR 2024

Scheduled for 1:00 p.m. in the Public Health Conference Room of the Murray Building or by Zoom.

July 27, 2023

August 24, 2023

September 28, 2023

October 26, 2023

December 7, 2023

January 25, 2024

February 22, 2024

March 28, 2024

April 25, 2024

May 23, 2024

June 27, 2024