

Minutes
Drinking Water Protection Committee
May 3, 2002

MEMBERS PRESENT: Lyle Hendrickson, Gale Holbrook, Ron Kroeger, Rod Meador, Linda Peterson, Perry Rahn, Foster Sawyer, Bob Wall, Bill Waugh, Ed Yelick

STAFF PRESENT: Scott Anderson, Dan Bjerke, Marcia Elkins, Marlin Johnson, Van Lindquist, Sharlene Mitchell, Jerry Munson, Randy Nelson, Michael Towey, Ted Vore, Sig Zvejnieks

Call to Order

Munson called the meeting to order at 10:04 a.m.

Approval of Minutes

Holbrook moved, Waugh seconded and carried unanimously to approve the minutes of the April 5, 2002 meeting.

Expression of Appreciation for work of Dr. Mickelson

Holbrook moved, Waugh seconded and carried unanimously to extend the appreciation of the Drinking Water Protection Committee to Dr. Grace Mickelson for her leadership and efforts in achieving the committee's goals and to forward a recommendation to the Rapid City City Council and Pennington County Board of Commissioners that they also formally recognize Dr. Grace Mickelson's leadership and work.

Update on Status of County Action on Ordinances

Peterson thanked everyone for their attendance and for continuing work on the adoption of ordinances and design manual.

Peterson then presented the Pennington County Wastewater System Ordinance. She outlined the revisions to the ordinance noting the financial reasons for those revisions.

In response to a question from Holbrook, Hendrickson indicated that he felt the revisions would be beneficial in securing approval by the Pennington County Board of Commissioners but that he could not guarantee that approval.

Anderson outlined the process for adoption of the proposed ordinance noting the document would be presented to the County Planning Commission for their review and comment prior to submission to the County Board of Commissioners for formal action.

In response to a question from Yelick, Waugh clarified that the County is proposing to utilize the septic haulers as inspectors while the City is proposing to utilize government inspectors. Discussion followed regarding the initial direction of the Committee regarding the classification of the inspector position. Meador commented on the volume of individual systems throughout the County noting that only one-sixth of these are located within City limits.

In response to questions from Wall, Peterson indicated that the County would not be involved in setting the inspection fees to be charged by the individual haulers and indicated that there is nothing in place to insure that the haulers will require system upgrades when needed but felt the market place would dictate the level of performance required by the industry.

Waugh moved, Kroeger seconded and carried unanimously to recommend adoption of the original drafts of the Pennington County Onsite Wastewater System Ordinance, the Rapid City Onsite Wastewater System Ordinance and the Onsite Wastewater System Design and Construction Manual and to recommend that said documents be forwarded for adoption by the Rapid City City Council and Pennington County Board of Directors subject to their review and revision as necessary to meet the needs of the respective government body.

Discussion followed regarding the action taken at the April 5, 2002 meeting. Elkins clarified that the Committee approved only the County ordinance at the April 5 meeting noting that no action was taken on the City ordinance or the Design Manual. Waugh indicated that he was uncomfortable approving the revised County ordinance as he supports the government inspector system.

Discussion followed regarding implementation of the County ordinance. Peterson indicated that the basic structure of the ordinance is the same noting that proposed alterations to the inspection process are due to the County's financial situation.

Munson indicated that the City would not move forward with adoption of the City ordinance and Design Manual. Munson encouraged adoption of the ordinance and manual by the County and offered assistance to the County in meeting that goal. Peterson indicated that it would be helpful for the Committee members to be present at the public hearings to show support for the proposal.

Munson indicated that he would not continue as Chairperson of the Committee noting he was chairing this meeting due to Mickelson's resignation. Wall requested clarification of the succession order of the Committee Chairperson. Elkins indicated recommended addressing the Chairperson position upon adoption of the ordinances and establishment of the Committee bylaws. Elkins indicated that staff could organize a Committee meeting should one be required in the interim.

Peterson voiced support for the on-going education of area homeowners. Elkins indicated that action taken at the April 5 meeting outlined the continuing educational efforts to be undertaken. Towey presented an area map outlining the target area for the educational fourth mailing noting that the mailing will deplete the existing supply.

Meador moved, Waugh seconded and carried unanimously to continue with the educational mailings and to restock materials utilizing the available funding.

In response to Holbrook, Towey and Anderson noted the positive responses that have been received from the general public relative to the educational materials being provided. Yelick commented on the positive response received to the educational materials at his homeowners association meetings.

Rahn requested that the Committee be kept advised of the progress of the City and County in adopting the ordinances and design manual.

Yelick moved to recommend that the Drinking Water Protection Committee meet to review the City and County ordinances prior to their adoption by the respective

government entity in order to prepare an official Committee recommendation of the ordinance to be presented at the formal hearings. Holbrook seconded the motion.

Discussion followed regarding the County's proposal to utilize the septic haulers as inspectors. Munson noted his appreciation for the County's efforts in addressing the issue of inspecting and certifying on-site systems. Discussion followed regarding the appropriate time for Committee input on the proposed ordinances.

Anderson indicated that the County Septic Inspector, Marlin Johnson, will inspect repairs to systems as identified by the inspectors. Anderson indicated that Towey's position will be utilized to monitor the inspection/certification process of the haulers. He briefly reviewed the anticipated fee revenue from the certification program.

In response to a question from Elkins, Yelick indicated that it was his intent that a formal Committee meeting be scheduled to review the proposed ordinances and provide a formal position for presentation to the respective governing body on each of the ordinances.

Lindquist indicated that the motion on the floor appears to be in conflict with the previously approved motion. He indicated that the previous motion approved the ordinances and supported amendment of the ordinances by the governing bodies to meet their individual needs.

Discussion followed regarding the opportunity provided by the Committee for County and City leaders to openly discuss issues surrounding drinking water protection and on-site system maintenance issues.

Holbrook called the question and there was no objection to calling the question.

The motion to recommend that the Drinking Water Protection Committee meet to review the City and County ordinances prior to their adoption by the respective government entity in order to prepare an official Committee recommendation on each of the ordinances to be presented at the formal hearings carried with Waugh and Kroeger voting No.

Holbrook moved, Waugh seconded and carried unanimously to appoint Yelick as Chairperson of the Drinking Water Protection Committee.

Munson again thanked the Committee and staff for their work on the project.

There being no further business the meeting was adjourned at 11:00 a.m.