

**Minutes
Drinking Water Protection Committee
October 18, 2000**

MEMBERS PRESENT: Delores Coffing, Ken Davis, Gale Holbrook, Grace Mickelson, Jerry Munson, Linda Peterson, Foster Sawyer, Sig Zvejnieks

STAFF PRESENT: Dan Bjerke, Marcia Elkins, Marlin Johnson, Sharlene Mitchell, Randy Nelson, Ted Vore

OTHERS PRESENT: Arlene Ham

Call to Order

Mickelson called the meeting to order at 10:02 a.m.

Approval of September 14, 2000 Minutes

Holbrook moved, Sawyer seconded and carried unanimously to approve the minutes of the September 14, 2000 meeting.

County/City Ordinance Review Subcommittee Report

Mickelson commented briefly on the Subcommittee's proposed ordinance amending Section 204 of Pennington County Ordinance #34 and recommended Committee endorsement of the ordinance. Peterson briefly reviewed the process for presentation and adoption of the proposed ordinance.

Peterson presented the Rapid City – Pennington County Subcommittee Ordinance Review recommendations and briefly reviewed the timeframes for implementation of each item:

- I. Adopt resolutions at City and County level to create technical design standards for on-site installations. Joint technical criteria produced by Randy Nelson and Marlin Johnson;
- II. Collect information from counties adjoining affected aquifer areas "protected zones" defined by DENR and arrange agreements with those counties. Collect information from Minnesota on their implementation of inspections and licensing. Establish inter-agency and county agreements using same criteria and processes for permitting, site evaluations, and construction inspections; and
- III. Recommend phasing in of ordinances after design standards are adopted, affecting new systems and repairs first with time-of-sale inspections and existing systems later. Recommend encouraging private inspection companies licensed and trained to the same standards for both city and county. Budget funds to meet goals.

Discussion followed regarding the clarification, strengthening and enforcement of the current ordinances and the resulting impact on City and County activities and presentation of the ordinance proposals to the City and County governing bodies.

Coffing moved to modify and approve Subcommittee Recommendation Item I: Present resolutions for adoption at the City and County level via their Planning Commissions for the creation of technical design standards for installation of individual on-site systems. Joint technical criteria produced by Nelson and Johnson. Munson seconded the motion.

Discussion followed regarding the best method for development of the technical design standards. In response to Munson, Nelson reviewed the level of involvement required for development of accurate standards including the projected timeframe for development of those standards. Holbrook recommended that Mickelson and Peterson attend the City and County public hearings to address concerns expressed by the general public.

Davis recommended that interim design standards be drafted and adopted now with Nelson and Johnson continuing their efforts to refine the final standards. Discussion followed on the required staffing levels with regard to the work to be addressed and the resources required to complete that work.

The motion to modify and approve Subcommittee Recommendation Item I: Present resolutions for adoption at the City and County level via their Planning Commissions for the creation of technical design standards for installation of individual on-site systems. Joint technical criteria produced by Nelson and Johnson carried unanimously.

Discussion followed regarding the clarification of Subcommittee Item II, the resources available for the implementation of inspections and licensing, protection of sensitive aquifer areas and the impact of pre-installation site inspections on current staffing levels.

Peterson clarified that staff would be responsible for drafting the proposed resolutions. Elkins recommended developing a joint resolution for adoption by both the County and City governing bodies. Mickelson indicated that the Education Committee would address the issues outlined in Item II.

Munson moved, Davis seconded and carried unanimously to modify and approve Subcommittee Recommendation Item II: Collect information from counties adjoining affected sensitive aquifer areas and arrange agreements with those counties. Collect information from other sources on their implementation of inspections and licensing. Propose establishing inter-agency and county agreements using same criteria and processes for permitting, site evaluations, and construction inspections.

Discussion followed regarding the implementation of Subcommittee Recommendation Item III. Holbrook expressed concern that public opposition may jeopardize the Committee's efforts and recommended completing Items I and II prior to initiating work on Item III. Discussion followed regarding the diversity of soils in Pennington County with regard to the implementation of the on-site regulations. At Mickelson's recommendation, the Committee postponed consideration of Item III.

Pennington County Ordinance Proposal

Mickelson voiced her support for the proposed ordinance amendment noting it would assist in moving the process forward. Peterson presented the proposed ordinance amending Section 204 of the "General District Provisions of Pennington County Ordinance #34.

**Munson moved, Peterson seconded, to recommend Committee endorsement of:
AN ORDINANCE AMENDING SECTION 204 "GENERAL DISTRICT PROVISIONS".
BE IT HEREBY ORDAINED BY THE PENNINGTON COUNTY BOARD OF
COMMISSIONERS THAT THE PENNINGTON COUNTY ORDINANCE #34 BE AMENDED
AS FOLLOWS:**

Section I: Subsection J. shall be amended to read as follows:

J. Wastewater Disposal Systems:

1. A wastewater disposal permit shall be required for any installation, repair or upgrade of any on-site wastewater disposal system.
2. A finder wire, composed of Number 14 solid strand insulated copper wire, shall be installed for all new and upgraded wastewater disposal system installations. The finder wire shall be accessible at the clean out and run to and around the septic tank access hole, and through the trenches or around the bed.
3. An additional on-site wastewater disposal area shall be required and held in reserve in all zoning districts when property is being platted or subdivided.
4. Upon review of the Planning Department, lot sizes larger than the minimum district lot sizes may be required in order to protect the public health.

Holbrook expressed concern with taking the ordinance forward at this time due to possible public opposition to the proposal. Munson encouraged the Committee to move forward with ordinance given the importance of protecting the area's water quality. Elkins indicated that it is the responsibility of this Committee to present ideas and encourage the governing bodies to take action of the proposed amendments. Discussion followed regarding the presentation of the proposed ordinance.

Davis identified his concerns with the proposed amendment noting that he would support its adoption. Elkins proposed modifying the language of Item 3 prior to its adoption by the County addressing the types of soils where Item 3 would be applicable.

The motion to recommend Committee endorsement of:

AN ORDINANCE AMENDING SECTION 204 "GENERAL DISTRICT PROVISIONS".

BE IT HEREBY ORDAINED BY THE PENNINGTON COUNTY BOARD OF COMMISSIONERS THAT THE PENNINGTON COUNTY ORDINANCE #34 BE AMENDED AS FOLLOWS:

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3. An additional on-site wastewater disposal area shall be required and held in reserve in all zoning districts when property is being platted or subdivided.
4. Upon review of the Planning Department, lot sizes larger than the minimum district lot sizes may be required in order to protect the public health.

with modification of item 3 to address applicable soils prior to adoption, carried unanimously.

Identification of Funding Sources

Mickelson recommended utilizing the existing funding before seeking funding from the City and County.

Other Business

Mickelson announced that the City Council has approved the Committee's name change request to the "Drinking Water Protection Committee". Peterson commented on the public education opportunity provided by publicizing the name change.

In response to Munson, Mickelson briefly reviewed the positive responses received to her various public presentations on water quality protection. Discussion followed regarding the level of support received from the Board of Water and Natural Resources.

Mickelson announced that the next meeting of the Drinking Water Protection Committee has been scheduled for Tuesday, November 14, 2000 at 7:30 a.m. in the 3rd Floor meeting rooms.

Adjourn

There being no further business the meeting was adjourned at 11:25 a.m.