

- I. **Call Meeting to Order:** by Dr. Mehlhaus at 05:30pm
- II. **Attendance:** Present: Dr. Mehlhaus, Kriss Haglund, Steve Duffy, Kristine Johansen, Gary Nystrom
Additional Attendees: Debi Pestotnik, Daniel Ramirez Villa
All attending where wearing masks.
- III. **Changes & Approval of Previous Meeting Minutes (11-18-2020)**
 - Motion by Kristine Johansen, 2nd by Gary Nystrom to approve minutes as submitted. Motion Carried.
- IV. **Changes & Approval of Meeting Agenda**
 - A. None
- V. **Open Public Hearing(s) and Consideration Of Request(s)**
 - A. Petition for Variance # 2020-013 submitted by Jared Hale opened at 5:33pm. Background Jerad Hale owner of 320 Clark St Luther, IA 50152 had a complaint filled on his property in regards to his septic system. The complaint alleged that portion of of 320 Clark St Luther, IA 50152 septic system was in fact on or to close to his neighbor to the east of him. Futher investigation reviled that a portion of 320 Clark St Luther, IA 50152 septic system was on his neighbors yard in addition one lateral was to close to the east property line. Mr. Hale was notified of the violation , Hale then came to the Boone County Health and Sanitation office and applied for a septic variance. The approval of the septic variance would allow Mr. Hale to keep all the existing lateral but one that is located on the east side in his neighbors yard. The disapproval of the variance would result in Mr. Hale having to install a completely different system. Dr.Mehlaus proceded to ask who installed the septic sytem and when? Roto- Rooter was the septic installer and at this time im unsure. Prior to Jerad Hale purchasing of 320 Clark St Luther, IA 50152 the property owner had a new septic system installed and inspected by the county and at the time it was perceived to be up to code as the property line was interpreted to the county to be 10ft from the east lateral.
Mr.Hale explained that he reached out to roto-rooter multiple times after he was informerd about the violation. Mr.Hale said that after months of

trying to reach out roto-roter and not hearing back from them and receiving mail notifications from the department of health. He went in to the department of health office to see what types of recourse he had. It came down to the department of health and the realtor reaching out to roto-roter and that's what prompted roto-roter to reach out to Jerad Hale. There response was that the system at the time of inspection passed and was approved by the county. Therefore I Jerad Hale am asking for the variance for the lateral that is too close to the property line in addition the lateral located on my east neighbors yard we are abandoning. We spoke with neighbor and he is okay with leaving the lateral in the ground and abandoning it. From what I understand it will still meet requirement for the secondary treatment.

Gary Nystrom to Daniel Ramirez: if a lateral is eliminated will it still meet our standards? Yes the septic system when it was installed it was oversized according to the assessors website the dwelling is a 1-2 bedroom home and it was sized for a 4 bedroom home. Gary Nystrom to BOH two issues I have, so if he abandons it that solves the issue of his septic system impeding on his neighbors property. 2nd issue has the BOH approved variances? Yes we have approved these before- Dr. Mehlhaus.

Kriss Haglund to the BOH my question would be who would be at fault if we don't grant the variance? the property owner- Daniel Ramirez

Dr. Mehlhaus – at this time we don't have anyone to contest your variance however the BOH did receive an email from Teddy Broom the property owner to the east which is as follows. To whom this may concern, my Name is Ted Broom , I live in in Luther Is, address,337 3rd street, this is my complaint, number 1 being that my neighbor Jared, moved in a year or so ago and began violate my property, he put a garden in my yard, pulled all the weeds and stacked them in my backyard, they were 4 ft high and about as big as a hay pile, I spoke to him about it, he blew me off, I told him that my property line was very close to his house , he basically challenged me to prove it, so I had to pay for a Costly land survey, clean the mess they left in my yard, then I found out the laterals were in my yard, and his propane tank, initially I wanted rent for the space he had taken on my property, but I choose to go to the Boone county planning commission to get this resolved, initially I tried to be a good Neighbor, but it has been a burden since he moved in trash constantly blown in my yard, I have decided on a privacy fence to stop him from violating me anymore. I also lost a riding mower because he had metal stakes in my yard, worst case scenario, loud music late at night , loud talking, fire going late into the night. I tried to resolve issues with Mr hale, way before I took any action , but he ignored my please, so I lost money, time, and peace of mind . I cannot be at this meeting, a further inconvenience for me, so I am using

more time on his behalf to write this letter, because I still have laterals in my yard. Please help me, why am I paying taxes and playing by the rules Gary Nystrom to BOH i would highly recommend or suggest that we do not approve this variance until we receive some type of paperwork written agreement with a notary saying that his neighbor is agreeance with the proposed work.Dr. Mehlhaus entertained the motion to table variance # 2020-013 submitted by Jared Hale.

- **Motion by Gary Nystrom, 2nd by Steve Duffy that variance #2020-013 submitted by Jared Hale shall be tabled until next meeting, during that time Mr. Ramirez is asked to try to provide a written settlement between both parties for us to approve at the next meeting . Motion Carried.**
- **Motion by Kristine Johanse, 2nd by Kriss Haglund that Board of Health make a recommendation to the Boone County Board of Supervisors that documentation of property lines be instituted in the septic system process and all underground utiliy work. Motion Carried.**

Dr.Mehlhaus entertained the motion to come out of the public hearing and adjurned.

- **Motion by Steve Duffy, 2nd by Kristine Johanse that BOH come out of the public hearing and adjurned. Motion Carried.**

Role call vote: Kriss Haglund – Yes , Steve Duffy– Yes, Kristine Johansen – Yes, Gary Nystrom, Dr. Mehlhaus -Yes.

VI. Unfinished (Old) Business

A. None.

VII. New Business

A. BOH Mission statement. As the current public health emergency has inittatte the tough if the BOH wants a mission statement and due to the BOH having two new members this is most appropriate time to draft one. At this time Debi Pestotnik will gather templates and examples from other counties and will draft a mission statement and send it to all board members to review.

- B. Covid 19 Vaccine Clinics and Sites - Dr. Mehlhaus presented slide show.
Please refer to exhibit one.

Anyone that wants to get the covid vaccine should check the hospital website under the Covid-19 tab 3 times a week or they can call 515-433-8299. The public health office should not be the one being contacted for covid vaccine information. At this there is an opportunity for any nurses that have a current nursing license a opportunity to volunteer to assist, they should call the hospital and ask for Heather Cook.

VIII. Department Update

- A. Public Health Department Report. Once a month public health holds a clinic for childhood immunization which really fluctuates and has been having low traffic lately. -Debi Pestotnik.
- B. Health and Sanitation Department Report: Nothing to report. Daniel Ramirez

IX. Adjournment

Dr. Mehlhaus entertained a motion to adjourn. Steven Duffy moved, 2nd by Kriss Haglund to adjourn the meeting at 7:00 pm. Motion carried

Next meeting will be on March 15th, 2021 @ 5:30p.m. At the Boone County Hospital: 4th floor Board Room.