



JO DAVIESS COUNTY H **Public Health** HEALTH DEPARTMENT
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Jo Daviess County Health Department Environmental Health Committee

Wednesday, October 14, 2015, 4:00 p.m.

Jo Daviess County Health Department Conference Room

1. Call to Order

Ron Lubcke, President of the Board of Health, called the meeting to order at 4:00 PM.

2. Roll Call

Present: Dr. Ralph Losey, Jim Vormezelee, Kim Barrett, Ron Lubcke and Bill Bingham

All members of the Committee were present.

Staff Present: Elizabeth Kane, Matt Calvert, Sandra Schleicher and Evelyn Folks

Others Present: Jeanie & Ron Norman, Laurie and Mike Sproule, Matt Heller, Greg Stauder, Dirk & Sue Einsweiler, Bill Oldenburg and Richard Porter

3. Citizens' Comments: None

4. Approval of the September 2, 2015 Environmental Health Committee Meeting Minutes

Bill Bingham motioned to accept the minutes, as presented, for the EH Meeting held on September 2, 2015, second by Kim Barrett. All in favor, motion passed.

5. Unfinished Business: None

6. New Business

- a. **Discussion and possible action to approve a recommendation to the Board of Health to include Title 5, Chapter 8, Article B, Section 4, of the Jo Daviess County Code of Ordinances is added to read: METHODS OF DOMESTIC SEPTAGE DISPOSAL: in the proposed Amended Jo Daviess County Private Sewage Ordinance.**

Matt Calvert, Director of Environmental Health, advised the Environmental Health Committee that his department had been working on proposed changes to the Jo Daviess County Private Sewage Disposal Ordinance. No additions or changes in this section.

Bill Bingham noted that the recommendations of the Committee to the Board of Health could have several options: No changes; Comprehensive changes; Eliminate land application completely; Modify and use this opportunity to make adjustments.

Attorney Richard Porter entered the meeting.

Dr. Ralph Losey motioned to accept the recommendation to the Board of Health to include Title 5, Chapter 8, Article B, Section 4, of the Jo Daviess County Code of Ordinances is added to read: METHODS OF DOMESTIC SEPTAGE DISPOSAL: in the proposed Amended Jo Daviess County Private Sewage Ordinance and move forward to the Board of Health for consideration and possible action, second by Bill Bingham.

b. Discussion and possible action to approve a recommendation to the Board of Health to include Title 5, Chapter 8, Article B, Section 5, Part A, of the Jo Daviess County Code of Ordinances is added to read: APPLICATION TO AGRICULTURAL LAND: in the proposed Amended Jo Daviess County Private Sewage Ordinance.

Ron Lubcke read the above statement and then asked Matt Calvert to explain the proposed language.

APPLICATION TO AGRICULTURAL AND

1. Listed in EPA 503 Guide p. 4, 14-15. No additions
2. Definition of non-public site in EPA 503 Guide p. 2. Not allowing septage to be applied to public sites which would include public parks, ball fields, cemeteries, plant nurseries, turf farms and golf courses – Listed in EPA 503 Guide p. 13.
3. Listed in EPA 503 Guide p. 2, 30-31,33, 36. Added that domestic septage shall automatically be incorporated into the soil to prevent nuisance conditions – Nuisance condition definition found in Private Sewage Disposal Code p. 80.
4. Listed in EPA 503 Guide p. 30-31,33, 36.
5. Listed in Private Sewage Disposal Code p. 82.
 - a. Distance to community well, school or healthcare facility not specifically identified in Private Sewage Disposal Code - Distances the same as State of Wisconsin p. 128.
 - b. Distance to private water well, residence, business or place of assembly. Only well is mentioned in Private Sewage Disposal Code - 200 feet in Private Sewage Disposal Code, 250 feet in Wisconsin Code P. 128, 500 feet in Iowa Code p. 5, 300 feet in Winnebago County Code p. 1
 - i. Residence distance in Private Sewage Disposal Code is

- 200 feet, 500 feet in Wisconsin Code, 500 feet in Winnebago County Code, 750 feet in Iowa Code
- ii. Business or place of assembly not specially identified in Private Sewage Disposal Code. 100-500 feet in Wisconsin Code, 500 feet in Winnebago County Code
 - c. Distance to sinkhole, underground mine, cave, tunnel, tile line surface intake, pond, stream, river or wetland – 200 feet in Private Sewage Disposal Code, 150-200 feet in Wisconsin Code, 200 feet in Iowa Code, 200 feet in Winnebago County Code.
 - d. Distance to dry run or public road not specially identified in Private Sewage Disposal Code – Distances 25-100 feet in Wisconsin Code for dry run & road setback the same as Winnebago County Code.
6. Nothing mentioned in Private Sewage Disposal Code or EPA 503 Guide regarding septage in floodplains. Distance is the same as mentioned in Winnebago County Code. EPA 503 Guide p. 46 (GMP's)
 7. Listed in EPA 503 Guide p.22-28. No additions. Uniform septage mentioned in Wisconsin Code p. 125.
 8. Maximum number of gallons allowed added so over application does not occur in the soils, and allow groundwater pollution to result from saturated soils. Wisconsin Code states 13,000 gallons/week p. 129.
 9. Harvesting minimum added the same as Iowa Code P. 4. Do not want nitrogen leaching into water table leading to high nitrate & nitrites concentrations in drinking water.
 10. The purpose of the 503 rule is to add beneficial nitrogen for growing crops. Vegetation must be present to uptake the nitrogen from the soil & to reduce the possibility of soil erosion. Wisconsin Code p. 127.
 11. EPA 503 Guide p. 46 (GMP's)
 12. Litter/debris is not beneficial for crop production & leads to a nuisance condition.

Dr. Losey asked for the definition of “place of public assembly”.

Public comment was refused.

Ron Lubcke asked the members of the Committee if they had any other questions. If not, the floor would be open for a motion. Bill Bingham motioned to move forward with the clarifications to the BOH for consideration and possible action to include Title 5, Chapter 8, Article B, Section 5, Part A, of the Jo Daviess County Code of Ordinances is added to read: APPLICATION TO AGRICULTURAL LAND: in the proposed Amended Jo Daviess County Private Sewage Ordinance. Second by Jim Vormezele. All in favor, motion passed.

Public comment was refused.

c. Discussion and possible action to approve a recommendation to the Board of Health to include Title 5, Chapter 8, Article B, Section 5, Part B, of the Jo Daviess County Code of Ordinances is added to read: RECORD KEEPING REQUIREMENTS FOR DOMESTIC SEPTAGE APPLICATION TO AGRICULTURAL LAND: in the proposed Amended Jo Daviess County Private Sewage Ordinance.

Ron read the above statement and then turned to Matt Calvert for clarification.

EPA 503 Guide p. 21 & p. 45. The Health Department Environmental Health Division wants information prior to land application so AAR is not exceeded.

Jim Vormezeele motioned that the Committee accept the change recommended to Title 5, Chapter 8, Article B, Section 5, Part B, of the Jo Daviess County Code of Ordinances is added to read: RECORD KEEPING REQUIREMENTS FOR DOMESTIC SEPTAGE APPLICATION TO AGRICULTURAL LAND: in the proposed Amended Jo Daviess County Private Sewage Ordinance and move forward to Board of Health for consideration and possible action. Second by Kim Barrett. A vote was not asked for or rendered.

Public comment was refused.

d. Discussion and possible action to approve a recommendation to the Board of Health to include Title 5, Chapter 8, Article B, Section 5, Part C, of the Jo Daviess County Code of Ordinances is added to read: SITE APPROVAL AND INSPECTION OF DOMESTIC SEPTAGE LAND APPLICATION SITES: in the proposed Amended Jo Daviess County Private Sewage Ordinance.

Ron Lubcke read the above statement and Matt Calvert explained that no changes are present in this section.

Dr. Ralph Losey motioned to move Title 5, Chapter 8, Article B, Section 5, Part C, of the Jo Daviess County Code of Ordinances is added to read: SITE APPROVAL AND INSPECTION OF DOMESTIC SEPTAGE LAND APPLICATION SITES: in the proposed Amended Jo Daviess County Private Sewage Ordinance forward to the BOH for considerations and possible action, second by Jim Vormezeele. All in favor, motion passed.

e. Discussion and possible action to approve a recommendation to the Board of Health to include Title 5, Chapter 8, Article B, Section 6, of the Jo Daviess County Code of Ordinances is added to read: RECORD KEEPING REQUIREMENTS FOR DOMESTIC SEPTAGE DISPOSAL: in the proposed Amended Jo Daviess County Private Sewage Ordinance.

Ron Lubcke read the above statement. Matt Calvert explained that in the existing ordinance, records were turned in as requested. The proposed change would be adding “monthly basis” so records of septic maintenance and accountability of disposal can

be tracked regardless of method.

Jim Vormezele motioned to move a recommendation to the Board of Health to include Title 5, Chapter 8, Article B, Section 6, of the Jo Daviess County Code of Ordinances is added to read: RECORD KEEPING REQUIREMENTS FOR DOMESTIC SEPTAGE DISPOSAL: in the proposed Amended Jo Daviess County Private Sewage Ordinance forward to the BOH for consideration and possible action. Second by Dr. Ralph Losey. All in favor, motion passed.

f. Discussion and possible action to approve a recommendation to the Board of Health to include Title 5, Chapter 8, Section 8, Subsection D shall be repealed in the proposed Amended Jo Daviess County Private Sewage Ordinance.

Ron Lubcke read the statement and Matt Calvert explained that the content would not be changed, only the location in the ordinance.

Moved from current location in Private Sewage Disposal Ordinance and relocated as-is in newly created Article B of same ordinance. Dr Ralph Losey motioned to repeal Title 5, Chapter 8, Section 8, Subsection D in the proposed Amended Jo Daviess County Private Sewage Ordinance and to move this forward to the BOH for consideration and possible action, second by Kim Barrett. All in favor, motion passed.

g. Discussion and possible action to approve a recommendation to the Board of Health to include Title 5, Chapter 8, Section 8, Subsection E shall be repealed in the proposed Amended Jo Daviess County Private Sewage Ordinance.

Ron Lubcke read the statement and Matt Calvert explained that this item would be moved from its current location in Private Sewage Disposal Ordinance and relocated as-is in newly created Article B of same ordinance.

Jim Vormezele motioned to repeal Title 5, Chapter 8, Section 8, Subsection E in the proposed Amended Jo Daviess County Private Sewage Ordinance and to move forward to the BOH for consideration and possible action. Second by Dr. Ralph Losey. All in favor, motion passed.

h. Discussion and possible action to approve a recommendation to the Board of Health to include Title 5, Chapter 8, Section 10, of the Jo Daviess County Code of Ordinances shall be amended to read as follows: *Any garage, outbuilding, accessory building or similar structures that have interior plumbing must have an increase in septic tank capacity and drainfield size to accommodate the daily flow that is anticipated from the house and the extra structure. The type and size of the septic system will be determined by soil characteristics revealed in the on-site soil borings. If an alternative septic system (e.g., sand filter) is required, then an increase in size of this component will be required in the proposed Amended Jo Daviess County Private Sewage Ordinance.*

Ron Lubcke read the above statement. Matt Calvert explained that this item does not apply to the land application issue but it is an opportune time to make the change in the ordinance since other modifications were being done. It is a clearer statement of intent of the rule currently in Private Sewage Disposal Ordinance

7. Citizens' Comments

Ron Lubcke opened the floor for "Citizen Comments", stressing a 5 minute limit.

Richard Porter spoke to the sections that caused concern. 1. Land application sites must be revegetated 2. The 503 rule, health authority form ad call for approval daily for land applying.

Jeanie Norman reminded the Committee that changes need to happen.

Sue Einsweiler told the Committee that she appreciated the work they had put in on this issue.

Laurie Sproule asked if any other sewage pumpers had applied for land application sites.

Greg Stauder questioned the land application required setbacks. This could also restrict land use of farmers.

No further comments were heard.

8. Establish future meeting dates

Should another meeting of the Environmental Health Committee be needed, a date will be scheduled.

9. Adjourn

With no other business to discuss, Dr. Ralph Losey motioned to adjourn, second by Jim Vormezele. All in favor, motion passed.

Ron Lubcke adjourned the meeting at 4:57 PM.