

STATE OF VERMONT  
VERMONT BOARD OF HEALTH

IN RE: APPEAL BY ALAN BJERKE OF A DECISION )  
OF THE VERMONT HEALTH COMMISSIONER )  
DATED FEBRUARY 15, 2023 )

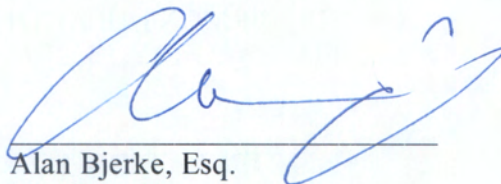
**STIPULATION TO RESOLUTION OF APPEAL**

NOW COMES the Appellant, Alan Bjerke and Bessie Weiss Assistant Attorney General for the Vermont Department of Health and submits the Stipulation to Resolution of the above captioned Appeal, based upon the terms and conditions set forth below:

1. The Appeal may be dismissed without prejudice and subject to the right to reopen as set forth below.
2. The Department shall commence rulemaking as set forth in Chapter 25 of Title 3, Vermont Statutes Annotated, including providing for public hearing and comment, within 30 days of the dismissal of this appeal.
3. The Department will amend the Vermont Rules for Lead Control (21-005) to conform to the requirements of Sections 46-47 of S.100 (2023). During the rulemaking process the Department will consider whether to further amend the rule to address the impact on Rental Property Owners between being “Licensed” versus being “Certified” to perform RRPM activities.
4. In the event the rulemaking procedures identified above are not commenced timely as set forth above, or are suspended by action of the Health Department, or do not consider the topics identified in ¶3 above, the Appellant may seek to reopen this appeal and continue to seek a decision from the Vermont State Board of Health under 18 V.S.A. §128.

DATED at Burlington, Vermont this 12<sup>th</sup> day of June, 2023.

FOR THE APPELLANT



Alan Bjerke, Esq.  
P.O. Box 59  
Burlington, VT 05402  
802/373-4199

DATED at Burlington, Vermont this 13<sup>th</sup> day of June, 2023.

FOR THE DEPARTMENT OF HEALTH

By: Bessie Weiss  
Assistant Attorney General  
108 Cherry Street  
Burlington, VT 05401

SO ORDERED: \_\_\_\_\_ / \_\_\_\_\_ /2023 \_\_\_\_\_  
George K. Belcher, Hearing Officer