



MID-MICHIGAN DISTRICT HEALTH DEPARTMENT

An Accredited Local Public Health Department

www.mmdhd.org

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MARK W. (MARCUS) CHEATHAM
Health Officer

JENNIFER MORSE, MD, MPH, FAAFP
Medical Director



BOARD OF HEALTH
George Bailey
Bruce DeLong
Betty Kellenberger
Tom Lindeman
Sam Smith
Dwight Washington, Ph.D.

**BOARD OF HEALTH
REGULAR MEETING**
at
Mid-Michigan District Health Department
Clinton County Branch Office
St. Johns, Michigan

Wednesday, November 28, 2018
9:00 a.m.

MINUTES

We take action to protect, maintain, and improve the health of our community.

Members Present: Bruce DeLong, Chairperson; Tom Lindeman, Vice Chairperson; George Bailey, Betty Kellenberger; Sam Smith; and Dwight Washington

Members Absent: None

Staff Present: Mark W. (Marcus) Cheatham, Ph.D., Health Officer; Melissa Bowerman, Director of Administrative Services; Cindy Partlo, Board Secretary; Liz Braddock, RS, Director of Environmental Health (EH); and Jennifer E. Morse, M.D., Medical Director

Staff Absent: None

Guests: Ben Foster, Foster Trenching; John Johansen, Montcalm County Commissioner; Julie Spencer, Executive Director for the Gratiot Conservation District; Nathan Jammer, EH Specialist I; Seth Gibson, Clinton Conservation District (*arrived at 9:42 a.m.*); Ryan Wood, Clinton County Administrator (*arrived at 10:30 a.m.*)

B. DeLong, Chairperson called the regular meeting of the Mid-Michigan District Board of Health (BOH) to order at 9:00 a.m., on Wednesday, November 28, 2018, at the Clinton County Branch Office of the Mid-Michigan District Health Department (MMDHD), St. Johns, Michigan.

Pledge of Allegiance was led by B. DeLong.

A. AGENDA NOTES, REVIEW, AND REVISIONS:

M. Cheatham mentioned that he would like to add Environmental Health (EH) Staffing and Montcalm County Resource Recovery Agreement to the Agenda as item E. 1. f.

Motion made by T. Lindeman and seconded by B. Kellenberger to approve the Agenda as amended. Motion carried.

B. CONSENT ITEMS:

1. Meeting Minutes

- a. Michigan Association for Local Public Health (MALPH) Board of Directors Meeting held October 9, 2018
- b. Mid-Michigan District BOH Regular Meeting held October 24, 2018
- c. Mid-Michigan District BOH Program Committee Meeting held November 7, 2018

Motion made by B. Kellenberger and seconded by D. Washington to accept and place Meeting Minutes B. 1. a. through c. on file. Motion carried.

2. Communications

- a. *NewsBrief*, National Association of Local Boards of Health (NALBOH) Newsletter, Fall 2018
- b. Letter dated October 1, 2018 to Marcus Cheatham and Hailey Brewer, Emergency Preparedness Coordinator regarding approval of the agency's BP1-17 Public Health Emergency Program (PHEP) Deliverables for July 1, 2017 through June 30, 2018
- c. Resolution To Terminate Mid-Michigan Pathways dated November 15, 2018 from the Ingham Health Plan Corporation (IHPC) and to disperse the current fund balance held for the Mid-Michigan Pathways in the amount of \$606,989.46 to the MMDHD

M. Cheatham explained that the IHPC provided the back office work for the Mid-Michigan Pathways; however, after severing the relationship, the agency would still operate the program on its own. He said that the money would be placed in fund balance for the operation of the program. M. Bowerman added that MMDHD did not get paid from the IHPC for FY 17/18; therefore, part of the funding would be accrued for that year, which was about \$100,000.

Motion made by B. Kellenberger and seconded by T. Lindeman to accept and place Communications B. 2. a. through c. on file. Motion carried.

C. PUBLIC COMMENTS: B. Foster introduced himself as owner of Foster Trenching. He said they're a drainage contractor; and he is a wastewater treatment engineer that has designed over 600 aerobic treatment wastewater systems over the last 20 years; most of which are in the MMDHD district. He indicated that he was a member of the original stakeholder committee; however, was unable to serve on the latest committee. He mentioned that Marcus may recall that he recommended the implementation of an operating permitting system to the original stakeholder committee. He encouraged the BOH to continue with the present stakeholder committee's independent recommendations. Mr. Foster said that over the past several years, various members of the stakeholder committee have provided incontrovertible proof of the significant presence of human pathogens in our waterways. He indicated that the present Public Health Code has done an effective job of eliminating this source from new construction; but old, inadequate systems are being

corrected very, very, slowly. He said the proposed operating system would be an effective way to significantly reduce the adverse effects on the environment and our public health from the direct discharge—direct discharge of human waste. Mr. Foster emphasized that’s what we’re talking about. He said they’re not talking about failed systems; but talking about direct discharge. He said he believes that an essential part of this effort will be to provide opportunities for low-cost financing for essential septic upgrades. He mentioned that he deals with time-of-sale in numerous counties and does a lot of repairs on systems in Ingham, Barry-Eaton, and Shiawassee Counties. When he does these inspections, people frequently don’t have an adequate system. It is not going to be cheap; no septic system new or old is cheap – it doesn’t make any difference. He said that the basic question for the BOH and County Commissioners is: *Should you continue to allow individuals to pollute the watersheds with hazardous waste?* And that’s what it is – hazardous waste. He cautioned the BOH to not be put off by the smokescreen that it’s bovine or porcine E.coli – those aren’t the real public health issues. He emphasized that human E.coli and pathogens are what cause sickness. As he understands it, very seldom do the other sources actually cause people to become ill. Mr. Foster said he actually believes the answer for the BOH is they should not allow it to continue. He said he understands the political pressures; stating he was here in the late 90s and went through MMDHD’s problems at that time. In summary, he commented that it’s very unsettling with something as impressive as this program is, but to achieve a cleaner and healthier environment, he said it is the right thing to do and thanked the BOH.

D. BRANCH OFFICE EMPLOYEES: Nathan Jammer, EH Specialist I based in the Gratiot Branch Office is observing today as part of his orientation.

E. COMMITTEE REPORTS:

1. Finance Committee – Tom Lindeman, Chair

a. MMDHD Expenses for October 13 through November 9, 2018

Motion made by T. Lindeman and seconded by B. Kellenberger to approve MMDHD expenses for October 13 through November 9, 2018 totaling \$477,126.39. Motion carried.

b. Financial Status Report, FY 17/18

T. Lindeman reported that the Financial Status Report was delayed.

c. MMDHD’s Monthly Balance Sheet, Revenue and Expenditure Report for September 2018

M. Bowerman said that she was still working on year end; however it appeared the agency may end the year with a small surplus of about \$70,000. She would provide a full report at the December BOH meeting.

d. MMDHD’s Monthly Balance Sheet, Revenue and Expenditure Report for October 2018 – **Delayed due to year-end closing.**

e. Rebranding Update-Priorities

M. Cheatham provided an update regarding rebranding efforts and reviewed the priority expenses for improvements agency-wide. He stated that the expenses could be paid from

the facilities fund or from any surplus that the agency might have after FY 17/18. B. DeLong said that he was involved in the bidding process; therefore would abstain.

Motion made by T. Lindeman and seconded by B. Kellenberger to approve the rebranding priority expenses as proposed with costs not to exceed \$46,000. Motion carried 5-0. (B. DeLong abstained).

d. EH Staff and Montcalm County Resource Recovery Agreement

L. Braddock distributed a handout explaining the EH staff workload and the 20 hours dedicated to the Montcalm County Resource Recovery Agreement. She stated that the EH Division has too many programs and not enough staff to complete that workload. Additionally, staff turnaround was high among those who worked in the Resource Recovery Program. As a result, the agency did have problems with meeting minimal program requirements in the Food Program. She requested that one half of the EH staffing position (20 hours) dedicated to the Resource Recovery Program be taken back by exercising our right in the Agreement to terminate the contract with 120 days' written notice. M. Cheatham mentioned that the Montcalm Conservation District was interested in taking over the program, as well as electronics recycling.

M. Bowerman added that the State provided a small increase in Essential Local Public Health Services (ELPHS) funding, which should cover the loss of \$34,140 in revenue from the program.

Motion made by T. Lindeman and seconded by B. Kellenberger to authorize the agency to exercise the termination clause in the Montcalm Resource Recovery Agreement, including the electronics recycling, giving 120 days' written notice to the Solid Waste Planning Commission. Motion carried.

2. Personnel Committee – Betty Kellenberger, Chair – No topics.

3. Program Committee – Bruce DeLong, Chair

a. Infiltrator Water Technologies, Request for Approval of Ezflow Gravelless Technology in Beds

L. Braddock reported that the Program Committee met to discuss Infiltrator Water Technologies' request for approval of Ezflow Gravelless Technology. She explained that Infiltrator Water Technologies requested approval to install these systems within the district without a variance. She clarified that the BOH had previously approved the product for installation with a variance; however, the product design had been changed. The BOH discussed the costs and benefits of the system.

Motion made by B. DeLong and seconded by T. Lindeman to approve Infiltrator Water Technologies' Ezflow Gravelless Technology for use within the district without a variance. Motion carried.

4. Mid-Central Coordinating Committee – Tom Lindeman, Vice Chair – No topics.

5. Well and Septic Stakeholders Committee: Marcus Cheatham

M. Cheatham requested that the topic be discussed under item H. 2. a.

F. MEDICAL DIRECTOR'S REPORT: Jennifer E. Morse, M.D. (*M. Cheatham presented in her absence*)

1. Measles

Dr. Morse reported on measles stating that Michigan was seeing the largest number of cases since 1994. She said that the number of cases reported in Michigan for 2018 is 19. Technically, she indicated that measles has been eradicated in the United States; however, cases are being imported as a result of unvaccinated international travelers and spread among unvaccinated people. She reported that South America has had a 3,000% increase in cases and Europe has had a 300% increase. Dr. Morse provided an overview of the disease stating that a person with measles is contagious 4 days before to 4 days after the rash starts and an infected person is contagious two hours after leaving an area. Furthermore, the cost of investigating cases is extremely high because it is so contagious; therefore, for every vaccine given (dollar spent), \$14 is saved in preventable cases. She reported that in extreme cases, measles can cause a rare condition called subacute sclerosing panencephalitis; a degenerative central nervous system disease believed to be due to continued measles virus infection of the brain and leads to death an average of seven years after measles. Dr. Morse said that babies can be vaccinated at six months of age; however, the vaccination would not count toward the normal two-dose series.

Dr. Morse recommended that the following be adopted as the BOH Monthly Healthy Living Recommendation for December:

1. *Be aware that measles is an extremely contagious and potentially fatal infection that continues to occur in outbreaks in the United States and around the globe.*
2. *Ensure you are immune to measles, either by vaccination or prior infection, especially before international travel.*

Motion made by G. Bailey and seconded by D. Washington to adopt the BOH Monthly Healthy Living Recommendations for December as proposed. Motion carried.

G. HEALTH OFFICER'S REPORT: Mark W. (Marcus) Cheatham, Ph.D.

1. BOH Holiday Luncheon, December 19, 2018

M. Cheatham asked the BOH members if they would like a holiday luncheon after the last meeting of 2018 – December 19, 2018. C. Partlo was asked to check if Litwiller's Catering would serve lunch after the December 10 a.m. regular meeting.

2. Local Public Health Accreditation

- a. MMDHD Plan of Organization

M. Cheatham explained the Plan of Organization that is required by the State of Michigan for the agency's upcoming Local Public Health Accreditation in February. He requested that the BOH authorize B. DeLong to sign the Plan of Organization.

Motion made by G. Bailey and seconded by B. Kellenberger to approve and place the MMDHD Plan of Organization on file. Motion carried.

H. OLD BUSINESS:

1. Recap of District-Wide In-Service, Friday, November 2, 2018, Agro-Liquid Fertilizers, Saint Johns

M. Cheatham distributed a summary of staff evaluations from the agency's District-wide In-Service stating that generally, most staff enjoyed the meeting. G. Bailey commended M. Cheatham and M. Bowerman stating that he appreciated that they reviewed finances with staff so that they didn't have to guess about the financial condition of the agency.

2. Draft Septic Management Ordinance

- a. Update on Special Community Meeting, November 5, 2018

M. Cheatham mentioned that Montcalm County Commissioner, John Johansen would like to speak to the BOH regarding the Septic Management Ordinance. Commissioner Johansen provided background regarding his participation in the initial stakeholder committee and his interest in pollution in the Flat River. He stated that he has been working with the townships that the Flat River flows through to help them update their ordinances to meet the requirements of the National Rivers Act. He explained that there were three Commissioners serving on the present stakeholder committee: Commissioner Bailey, Commissioner Washington, and himself representing Montcalm County. He indicated that the stakeholder committee had done due diligence in the committee report and recommendations that were given to the BOH. He said that there is a great deal of misunderstanding with what the BOH and stakeholder committee is trying to accomplish. Therefore, many of the public's questions raised would be addressed once the agency draws up their operational process.

In May of 2001, Commissioner Johansen explained he was establishing 16 acres of native grass seeding and the individual bringing the no-till equipment was a prior County Commissioner from Ionia County. During discussions, it became known that Commissioner Johansen was a new County Commissioner. He explained that the Ionia County Commissioner painted a hypothetical scenario for him where there was an issue with great public involvement and Commissioner Johansen would have knowledge of the issue that is not generally known to the public. The Ionia County Commissioner asked Commissioner Johansen how he would vote. The Ionia County Commissioner explained as Commissioner Johansen was elected by his constituents, would he listen completely to what the constituents were saying or would he depend on the knowledge that he had about the issue that was for the good of the whole system? Commissioner Johansen commented that he found the discussion beneficial in his almost 20 years as a County Commissioner, stating that he was not re-elected – not over this issue, but over marijuana primarily. He said he thinks the BOH would understand what his stance would be on that issue as he has participated in a few meetings with MMDHD staff; and he thanked Dr. Jennifer Morse for the work she's done on that issue.

He continued saying that the BOH was at a crossroads right now. If the BOH would have taken action on this issue earlier and presented it to the Montcalm County Commissioners, it would have passed as he had five votes. Unfortunately, Commissioner

Johansen explained that one of those five votes (Montcalm County Commissioner, Ron Braman) passed away; so he was not sure if the issue would pass now. He said there are nine Commissioners on the Board and four of them would be new Commissioners in 2019. He expressed his sympathy for Marcus and Jon Beard for what they have endured in meetings over this issue; plus the misunderstandings. Commissioner Johansen summarized that the decision rests with the BOH. He thanked the BOH for allowing him to speak; and said he had great respect for what the six Commissioners do on the BOH and their responsibilities.

Julie Spencer, Administrator for the Gratiot Conservation District, spoke indicating that there was an unpublished study recently completed in the upper Pine River watershed revealing an astronomical amount of human E.coli in the Pine River as reported by Streamside Ecological Services. She reported that Streamside has never seen a count that high before. She said that the testing was done in the upper northwestern portion of Gratiot County and DNA tests were performed on the samples to determine if the E.coli was from pigs, cows, humans, and/or horses. She reported that the results showed that horse E.coli was non-existent; however, pigs, cows, and human E.coli were high with human being by far the highest.

Additionally, Ms. Spencer reported that another study was done in cooperation with the health department where funding was provided by the Saginaw Bay Watershed Initiative Network about two or three years ago. She said that in that study, paper records were pulled and digitized from that same area of the upper northwestern section of Gratiot County (in order to build a searchable database). A search was performed on the database for the date that a septic permit was pulled and it was found that 300 of 1,100 properties in the database did not have a record of ever having a septic permit (including homes and businesses). She said that even homes with permits pulled in the 1980s and 1990s have failing septic systems because the life of a septic system is approximately 20 to 30 years if it is pumped every 3 to 5 years. Ms. Spencer said she believes the systems are not being pumped regularly. She said that a time-of-sale is not going to ever work because of these old structures that don't even have a record of a septic permit ever being pulled. This is why this issue is so timely. Ms. Spencer commented that the public speaking out in the meetings do not understand what we are trying to accomplish. They are quoting non-primary sources of information. She said if they would fully understand what the issue is, they would be demanding that we do something about the issue right now.

Ms. Spencer said the issue became personal for her a couple of years ago when her daughter jumped into the Chippewa River and later became very ill. She said her daughter was taken to urgent care and diagnosed with an infection in her ears, nose, and throat which was because of E.coli in the water.

She encouraged the BOH to take all of the information under consideration and realize that with more public education the public will understand the issue. She apologized for being passionate about the issue.

M. Cheatham reported that he has gotten about 30 calls from the public upset about the ordinance. He felt that the agency was also fighting social media and fears about government. B. Kellenberger said that a public education campaign was really needed but doesn't know how to get it done. M. Cheatham mentioned that Public Sector Consultants has offered their communication experts to us to work on public education. S. Smith expressed his concerns about knowing the operations of the ordinance and the different

messages that are being given to the public. He stressed that the messages coming from Management Staff, EH Specialists, community partners, and County Commissioners, must be consistent. He recommended that the agency tell the public the details of the operations of the ordinance and the specific costs. D. Washington commented that the agency should return to the educational process, reshaping the message through the media. In summary, the agency and staff, as well as County Commissioners and community partners need to have a consistent message with the public.

M. Cheatham said that he had been thinking about ways to modify the ordinance to soften the requirements. L. Braddock explained that the existing code requires that residents must have a septic system and drain field (this is not new). She proposed working with pumpers to determine what systems are out there.

G. Bailey requested and the BOH agreed that a Special BOH Meeting should be scheduled once M. Cheatham has details regarding an educational message, operations, and costs of the Septic Management Ordinance, including where to get assistance with paying for septic system upgrades, so that everyone is speaking the same language. B. DeLong suggested bringing two options for BOH consideration.

John Johansen commented that the project was funded by a grant and the grant funds have been used up. Julie Spencer replied that additional grant funds the Gratiot Conservation District received from the Michigan Department of Environmental Quality (MDEQ) have been transferred to this project. She said that in order for the agency to move forward and apply for big funding through MDEQ to assist the public that cannot afford to repair their septic system, the agency needs to have this ordinance in place. M. Cheatham confirmed that having the ordinance in place would allow the agency to apply for 319 funding.

3. Update on Community Sewer Systems for Rural Villages

a. Riverdale Septic Complaints

L. Braddock provided an update regarding the septic complaints in Riverdale stating that the agency was working with the MDEQ reporting that they took a boat down the creek and obtained water samples in the Riverdale area. She reported that evidence was found of homes and business with direct connections from the drain into the creek. She indicated that the agency would like to propose a community sewer system for Riverdale; however, that needed to be spearheaded by Seville Township. She reported that the MDEQ will hold a meeting with Dave Owens of Seville Township to discuss the issues within the community; namely, homes and businesses with septic tanks connecting to the Township drain, the County drain, and that run directly into the creek. L. Braddock said that MMDHD staff will attend the meeting with the Township. Currently, properties without a proper septic system are working with the health department to utilize a pump and haul service.

I. NEW BUSINESS:

1. Family Planning Annual Report 2017

M. Cheatham briefly reviewed the Family Planning Annual Report for 2017 noting a dramatic decline in the Program since the expansion of Medicaid because clients now have their own

primary care provider. However he pointed out about one-third of the clients are uninsured so the need for the program remains. This includes people who are or trying to get pregnant. He mentioned that there was an error in the report indicating that the report showed that the agency does not provide syphilis or HIV tests. He said that the agency provided 21 HIV tests in 2017, but was unable to have the number of syphilis test provided prior to the meeting. He indicated that the topic was informational.

2. Emerging Issues

- a. Statewide Septic Ordinance – L. Braddock reported that the Statewide Septic Ordinance went to the Committee on Natural Resources and has already been referred to the Committee on Local Government. G. Bailey asked that the specific language be sent to the BOH members. L. Braddock said that she would do so.

J. LEGISLATIVE ACTION: – None.

K. INFORMATIONAL ITEMS:

1. Mid-Michigan District BOH Action Items, October 2018
2. MMDHD Staffing and Longevity Report

L. RELATED NEWS ARTICLES AND LINKS:

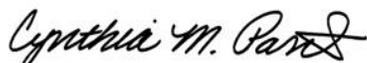
1. Medication Drop Off To Be Held In Edmore, *Lakeview Area News*, October 25, 2018
2. More Than \$44,000 In Grants For Children’s Health Care Programs, *Daily News*, October 29, 2018
3. Health Department Recognized, *Gratiot County Herald*, October 31, 2018
4. Community Foundation Awards Nearly \$500,000 In Grants for 2019, *Daily News*, October 31, 2018
5. Health Officials Hold Back Septic Ordinance Change, *Gratiot County Herald*, October 31, 2018
6. Sharps Disposal Program, *Montcalm County Senior News*, November 2018
7. Septic System Public Hearing Monday, *Daily News*, November 3, 2018
8. MDEQ Releases Toxic Chemical Results For Ithaca And Gratiot Area Water Authority, *Gratiot County Herald*, November 7, 2018
9. Public Hearing On Human Waste, *Lakeview Area News*, November 8, 2018
10. Septic Spat, *Daily News*, November 9, 2018
11. Septic Hearing Raises More Questions Than Answers, *Daily News*, November 10, 2018
12. Septic Issue Explained To Douglass Township, *Lakeview Area News*, November 15, 2018

M. Cheatham reviewed the related news articles.

M. AGENCY NEWSLETTERS: None

There being no further business to come before the Board, the meeting adjourned at 10:52 a.m.

Respectfully Submitted,



Cynthia M. Partlo
Board Secretary For
Bruce DeLong, Chairperson
Mid-Michigan District Board of Health