

CALHOUN COUNTY BOARD OF HEALTH MEETING MINUTES

190 East Michigan Avenue, Suite A100, Battle Creek, MI 49014

Date: June 16, 2003

PRESENT

Board of Health

Larry Anderson, Chairperson
Jean Cook-Hughes, Vice Chairperson
Ben Miller, County Commissioner
Dr. Jeffrey R. Mitchell

Health Department

Heidi Oberlin, Health Officer
Kathy Ferguson, Finance Officer
Ted Havens, Environmental Health
Sue Hauxwell, Environmental Health
Bob Overly, Environmental Health
Brigette Reichenbaugh, Administrative Assistant

Calhoun County

Greg Purcell, County Administrator
Jim Latham, County Finance Director
Nancy Mullett, Legal Counsel

Other

Mr. and Mrs. Larry Marlin
Mr. Mark Stoor, Assistant Project Engineer, Civil Engineers, Inc.

- I. The meeting was called to order by Larry Anderson at 7:59am in the Public Health Department conference room, George W. Toeller Building, 190 E. Michigan Avenue, Suite A -100, Battle Creek, Michigan.
- II. Larry Anderson asked for a motion to approve the agenda. Motioned by Ben Miller, seconded by Jean Cook-Hughes. Approved.
- III. Public Comment - Sewage Disposal Appeal for Mr. Larry Marlin

Ted Havens summarized the reasoning behind Environmental Health's denial of a septic permit to Mr. Marlin. Environmental Health denied the request do to poor soil conditions. Sue Hauxwell revisited the site having the same determination. Ted summarized for the board exactly what we are looking for when conducting a site evaluation including soil type and the water table level. It is still Environmental Health's opinion that the site does not meet the minimum requirements of the Calhoun County Sanitation Code and we therefore denied a sewage disposal permit.

Mr. Stoor is representing both the buyer and the seller of the property under consideration. He also completed an inspection as a second opinion with the same results. However, Mr. Stoor did have an option for the

Board to consider: a Wisconsin Mound. He indicated that the Wisconsin Mound is still in draft form and design specifications have not yet been adopted by the State of Michigan. He explained what a Wisconsin Mound is and how it operates. A mound system is an elevated drainage system that consists of a build up of sands and gravel. It effectively raises the bottom of the disposal system above unapproved site conditions and allows wastewater to filter through the sands before it reaches the poorer soil. They believe this will function satisfactorily and if there is no change in water flow the system will function as designed.

Larry Anderson asked about the Department of Environmental Quality (DEQ) approving the Mound and the system. Mr. Stoor noted that the DEQ reviewed the Wisconsin Mound in March 2003, but has not sent the process for approval. Larry then asked Ted if he is aware of any Mounds in Michigan. Ted noted that he is aware they are used in Michigan. We have used the Wisconsin Mounds for replacement systems on existing dwellings as opposed to condemning an individual's home. Bob Overly indicated that we do have a similar system currently being installed in Bedford. This system is currently leaking across the road and into the storm sewer drains into a creek. Bob also explained that there are problems with these systems and that they are maintenance intensive.

In response to these concerns, Mr. Stoor indicated that the owner and buyer are willing to sign a contract to maintain the system. The contract for maintenance could consist of routine checking of the system by the property owner's contractor and pumping the septic tank as necessary.

Ted asked if there was an alarm system installed. Mr. Stoor indicated yes.

Ben asked the seller, Mr. and Mrs. Marlin if they were aware of the conditions prior to purchase. Mr. Marlin stated that he has owned the property about 25 years, originally their 16 acre farm, and was not aware of these conditions. Jean Cook-Hughes asked about regular checking of current systems.

Greg Purcell asked about a possible timeframe that the state approve this type of system. As of today, there is no specific timeframe set. The drain field draft presented would be the most acceptable at this time and is complete, however, has not been approved by the state and the DEQ.

There is a concern with the liability if the property in question transferred to another owner, for example. Greg asked Nancy Mullet about legal concerns and the county's liability. Nancy noted that the system needs to be approved prior to the county approving and that the Health Department would not be liable.

Nancy asked what if the system failed. Mr. Stoor responded that the owner would be responsible for maintenance. Contract would be with private individual/company. Mr. Stoor has a backup drain field plan if the Wisconsin Mound were to fail.

Greg asked what alternatives we have. Mr. Stoor explained alternative solutions.

Ben asked about our approval system and if anything would have changed if we originally looked at Wisconsin Mound system.

Ted explained that we are aware of the design system and use this type of system when existing system fails rather than condemning an existing home. Greg asked if we had ever done this prior. We have approved this type of drain field in previous years, as mentioned earlier, for existing dwellings. The cost of this construction is substantially higher than a traditional drain field according to Mr. Stoor.

Nancy asked about possible subdivision. There is no room for the property in question to be subdivided as illustrated to the Board.

Mr. Marlin stated that the sale of this property is contingent on this appeal. Bob then asked who would be the responsible party for maintaining the system.

There are no legal requirements, if the owners were to sell, that the type of septic system is to be disclosed. Nancy thinks that Environmental Health has rules and regulations to what they can approve and this soil type falls within the unapproved category. Liability is not high.

Jean asked if the buyer is aware of the situation. Mr. Stoor clarified that he represents the buyer and seller.

Jeff asked if the system fails what are the consequences to other homes, lakes, etc.

Mr. Marlin explained that the hardships would be the loss without the sale of the property. Original farm was 16 acres.

Larry asked if we need to make an official denial or approve the appeal and asked for a motion to approve the appeal.

Larry motioned for approval with Jeff's addition that it is contingent on the letter from the buyer assuring maintenance and agreeing to this type of drain field. Ben seconded. Appeal approved with one "no" vote.

IV. Public Hearing

Heidi explained the larvicide packets and our decision to charge \$1 per packet.

Resolution 18-2003: Larvicide fee.

Ben moved approval of the fee; Jeff seconded. Approved.

V. Consent Agenda

Jeff moved approval of the consent agenda; Jean seconded. Approved.

VI. Resolutions

Resolution 19-2003: Community Development Block Grant agreement. The City of Battle Creek requires a representative from the Health Department to sign the contract at the mandatory meeting (July 1, 2003). However, Health Department contracts cannot be signed prior to the Board's approval. In previous years, the City of Battle Creek would delay the implementation of the grant for several weeks or until the contract was signed and delivered. Beginning in 2004, the City indicated that contracts not signed at the meeting will not be honored.

Greg explained the city's decision to do this. Heidi explained to the city that we would like to see contract prior to the meeting. Heidi also noted that there is a conference in Washington she will attend and will not be able to attend the City of Battle Creek meeting on July 1. Therefore, Larry Anderson will sign the contract on behalf of the Health Department. Nancy will attend the meeting as needed for contract review.

Jeff approved the resolution; Jean seconded. Approved.

VII. Financial Report

Kathy Ferguson explained her new form of presentation to the board including breakdown of financials by business unit.

Jean expressed her concerns about the percentage of budget used. Jean also indicated that she would like to have the written explanation at the same time she reviews the budget and suggested that the detail be included with Board packet/mailings.

In response to a question from Ben, Kathy summarized the primary changes to the budget: Nursing clinic funding and decreases in state funding. The budget numbers that were presented in the May statements

were changed to reflect the new budget, for the Board to see where we would be upon approval of this resolution.

Jim Latham asked about the Health Department's accounts receivables and where we are in billing. In the past we were over one month behind. Kathy stated that in general, we are currently billing for May 2003. Carry over funds identified will be spent by September 30, fiscal year-end. There were other carry-over funds from United Way (Greater Battle Creek) which we are starting to dip into now.

Heidi explained that the FTE list is attached to the budget because a comparison of Human Resource records with Health Department records did not match. The budgeted FTE numbers for both departments will now balance. Temporary positions were built into budgeted FTEs including nurse, educators, etc. for summer help.

Greg explained that this comes from a discussion between Human Resources and the Health Department. We will be able to fill a slot/temporary position without Board approval each time. Nancy's concern is with Human Resource records based on a school nurse being laid off then rehired for summer help. She is concerned about Union details. Heidi stated that no one would be hired without HR concurrence.

Heidi stated a full-time social worker for Nursing Clinic was not included on the budget as presented today but might need to be filled yet this FY. This position is part of the nursing clinic grant as approved by the Federal oversight agency.

Resolution 20-2003: Approval of the amended budget for FY 2002/2003 as presented, with the modification of the 1.0 FTE Social Worker position in the Nursing Clinic.

Ben moved approval; Jean seconded. Approved.

Larry indicated that as we go along with the Governance process, we will discuss further fine tuning the budget process.

VIII. Other Business

Nancy asked Heidi about the FIMR (Fetal Infant Mortality Review) meeting. Heidi thought that there had been at least one meeting but will have Renay Montgomery, Program Coordinator, contact Nancy directly.

Health Officer Report

Heidi introduced Amy Latham and explained her role. Amy informed the Board of her background and experience. Bioterrorism money covers the epidemiologist salary and the staff to support Amy's efforts along with IT upgrades, health risk communication, increasing ability to do state awareness and bolster public health infrastructure generally.

Board Business

Governance Meeting on June 25th 11 – 5. Erv Brinker, Executive Director, Summit Pointe, and Jane DeVries, Director of the Calhoun County Coordinating Committee are scheduled to facilitate. Jane also Chairs the Summit Pointe Board.

Larry reviewed his comments and concerns regarding the current Board Bylaws:

- Travel expenses for Board Members
- Bioterrorism
- Appointment of Medical Director
- Law suits and expenses for law suits
- Quarterly reports for commissioners – how appropriate?
- Number of Board members.
- Membership removal, process, recommendations to remove, cause, etc.
- Officers annual election – required? Term length?
- Chairperson to present report to Board of Commissioners.
- Requirement that we meet once a month?
- Current bylaws were developed quickly – need to revise. Robert's Rules of Order?
- Start with Quorum and someone leaves.
- Can we have more than one fund with County Treasurer?
- Same as previous bylaws....need to explain. Standing committees.

Larry would like to receive all comments, recommended process, and have Nancy review.

Ben feels that the Board lacks standing committees. Jean asked about the advantages of a standing committee as opposed to a temporary committee. Larry feels that having policies may be better than a standing committee.

Announcements

Jim and Greg asked that the Board participate in a budget meeting with the Board of Commissioners' Budget Workshop Committee that will follow the BOH meeting on July 21st for 1.5 hours following the board meeting.

Larry announced that today is the start of the syndromic surveillance program. The Health Care Call Center in Calhoun County is included in the state's Bioterrorism budget as one of the first data collection programs of this type in the country and the only one in Michigan.

IX. ADJOURNMENT

Larry asked for a motion to adjourn the meeting. Ben moved to adjourn; Jeff seconded. Approved.

Adjourned at 9:39 am.