

Van Buren/Cass District Board of Health

Minutes

8/14/2024

Chairperson Jeremiah Jones called meeting to order at 3 pm at the health department facility at 260 South Street, Lawrence MI 49064. Roll call taken. Board members present were: Jeremiah Jones, Tina Leary, Mary Howie, Don Hanson, Robert Linderman, Vicki Vaughn and Randall Peat.

Employees Present: Danielle Persky, Nancy Desai, Tina Cox, George Friday, Cody Davis in person and Dr. Larry Wile, Jennifer Zordan and Kelly Adkins virtually.

Others: Ron Swartz and daughter, Roger Boyer, Karen Tan and Joan Vidic

July meeting minutes were reviewed. Discussion of minutes are as follow: Linderman asked if anyone had followed up on the following: 1. Status of Piggybacking with ISD on using Marana Mail Solutions for our outgoing mail. Tina stated she has talked with the individual at ISD responsible for the mail and this individual stated that they used Lake Michigan Mailers for this service at one time. However, after their contract expired in one year the rates went up and it was decided to go back to using a meter. Similar to what happened with us. They stated they are not interested in going this route again at this time. 2. Have the supplies in the basement been moved to the garage? Danielle replied, not at this time. 3. Has anyone reached out to the Sheriff to get his opinion on the Intrado mobile alert system? Danielle replied, not at this time, will put on her task list. 4. Huntington bank fees? Nancy stated she has met with them and these charges are related to the credit card machine leasing and processing charges. She explained when we moved from one company to another, we kept the machines until June to make sure there was a seamless transition. The bank may possibly credit us back to June. 5. Was a comparison report on the COVID vaccination rate vs infection rate given to Karen Tan as requested at the July meeting? Danielle replied not at this time, will put on her task list. Motioned by Linderman, 2nd by Leary to approve the meeting minutes as written. All voting yes, motion carried.

Danielle asked the agenda be changed to allow Environmental Health Report to go next.

Cody informed the board on June 18th Mr. Swartz applied for an appeal for denial of holding tanks at the property located at 20021 Marcellus Hwy. He began by providing a timeline of events from the original application for a new construction sewage permit on 5/19/22. After performing a soil boring and locating the well it was decided the parcel was too small and there was a highwater table. On April 2024 Mr. Swartz asked about using holding tanks. Since there has never been a permitted sewage disposal system on the property, it is considered new construction and the EH Code states Pump and Haul system for new construction are prohibited. Mr. Swartz has indicated the property would be used for commercial use however has not yet provided actual intended use and potential visitors. Without this information a suitable sewage disposal system could not be designed. Mr. Swartz explained why he wanted to save this building, some updates have been made. He did not understand how the holding tanks were considered new construction when the building itself has been here since 1887. Wants to make it a coffee shop or possible a craft room. Cody explained there are no perimeters for use of the building. 20 x 30' is the smallest drain field allowed. Can design with holding tanks if the board wants however still need to know what intended use will be and the number of people expected. Has a concern that eventually a new well would have to be drilled. Also discussed concerns with parking. Cody explained we have to follow the Environmental Health code which states it doesn't allow for a holding tank unless the board approves. Danielle stated safety and health is of the utmost importance and we need to follow the EH Code and that only board approval will allow us to put in holding tanks. Cody stated that if a coffee shop is the intended use there could be possible issues with the well and therefore more problems. Peat stated that Mr. Swartz should provide EH information on how he plans to use this facility, number of sinks, restrooms, number of potential people etc. Until this information is made available this board will not respond. Once this is received EH can design a system. George stated information of intended use must be in writing. Motion by Peat, 2nd by Vaughn that EH provide guidance to the board on whether or not holding tanks are possible in accordance to the EH Code once the required information is received by Mr. Swartz. All voting yes, motion carried.

Statistics were discussed and reviewed with George reporting we are currently 80 well permits and 50 Septic permits above what we were last year at this time. He also reported on beach monitoring program. First inland lake testing,

Lake of the Woods. Tested at 3 spots and 1 spot always tested higher than the other 2. Inland lake testing has proven to be more challenging.

George wanted the board to be aware of a situation involving a well in South Haven. The application for a well permit was done in 2022. A timeline was provided from the application for a well permit to now. He explained as part of the well process an EH mapper was completed. This program allows us to see all contamination sites, however when looking at this particular site it came back empty which simply indicates it is a contamination site, just don't know what it is. We issued a well permit with construction standards which means there is a depth requirement with instructions pertaining to all contaminated sites and a arsenic test was needed. This must be done before the well is put into service. We received the bacteria and nitrate tests back but no arsenic test or well log. Therefore, a letter was sent indicating the need for this test. The arsenic test came in high, redid the test and it came back higher, therefore contacted EGLE. Informed the owner a filtration system would be needed, he could drill a new well or live off hauling in water. We could not approve well as is. EGLE sent us information on approving a well with high arsenic. A letter was sent to the landowner asking him to sign if he understood the possible health risks. He refused to sign and another letter was sent. Two meetings were held to discuss this issue. The owner is saying we knew there was arsenic there and gave a permit anyway. Discussed and reviewed. MDHHS does not have a program for arsenic like PFOS where free filters and bottle water is given out. There are however numerous low interest loan programs for municipalities to provide municipal water. MDHHS is not going to do anything until more testing is done. Therefore, we are proposing to get addresses of those homes that could get municipal water if there was a grant that could get water out there. MDHHS will then determine if we can do testing. They will support us to get this testing and if testing supported it they would then support South Haven Township getting low interest loans They propose that we get the addresses of all property in area and see if South Haven Township will support them getting municipal water. They will support testing of these properties and support the Township in getting low interest loans if necessary. Have to have 50% of residents supporting this as well as the support of local agencies. Discussed and reviewed.

Danielle stated she has talked with various entities on this issue and plans to reach out to our attorney and his EH specialist. Believes we have done everything in accordance to protocols and procedures however wants to be prepared in case this goes to litigation. Plan to host educational sessions to those in the area. Driller should have informed the residence about arsenic testing, which wasn't done, therefore we have changed our processes to address this. We need to educate everyone that has a well that regular testing should be done on a regular basis. Still waiting to hear from South Haven about hosting these educational sessions. Peat suggested we have a summary of all communication that has taken place along with any attachments and send to all parties involved and again in 30 days. Discussed and reviewed.

Finance Director's Report: Each board member received a staff report regarding purchasing 3 vehicles. Two for Environmental Health and 1 for General use by health department staff. Nancy explained that funding for these vehicles would come from the Infrastructure grant. We received state contract pricing from Berger Chevrolet for these vehicles therefore no additional bids were necessary. Quotes and vehicle specifications were available. Would like the board to authorize purchase of these 3 vehicles from Berger Chevrolet not to exceed \$85,000. Discussed and reviewed. Nancy informed the board that they are looking into quotes to put up fencing to house all company vehicles at the Lawrence facility. Employees will have an option whether or not to take the vehicle home or keep in Lawrence. If taken home there is a tax the employee will be responsible for. Employees will be charged .67 per mile for commute. Discussed and reviewed. Motion by Peat, 2nd by Hanson to accept the purchase of these vehicles as requested. Roll call vote taken. All voting yes, motion carried.

Expenditures Report: Items highlighted were; purchase of truck for Maintenance/Custodian; an additional PTO payout this month; Linderman questioned the \$1464 for legal services. Discussed and reviewed. Motion by Linderman, 2nd by Peat to except the expenditures report. Roll call vote taken. All voting yes, motion carried.

Statement of Revenues and Expenditures report for all grant funds from October 1 2023 through July 31, 2024. Nancy informed the board \$220,000 was received from Van Buren County for ARPA funds they forgot to send us. Also received \$68,989 for Medicaid Settlement report which was not completed for last 5 years. Should be completed annually. Danielle stated the budget will be available at September's meeting.

Administrator/Health Officer's report: The 2023 Annual Report was available. Will also be placed on our website.

Danielle informed the board that during the Financial Ad Hoc meeting discussion took place about us currently renting the Dowagiac Community Center from them for \$2,800/month. It was decided at this meeting it would be in the best

interest to give this space back to the City and have them manage. If the board also agreed she would contact Kevin, Dowagiac City Manager, to discuss this. Danielle stated there are other areas in Cass County we can hold our meetings if it becomes necessary. The board agreed Danielle should move forward on this.

Danielle gave a brief update on the KL landfill and changing the Environmental Health Code to establish a no new well zone in Van Buren County. These changes were given to the board sometime ago for review. The EPA has approved the changes and we now need to hold a public hearing. The public hearing will be held during our scheduled October 9th Board of Health meeting. Will be part of the Environmental Health report. Meeting will be held at VBISD Conference Center. Discussed and reviewed.

Danielle stated she has been very busy last couple of months with EH issues, EEE, Avian Flu and Pertussis.

Nursing and Medical Director's Report: Dr. Wile stated the nurses have been very busy. He reported that Swine Flu was not reported this year. We made it through our county fairs. Berrien is having their fair soon and he recommended if going to be sure to have good hand hygiene especially if going through the Swine barns.

Dr. Wile reported that nursing staff have been busy doing their daily tracking of the workers at dairy farms for Avian Flu. No other human cases have been reported. Waiting to hear from the state how long daily reporting needs to take place.

Dr. Wile reported there is a confirmed case of a horse with EEE in our district. He stated if a human should get this disease it could lead to death or problems with neurological systems. EEE is transmitted by mosquitoes. He stated that mosquitoes get more infectious as the summer goes on. Currently getting information packets out to the public on how to prevent. EH is currently trapping mosquitoes to send to the state for testing.

Dr. Wiles stated we have numerous pertussis cases. This is a highly contagious illness, especially for infants, the elderly and those with compromised immune systems. Currently providing information to the public, to those that have been exposed as well as healthcare providers. Preventive antibiotics are available to those at risk. Jones asked if we are at the point that we need to let our citizens know how we can prevent some of these issues. Dr. Wile stated we are at that point now and public health is doing everything they can to inform and educate the public.

Dental Report: Available in the written report

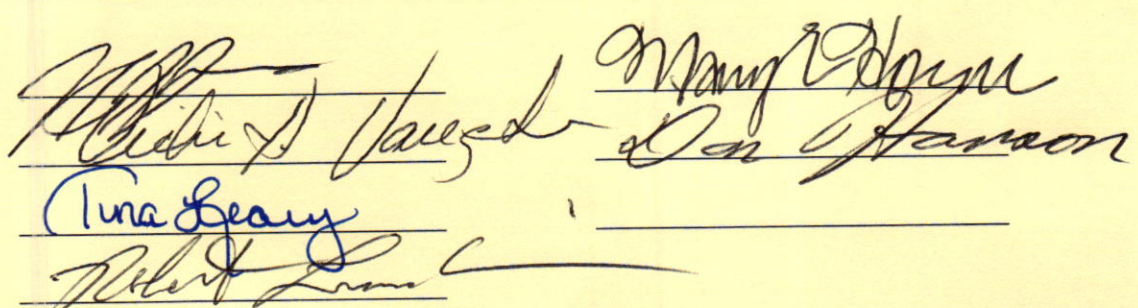
Health Promotions: Available in the written report

Other Business: None

Public Comment: Roger commented he had an issue regarding a township and has discussed this with George and received the guidance he needed. Karen stated she didn't hear the beginning of this meeting but heard her name mentioned about a report. She believed is regarding her request for a comparison study regarding COVID and no she has not received this report. Danielle stated she did not have this report but informed her she was putting this request on her task list to do.

Motion by Hanson, 2nd by Linderman to adjourn. All voting yes, motion carried.

The next regular District Board of Health meeting is scheduled Wednesday, September 11th at 3 pm at the Community Center, 302 So Front Street, Dowagiac MI 49047.

Handwritten signatures of Board of Health Members: Robert Jones, Tina Leary, Dan Hanson, Mary Edgum, and another signature.

Board of Health Members