

Point-of-Sale Program

**Annual Report
April 2014 to March 2015**

District Health Department #10



***District Health
Department #10***
Healthy People, Healthy Communities



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PURPOSE

On April 1, 2009, District Health Department #10 began a Point-of-Sale (POS) program for Kalkaska and Manistee counties. The POS program mandates the evaluation of the water supply and the wastewater disposal system for any property that is sold. The purpose of a POS program is three-fold:

- 1) It provides new home owners valuable information concerning their water supply and septic system.
- 2) It results in needed upgrades and improvements to the well and septic system.
- 3) It allows current septic system designs to be evaluated throughout their life-span.

Both counties pursued a POS program on a county-wide in order to avoid such a program on a piecemeal township-by-township basis. It was agreed that septic systems and wells would be evaluated on the current code but that enforcement would only be done if the



septic system was found to have failed (sewage on the ground surface). It was also decided that the program would be a combined effort of the public and private sector. Property owners could decide if they wanted the evaluation done by the Health Department or by a private evaluator who was certified by the Health Department. All reports done by a private contractor needed to be reviewed and approved by the Health Department prior to the final report being issued. If a contractor is doing a poor job, the Health Department may revoke his certification. Some properties were excluded from the evaluations. These exemptions included land transfers to immediate family members, new homes (less than 2 years old) and property that has been evaluated within the past two years.

Water supply evaluations consisted of a visual inspection of the well and its location, the identification of possible contamination sources and their isolation distances and the collection of a bacterial and nitrate water sample. Septic system evaluations consisted of the visual inspection of the disposal area, confirmation of the location, type and size of the system, pumping out of the septic tank and the physical inspection of the system by auguring. Instead of reporting the results of the evaluation in terms of “approved” or “not approved” it was decided to list the outcome in terms of priority risk levels. The goal of the Health Department was to complete the evaluations within six working days.

BACKGROUND

In 2006, all fourteen (14) townships in Manistee County passed resolutions of support for a county-wide point-of-sale (POS) well and septic system evaluation program. In

September of 2006, Manistee County created a workgroup to create a draft ordinance – the Manistee County Sanitation Ordinance Committee. The committee consisted of seven members: a township elected official, a county commissioner, a tribe representative, a local health department representative, a local realtor, a septic pumper and a sewage contractor. The committee was aided by the W.K. Kellogg Foundation who provided a \$2,240 grant to the Manistee County Community Foundation in January of 2007 to support the development of a draft county-wide ordinance for a point-of-sale program. The Ordinance Committee met once a month through December 2007. During this time the committee drafted the ordinance as well as procedures for the POS program. It was also decided by the committee to seek to add the ordinance to the Sanitary Code for District Health Department #10 versus establishing a separate Manistee County ordinance since the health department had the experience at septic and well evaluations and had staff to operate the program. Also during this time, the Kalkaska County Water Quality Committee had recommended to the Kalkaska Board of Commissioners to establish a POS program for the county.

Once completed the draft POS code was sent to the legal counsel for the Health Department for a legal review in February 2008. After changes were made based on the legal review, the draft POS code was presented to the District Health Department’s Board of Health in the April of 2008. The code was written to only include Manistee County. The Health Department formally asked if any other counties within the District were interested in joining the POS program. The Kalkaska County Board of Commissioners requested that their jurisdiction be added to the program. The revised POS code was presented to the Board of Health for approval in September 2008. Since the POS code was to be added to the Sanitary Code, an approval vote was needed from the Board of Commissioners for each of the ten counties in the District. In addition, two public hearings were needed – one in Manistee County and one in Kalkaska. The public hearings and the 10-county votes were held between September and December of 2008. All ten counties approved the POS code.



In addition to the public hearings, District Health Department #10 also had three separate meetings to explain the program with the realtors in Manistee County in February 2009 and in Kalkaska County in March 2009. Also in March 2009, the Health Department held a public comment session at the Kalkaska County Affairs Committee. Finally in February of 2009, the Health Department produced and widely distributed to all realtors, lending institutions, title companies and township offices in Kalkaska and Manistee counties a “Question and Answers” brochure concerning the POS program.

In June of 2009, the Health Department hosted an all day training course for the private contractors who would be performing the septic and well evaluations. The cost of the training course was paid for through a grant from the Manistee County Community Foundation with support from the W.K. Kellogg Foundation. As a result of the training courses, 33 contractors were certified – 28 from Kalkaska County and 5 from Manistee County.

RESULTS

The POS evaluation program for Manistee and Kalkaska counties has seen a sharp increase (59%) in the number of homes evaluated over the past six years of the program. This is in spite of a major collapse in the housing market since 2008. Since that time there has been a modest but steady improvement in the housing market. Nevertheless, some of the increase can also be attributed to better education and education of the program among the realtors, title companies and lending institutions.

Private contractors continue to conduct the bulk of the POS evaluations. For 2014, 96% of all evaluations were done by private contractors. All private contractors must be approved by District Health Department #10. In addition all evaluations must still be



reviewed and approved by the District. At the present time there are 40 private contractors approved to do evaluations for the POS program – 12 in Manistee County and 28 in Kalkaska County.

Few serious violations of the Sanitary Code are being found through the POS program. Most homes that are undergoing sale have their septic and well systems corrected before the POS evaluation since they know it will not pass if a

failure is found. Therefore, the dominate advantage of the POS program is to educate the new owner as to the location, present condition and needed maintenance of the septic and well systems.

The conditions of the septic and well system found during the evaluations are classified into four priority rates. In addition, the condition can be rated as “in compliance” or “failed”. A failed system is one that presents an immediate health issue and must be corrected as soon as possible. For the septic systems, only 1% of the systems were found to be failed while none of the water supplies were failed. Under Priority 1 – Substantial Hazard, the septic system is in a serious state and a “failure” is likely to occur in the near future (within less than 2 years). For a water supply, a Substantial Hazard is the result of an unsafe water sample. 5% of the septic systems were found in Priority 1 condition, while 6% of the water supplies were classified as such. Under Priority 2 – Potential

Hazards, the well or septic may not be creating any problems at the time of the evaluation but conditions are considerably different than the current code or construction standards. Owners are often advised to update the well or septic system, increase maintenance or to limit use. If not the conditions of the septic or well may seriously deteriorate. 36% of the septic systems were found in this condition, while 11% of the water supplies were classified as Priority 2. Under Priority 3 – Minimal Hazard, the well or septic system are not in danger of a failure, but conditions exist that the homeowner should be aware of and monitor. Many of the items under Priority 3 can be easily and inexpensively corrected by the homeowner. 16% of the septic systems were found in this condition, while 58% of the water supplies were classified as Priority 3. Under Priority 4 – Deviation, no problems exists with the condition of the septic or well, but the system does not comply with the existing Sanitary Code of the District. 29% of the septic systems were found in this condition, while 1% of the water supplies were classified as Priority 4. Finally, 13% of the septic systems were found to be in compliance with the existing Sanitary Code, while 24% of the water supplies were in compliance.



One of the concerns that arose once the program started was the ability of doing the evaluations in winter months. The Health Department made the decision to not do evaluations during the time frame of December to March. It is very difficult to do an accurate evaluation during these times since the ground is frozen and the terrain is snow-covered. The potential of making a mistake is much higher during the winter months. Therefore we provide realtors and buyers three options:

- 1) Hire a private certified contractor who is willing to perform the evaluation during winter months.
- 2) Ask the Health Department for an extension. In other words, to delay the evaluation until spring.
- 3) Ask the Health Department for an extension and do the evaluation in spring with the seller putting money in an escrow account in case upgrades or repairs are needed.

It was found that few of the private contractors were willing to do the evaluations in winter for the same reasons that the Health Department declined. Therefore, the buyers/sellers ask for (and received) extensions to do the evaluations in the spring.

The agency established a fee of \$40 per evaluation for private contractors in order to cover the cost of the office review of their reports. Each county reported no difficulty at collecting the fee.



The agency's goal of finishing an evaluation within six working days continues to be met. The average report is mailed out within five business days of receiving it. The greatest time delays continue to be related to the laboratory (water testing) services.

**Point-of-Sale Program
District Health Department #10
Totals
April 1, 2014 to March 31, 2015**

	Kalkaska	Manistee
Number of Homes Inspected	237	261
Number of Full Inspections (both well and septic)	234	260
Number of Partial Inspections (well or septic)	3	1
Number of Inspections Completed by Contractors	237	242
Number of Waivers Granted	30	4

Waivers

Waivers to forego an evaluation were granted for the following reasons:

In Kalkaska:

- Home has been vacant for more than 2 years – 12 waivers
- Extension due to winter – 9 waivers
- Real estate transaction between family members – 5 waivers
- No dwelling existed on the property – 1 waiver
- Previous POS Evaluation has been completed on the property – 3 waivers

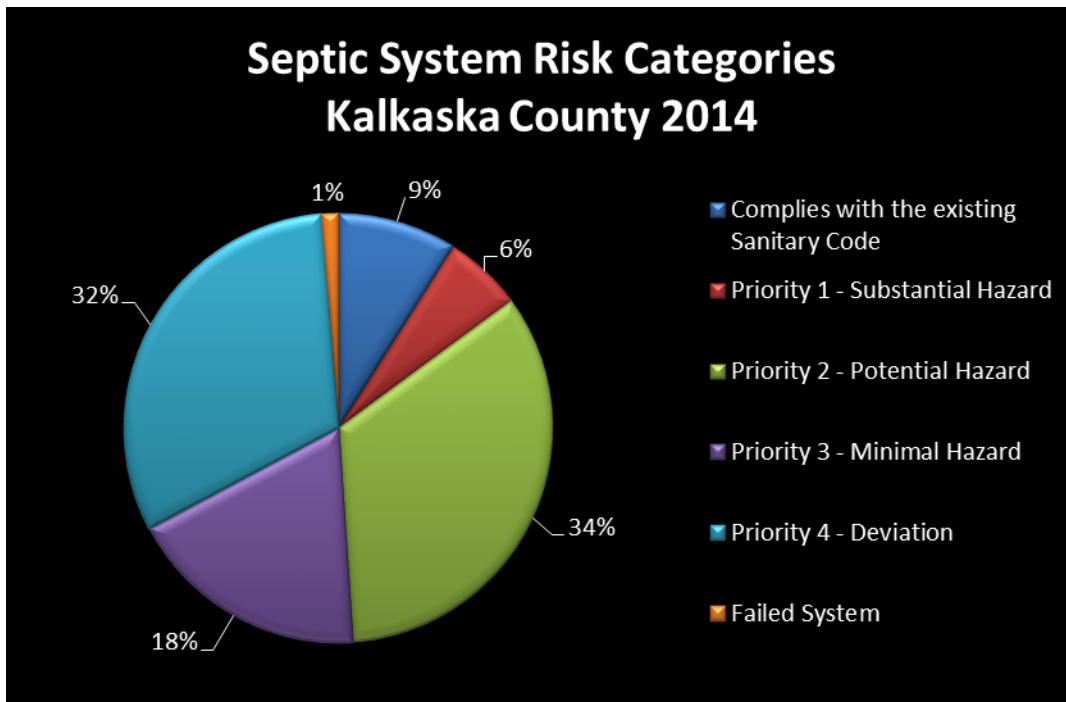
In Manistee:

- House was to be demolished – 2 waivers
- House has been vacant for more than 2 years – 2 waivers

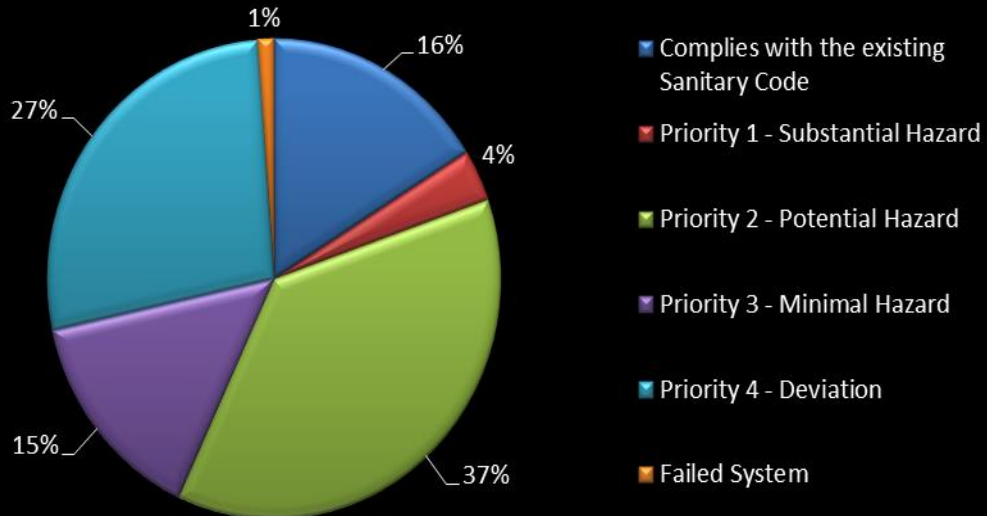
Risk Categories

Septic Systems

	Kalkaska	Manistee
Complies with the Existing Sanitary Code	21	42
Priority 1 – Substantial Hazard	14	9
Priority 2 – Potential Hazard	80	97
Priority 3 – Minimal Hazard	43	38
Priority 4 – Deviation	74	71
Failed System	3	3



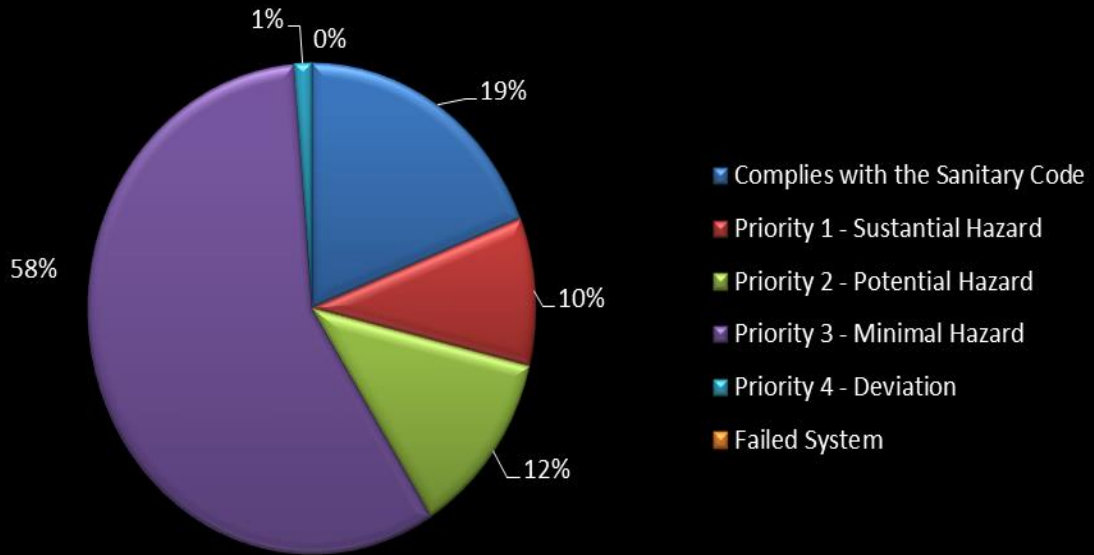
Septic System Risk Categories Manistee County 2014



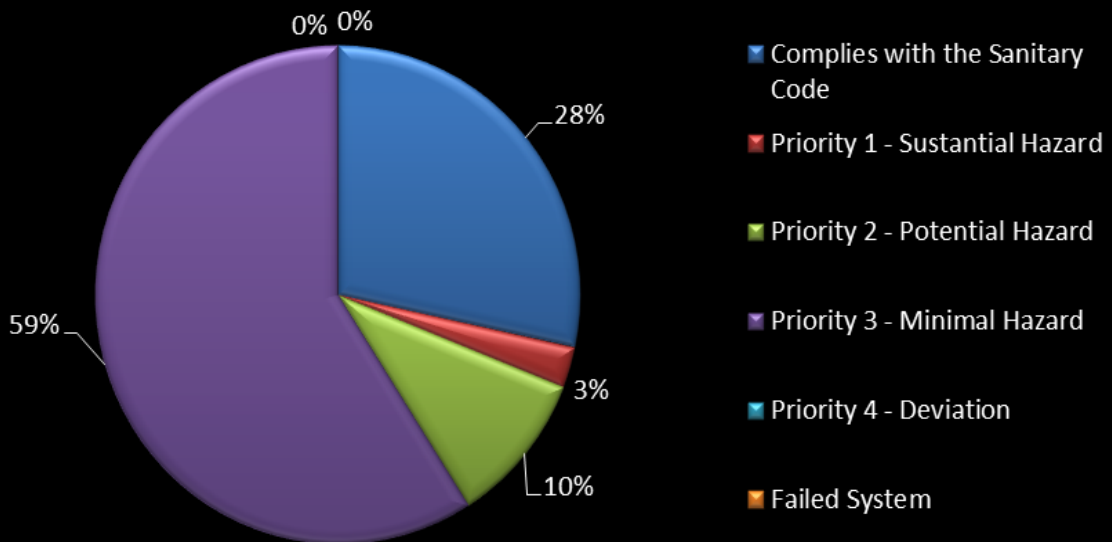
Water Supply

	Kalkaska	Manistee
Complies with the Existing Sanitary Code	45	74
Priority 1 – Substantial Hazard	23	7
Priority 2 – Potential Hazard	29	26
Priority 3 – Minimal Hazard	136	154
Priority 4 – Deviation	3	0
Failed Water Supply	0	0

Water Supply Risk Categories Kalkaska County 2014



Water Supply Risk Categories Manistee County 2014





Appendix A
Evaluation Determination Sheet
Point-of-Sale Program
District Health Department #10
(Updated October 2010)

Septic Systems

Compiles with Code	
Priority 1 – Substantial Hazard	<ul style="list-style-type: none"> • Cracked septic tank (septic tank leaking) • Drain field is saturated (standing water) • No septic tank • Drywell is root-bound • Heavy bio-mat in the drain field
Priority 2 – Potential Hazard	<ul style="list-style-type: none"> • Septic system is <u>considerably</u> undersized (less than 50% of what the code requires) • Drywell without any stone • Soil is black or grey around the septic system • Septic system is less than 48 inches from ground water • Septic tank is <u>considerably</u> undersized (less than 50% of what the code requires) • Drywell is <u>considerably</u> undersized • Sewage lift pump for basement plumbing is not working
Priority 3 – Minimal Hazard	<ul style="list-style-type: none"> • Not properly isolated from surface waters • Septic system is undersized (by no more than 50%) • Septic tank is undersized (by no more than 50%) • Drain field header is cracked and leaking • Septic tank is not accessible for pumping
Priority 4 – Deviation	<ul style="list-style-type: none"> • System does not meet present code but no problems found • Drywell present • Unable to locate the drain field • No permit exists for the septic system
Failed System	<ul style="list-style-type: none"> • Sewage surfacing onto the ground surface • Soil above septic system is damp/saturated • No septic system exists

Water Supply

Complies with Code	
Priority 1 – Substantial Hazard	<ul style="list-style-type: none"> • Unsafe water sample (coliform or E. coli bacteria present)
Priority 2 – Potential Hazard	<ul style="list-style-type: none"> • Cracked well cap • Unprotected suction line • Well is less than 50 feet from the septic system • Well is less than 50 feet from a fuel tank • Well pit where water accumulates
Priority 3 – Minimal Hazard	<ul style="list-style-type: none"> • Well is located in a pit where water does not accumulate • No sample tap • No pressure release valve • No concentric piping • Unapproved electrical conduit • No electrical conduit • Unapproved frost-free hydrant • Buried well head • Well is located in the basement • Unapproved well cap • Well head is not 12-inches above grade • No vent screen on the well cap • Leaking well head (flowing well)
Priority 4 – Deviation	<ul style="list-style-type: none"> • No permit exists for the well • No well log present • Isolation distance to drywell is less than 75 but more than 50 feet
Failed Water Supply	<ul style="list-style-type: none"> • No well exists • Surface water supply used • Cistern used

