



## **BOARD OF HEALTH**

### **Meeting Minutes**

*April 26, 2019*

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**Materials Distributed** at the meeting: Measles 2019, Outbreak Control Measures; Public Hearing – Letters Submitted for the Record – 2<sup>nd</sup> set; The Daily News – “Lower, Outman focus on future septic systems legislation”

- I. **Call to Order:** Jim Maike, Chair, called the meeting to order at 9:30 a.m. and asked all present to hold a moment of silence in memory of Wally Taranko and Jack Morse.
- II. **Roll Call – Members Present:** Patty Cox, Pauline Jaquish, Bryan Kolk, Charles Lange, Phil Lewis, Jim Maike, Dawn Martin, Martha Meyette, Judy Nichols, Tom O’Neil, Roger Ouwinga, Denny Powers, Richard Schmidt, Ray Steinke, James Sweet, Hubert Zuiderveen

**Members Excused:** Betty Dermeyer, Steven Hull, Shelly Pinkelman

**Member Absent:** Gary Taylor

**Alternate Present:** Ron Bacon

**Staff Present:** Anne Bianchi, Jane Drake, Kevin Hughes, Christine Lopez, Sarah Oleniczak, Tom Reichard, Anne Young

**Guests:** Hanna Saltzman

**Public Hearing – Signed-in:** Shug & Bill Brandell, Harvey Brow, Brianne Cassassa, Cheryl A. Collins, Glenn Duncan, Charles Francisco, Sid Friedman, Gerald Gancer, Gerald Gaultier, Laura Grezner, Scott Huilder, Bob Kingon, Norm LaCroix, Sharon Marie, Stuart McKinnon, Dawn M. Moss, Carolyn Phillips, Seth Phillips, Roger & Beverly Pirtle, Mary Reed, Gary Salisbury, Blair Sheaver, Brenda G. Smith, Heather Smith, Butch Strait, Fred Van Dyke, John & Barb Vella, Sue Vowels

- III. **Approval of the Agenda:** Motion by Charles Lange, seconded by Judy Nichols. *Motion carried.*
- IV. **Approval of the Meeting Minutes:** Motion by Bryan Kolk, seconded by Hubert Zuiderveen to approve minutes of the March 29, 2019, meeting. *Motion carried.*
- V. **Public Comment:** Items not on the agenda - none.
- VI. **Committee Reports**
  - A. Executive Committee: Did not meet.
  - B. Finance Committee: Did not meet. Christine Lopez presented the financial report for the month ended March 31. The balance sheet reflected an increase in fund balance of just over \$440 thousand, with total revenues at almost \$2 million and expenses close to \$1.6 million. The cash flow analysis projects total cash and investments at \$2.9 million at the end of September.
    1. *Approve Accounts Payable and Payroll:* Motion by Richard Schmidt, seconded by Ray Steinke, to approve March accounts payable and payroll total of \$1,286,769.23

Roll Call Vote

Ron Bacon	Yes	Jim Maike	Yes	Denny Powers	Yes
Patty Cox	Yes	Dawn Martin	Yes	Richard Schmidt	Yes
Pauline Jaquish	Yes	Martha Meyette	Yes	Ray Steinke	Yes
Bryan Kolk	Yes	Judy Nichols	Yes	James Sweet	Yes
Charles Lange	Yes	Tom O'Neil	Yes	Hubert Zuiderveen	Yes
Phil Lewis	Yes	Roger Ouwinga	Yes		

Motion carried.

- C. Personnel Committee: Did not meet. Kevin Hughes reported the process to re-do the annual employee evaluation process started. A committee of employees was formed and held their first meeting.
- D. Legislative Committee: Did not meet. Kevin Hughes reported he and Board members Jim Maike, Judy Nichols, Shelly Pinkelman, and Ray Steinke met with legislators for the MALPH Day at the Capitol on April 10. Judy Nichols said the opportunities to meet with legislators and share concerns were productive. Ray Steinke reported they also met with Senator Rick Outman and discussed proposed septic system legislation. Kevin Hughes noted a copy of an article about the prospect of septic system legislation was distributed at the meeting.

Kevin Hughes said two new Senate bills – SB 106 and SB 155 – would establish penalties for the sale of vaping products to minors, or possession by minors. He said the bills were a step in the right direction, although it would be preferred if vaping products were regulated the same as tobacco.

**VIII. Public Hearing – Consider changes to the Sanitary Code**

Chair Jim Maike opened the public hearing at 9:44 a.m. He explained the hearing was to hear comments on the proposed change to the District Health Department #10 Sanitary Code to remove Kalkaska County from Chapter 11 – the Point of Sale Program.

Kevin Hughes provided a history and overview of the purpose of the Point of Sale program. He said after the Code was approved in 2008, revisions were made at the request of Manistee and Kalkaska Counties to add Chapter 11, the Point of Sale program. He said the program is intended to ensure a safe supply of drinking water and adequate disposal of sewage.

He explained the Kalkaska County Board of Commissioners requested in November 2018 to remove the county from the program. The Board of Health approved Sanitary Code revisions in January 2019 to remove Kalkaska County from the Point of Sale program. In March, the Manistee County Board of Commissioners voted to consider additional changes to the Sanitary Code concerning the Point of Sale program for Manistee County. The Board of Health voted at the March 29 meeting to schedule a public hearing on the changes concerning the Kalkaska County Point of Sale program only at the April meeting.

Patty Cox said the Kalkaska County Board of Commissioners had received complaints and questions about the Point of Sale program. She said the Board of Commissioners believes the regulations should be a local issue, and a matter for the townships.

Chair Maike shared his views on Point of Sale, and invited questions or comments from other Board members. Richard Schmidt asked the Kalkaska Board members if their Board of Commissioners already voted to be removed from the Point of Sale program. Cox confirmed they had.

Chair Maike explained the rules for public hearing participation and directed those persons who signed in and indicated they wished to address the Board be called in order. The speakers and summary positions – keep, modify or rescind the Point of Sale program – were as follows:

- Shug Brandell: keep (submitted typed comments for the record)
- Norm LaCroix: keep

- Cheryl A. Collins: keep (speaking as Clerk on behalf of Coldsprings Township: keep)
- Sue Vowels: rescind
- Fred VanDyke, Executive Director Sabo Institute: keep
- Seth Phillips: keep
- Carolyn Phillips: keep (submitted typed comments for the record)
- Heather Smith, Watershed Center: keep
- Bob Kingon: keep
- Gerald Gancer: keep
- Stuart McKinnon: rescind
- Roger Pirtle: keep – some revisions
- Gerald Gaultier: keep
- Sid Friedman: keep

Chair Maike closed the hearing at 10:38 a.m.

Chair Maike requested a motion to accept into the record the letters and emails received on the Point of Sale matter. (Packet of 33 letters submitted with meeting materials: 31 – keep, 2 – modify; and 1 – rescind; second packet of 14 letters distributed at the meeting: 9 – keep; 2 – modify; 3 – remove.)

2. *Accept correspondence received concerning the Point of Sale matter into the record.* Motion by Ray Steinke, seconded by Bryan Kolk. Motion carried.
3. *Revise Sanitary Code to remove Kalkaska County from Chapter 11, Point of Sale Program.* Motion by Patty Cox, seconded by Hubert Zuiderveen.

#### Roll Call Vote

Ron Bacon	Yes	Jim Maike	Yes	Denny Powers	Yes
Patty Cox	Yes	Dawn Martin	Yes	Richard Schmidt	Yes
Pauline Jaquish	Yes	Martha Meyette	Yes	Ray Steinke	Yes
Bryan Kolk	No	Judy Nichols	Yes	James Sweet	Yes
Charles Lange	Yes	Tom O'Neil	Yes	Hubert Zuiderveen	Yes
Phil Lewis	Yes	Roger Ouwinga	Yes		

Motion carried.

Chair Maike called a recess at 10:48 a.m. Meeting called to order at 10:57 a.m.

4. *Revise Sanitary Code to delete chapter on Body Art now covered by State law.* Motion by Bryan Kolk, seconded by Ron Bacon. Motion carried.

### IX. Program Reports

Chair Jim Maike suggested in the interest of time, there be no presentation of the reports submitted with the meeting materials unless there were questions. No questions.

### X. Administrative Reports

- A. Medical Director: Monthly report submitted with meeting materials. The report was about E-cigarette use or vaping, and noted the continuing increase in vaping among youth. Dr. Morse's recommendations

were to (1) educate youth and parents about the harms of e-cigarettes and nicotine; (2) incorporate e-cigarettes into smoke-free policies; (3) support efforts to prevent access to e-cigarettes by youth.

5. *Approve Healthy Living Recommendations.* Motion by Ray Steinke, seconded by Phil Lewis. Motion carried.

Dr. Morse noted a handout on measles and outbreak control measures was distributed at the meeting. She explained the information was provided in the event an outbreak in the DHD#10 jurisdiction occurs and the health department will need to implement control measures such as excluding unvaccinated children from schools or daycare.

- B. Deputy Health Officer: Monthly report submitted with meeting materials. No questions.
- C. Health Officer: Written report included with meeting materials. Kevin Hughes said he was informed the Manistee Board of Commissioners voted to make changes to the Sanitary Code concerning the Point of Sale program for Manistee County. He said he would need an official record of the changes approved at the meeting from the County Administrator or Clerk. Once these are received, he will initiate the steps needed for Board of Health review and approval and possible scheduling of another public hearing.

Hughes also requested Board members be cognizant of responsibility for ensuring and protecting the public health of the more than 260 thousand residents within the DHD#10 jurisdiction, and not just within their single counties. He stressed the importance of the agency's credibility, and public perceptions that Board processes were fair.

- XI. **Other Business:** Kevin Hughes said he program presentation topic at the May meeting will be Harm Reduction, and syringe service programs. He said the Board will be asked to approve Harm Reduction programs to be implemented in two counties.

XII. **Next Meeting**

The next regular meeting of the Board of Health is scheduled for Friday, May 31, at 9:30 a.m.

XIII. **Adjournment**

Jim Maike, Chair, adjourned the meeting at 11:11 a.m.

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*Jim Maike, Chair*

*Date*

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*Charles Lange, Secretary*

*Date*