

Date: May 14, 2021  
To: Board of Health Members  
From: Kevin Hughes  
Re: Board of Health Meeting – Friday, May 21

The next regular meeting of the Board of Health scheduled for Friday, May 21, at 9:30 a.m., will again be held at the Evergreen Resort, 7880 Mackinaw Trail, Cadillac.

Seating in the meeting room is limited in order to maintain required social distancing. Mask wearing will be required in the meeting room and other indoor areas of the resort.

As we did last month, we can make arrangements for Board members who would like to attend the meeting remotely. Per the clarification discussed at the April meeting, if there is a quorum present, your votes will be counted. If you want to attend the meeting virtually, please contact me at [khughes@dhd10.org](mailto:khughes@dhd10.org), or 231-876-3839 before noon on Thursday and we will set up the teleconferencing/online platform for you.

If you wish to be excused from the meeting, please contact either me or Christine Lopez at [clopez@dhd10.org](mailto:clopez@dhd10.org) or 231-355-7522.

If you have any questions for our staff, let me know before the meeting. Please feel free to contact me at [khughes@dhd10.org](mailto:khughes@dhd10.org), or at (231) 876-3839.

Looking forward to our meeting next Friday, May 21.



HEALTH OFFICER  
Kevin Hughes  
521 Cobb Street  
Cadillac, MI 49601



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DHD10





## **BOARD OF HEALTH**

**Monthly Meeting: May 21, 2021 – 9:30 a.m.**

Evergreen Resort  
7880 Mackinaw Trail, Cadillac

*All attendees are required to wear masks and follow safe social distancing*

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### **A G E N D A**

- I. Call to Order ..... Jim Maike, Chair
- II. Roll Call
- III. Review and Approval of the Agenda
- IV. Review and Approval of Board of Health Meeting Minutes ..... April 30, 2021
- V. Public Comment
- VI. Committee Reports
  - A. Executive Committee.....Jim Maike
  - B. Finance Committee.....Ray Steinke
    - 1. *Approve April Accounts Payable and Payroll*..... *Action Item*
  - C. Personnel Committee..... Hubert Zuiderveen
  - D. Legislative Committee..... Shelley Pinkelman
- VII. Administration Reports
  - A. Medical Director .....Dr. Jennifer Morse, MD
    - 2. *Healthy Living Recommendations*.....*Approve*
  - B. Deputy Health Officer ..... Sarah Oleniczak
  - C. Health Officer .....Kevin Hughes
    - 3. *Replace Failed Septic System* ..... *Action Item*
    - 4. *Waive Restaurant Inspection Fees for 2021* .....*Take Up Tabled Motion*
- VIII. Other Business
- IX. Next Board of Health Meeting: Friday, June 25, 2021 at 9:30 a.m.
- X. Adjournment

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**Please arrange for the alternate to attend the meeting if you cannot. If the alternate is not available, notify Christine Lopez at 231-355-7522, or [clopez@dhd10.org](mailto:clopez@dhd10.org), to be excused.**





## **BOARD OF HEALTH**

### **Meeting Minutes**

*April 30, 2021*

To comply with State guidelines on gatherings, the meeting was held at Evergreen Resort, 7880 Mackinaw Trail, Cadillac, Michigan. In accordance with Board of Health Bylaws, members had the option to attend via online meeting platform or teleconferencing. As amendments to the Michigan Opens Meeting Act allowing for remote meetings expired on April 1, public access to a remote meeting platform was not provided.

**Additional Meeting Materials.** Forwarded via email after meeting packet was sent: “CAHC Community Influenza Immunization Brief.” Distributed at the meeting: copy of Email from Cathy Jasinski, agency attorney, dated April 28, 2021, with Subject “4/30 meeting motions.”

I. **Call to Order:** Jim Maike, Chair, called the meeting to order at 9:30 a.m.

#### II. **Roll Call**

**Members Present – In Person:** Ron Bacon, Robert Baldwin, Paul Erickson, Pauline Jaquish, Brian Kolk, Nick Krieger, Phil Lewis, Jim Maike, Dawn Martin, Martha Meyette, Judy Nichols, Tom O’Neil, Roger Ouwinga, Richard Schmidt, Ray Steinke, Hubert Zuiderveen

**Members – Online:** Gary Taylor

**Members Excused:** Betty Dermeyer, Shelley Pinkelman

**Member Absent:** James Sweet

**Staff – In-Person:** Jane Drake, Kevin Hughes, Christine Lopez, Dr. Jennifer Morse

**Public:** Karen Usher, Cadillac News

III. **Approval of the Agenda.** Motion by Ray Steinke, seconded by Ron Bacon to approve the meeting agenda. Motion carried.

IV. **Approval of the Meeting Minutes.** Motion by Hubert Zuiderveen, seconded by Phil Lewis, to approve the minutes of the March 26, 2021, meeting with ratification of meeting motions to follow. Motion carried.

Kevin Hughes explained that due to an unintentional, technical violation of the Open Meetings Act, and difficulties experienced with the online meeting platform, it was thought prudent to ratify and reenact all motions on action items made at the March 26, 2021, meeting.

#### *1. Ratify and Amend March 26, 2021, Action Items.*

- Motion by Hubert Zuiderveen, seconded by Judy Nichols, to reenact, effective March 26, 2021, the motion to approve the March 26, 2021, meeting agenda. Motion Carried.
- Motion by Ron Bacon, seconded by Phil Lewis, to reenact, effective March 26, 2021, the motion to approve the February 26, 2021, meeting minutes. Motion Carried.
- Motion by Ray Steinke, seconded by Ron Bacon, to reenact, effective March 26, 2021, the motion to Accept the FY 2020 Financial Audit Report as presented. Motion Carried.
- Motion by Hubert Zuiderveen, seconded by Ray Steinke, to reenact, effective March 26, 2021, the motion to Approve the February Accounts Payable and Payroll total of \$1,456,110.83. Motion Carried.
- Motion by Judy Nichols, seconded by Ron Bacon, to reenact, effective March 26, 2021, the motion to Approve the FY 2021 Amended Budget. Motion Carried.

- Motion by Ron Bacon, seconded by Ray Steinke, to reenact, effective March 26, 2021, the motion to approve Changes to Compensatory Time for Exempt Employees (Option #2). Motion Carried.
- Motion by Ray Steinke, seconded by Hubert Zuiderveen, to reenact, effective March 26, 2021, the motion to approve Continued Accumulation of Paid Days Off (Option #1). Motion Carried.
- Motion by Tom O'Neil, seconded by Ron Bacon, effective March 26, 2021, to Approve Retaining Current Board Organization through December 31, 2021. Motion Carried.
- Motion by Bryan Kolk, seconded by Ray Steinke, to re-enact, effective March 26, 2021, the motion to Deny FOIA Fee Appeal, and uphold the fee assessed for two FOIA requests for these reasons: the \$15.20 in fees assessed, as corrected, was reasonable; the time charged was supported by the FOIA Coordinator cost itemization and was reasonable; and the fees assessed followed District Health Department #10's FOIA Policy. Motion Carried.
- Motion by Bryan Kolk, seconded by Ray Steinke, to reenact, effective March 26, 2021, the motion to deny FOIA Appeal, and uphold the Denial In-Part for these reasons: the redacted information is exempt under FOIA, section 13(1)(m); the redacted information is the Health Officer's self-assessment of his performance and is opinion, not factual information; the assessment may or may not be used by the Board of Health in its annual review of the Health Officer's performance and is preliminary to the Board of Health's final evaluation; it is in the public interest to encourage frank communication between the Board of Health and the Health Officer so that the Health Officer can freely and candidly provide his assessment of his performance and progress on goals established by the Board throughout the year; upon completion of the Health Officer's year-end performance review, the final assessment is a public document; and the Board believes open and regular assessments by the Health Officer of his performance outweighs the public interest in disclosure.

Roll Call Vote

Ron Bacon	No	Phil Lewis	Yes	Roger Ouwinga	Yes
Robert Baldwin	No	Jim Maike	Yes	Richard Schmidt	Yes
Paul Erickson	Yes	Dawn Martin	Yes	Ray Steinke	Yes
Pauline Jaquish	Yes	Martha Meyeette	No	Gary Taylor	Yes
Bryan Kolk	Yes	Judy Nichols	Yes	Hubert Zuiderveen	Yes
Nick Krieger	No	Tom O'Neil	Yes		

Motion carried.

V. **Public Comment:** Karen Usher, Cadillac News reporter, introduced herself.

VI. **Committee Reports**

A. Executive Committee. No report.

B. Finance Committee. Did not meet. Christine Lopez, Administrative Services Director, reviewed the financial report for the month ended March 28, 2021. She noted the agency was halfway through the fiscal year. The balance sheet showed cash balance of \$9.2 million, and a total fund balance of \$7.4 million. Total revenues for the month were just over \$1.4 million, with expenses of almost \$2.1 million. Lopez reported actual collections for the administration of the COVID-19 vaccine totaled \$274 thousand.

2. Approve Accounts Payable and Payroll. Motion by Ray Steinke, seconded by Robert Baldwin, to approve the March accounts payable and payroll total of \$2,855,606.55.

### Roll Call Vote

Ron Bacon	Yes	Phil Lewis	Yes	Roger Ouwinga	Yes
Robert Baldwin	Yes	Jim Maike	Yes	Richard Schmidt	Yes
Paul Erickson	Yes	Dawn Martin	Yes	Ray Steinke	Yes
Pauline Jaquish	Yes	Martha Meyette	Yes	Gary Taylor	Yes
Bryan Kolk	Yes	Judy Nichols	Yes	Hubert Zuiderveen	Yes
Nick Krieger	Yes	Tom O'Neil	Yes		

### Motion carried.

- C. Personnel Committee. No report.
- D. Legislative Committee. Kevin Hughes reported on pending State Senate and House bills. Two proposed Senate bills would impact fees assessed by local health departments for food services. A discussion ensued on federal COVID-19 relief funding to be distributed to counties, and how local health departments currently are not eligible to receive the funding directly.
- E. Bylaws Committee. Kevin Hughes explained the amendments to the Open Meetings Act permitting virtual meetings expired on April 1. Prior to the meeting, there were questions raised about whether Board members could attend meetings remotely and be counted in votes. Hughes suggested the Board convene the Bylaws Committee to consider modifications that would clarify rules for virtual meetings. Board Consensus: Bylaws Committee should meet to consider language changes concerning virtual meetings.

## VII. Administration Reports

- A. Medical Director. Dr. Jennifer Morse summarized her written report, "Monitoring for Adverse Events after Vaccine." She explained typical immunization administration errors, the types of vaccine adverse events, and correlation versus causation. She also discussed the Johnson & Johnson vaccine, and the decision to pause its further distribution. The pause was in response to a small number of cases of hospitalizations and deaths associated with blood clots that occurred shortly after patients received the J&J vaccine. Dr. Morse said the situation with the J&J vaccine was a good example of the effectiveness of the systems for monitoring and responding to adverse events.

- 3. Approve Healthy Living Recommendations. Motion by Ray Steinke, seconded by Bryan Kolk, to recognize (1) vaccines have an extremely small risk of severe side effects or serious complications and the benefits outweigh the risks; and (2) the effectiveness of global vaccine safety monitoring systems. Motion Carried.

During and following her report, questions were asked and answered about quarantine rules and authority, the efficacy of the various COVID-19 vaccines, the number of shots needed and the amount of time between each, and antigen testing.

- B. Deputy Health Officer. Sarah Oleniczak was not present but arranged to have distributed to Board members via email a report from the MDHHS Division of Immunizations. Copies of the report were also available at the meeting. The report concerned events sponsored by Child and Adolescent Health Centers (CAHC) to promote influenza vaccinations. Christine Lopez said she had been asked by Oleniczak to highlight a table in the report (page 8) that showed DHD#10 administered 817 flu shots, or the second highest number among all program partners across the state.
- C. Health Officer. Kevin Hughes highlighted his written report submitted with the meeting materials. He also underscored numbers and percentages included in his weekly Vaccine Update to the Board. He noted the agency had been administering as many as 5,000 vaccines per week, but the numbers had dropped significantly to only 600 appointments for the first dose clinics scheduled for the current week. He discussed plans and strategies to expand outreach and partnerships to increase vaccination numbers.

Hughes noted the letter in his report from a Chamber of Commerce requesting that food license fees be waived to support local restaurants. Hughes referred back to the prior discussion about proposed State House bills that would waive all restaurant fees. He explained the agency received approximately \$270 thousand from the State for the Environmental Health food program, but total costs for the program were about \$1.2 million. DHD#10 would lose \$450 thousand in direct revenue if restaurant inspection fees were eliminated. To comply with the Public Health Code, DHD#10 staff would still be required to provide all inspection services. He said the Board would then be faced with the choice of using fund balance or laying off staff to continue restaurant inspections. Hughes said he would be meeting with the sponsor of one of the bills, Senator Curt Vanderwall.

Jim Maike asked if the pending federal relief funding could be used by the counties to help local health departments cover expenses. The Board discussed ideas to help support local restaurants, and the action approved by the Board at the November meeting to continue restaurant inspection fees in 2021.

4. *Waive Restaurant Inspection Fees for 2021.* Motion by Robert Baldwin, seconded by Nick Krieger, to waive inspection fees to support local restaurants, and encourage County Boards of Commissioners to use COVID-19 relief funding to cover DHD#10's food program operating costs.

Members discussed the motion, potential consequences, need for relief for local restaurants, possible steps to take, and the importance of maintaining regular inspections to ensure public safety. Suggestion was made for members to carry discussion back to their County Boards, and request consideration of options in use of federal relief funds to support local restaurants and still maintain funding to ensure effective restaurant inspections by DHD#10.

5. *Table Motion to Waive Restaurant Inspection Fees for 2021.* Motion by Robert Baldwin, seconded by Bryan Kolk, to table the motion and take it up at the May 21 meeting. Motion carried.

Hughes said several County administrative offices received FOIA requests for documentation that the Health Officer had taken an oath of office. Hughes noted he previously sent information to the BOH members and County Administrators in response to the requests. The meeting materials included a copy of a memo from MDHHS explaining that an oath of office is not required.

#### VIII. Other Business

Members were invited to visit and tour the DHD#10 mobile unit parked in the front lot.

#### IX. Next Meeting

The next regular meeting of the Board of Health is scheduled for Friday, May 21, at 9:30 a.m. at Evergreen Resort.

#### X. Adjournment

Jim Maike adjourned the meeting at 11:19 a.m.

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Jim Maike, Chair

Date

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Judy Nichols, Secretary

Date



**District Health Department #10**

**BOARD OF HEALTH**

**Health Officer Report**

*May 21, 2021*

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1. **COVID Update.** Case and immunization numbers will be shared at the Board meeting.
2. **PFAS.** We continue to provide water filter systems for both the Grayling and Rothbury sites. We also participated in a meeting with MDHHS and EGLE on the Manistee Blacker Airport site on Tuesday, May 18. Additional information will be provided at the Board meeting.
3. **MDHHS Accreditation.** We received notification from EGLE that the agency met the corrective action plan requirements. The Onsite program piece was the last remaining program requirement from the 2019 Accreditation visit that needed to be met for accreditation. I will reach out to the state on a timeline for getting our Accreditation certificate.
4. **Health Department Update to BOCs.** I will see about setting up meeting times with the County Boards of Commissioners to present the DHD#10 update. If a County would prefer to hold off on the update, we can schedule it later in the year.
5. **Health Department Recognition.** DHD#10 was nominated for the 2020 “You made it Happen” award from the Grayling Chamber of Commerce. The nomination is for vaccination clinic efforts.
6. **Food Fee Information.** As a follow-up to the food fee discussion at our last meeting, I have included a County breakdown, based upon 2019 fees collected, to illustrate the expected amount of lost revenue per County.
7. **Failed Septic System Replacement.** A homeowner in Oceana County made a request to DHD#10 to cover the replacement cost of their septic system which failed after less than one year in service. Environmental Health staff will attend the May meeting to provide additional information on the matter.

*Respectfully submitted:*

Kevin Hughes, MA  
Health Officer



This list is not 100% accurate as some of these establishments may have been receipted in a County the establishment is not located in. This is calendar year 2019 Revenue.

<b>County</b>	<b>License Revenue</b>
<b>Crawford</b>	<b>\$ 21,475</b>
<b>food</b>	<b>\$ 20,835</b>
Annual Permit~	\$ 20,655
STFU Inspection Fee~	\$ 180
<b>temporaryvendor</b>	<b>\$ 640</b>
Temporary For Profit~	\$ 364
Temporary Non-Profit State Fee~	\$ 5
Temporary Non-Profit~	\$ 55
Temporary State Profit~	\$ 36
Transitory Inspection~	\$ 180
<b>Kalkaska</b>	<b>\$ 17,155</b>
<b>food</b>	<b>\$ 15,155</b>
Annual Permit~	\$ 14,975
STFU Inspection Fee~	\$ 180
<b>temporaryvendor</b>	<b>\$ 2,000</b>
Temporary Application Less than 7 days~	\$ 480
Temporary For Profit~	\$ 1,001
Temporary Non-Profit State Fee~	\$ 35
Temporary Non-Profit~	\$ 385
Temporary State Profit~	\$ 99
<b>Lake</b>	<b>\$ 15,416</b>
<b>food</b>	<b>\$ 13,385</b>
Annual Permit~	\$ 13,115
STFU Inspection Fee~	\$ 270
<b>temporaryvendor</b>	<b>\$ 2,031</b>
Temporary Application Less than 7 days~	\$ 240
Temporary For Profit~	\$ 1,092
Temporary Non-Profit State Fee~	\$ 50
Temporary Non-Profit~	\$ 550
Temporary State Profit~	\$ 99
<b>Manistee</b>	<b>\$ 51,150</b>
<b>food</b>	<b>\$ 43,540</b>
Annual Permit~	\$ 42,460
STFU Inspection Fee~	\$ 1,080
<b>temporaryvendor</b>	<b>\$ 7,610</b>
Temporary Application Less than 7 days~	\$ 840
Temporary For Profit~	\$ 3,458
Temporary Non-Profit State Fee~	\$ 165
Temporary Non-Profit~	\$ 1,815
Temporary State Profit~	\$ 342
Transitory Inspection~	\$ 990

<b>Mason</b>	\$	<b>55,220</b>
<b>food</b>	\$	<b>49,340</b>
Annual Permit~	\$	48,530
STFU Inspection Fee~	\$	810
<b>temporaryvendor</b>	\$	<b>5,880</b>
Temporary Application Less than 7 days~	\$	420
Temporary For Profit~	\$	1,911
Temporary Non-Profit State Fee~	\$	220
Temporary Non-Profit~	\$	2,420
Temporary State Profit~	\$	189
Transitory Inspection~	\$	720
<b>Mecosta</b>	\$	<b>62,155</b>
<b>food</b>	\$	<b>58,545</b>
Annual Permit~	\$	57,735
STFU Inspection Fee~	\$	810
<b>temporaryvendor</b>	\$	<b>3,610</b>
Temporary Application Less than 7 days~	\$	60
Temporary For Profit~	\$	1,183
Temporary Non-Profit State Fee~	\$	150
Temporary Non-Profit~	\$	1,650
Temporary State Profit~	\$	117
Transitory Inspection~	\$	450
<b>Missaukee</b>	\$	<b>16,245</b>
<b>food</b>	\$	<b>14,045</b>
Annual Permit~	\$	14,045
<b>temporaryvendor</b>	\$	<b>2,200</b>
Temporary Application Less than 7 days~	\$	60
Temporary For Profit~	\$	910
Temporary Non-Profit State Fee~	\$	65
Temporary Non-Profit~	\$	715
Temporary State Profit~	\$	90
Transitory Inspection~	\$	360
<b>Newaygo</b>	\$	<b>68,205</b>
<b>food</b>	\$	<b>66,395</b>
Annual Permit~	\$	64,865
STFU Inspection Fee~	\$	1,530
<b>temporaryvendor</b>	\$	<b>1,810</b>
Temporary Application Less than 7 days~	\$	120
Temporary For Profit~	\$	547
Temporary Non-Profit State Fee~	\$	75
Temporary Non-Profit~	\$	825
Temporary State Profit~	\$	63
Transitory Inspection~	\$	180

<b>Oceana</b>	<b>\$</b>	<b>46,481</b>
<b>food</b>	<b>\$</b>	<b>39,650</b>
Annual Permit~	\$	38,390
STFU Inspection Fee~	\$	1,260
<b>temporaryvendor</b>	<b>\$</b>	<b>6,831</b>
Temporary Application Less than 7 days~	\$	600
Temporary For Profit~	\$	4,368
Temporary Non-Profit State Fee~	\$	90
Temporary Non-Profit~	\$	990
Temporary State Profit~	\$	423
Transitory Inspection~	\$	360
<b>Wexford</b>	<b>\$</b>	<b>65,535</b>
<b>food</b>	<b>\$</b>	<b>61,375</b>
Annual Permit~	\$	60,655
STFU Inspection Fee~	\$	720
<b>temporaryvendor</b>	<b>\$</b>	<b>4,160</b>
Temporary Application Less than 7 days~	\$	60
Temporary For Profit~	\$	1,091
Temporary Non-Profit State Fee~	\$	85
Temporary Non-Profit~	\$	935
Temporary State Profit~	\$	99
Transitory Inspection~	\$	1,890
<b>Grand Total</b>	<b>\$</b>	<b>419,037</b>

#### Refund Process

This would be huge project to refund clients. We have collected \$286,462. Additional payments are still in the process of receipt.

All receipts would have to be reversed in the HealthSpace database

All receipts would have to be scanned and attached in a purchase requisition form for reimbursement. The purchase requisition would have to be completed with Business Name, Address, Account number, documentation and sent to Director for signature

Approved requisition is sent to Purchasing for verification of proper documentation for audit purposes; entered into the purchase spreadsheet; entered into the Financial software. Each vendor not on our system would have to be created.

Accounts Payable would review all transactions for accuracy and process payment

Checks would be printed, and a letter explaining refund would have to be included for mailing


I expect this process would take about 300 hours or 7.50 weeks for one person to do or 1.5 weeks for each person in the process. This would be with no interruptions. Other required work would not get completed

## Failed septic system

rebekah jacobson <rebekahjacobson@hotmail.com>

Tue 5/4/2021 1:28 PM

To: Kevin Hughes <khughes@dhd10.org>; joe@cedarhillhomesinc.com <joe@cedarhillhomesinc.com>

 2 attachments (533 KB)

64-10413.pdf; 64-10413A.pdf;

**CAUTION: This email originated outside of DHD#10. Do not click links, reply, or open attachments unless you have verified its authenticity.**

To whom this may concern, my husband, Kyle Jacobson, and I, Rebekah Jacobson, are the owners of a new house at 5975 West Cleveland Rd. Montague, MI. In June of 2020, we had Mark from the Oceana county health department come out and check our soil for us to get approved for a well and septic permit. The health department came up with the septic system that we had installed and paid good money for. After only living here for four months, in April 2021 the Oceana health department determined the septic system failed and is not working. We are now being told by the health department that we need an above ground system installed. They should have had us put in the above ground system in the first place. We have already spent a lot of money for the first septic system that we had installed by All Around Excavating to the specifications that we were told by the health department to install. We are not responsible for it not working and should not have to pay for the second system since we did what the health department told us to do. The health department should take responsibility and pay for the new septic system that All Around Excavating is going to install since they designed a system that did not work and requiring a new system that we do not have the money to pay for. I have attached the original permit and the new permit.

Sincerely,

Rebekah Jacobson