



BOARD OF HEALTH

Monthly Meeting: May 19, 9:30a.m.

521 Cobb St, Cadillac, MI

A G E N D A

Call to Order.....Richard Schmidt, Chair

Roll Call

Review and Approval of the Agenda

Review and Approval of Board of Health Meeting Minutes.....April 28, 2023

Public Comment

I. Committee Reports

A. Executive Committee.....Richard Schmidt

B. Finance Committee.....Bryan Kolk

1. *Finance Report*

2. *Approve Accounts Payable and Payroll*.....*Action Item*

C. Personnel Committee.....Bob Baldwin

D. Legislative Committee.....Nick Krieger

II. Administration Reports

A. Medical Director.....Dr. Jennifer Morse, MD

B. Deputy Health OfficerSarah Oleniczak

C. Health Officer.....Kevin Hughes

III. Public Comments

IV. Other Business

V. Next Board of Health Meeting: June 30, at 9:30 a.m.

VI. Adjournment



District Health Department #10

Healthy People, Healthy Communities

BOARD OF HEALTH

Meeting Minutes

April 28, 2023

I. **Call to Order:** Richard Schmidt, Chair, called the meeting to order at 9:31 a.m.

II. **Roll Call**

Members Present – In Person: Dorothy Frederick, Phil Lewis, James Sweet, Kristine Raymond, Richard Schmidt, Ron Bacon, Nick Krieger, Tom O’Neil, Ray Steinke, Roger Ouwinga, Star Hughston, Bryan Kolk, Jim Maike, Julie Theobald, Gary Taylor

Staff In Person - Kevin Hughes, Christine Lopez, Dr. Jennifer Morse, Mick Kramer, Lisa Morrill, Anne Bianchi, Katy Bies

Members Excused: Robert Baldwin, Dawn Fuller, Jeff Dontz

Guests: Representative John Roth

III. **Approval of the Agenda.** Motion by Ray Steinke, seconded by Jim Maike to approve the meeting agenda.

Motion carried.

IV. **Approval of the Meeting Minutes.** Motion by Nick Krieger, seconded by Ron Bacon to approve the minutes of the March 31, 2023, meeting.

Motion carried.

V. **Public Comment:** No Public Comment

VI. **Committee Reports**

A. Executive Committee – Did not meet.

B. Finance Committee

- Christine Lopez, Administrative Services Director, presented the financial report for the month ended March 31. Total revenue exceeded expenses resulting in an increase in fund balance of \$458,211.55. Total YTD revenues were just over 12.48M, with expenses at 12.02M. Lopez reviewed the combined accounts payable and payroll for April in the amount of \$1,663,247.08 and requested approval.

Approve Accounts Payable and Payroll. Motion by Ron Bacon, seconded by Dorothy Frederick, to approve the accounts payable and payroll.

Roll Call

<i>Dorothy Frederick</i>	<i>Yes</i>	<i>Ray Steinke</i>	<i>Yes</i>
<i>Phil Lewis</i>	<i>Yes</i>	<i>Roger Ouwinga</i>	<i>Yes</i>
<i>James Sweet</i>	<i>Yes</i>	<i>Star Hughston</i>	<i>Yes</i>
<i>Kristine Raymond</i>	<i>Yes</i>	<i>Bryan Kolk</i>	<i>Yes</i>
<i>Richard Schmidt</i>	<i>Yes</i>	<i>Jim Maike</i>	<i>Yes</i>
<i>Ron Bacon</i>	<i>Yes</i>	<i>Julie Theobald</i>	<i>Yes</i>
<i>Nick Krieger</i>	<i>Yes</i>	<i>Gary Taylor</i>	<i>Yes</i>
<i>Tom O'Neil</i>	<i>Yes</i>		

Motion Carried

C. Personnel Committee

- Board of Health Personnel Committee will be meeting on May 12th to hear a Presentation from representatives at Principal Financial Group related to the agencies Social Security Replacement Plan. Principal is offering a higher fixed rate of return and lower fees for participants. The lower participant fees would be good for 5 years.
- A draft copy of the Compensation Study Report was received. Due to an identified error in the report, the Board requested that only the corrected version be provided to them. Also, the Board requested that a formal presentation on the Report, by the author, be provided at the June 30 Board meeting.

D. Legislative Committee

- A re-cap of the MALPH Day at the Capital, 4/11/2023, event was provided to the full Board. Visits were able to be made to 6 of 7 Legislators. Board of Health members who attended the event were asked to provide input on their experience.
- The National Kidney Foundation Champions of Hope event was held on April 26. The agency did have a display on our Community Connections Project and was in attendance to acknowledge Representative Vanderwall who received an award for his contribution to kidney disease prevention.
- House Bill 4445 and Senate Bill 280 were discussed. These bills focus on mandating oral health screenings in pre-school aged children versus the current optional program. A lack of adequate funding for the initiative is a factor in moving such a project forward if mandated.

VII. Legislative Updates - Introduction of Representative Roth

- A. The Representative provided his insight on the current actions and efforts of the Legislative session.
- Budget is almost complete, no figures yet. The Senate will be working on it next week and should start to see figures in 2 weeks.
 - Potential for some funding for dental, foster care and kinder care.
 - The agency made a good impression during their Day at the Capitol visits.

VIII. Division Reports

- A. **Community Health Division** – The Health Officer provided a review of the items included in the quarterly report which was part of the Board Packet in Christy's absence.
- B. **Environmental Health Division** – Mick Kramer, Environmental Health Director, provided a review of the material included in the quarterly report which was part of the Board Packet. Questions on criteria for septic tanks for commercial establishments and radon were addressed.
- C. **Family Health Clinical** – Lisa Morrill, Clinical Services Director, provided a review of the items included in the quarterly report which was part of the Board Packet.
- D. **Family Health Home Visiting** – Anne Bianchi provided a review of the material included in the quarterly report which was part of the Board Packet in Anne Young's absence. Questions on criteria related to Home Visiting services were addressed.
- E. **Family Health WIC** – Anne Bianchi, WIC Director, provided a review of the material included in the quarterly report which was part of the Board Packet.
- F. **School Health** – Katy Bies, School Health Director, provided a review of the material included in the quarterly report which was part of the Board Packet. Information on the new Chippewa Hills clinic open house was shared.

IX. Administration Reports

- A. Medical Director, Dr. Jennifer Morse reviewed the contents of her report on Alcohol Awareness month (April) which was included in the Board Packet. Recommendations are to keep track of your own alcohol use and decide if you should cut back and encourage parents, teachers, and other trusted adults to discuss alcohol abuse with children.

Approve recommendations made by Dr. Morse. Motion by Jim Maike, seconded by Nick Krieger, to approve the recommendations by Dr. Morse.

Motion Carried

- B. Deputy Health Officer – The Health Officer provided a review of the material included in the quarterly report which was part of the Board Packet. Copies of the 2022 Communicable Disease review and the Annual Report were made available to the Board members.
- C. Health Officer – The Health Officer provided updates on his report which was included in the Board Packet. Under the EPI Update, information on Avian Influenza cases for 2023 was provided, notice that the agency sponsored COVID-19 Community Testing sites would be closed effective April 28th was shared and information on two upcoming conferences, GO

With the Flow and the 2023 Harm Reduction Summit was provided. Under PFAS, updates related to additional precautionary testing of homes in the Range 40 area of Camp Grayling was shared as well as notice of one new site in Missaukee County. Under Enforcement, updates on the status of the Timberly Village situation and a Condo Site development in Mason County were shared. Finally, a reminder that the annual agency update to each Counties Board of Commissioners is underway.

X. **Public Comment** – No Public Comment

XI. **Other Business** – No Other Business

XII. **Next Meeting** The next regular meeting of the Board of Health is scheduled for Friday, May 19, at 9:30 a.m. at the Cadillac Office.

XIII. **Adjournment**

Motion by Ray Steinke to adjourn the meeting, seconded by Tom O'Neil
Richard Schmidt adjourned the meeting at 11:01am.

SENATE BILL NO. 299

April 27, 2023, Introduced by Senators SINGH, POLEHANKI, KLINEFELT, WOJNO and CHANG and referred to the Committee on Energy and Environment.

A bill to amend 1978 PA 368, entitled
"Public health code,"
by amending section 12752 (MCL 333.12752) and by adding part 128.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 12752. (1) Public sanitary sewer systems are essential to
2 the health, safety, and welfare of the people of ~~the~~-this state.
3 ~~Septic tank disposal~~ Onsite wastewater treatment systems are
4 subject to failure due to soil conditions or other reasons. Failure
5 or potential failure of ~~septic tank disposal~~ onsite wastewater

1 treatment systems poses a threat to the public health, safety, and
2 welfare; presents a potential for ill health, transmission of
3 disease, mortality, and economic blight; and constitutes a threat
4 to the quality of surface and subsurface waters of this state. The
5 connection to available public sanitary sewer systems at the
6 earliest, reasonable date is a matter for the protection of the
7 public health, safety, and welfare and necessary in the public
8 interest ~~which~~ ~~that~~ is declared as a matter of legislative
9 determination.

10 (2) Onsite wastewater treatment systems are subject to
11 regulation under part 128. Local health departments may implement
12 and enforce this part and part 128 under any applicable provisions
13 of this act.

14 (3) As used in this section, "onsite wastewater treatment
15 system" means that term as defined in section 12801.

16 PART 128. ONSITE WASTEWATER TREATMENT SYSTEMS

17 Sec. 12801. (1) As used in this part:

18 (a) "Alternative system" means an onsite wastewater treatment
19 system that is not a conventional system and that provides for an
20 equivalent or better degree of protection for public health and the
21 environment than a conventional system.

22 (b) "Approved onsite wastewater treatment system" means an
23 alternative system or conventional system for which construction
24 and any required operating permits have been issued by the
25 department or the local health department having jurisdiction and
26 an inspection has found the system to be in compliance with all
27 required permits.

28 (c) "Authorized local health department" means a local health
29 department authorized by the department to administer this part

1 pursuant to section 12803 for conventional systems or section 12805
2 for alternative systems, as applicable.

3 (d) "Construction permit" means a permit to install,
4 construct, alter, or repair an onsite wastewater treatment system.

5 (e) "Conventional system" means an onsite wastewater treatment
6 system that contains a watertight septic tank with nonuniform
7 distribution of effluent to a soil dispersal system that does not
8 include any components of an approved alternative technology.

9 (f) "Department" means the department of environment, Great
10 Lakes, and energy.

11 (g) "Domestic equivalent wastewater" means wastewater that is
12 not sanitary sewage but is demonstrated to have similar wastewater
13 characteristics and flow and is amenable to onsite wastewater
14 treatment and soil dispersal through a conventional or alternative
15 system.

16 (h) "Experimental onsite wastewater treatment system" means an
17 onsite wastewater treatment system that is in experimental use and
18 requires further testing in order to provide sufficient information
19 to determine its acceptability.

20 (i) "Failure" means a malfunction or failure of an onsite
21 wastewater treatment system consisting of any of the following:

22 (i) A discharge of sanitary sewage to the surface of the
23 ground.

24 (ii) A discharge of sanitary sewage or effluent into surface
25 water or directly into groundwater.

26 (iii) The inability of the onsite wastewater treatment system to
27 accept sanitary sewage at the rate being discharged, resulting in
28 the backup of sanitary sewage into the structure.

29 (iv) A structural failure or leaking of the septic tank or

1 other associated components and appurtenances.

2 (v) A discharge of treated wastewater that does not comply
3 with applicable standards.

4 (vi) An illicit connection or illicit discharge.

5 (vii) Evidence of effluent within the septic tank above or
6 below the invert of the septic tank outlet.

7 (viii) The location of all or a portion of a conventional or
8 alternative system outside of the established boundaries of the
9 property of the structure that the system serves.

10 (ix) The treatment bed or treatment mound has collapsed or
11 compacted and rain and snow melt cannot percolate through the
12 system.

13 (j) "Fund" means the onsite wastewater treatment system
14 administration fund created in section 12829.

15 (k) "Illicit connection" means a physical connection to an
16 onsite wastewater treatment system or other separate drainage
17 system in violation of law.

18 (l) "Illicit discharge" means any discharge from an onsite
19 wastewater treatment system or other separate drainage system in
20 violation of law.

21 (m) "Imminent danger" means a condition or practice that could
22 reasonably be expected to cause death, disease, or serious physical
23 harm immediately or before the imminence of the danger can be
24 eliminated through enforcement procedures otherwise provided in
25 this act.

26 (n) "Management" means the siting, design, installation,
27 operation, inspection, and maintenance of onsite wastewater
28 treatment systems to ensure that onsite wastewater treatment
29 systems meet required performance standards as prescribed by the

1 technical advisory committee and are protective of public health
2 and the environment.

3 (o) "Nonproprietary technology" means a wastewater treatment
4 or distribution technology, method, or product not subject to a
5 patent or trademark that significantly contributes to the
6 attainment of the treatment or dispersal objectives.

7 (p) "Onsite wastewater treatment system" or "system" means a
8 system of components and appurtenances used to collect and treat
9 sanitary sewage or domestic equivalent wastewater from 1 or more
10 dwellings, buildings, or structures and discharge not more than
11 10,000 gallons per day of the resulting effluent to a soil
12 dispersal system on property owned by or under the control of the
13 owner of the onsite wastewater treatment system.

14 (q) "Onsite wastewater treatment system inspection" or
15 "inspection" means an inspection of an onsite wastewater treatment
16 system conducted under section 12821.

17 (r) "Operating permit" means a renewable and revocable permit,
18 if required, to operate and maintain an alternative system in
19 compliance with specific operational or performance requirements.

20 (s) "Point of sale" means the time at which the sale or
21 transfer of a parcel of real estate is complete. Point of sale does
22 not include a transfer described under section 3 of the seller
23 disclosure act, 1993 PA 92, MCL 565.953.

24 (t) "Proprietary product" means a treatment or distribution
25 product held under patent or trademark that significantly
26 contributes to the treatment, performance, and attainment of
27 effluent quality or dispersal objectives.

28 (u) "Registered inspector" means an individual who is
29 qualified to conduct onsite wastewater treatment system inspections

1 and registered under section 12823.

2 (v) "Sanitary sewage" means water and contaminants discharged
3 from sanitary conveniences, including bathroom, kitchen, and
4 household laundry fixtures of dwellings, office buildings,
5 industrial plants, commercial buildings, and institutions.

6 (w) "Statewide code" means the rules promulgated under section
7 12817 providing for the management of onsite wastewater treatment
8 systems.

9 (x) "Technical advisory committee" means the technical
10 advisory committee established by the department under section
11 12815.

12 (2) In addition, article 1 contains general definitions and
13 principles of construction applicable to all articles of this code.

14 Sec. 12803. The department shall authorize a local health
15 department to administer this part for conventional systems if the
16 local health department does all of the following:

17 (a) Adopts regulations consistent with this part for the
18 purpose of carrying out the responsibilities of this part and the
19 statewide code, including authority to do all of the following:

20 (i) Conduct site evaluations, issue construction permits, and
21 perform interim inspections during construction and final
22 inspections on completion of construction, if required.

23 (ii) Issue notices and penalties to persons that violate this
24 part or endanger public health or the environment.

25 (iii) Respond to complaints of failure of an onsite wastewater
26 treatment system.

27 (iv) Provide an administrative review for any person affected
28 by an order, decision, or notice issued by the local health
29 department. The results of the administrative review must be

1 provided to the department, if requested.

2 (b) Maintains qualified staff to administer a conventional
3 onsite wastewater treatment system program. A staff member shall
4 meet the following minimum educational and training requirements to
5 work independently in an onsite wastewater treatment system
6 program:

7 (i) Possess a minimum of a 4-year bachelor of science or arts
8 degree with a major in environmental health, chemistry, biology,
9 geology, engineering, or an equivalent degree.

10 (ii) Obtain a minimum of 8 hours of training that includes a
11 minimum of 4 hours of field training on the United States
12 Department of Agriculture soil classification system from the
13 department or another entity approved by the department.

14 (iii) Demonstrate competency and understanding of local sanitary
15 regulations, criteria for subsurface sewage disposal provided in
16 state law and rules, and the land division act, 1967 PA 288, MCL
17 560.101 to 560.293.

18 (iv) Demonstrate competency and understanding of the Michigan
19 local public health accreditation program, accreditation
20 indicators, and all minimum program requirements pertaining to
21 onsite wastewater treatment systems.

22 (v) Conduct a minimum of 10 supervised field evaluations of
23 onsite wastewater system designs and 10 supervised final
24 inspections with senior staff or a supervisor.

25 (vi) Conduct a minimum of 5 solo field evaluations of onsite
26 wastewater system designs and 5 solo final inspections
27 demonstrating understanding of the onsite wastewater treatment
28 program as determined by senior staff or a supervisor.

29 (vii) Attend and observe a minimum of 2 complete onsite

1 wastewater system installations from beginning to end.

2 (c) Adopts local health department regulations that, at a
3 minimum, provide protection for public health and the environment
4 equivalent to this part and submit its regulations to the
5 department for review and approval.

6 Sec. 12805. (1) The department shall authorize a local health
7 department to administer this part for alternative systems if the
8 local health department does both of the following:

9 (a) Meets the requirements of section 12803.

10 (b) Adopts regulations consistent with this part for the
11 purpose of carrying out the responsibilities of this part,
12 including authority to do all of the following:

13 (i) Review, evaluate, approve, or reject applications, plans,
14 and specifications to alter, install, repair, or replace
15 alternative systems.

16 (ii) Issue construction permits authorizing the installation of
17 alternative systems in accordance with section 12809.

18 (iii) Ensure long-term maintenance of alternative systems
19 through the issuance of operating permits.

20 (2) Existing local health department regulations or guidance
21 for a particular type of alternative system remains in effect until
22 recommended standards and guidance for that type of system are
23 developed by the department in accordance with section 12813.

24 Sec. 12807. (1) A person shall not install, construct, alter,
25 or repair an onsite wastewater treatment system unless the person
26 has received a construction permit from an authorized local health
27 department or the department, subject to any permit required under
28 part 31 or 41 of the natural resources and environmental protection
29 act, 1994 PA 451, MCL 324.3101 to 324.3134 and 324.4101 to

1 324.4113.

2 (2) A person shall obtain a construction permit for an onsite
3 wastewater treatment system from an authorized local health
4 department in compliance with this part. If the local health
5 department with jurisdiction over the property is not authorized to
6 administer this part, the department is responsible for issuing the
7 construction permit.

8 (3) A local unit of government shall not issue a building
9 permit for a residence or facility that will be served by an onsite
10 wastewater treatment system unless a construction permit for the
11 onsite wastewater treatment system has been obtained under this
12 part.

13 Sec. 12809. (1) The department or an authorized local health
14 department that administers an alternative system construction and
15 operating permitting program within its jurisdiction shall issue a
16 construction permit for the installation of an alternative system
17 if both of the following conditions are met:

18 (a) The alternative system does either of the following:

19 (i) Utilizes a proprietary product that has been registered for
20 use by the department.

21 (ii) Utilizes a nonproprietary technology in accordance with
22 the recommended standards and guidance provided by the department
23 in accordance with the statewide code.

24 (b) The soils, site conditions, and operating conditions at
25 the location are appropriate for the use of the alternative system
26 in compliance with the statewide code.

27 (2) Beginning on the effective date of the amendatory act that
28 added this part, an alternative system must be inspected by the
29 department, authorized local health department, or registered

1 inspector at least once every 5 years unless otherwise provided in
2 the statewide code.

3 Sec. 12811. (1) Beginning January 1, 2026, a person shall not
4 install, construct, alter, or repair a proprietary product unless
5 that product has been registered for use in this state by the
6 department and a construction permit is obtained under section
7 12807.

8 (2) A person may apply for registration of a proprietary
9 product under subsection (1) by submitting an application on a form
10 and in a manner prescribed by the department. The department may
11 charge a fee of \$3,000.00 to cover its costs in reviewing
12 applications for registration under this section. Money received by
13 the department must be forwarded to the state treasurer for deposit
14 into the fund. Within 30 days after receipt of an application and
15 fee, the department shall review the application and determine
16 whether it is administratively complete. Within 60 days after
17 receipt of an administratively complete application, the department
18 shall approve or deny the registration and notify the applicant in
19 writing. In approving and registering for use a proprietary product
20 in this state, the department shall consider the recommended
21 standards and guidance provided to the department by the technical
22 advisory committee. A registration under this section is valid for
23 5 years. A registration may be renewed. However, there is no fee
24 for a renewal.

25 (3) The department may deny, suspend, or revoke a registration
26 under this section following a contested case hearing pursuant to
27 the administrative procedures act of 1969, 1969 PA 306, MCL 24.201
28 to 24.328, if the department finds any of the following:

29 (a) The registration was obtained or attempted to be obtained

1 through misrepresentation or fraud.

2 (b) The registrant transacted business under its registration
3 using fraudulent, coercive, or dishonest practices.

4 (c) The applicant or registrant failed to pay the required
5 registration application review fees.

6 (d) Field reviews determine that the proprietary product does
7 not function or perform as designed.

8 Sec. 12813. The department shall develop recommended standards
9 and guidance to assist local health departments in permitting
10 different types of onsite wastewater treatment systems, including
11 the following 3 categories:

12 (a) Nonproprietary technologies such as sand filters.

13 (b) Proprietary products such as aerobic treatment systems and
14 packed bed filters.

15 (c) Proprietary products such as subsurface dripline products
16 or gravelless distribution products.

17 Sec. 12818. A person that knowingly submits to the department
18 or local health department information related to an onsite
19 wastewater treatment system that is false, incorrect, misleading,
20 or fabricated is guilty of a misdemeanor punishable by a fine of
21 not more than \$10,000.00 for each violation and imprisonment for
22 not more than 1 year, or both.

23 Sec. 12821. (1) Beginning on the effective date of the
24 amendatory act that added this part, the owner of an onsite
25 wastewater treatment system shall arrange for an onsite wastewater
26 treatment system inspection to be conducted in accordance with
27 subsection (2) at least once every 5 years or if any of the
28 following occur:

29 (a) A complaint is filed with the local health department or

1 the department based on a suspected failure of the system and the
2 local health department or the department determines that there is
3 reasonable cause to require an inspection to be conducted.

4 (b) A change in use is proposed that increases use of an
5 existing onsite wastewater treatment system.

6 (c) The owner of the property on which a system is located
7 applies for a building permit for construction of a structure or an
8 addition to a structure.

9 (2) An onsite wastewater treatment system inspection required
10 under subsection (1) must be conducted by the department,
11 authorized local health department, or registered inspector. The
12 owner of the system may have the septic tank pumped out not more
13 than 30 days before an onsite wastewater treatment system
14 inspection is conducted under this section. The individual
15 conducting the onsite wastewater treatment system inspection shall
16 do all of the following:

17 (a) Identify the size and condition of the septic tank or
18 tanks.

19 (b) Before conducting any pumping, document the level of
20 effluent in the septic tank or tanks.

21 (c) Pump out the septic tank or tanks, unless the owner of the
22 system had the septic tank or tanks pumped out before the onsite
23 wastewater treatment system inspection in accordance with this
24 subsection.

25 (d) Verify that all sanitary sewage-related plumbing fixtures
26 are connected to the septic tank or tanks.

27 (e) Locate, expose, open, and inspect the septic tank or tanks
28 and pumping chambers associated with the system.

29 (f) Inspect the enhanced treatment unit that exists as part of

1 an alternative system, if applicable.

2 (g) Locate, determine the size of, and observe the subsurface
3 dispersal system to determine its condition.

4 (h) Observe the general area that includes the treatment and
5 dispersal system for evidence of system failure or other factors
6 that may influence proper operation.

7 (i) Inspect for an illicit discharge to the surface of the
8 ground, surface water, or drain.

9 (j) Document evidence of a failure of the onsite wastewater
10 treatment system and whether the failure is causing an imminent
11 danger.

12 (k) Prepare an inspection report of the information gathered
13 under this subsection.

14 (3) Within 21 days after the onsite wastewater treatment
15 system inspection is completed, the individual conducting the
16 inspection shall do both of the following:

17 (a) Prepare an inspection report that details the findings of
18 the onsite wastewater treatment system inspection.

19 (b) Provide a written or electronic copy of the inspection
20 report to the owner of the onsite wastewater treatment system and
21 to the authorized local health department or the department.

22 (4) If an inspection report under subsection (3) identifies
23 the need for the tank or tanks to be pumped, the owner of the
24 onsite wastewater treatment system shall have the system pumped by
25 a septage waste hauler licensed under part 117 of the natural
26 resources and environmental protection act, 1994 PA 451, MCL
27 324.11701 to 324.11721, within 30 days after the inspection report
28 is received under subsection (3).

29 (5) If an inspection report under subsection (3) identifies

1 evidence of failure causing an imminent public health hazard, the
2 owner of the onsite wastewater treatment system shall remedy the
3 failure within 6 months after the inspection report is received
4 under subsection (3) and as directed by the authorized local health
5 department or the department. An owner that violates this
6 subsection is subject to a civil fine of not more than \$1,000.00
7 for each 30-day period that the onsite wastewater treatment system
8 remains in failure. The prosecutor of the county in which the
9 violation occurred or the attorney general may bring an action to
10 collect the fine.

11 (6) An onsite wastewater system inspection that is conducted
12 under this section is valid for a 5-year period as long as there is
13 no change to the use of the onsite wastewater treatment system or a
14 failure of the system during that period.

15 (7) The department or an authorized local health department
16 shall charge a reasonable fee not to exceed the costs of conducting
17 an onsite wastewater treatment system inspection.

18 (8) In addition to the fee charged for conducting an onsite
19 treatment system inspection under subsection (7), the department,
20 authorized local health department, or registered inspector, as
21 applicable, shall charge an additional \$25.00 state administrative
22 fee. State administrative fees must be forwarded to the department
23 on an annual basis by October 1 of every year. The department shall
24 forward all fees it receives under this section to the state
25 treasurer for deposit into the fund.

26 Sec. 12823. (1) Beginning January 1, 2026, an onsite
27 wastewater treatment system inspection under this part shall be
28 conducted only by the department, registered inspector, or
29 qualified local health department staff. To qualify as a registered

1 inspector or to conduct an onsite wastewater treatment system
2 inspection, an individual shall meet the educational and training
3 requirements established in the statewide code.

4 (2) Subject to subsection (3), to apply to become a registered
5 inspector, an individual shall submit an application on a form and
6 in a manner prescribed by the department. The department may charge
7 a \$180.00 application fee to cover the department's costs under
8 this section. An application fee collected under this section must
9 be forwarded to the state treasurer for deposit into the fund.

10 (3) If an organization or authorized local health department
11 has a program to qualify inspectors of onsite wastewater treatment
12 systems, the department may, upon review of the program, approve
13 the program and accept those inspectors as meeting the registration
14 requirements under this section. An individual registered under
15 this subsection shall thereafter meet department requirements as
16 specified in the statewide code and pay the application fee.

17 (4) The department shall review the registrations under this
18 section once every 3 years and renew a registration for any
19 individual who continues to meet the requirements under this
20 section.

21 (5) A registration under this section may be denied,
22 suspended, or revoked following a contested case hearing as
23 provided in the administrative procedures act of 1969, 1969 PA 306,
24 MCL 24.201 to 24.328, for any of the following reasons:

25 (a) The use of fraud or deceit in obtaining or renewing
26 registration.

27 (b) Any act of gross negligence, incompetence, or misconduct
28 in conducting or reporting on an onsite wastewater treatment system
29 inspection.

1 (c) Failure to satisfactorily complete continuing education
2 requirements.

3 (d) Submission of an inspection report that knowingly is based
4 upon false, incorrect, misleading, or fabricated information.

5 (e) Failure to pay required fees.

6 (6) The department shall maintain a list of individuals
7 registered under this section and make the list available on the
8 department's website.

9 Sec. 12825. (1) The department shall develop and make
10 available onsite wastewater treatment system inspection report
11 forms for use in documenting the results of onsite wastewater
12 treatment system inspections conducted under section 12821.

13 (2) The department shall make available and maintain an onsite
14 wastewater treatment system electronic database for recording and
15 tracking the results of onsite wastewater treatment system
16 inspections. When the onsite wastewater treatment system electronic
17 database is available, the department may require the person
18 conducting the onsite wastewater treatment system inspection to
19 electronically enter the report information into the database in
20 lieu of the written report. The database must not include personal
21 information related to the owner of an onsite wastewater treatment
22 system.

23 Sec. 12827. The department may enter into agreements,
24 contracts, or cooperative arrangements with appropriate authorized
25 local health departments or other persons for the purpose of
26 administering this part. To the extent a local health department is
27 not authorized to administer this part, the department shall
28 implement this part. To implement this part, the department may
29 contract with another authorized local health department or other

1 qualified person.

2 Sec. 12831. (1) A local unit of government, county, or local
3 health department shall not adopt a point of sale ordinance related
4 to onsite wastewater treatment.

5 (2) If a local unit of government or local health department
6 has already adopted a point of sale ordinance to require
7 inspections of onsite wastewater treatment systems, the point of
8 sale ordinance must be phased out or repealed within 1 year after
9 the effective date of the amendatory act that added this part.

10 (3) If a county has already adopted a point of sale ordinance
11 to require inspections of onsite wastewater treatment systems, the
12 point of sale ordinance must be phased out or repealed within 7
13 years after the effective date of the amendatory act that added
14 this part.

15 (4) As used in this section, "local unit of government" means
16 a township, city, or village in this state.

17 Sec. 12833. The department, under part 41 of the natural
18 resources and environmental protection act, 1994 PA 451, MCL
19 324.4101 to 324.4113, and this act, and local health departments
20 under this act, have exclusive jurisdiction over the regulation,
21 permitting, and inspection of onsite wastewater treatment systems.

22 Enacting section 1. This amendatory act takes effect 90 days
23 after the date it is enacted into law.

24 Enacting section 2. This amendatory act does not take effect
25 unless Senate Bill No. 300 of the 102nd Legislature is enacted into
26 law.

SENATE BILL NO. 300

April 27, 2023, Introduced by Senators SINGH, POLEHANKI, KLINEFELT, WOJNO and
CHANG and referred to the Committee on Energy and Environment.

A bill to amend 1978 PA 368, entitled
"Public health code,"

(MCL 333.1101 to 333.25211) by adding sections 12815, 12817, and
12829.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

- 1 Sec. 12815. (1) The technical advisory committee is created in
- 2 the department to advise the department on all of the following:
- 3 (a) Recommended standards and guidance for the management of
- 4 onsite wastewater treatment systems.

1 (b) Nonproprietary technologies and recommended standards and
2 guidance for their use.

3 (c) Testing and design standards used for proprietary product
4 registration and recommended standards and guidance for use of
5 proprietary products.

6 (d) Recommended standards and guidance for alternative onsite
7 wastewater treatment systems.

8 (e) Onsite wastewater treatment system inspection elements and
9 reporting.

10 (f) Registered inspector qualifications.

11 (g) Documentation required to be submitted to the department
12 for qualifying and registering inspectors under section 12823.

13 (h) Qualifications of individuals other than registered
14 inspectors involved in the management of onsite wastewater
15 treatment systems.

16 (i) Continuing education requirements for individuals involved
17 in the management of onsite wastewater treatment systems.

18 (2) The technical advisory committee must consist of all of
19 the following members who have technical or scientific knowledge
20 applicable to onsite wastewater treatment systems:

21 (a) Five regional local health department representatives
22 recommended by a state organization representing local health
23 departments. The 5 members appointed under this subsection must be
24 appointed as follows:

25 (i) One member appointed by the governor.

26 (ii) One member appointed by the speaker of the house of
27 representatives.

28 (iii) One member appointed by the minority leader of the house
29 of representatives.

(iv) One member appointed by the senate majority leader.

(v) One member appointed by the senate minority leader.

(b) All of the following members appointed by the governor:

(i) Two professional engineers.

(ii) One hydrogeologist.

(iii) One university representative.

(iv) One onsite system product manufacturer.

(v) One onsite wastewater system installer.

(vi) One onsite wastewater system service provider.

(vii) Two department representatives.

(viii) One state epidemiologist.

(ix) One individual with knowledge of the use of onsite wastewater treatment systems representing users of onsite wastewater treatment systems.

(x) One representative from a state organization specializing in the protection of public health and the environment through improved water quality.

(3) The members first appointed to the technical advisory committee shall be appointed within 90 days after the effective date of the amendatory act that added this part.

(4) Members of the technical advisory committee shall serve for terms of 4 years or until a successor is appointed.

(5) If a vacancy occurs on the technical advisory committee, the governor shall make an appointment for the unexpired term in the same manner as the original appointment.

(6) The governor may remove a member of the technical advisory committee for incompetence, dereliction of duty, malfeasance, misfeasance, or nonfeasance in office, or any other good cause.

1 (7) The governor shall call the first meeting of the technical
2 advisory committee. At the first meeting, the technical advisory
3 committee shall elect from among its members a chairperson and
4 other officers as it considers necessary or appropriate. After the
5 first meeting, the technical advisory committee shall meet at least
6 bimonthly, or more frequently at the call of the chairperson, or if
7 requested by the department.

8 (8) A majority of the members of the technical advisory
9 committee constitute a quorum for the transaction of business at a
10 meeting of the technical advisory committee. A majority of the
11 members present and serving are required for official action of the
12 technical advisory committee.

13 (9) The business that the technical advisory committee may
14 perform must be conducted at a public meeting of the technical
15 advisory committee held in compliance with the open meetings act,
16 1976 PA 267, MCL 15.261 to 15.275.

17 (10) A writing prepared, owned, used, in the possession of, or
18 retained by the technical advisory committee in the performance of
19 an official function is subject to the freedom of information act,
20 1976 PA 442, MCL 15.231 to 15.246.

21 (11) Members of the technical advisory committee shall serve
22 without compensation. However, members of the technical advisory
23 committee may be reimbursed for their actual and necessary expenses
24 incurred in the performance of their official duties as members of
25 the technical advisory committee.

26 (12) The technical advisory committee shall consider the
27 following in its advice to the department:

28 (a) Sufficient theory and applied research to document
29 efficacy of onsite wastewater treatment systems.

1 (b) Potential use, local soil conditions, and other factors
2 that may affect the operation of onsite wastewater treatment
3 systems.

4 (c) Field performance data that confirm the product or
5 technology functions when installed on-site as indicated by
6 submitted documents.

7 (d) Certification of onsite wastewater treatment systems by
8 NSF International or another recognized certifying agency.

9 (13) The technical advisory committee may consult with experts
10 in the field of management of onsite wastewater treatment systems
11 and other individuals with knowledge and expertise in the
12 management of onsite wastewater treatment systems, including, but
13 not limited to, environmental organizations, financial
14 organizations, home builders, real estate licensees, local units of
15 government, and conservation districts.

16 (14) The department shall provide administrative support to
17 the technical advisory committee.

18 Sec. 12817. Not later than 3 years after the effective date of
19 the amendatory act that added this part, the department shall
20 promulgate rules that establish a statewide code containing
21 performance-based standards for conventional and alternative onsite
22 wastewater treatment systems. Before promulgating these rules, the
23 department shall consult with the technical advisory committee. The
24 rules must provide baseline protection for public health and the
25 environment and must include all of the following:

26 (a) Minimum standards and criteria for the siting, design, and
27 installation of onsite wastewater treatment systems.

28 (b) Wastewater effluent standards, if applicable.

29 (c) Corrective actions necessary to protect public health and

1 the environment for onsite wastewater treatment systems that fail
2 to meet these standards.

3 (d) Requirements relating to the construction approval process
4 by the department and local health departments for onsite
5 wastewater treatment systems.

6 (e) Requirements for the operation, inspection, and
7 maintenance of conventional and alternative onsite wastewater
8 treatment systems that define required routine maintenance
9 necessary to ensure continued proper performance of the system to
10 protect public health and the environment.

11 (f) Requirements for the approval of conventional,
12 alternative, and experimental wastewater treatment system products,
13 components, or devices.

14 (g) Criteria for requesting and granting appeals by an
15 authorized local health department.

16 (h) Criteria for allowing the continued use of approved onsite
17 wastewater treatment systems in which a construction permit was
18 issued before the effective date of the statewide code if use of an
19 onsite wastewater treatment system can be managed in a manner that
20 does all of the following:

21 (i) Ensures an effective level of treatment of sanitary sewage
22 determined to be necessary, based on risk.

23 (ii) Protects public health and the environment.

24 (iii) Protects the surface waters of the state.

25 (iv) Protects groundwater quality.

26 (i) Qualifications and continuing education requirements for
27 individuals involved in the management of onsite wastewater
28 treatment systems.

29 (j) A requirement for septic tanks installed or altered after

1 the effective date of the amendatory act that added this section to
2 contain a septic tank access riser and secondary safety device.

3 Sec. 12829. (1) The onsite wastewater treatment system
4 administration fund is created within the state treasury.

5 (2) The state treasurer may receive money or other assets from
6 any source for deposit into the fund. The state treasurer shall
7 direct the investment of the fund and credit to the fund interest
8 and earnings from fund investments.

9 (3) Money in the fund at the close of the fiscal year remains
10 in the fund and does not lapse to the general fund.

11 (4) The department is the administrator of the fund for
12 auditing purposes.

13 (5) The department shall expend money from the fund, upon
14 appropriation, only for the following purposes:

15 (a) To administer this part.

16 (b) For grants to local health departments to carry out their
17 responsibilities under this part.

18 (c) For grants or loans to homeowners who are below 300% of
19 the federal poverty line to update a failure of an onsite
20 wastewater treatment system identified under section 12821. As used
21 in this subdivision, "federal poverty line" means the federal
22 poverty guidelines published annually in the Federal Register by
23 the United States Department of Health and Human Services under its
24 authority to revise the poverty line under 42 USC 9902.

25 Enacting section 1. This amendatory act takes effect 90 days
26 after the date it is enacted into law.

27 Enacting section 2. This amendatory act does not take effect
28 unless Senate Bill No. 299 of the 102nd Legislature is enacted into
29 law.

Report to the Boards of Health
Jennifer Morse, MD, MPH, FAAFP, Medical Director

Mid-Michigan District Health Department, Wednesday, May 24, 2023
Central Michigan District Health Department, Wednesday, May 24, 2023
District Health Department 10, Friday, May 19, 2023



One Health

One Health is the concept that our health is closely connected to the health of animals, plants, and our environment. While this term and the initiatives of One Health are less than 20 years old, this overall concept dates back centuries. One Health involves many disciplines as well as work at the local, regional, national, and global level. Outlined below are some of the components of the One Health focus.

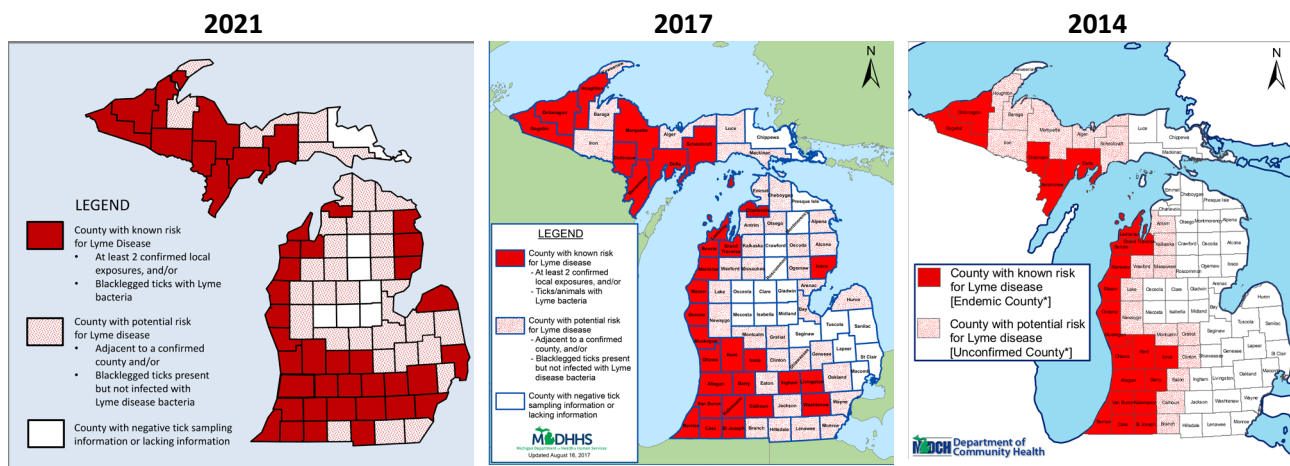


1. Infectious disease
 - a. Emerging diseases between wildlife and humans or domestic animals: some factors contributing include climate change, ecological changes (deforestation due to population increase and increasing need of agricultural land), humans living closer to wildlife, and transportation of animals outside of native areas.
2. Risks and benefits of companion animals
 - a. Pets are common. In a study of 22 countries, 33% of households have a dog, 23% a cat, and 12% fish.
 - i. Benefits: companionship, decreased depression, anxiety, loneliness.
 - ii. Harms: animal bites, allergies, infections, infestations, encourage exotic animal trade.
3. Water and food security and safety
 - a. Threats include climate change, infectious disease, chemicals, social conflict, population growth, and bioterrorism. Lack of clean water also effects wildlife
4. Socioeconomic and cultural environments
 - a. Effects basic health such as access to healthcare and proper nutrition.

- b. Includes social determinants or the conditions in which people conduct their lives, such as income, wealth, education, and access to spaces and resources like recreational areas or healthful foods.
 - c. Cultural practices are also a factor, such as cooking practices (example could be use of bushmeat which can be risk for zoonotic illness or contaminants, funeral practices, close habitation with livestock).
- 5. Antimicrobial resistance
 - a. This is due to widespread use of antimicrobials in animal production (livestock and aquaculture), agriculture, human medicine, and from environmental contamination with antimicrobials. This is facilitated by the transmission of antimicrobial resistance genes between microorganisms and by globalization, which facilitates the rapid spread and mixing of these genes.
- 6. Environmental contamination
 - a. Can be due to farming practices, sanitation, microplastics, manufacturing, spills, drug use in livestock, waste disposal, etc.
- 7. Climate change
 - a. There is a direct effect of extreme temperatures on human and animal health.
 - b. Secondary effects include flooding and mold growth, storms, fires, drought, etc.
 - c. Agricultural production, grazing lands, and food security are adversely affected by extreme temperatures and precipitation.
 - d. Algal blooms pose a health threat and can cause disturbance to aquatic life.
 - e. Changes in climate have led to an increase and spread of vector born illnesses.
 - f. Changes in climate have led to changes in emerging diseases and their distribution.
- 8. Habitat loss for wildlife
 - a. Leads to increased spillover of zoonotic illnesses.
 - b. Loss of biodiversity with potential loss of scientific advancements, such as sources for new pharmaceuticals.

Globally, 60% of all infectious diseases in humans can spread from animals. In the last 3 decades, 30 new human pathogens have been found, 75% of them originated in animals. Our two most recent pandemics, COVID-19 and H1N1, were started by viruses from animals. A zoonosis is an infectious illness that has moved from a non-human animal to a human. They can be caused by any type of germ, such as bacteria, virus, fungus, or parasite. There are over 200 known types of zoonoses. In 2017, a One Health Zoonotic Disease Prioritization (OHZDP) was held and identified the eight top zoonotic diseases as top priorities for the United States. Those diseases were zoonotic influenza, Salmonellosis, West Nile virus, plague (*Yersinia pestis*), emerging coronaviruses, rabies, Brucellosis, and Lyme disease.

There are over 17 different vector-borne diseases reported to the CDC in the United States. Between 2004 and 2018, the annual number of vector-borne disease cases in people reported to CDC doubled from 27,388 to 53,591. In Michigan, the number of vector-borne diseases acquired nearly tripled between 2017 and 2021, going from 326 cases to 931 cases. The two biggest increases were in the number of cases of Ehrlichiosis (specifically caused by *Anaplasma phagocytophilum*) and Lyme disease. Both these illnesses are spread by the blacklegged tick. Below are the Lyme disease risk maps for Michigan in 2014, 2017, and 2021 to show how this risk has spread across the state over those years.



For the most part, One Health is still a broad concept that is not widely recognized by the public. The integration of different disciplines and cultures is challenging, and information sharing is complicated. It is very important that we monitor for illness in animals and vectors as well as humans. It is also important that we share this information between animal health, public health, and others who may be impacted. Collaboration and communication are important for this work.

Resources

- Michigan Emerging Diseases www.mi.gov/emergingdiseases
- CDC One Health <https://www.cdc.gov/onehealth/index.html>
- One Health Commission <https://www.onehealthcommission.org/>
- Spring Climate and Health Education Resource Packet
- <https://www.michigan.gov/mdhhs/-/media/Project/Websites/mdhhs/Safety-and-Injury-Prevention/Environmental-Health/Climate/Documents/MICHAP-Spring-Resource-Packet.pdf>
- CDC Healthy Pets, Healthy People <https://www.cdc.gov/healthypets/index.html>

Recommendations:

1. Consider healthy environments, such as walking and biking paths, parks, ground water drainage, and vector control, during city planning.
2. Integrate One Health philosophies into 4-H, hunting, fishing, fairs, agriculture, and other areas of human and animal interaction.
3. Highlight the effects our environment has on our health and the health of our wildlife and animals as a way to unite us to combat climate change and pollution.

Sources

- Prata, Joana C., Ana Isabel Ribeiro, and Teresa Rocha-Santos, eds. One Health: Integrated Approach to 21st Century Challenges to Health. Academic Press, 2022.
- CDC. One Health. <https://www.cdc.gov/onehealth/index.html>
- One Health Zoonotic Disease Prioritization (OHZDP). 2017. Prioritizing Zoonotic Diseases for Multisectoral, One Health Collaboration in the United States, Workshop Summary. <https://www.cdc.gov/onehealth/what-we-do/zoonotic-disease-prioritization/us-workshops.html>
- One Health High-Level Expert Panel (OHHLEP), Adisasmito WB, Almuhairi S, Behraves CB, Bilivogui P, Bukachi SA, et al. (2022) One Health: A new definition for a sustainable and healthy future. PLoS Pathog 18(6): e1010537. <https://doi.org/10.1371/journal.ppat.1010537>
- CDC. 2020. A National Public Health Framework for the Prevention and Control of Vector-Borne Diseases in Humans. https://www.cdc.gov/nceid/dvbd/pdf/Brochure_National_Framework_VBDs-P.pdf

Board of Health

Health Officer Report

May 19, 2023

Epi Team Update: Information on current case counts, vaccination efforts, outbreaks and other CD related issues will be shared at the meeting.

PFAS Update: Site specific updates will be shared at the Board meeting based upon recent and ongoing developments.

Enforcement Actions: Updates on recent enforcement actions taken by DHD#10 will be shared at the meeting.

County Meetings: Facilitated meetings between Administration from Wexford County and MCDC and Administration from Manistee County and Manistee office staff.

Health Summits: As a reminder, DHD#10 will be hosting our annual Health Summits again this year. The Summits will be in June and this year will focus on Environmental Health issues/topics in the jurisdiction. A copy of the save the date flyer is included in the Board Packet. Board members interested in attending one of the Summits can let either Stephanie or myself know.

Respectfully submitted:
Kevin Hughes, MA
Health Officer

Join Us

DISTRICT HEALTH DEPARTMENT #10 ENVIRONMENTAL HEALTH SUMMIT:

DHD#10 is hosting three environmental health summits throughout the ten-county jurisdiction to highlight local data.



SAVE THE DATE!



3 options:

JUNE 2ND	Kirtland College Grayling
JUNE 9TH	Westshore Community College Scottville
JUNE 16TH	Ferris State University Big Rapids

Breakfast starts at 9:00am, with the presentation following from 9:30-11:30am