

**BENZIE-LEELANAU DISTRICT HEALTH DEPARTMENT
BOARD OF HEALTH MEETING
Wednesday, November 17, 2021 2:00 p.m.
Benzie Community Resource Center - Ingemar Johansson Conference Room
6051 Frankfort Highway
Benzonia, MI 49616**

Chairperson Dr. Barbara Conley called the meeting to order at 2:00 pm.

Members Present:

Gary Sauer - Benzie County Board of Commissioners
William Bunek – Leelanau County Board of Commissioners
Patricia Soutas-Little – Leelanau County Board of Commissioners
Dr. Barbara Conley – Leelanau County Member at Large
Rhonda Nye – Benzie County Board of Commissioners
Dr. Mark Kuiper – Benzie County Member at Large

Members Absent: None

Members Excused: None

Staff Present:

Lisa Peacock – Health Officer
Dr. Joshua Meyerson – Medical Director
Dodie Putney – Director of Administrative Services
Eric Johnston – Director of Environmental Health
Michelle Klein - Director of Personal Health

Staff Excused:

Guests Present:

Lisa Vogler – Attorney for BLDHD

Pledge of Allegiance

Approval of Minutes:

Motion By: Sauer to approve the September 22, 2021 BOH Meeting Minutes with discussed changes.

Seconded By: Bunek

Roll Call Vote: Sauer-yea, Nye- yea, Conley- yea, Bunek- yea, Soutas-Little- yea, Kuiper -yea
6 yeas 0 nays 0 excused Motion carried

Discussion: On page 5 of the September 22, 2021 BOH meeting minutes Sauer asked to have it added that Dr. Meyerson is not a practicing pediatric physician. Nye requested that the wording for Beulah's beach monitoring read awarded not received. Dr. Conley asked for some spelling corrections to be addressed.

Approval of the Agenda:

Motion By: Soutas-Little to approve agenda with the addition of discussing updating By-Laws for the BOH and the Contract with Leelanau County for the Leelanau Early Education Contract.

Seconded By: Sauer

Roll Call Vote: Sauer- yea, Nye- yea, Conley- yea, Bunek- yea, Soutas-Little- yea, Kuiper - yea
6 yeas 0 nays 0 excused Motion carried

Discussion: Sauer mentioned that he would like to add an item to the next agenda, he would like to discuss what options that BLDHD has in regard to a situation where BLDHD is left without a Health Officer and/or a Medical Director.

Klein stated that the Leelanau Early Childhood Education contract between BLDHD and Leelanau County needed to be voted on and signed.

Dr. Conley responded that after the Denise Chrysler's presentation that the discussion for updating the By-Laws for the BOH and the Leelanau Early Childhood Contract could be voted on.

Approval of the Rules for Conducting a BOH Meeting:

Motion By: Kuiper

Second By: Soutas-Little

Discussion: Multiple Amendments that are listed below.

Approval of Amendment #1 for the Rules of Conduct of a BOH Meeting:

Motion By: Sauer to approve the Rules of Conduct with the various changes in wording for the various rules that are listed below.

Second By: Bunek

Roll Call Vote: Sauer-yea, Nye- nay, Conley- nay, Bunek- nay, Soutas-Little- yea, Kuiper -nay
2 yeas 4 nays 0 excused Motion failed

Discussion: Sauer wanted to discuss the Rules that were introduced for the BOH meeting. Conley read the rules so everyone was aware of them. Sauer stated that the sign-up sheet should be optional, it is against Robert Rules to make someone sign in. Also, someone should be allowed to speak more than once at a public meeting. There should be a designated person to receive information that the public would like to share. Bunek added that he wanted the rule added that Board Members are not allowed to respond to questions presented by the public during Public Comment. The public should also be given five minutes to speak and allow people to form a group and be given a longer period to speak. Soutas-Little stated that three minutes was plenty of time to speak and it was agreed that the Recording Secretary would be the designated person to receive information to be passed out. Nye spoke that she would like to see Rule #11 struck. It is not up to the BOH to tell people how to speak and acting threatening is illegal. Soutas-Little stated that there needs to be some standards for the Chair to determine what will be acceptable and unacceptable. A corporate opinion should be received on this rule. Items that were voted on:

Rule #1 The signup sheet shall be optional for a member of the public to sign.

Rule #4 Members of the public who wish to speak are encouraged to state their name.

Rule #6 Each member of the public can speak once per public session.

Rule #10 Any materials that the public shall bring to the meeting for the Board Members will be given to the Recording Secretary for distribution.

Rule #11 Will be stricken from the rules.

Approval of Amendment #2 for the Rules of Conduct of a BOH Meeting:

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Motion By: Dr. Kuiper to approve that Rule #11 to state that the members of the public cannot be belligerent or threatening.

Second By: Nye

Roll Call Vote: Sauer-nay, Nye- nay, Conley- yea, Bunek- nay, Soutas-Little- yea, Kuiper -yea
3 yeas 3 nays 0 excused Motion failed

Approval of Amendment #3 for the Rules of Conduct of a BOH Meeting:

Motion By: Soutas-Little to approve the amendment that a member of the public is requested to state their name before they speak at a BOH meeting.

Second By: Dr..Kuiper

Roll Call Vote: Sauer-yea, Nye- yea, Conley- yea, Bunek- yea, Soutas-Little- yea, Kuiper -yea
6 yeas 0 nay 0 excused Motion carried

Approval of the Rules of Conducting a BOH Meeting with the approved changes:

Motion By: Soutas -Little to approve the changes that are listed in the discussion below.

Second By: Dr. Kuiper

Roll Call Vote: Sauer-nay, Nye- nay, Conley- yea, Bunek- nay, Soutas-Little- yea, Kuiper -yea
3 yeas 3 nays 0 excused Motion failed

Discussion: The rules of conduct would include the language that:

#1 The sign up sheet for the members of the public attending/wishing to speak at the BOH meeting will be optional.

#2 A member of the public who wishes to speak will stand at a table or a podium.

#4 A member of the public who wishes to speak at the BOH meeting will be requested to say their full name.

#6 Members of the public may speak once at each public comment session.

#11 Will remain as is until corporate council has given an opinion.

Public Comment –

Carolyn Rentenback, Leelanau County – Thanked the BLDHD for all the information that they have been providing the public with.

Jennifer Murray – Thanked Peacock for the mask mandate. She is an employee of Glen Lake Schools and is grateful that masks are required as she is dealing with Covid cases there.

Ty Wessell, Northport – Thanked the BLDHD for what they do.

Gwenne Allgaier, Leelanau – Thanked the BLDHD staff for working from their hearts.

Mary Haan – Brought in the product Covix and informational sheets to share. They were given to the Recording Secretary to pass around. The product contains iodine and is supposed to kill the Covid virus.

Jay Johnson, Leelanau – Thanked BLDHD for what they do.

Guest Speaker – Denise Chrysler

Chrysler is a legal medical consultant. She has sat on Boards of Health and Boards of Education so she has been on both sides of the fence for policy and procedure creation and enforcement. She described how Health Departments were legally created at the State Constitutional level. She discussed the roles of the Health Officers and Medical Directors. The legal enforcement that the Health Departments holds was discussed. Chrysler mentioned a 1905 court case that ruled that public health orders will supersede individual's rights. Sauer asked for a copy of this. Chrysler was going to send a copy of this to Dr. Conley to distribute to the whole Board.

Approval of Reviewing the By-Laws to be Updated

Motion By: Dr. Conley

Seconded By: Sauer

Roll Call Vote: Sauer-yea, Nye- yea, Conley- yea, Bunek- yea, Soutas-Little- yea, Kuiper -yea
6 yeas 0 nay 0 excused Motion carried

Discussion: The last time the By-Laws were reviewed was in 2004. The Personnel and Finance Committee will begin the review.

Health Officer Update – Lisa Peacock

Written report distributed prior to the meeting for review, plus additional information distributed. The statistical information that is used to determine what decisions for mandates that needed to be made were shared. The Public Health Officer has issued only two orders since the beginning of the pandemic. One about having employees work remotely and the second, mandating K-12 schools to wear face masks. Peacock reviewed the reasons why the mask mandate were put into place. One of the biggest factors in determining of where this mandate and any other order may go is hospital capacity. The capacity has been very limited, most hospitals are at their max capacity. Data is showing that masking is helping slow down the spread of Covid. Schools, assistant living facilities and other congregated living situations that are not practicing masking are showing higher rates of out breaks and cases of Covid.

There is a review going on for when masks may not be mandated for schools. There have been more cases of Covid in the first two weeks of November than there was for the whole month of October. Earlier this fall 90% of the cases of Covid that have had to be treated at the hospitals have been unvaccinated individuals. Now the number has shifted to about 70-80% of the cases being unvaccinated. There have been more breakthrough cases with individuals who have compromised immune systems. Dr. Kuiper asked if the clinics were still taking walk-ins. They are but the walk-ins have been experiencing long wait times as appointments have been filling up. It was recommended to send people to Home Town Pharmacy for walk-ins. Our area still has the highest level of vaccination rates. The clinic for five to 11 year olds opened last Friday. 12% of Benzie's and 18% of Leelanau's 5-11 year olds received the vaccine. The more availability of vaccines and the new therapeutics that are coming out will assist in lifting the mask mandate sooner than later. Sauer asked if the infusion of therapeutics is given at BLDHD. Meyerson responded that there has been some collaboration about this but staffing is an issue. Peacock and Meyerson are also waiting to hear when the State/Federal Government is going to switch the Covid pandemic to an epidemic. Eventually Covid will be treated just like the flu. The BLDHD staff is working on training private physician offices on how to administer the Covid vaccine to adults and children. This is to help lessen the workload on the BLDHD staff for this one particular need. BLDHD staff could then shift more focus on providing services that were available before the pandemic.

Vogler asked a question about the intake forms that are used to vaccinate children. She was wondering what the wording was for the legal guardian portion. She has had some phone calls wondering how custody rights work for when one parent would like their child to receive a vaccine and the other parent does not. She would like to make sure that the form is designed to protect BLDHD from any legal issues.;

Accounts Payable

Motion By: Sauer to approve accounts payable and pay the bills.

Seconded By: Soutas-Little

Roll Call Vote: Sauer- yea, Nye- yea, Conley- yea, Bunek- yea, Soutas-Little- yea, Kuiper - yea
6 yeas 0 nay 0 excused Motion carried

Discussion: Nye questioned who approved charges on the credit card and to the Amazon account. Putney explained that she is the only person or a designee who has prior approval to charge on the credit card. Putney also explained that in order to have an Amazon purchase an employee has to fill

out a requisition and obtain a Supervisor's signature. It is then sent to the Purchaser where a PO is created and the Purchaser will place the order. Nye asked if the Personnel and Finance Committee reviews these charges. Currently, they do not. Nye then asked about reimbursing employees for purchases. It was explained that they generally will ask their Supervisor before they make the purchase and once they do the employee will fill out a requisition. This requisition will be signed by the Supervisor and submitted for payment. If there is sales tax on the purchase the employee will not be reimbursed for that. Peacock added that the approval for all the expenses that are occurred by BLDHD are generally approved when the budget is approved. There were a few questions about different vendors and what services that they provide for the Health Department.

Financial Statement Update

Motion By: Sauer to accept the financial statements as presented.

Seconded By: Conley

Roll Call Vote: Sauer- yea, Nye- yea, Conley- yea, Bunek- yea, Soutas-Little- yea, Kuiper - yea
6 yeas 0 nays 0 excused Motion carried

Discussion: The 2021 year will not be closed until the audit is complete. BLDHD will end the year in the black. Covid and Environmental Health fees are what contributed to the past year having a good cash flow. Sauer asked if any of the Covid funds needed to be paid back and the answer was no. Harm Reduction was one of the few funds that will need to have some of the money paid back to the State. It had not been spent out.

Job Reclassification Schedule Update

Motion By: Soutas-Little

Second By: Dr. Conley

Voice Vote: Sauer- nay, Nye- nay, Conley- yea, Bunek- nay, Soutas-Little- yea, Kuiper - yea
3 yeas 3 nays 0 excused Motion failed

Discussion: Last December there was a major job reclassification update and there were two positions that were missed, the Account Clerk I and the Account Clerk II. Upon closer review to what job duties are associated with these two positions and the point system that was used with all the other positions, these two positions should be recategorized to Accountant I and Accountant II. Soutas-Little asked the Board Members who voted no on the matter to state why. It was the general consensus that more information needed to be provided to explain why. A Teams meeting will be set up to go over the point system and how the whole process of reclassification works.

Staff Reports:

Medical Director – Dr. Joshua Meyerson

Written report distributed prior to the meeting for review. The Covid vaccination for 5-11 year olds is a different product than what adults receive. During the trial phase of the children's Covid vaccine it was proven to be 90% effective. The Hepatitis B vaccine is now available for all people of all ages. Bunek asked if kids are eligible for booster shots for the Covid vaccine. Meyerson responded, at the moment they are not.

Personal Health – Michelle Klein

Report was distributed via email by Putney during presentation. Klein compared data on numbers of clients served in each program for the last three years, comparing pre-pandemic to pandemic numbers. The data reflect a significant decrease in the services provided in-person due to the switch to virtual WIC services. This impacted MIHP, Immunizations, Lead screening, and dental screening/fluoride. There was a small increase in Community Connections referrals, which was surprising since many physician's offices were doing only telehealth visits and the usual electronic

screening for SDOH needs wasn't done. Of the referrals that were received, there was a larger percentage that accepted services than pre-COVID.

BLDHD offers reproductive health services such as mammograms, cervical exams, testing for STDs, birth control and pregnancy tests. These services are offered to anyone regardless of their income. Services are charged on sliding fee scale. For clients who have a positive pregnancy test the Department will assist in making sure that the individual and the unborn baby receive prenatal care. For the cancer screenings if a test comes back positive BLDHD will assist in making sure the individual receives proper treatment. Nye asked if any of the Local Appropriations are used for these services. Klein responded that, no, these funds are not used. These services actually contribute to the funds that are distributed from the State to the Counties.

Environmental Health – Eric Johnston

Written report distributed prior to the meeting for review. A Sanitarian position has been posted as Xavier Gagne` resigned. Johnston is hoping to have the position filled by January.

There was a survey sent out by MALEHA about the Type II Well Program. The program started in 1993. It is to monitor non community wells that service 25 or more people for at least 60 days out a calendar year. This program used to produce a revenue for the BLDHD but starting in 2016 the Federal Government increased the rules governing these wells. The time spent administrating the new regulations has started costing the Department money. Last year approximately \$12,000 was needed to subsidize this service. One of the reasons why this program started to cost more money to operate was the stricter monitoring rules for lead and PFAs. MALEHA created and distributed a survey to Health Departments to collect data on the true cost of operating this program to the level that the government wants. They are hoping that with this information the State might issue a larger budget to cover the costs. When looking at the data collected throughout the whole State the program is approximately 1.2million dollars underfunded. Governor Whitmer had created an order that states that the State of Michigan must provide funding for better drinking water. Johnston is confident that this order will help the Health Departments across the State receive more funding.

The Village of Beulah has to perform the Type II testing but they need to conduct it themselves or with a private firm due to the fact that they are a community based water source. On their September 29, 2021 tests one out of the seven tests performed came back exceptionally high for lead. They are in the process of additional monitoring, educating the public and providing other sources of safe drinking water. This is under the jurisdiction of EGLE. BLDHD's role in this situation is to be a liaison between the Village and the State. All information pertaining to this is on the Village of Beulah's website.

The Food Manager Classes are beginning. Classes for both Counties will be held the second week of December. The Leelanau County class will be held at the Homestead and the Benzie County class will be held at the Benzie Resource Center.

January is radon month. A person can come in with a nonperishable food item or hygiene product and receive a free radon kit. The donated items will be given to local charities. Soutas-Little asked where the best place in a home is to place one of these kits is. Johnston responded in the basement or lowest level of a home. It is best to test in an area where the air can become somewhat stagnant.

Dr. Conley asked if the amount of permits for wells and septic have slowed down. Johnston responded, no, they will not slow down until the ground has frozen.

Administrative – Dodie Putney

Written report distributed prior to the meeting for review. The Finance Meeting with the Benzie County Commissioners was a great experience and she would like to set one up with the Leelanau

Commissioners. This is a great communication tool on how the finances of the Health Department is run. Putney was concerned about the comment at the last Leelanau County Commissioner’s meeting when some thought that BLDHD staff had received bonuses. No one had received a bonus, employees had been paid out for over time that they had worked. Sauer and Nye both mentioned it was educational and something that should continue. They were both surprised by how many funding sources are used to fund BLDHD.

Public Comment – None

Board Comments –

Sauer spoke up that he would like to have an agenda item on the January 2022 agenda about exploring options for the Health Director and Medical Director positions in case there is a sudden vacancy of these two positions. It was clarified that if there was no Medical Director than no billable services could be performed. There is a contingency plan for if the Health Officer position is suddenly vacant. Health Department of Northwest has a multiple layer of individuals to fill this position. It was asked if this plan could please be shared with BLDHD.

It was also discussed that if a County decided to “quit” being a part of District based Health Department that all Counties involved with the original Department would have to agree on this.

Bunek asked if there has been any discussion with the Montessori in Leelanau about the lease agreement that BLDHD has with them. Putney answered that the lease is good through 2023. BLDHD is looking at other options but nothing is decided. Bunek mentioned that there may be room at the County Building in Leelanau and that there are ART funds available to help pay for any remodeling that would be needed.

Adjourn:

Motion By: Bunek to adjourn the BOH meeting at 5:50 p.m.

Second By: Sauer

Roll Call Vote: Sauer- yea, Nye - yea, Conley- yea, Bunek-yea, Soutas-Little- yea, Kuiper - yea
6 yeas nay 0 excused **Motion carried**

Dr. Barbara Conley, Chair

Shelley Jablon, Recording Secretary