Leelanau Clean Water
Wednesday, March 21, 2018 at 9:30 a.m.
Community Meeting Room (lower level) of the
Leelanau County Government Center
8527 E. Government Center Dr.
Suttons Bay MI 49682

Agenda

1. Welcome & Introductions (9:30)

2. Consideration of Agenda

3. Approval of Meeting Minutes from 2/21/18  pgs 2-6

4. Public Comments

5. Unfinished Business (9:40)
   a. Update on NatureChange video and June 13 event – Yarrow Brown

6. Discussion/Action Items (10:00)
   a. Accountability and next steps/ actions RE: septic designs
   b. Attendance at next Health Dept meeting
   c. Follow up on support for electronic water and sewer records
   d. Press Release – BEDHD – Board of Health Meeting and TOST  pgs 7-8

7. Communication Items/Reports (10:45)
   a. Reports from Leelanau Clean Water Members on Activities

8. Public Comments (10:50)

9. Staff Comments

10. Member/Chair Comments

11. Adjourn (11:00)

*Times listed above for agenda items are approximate.
A REGULAR MEETING OF LEELANAU CLEAN WATER (LCW) WAS SCHEDULED AT 9:00 AM ON WEDNESDAY, FEBRUARY 21, 2018 IN THE COMMUNITY MEETING ROOM OF THE LEELANAU COUNTY GOVERNMENT CENTER, SUTTONS BAY, MICHIGAN

2018 Leelanau Clean Water Board
Rob Karner, Chair
Len Allgaier, Vice Chair
Sarah U’Ren, Chair Pro Tem
Buzz Long
Steve Christensen
Jeannie Williams
Hugh Farber
Tom Fountain
Yarrow Brown

Call to Order
Rob Karner called the meeting to order at 9:03 AM

1. WELCOME & INTRODUCTIONS
Rob Karner, GLA, Leelanau School (B)    Yarrow Brown, Leelanau Conservancy (B)
Tom Fountain, Benzie-Leelanau District Health Dept. (B)  Sarah U’Ren, Watershed Center (B)
Jeanie Williams, Inland Seas Education Assn. (B)   Anne McInnis (League of Women’s voters)
Len Allgaier, Little Traverse Lake Conservationists (B)
Tricia Denton League of Women Voters Leelanau County & Oil and Water Don’t Mix Steering Committee
Tara Knapp, Leelanau Conservation District (B)                             Steve Christensen, Drain Commissioner (B)
Ty Wessell, Leelanau County Board of Commissioners

Public: Dennis Whelan

Staff: None present

2. CONSIDERATION OF AGENDA
Rob Karner asked to add Dennis Wiand from ZeroGravity Aerial.com to #6. B. Discussion/Action Items

It was moved by Allgaier, seconded by Fountain, to approve the Agenda as modified.
On a voice vote, by Current Board Members, the motion carried 8 – 0.

3. CONSIDERATION OF THE JANUARY, 2018 MINUTES

It was moved by Allgaier, seconded by Fountain to approve the Minutes as presented.
On a voice vote, by Current Board Members, the motion carried 8– 0.

4. PUBLIC COMMENTS
None

5. UNFINISHED BUSINESS
A. **Update on NatureChange Video (Brown)**- Yarrow Brown gave an update on the NatureChange Video progress. She explained that she is working closely with Joe Vandermuilen to get some ice skating, ice boating/activities on the lakes/bays in the winter. Joe is also coordinating with Tom Fountain to get some shots of well drilling and septic inspections. Those will happen closer to the spring or when the weight restrictions are lifted on the roads. The goal will be to have a completed video to show to the public for the LCW June workshop. Further discussion on the event/workshop will follow on under Communication Items/Reports. Brown assured Leelanau Clean water will have an opportunity to view the video before it goes public. We will bring the final budget item to the Board and give Joe the payment in full when we get the final product.

B. **Leelanau County Board Septic Conference Update – Ty Wessell**

Ty Wessell gave an update on the septic conference and stated that despite all the expert information, committee meetings and public support, the Commissioners voted on three motions at the meeting following the conference and all failed, which means for now, this topic is done until another time in the future. Wessell made one motion to appoint three commissioners to work with Tom Fountain at the Health Department to draft guidelines for a County-wide Septic Ordinance. That failed 4 to 3. The second motion was to ask Legal Counsel to prepare for the people to vote on this via a ballot in November and that failed 2 to 5. Wessels explained there is so much resistance to big government and some Commissioners are convinced that the Health Department already has enough tools to do what they need to do. Another Commissioner does not think the point of sale ordinance is effective despite all the evidence. Overall Wessels said he was pleased for the opportunity to dialogue and communicate the concerns and information. Everyone on the Commission spent a lot of hours on this topic and he is grateful for their time.

Fountain explained how it is frustrating because the science is there. Fountain is on a state wide committee to review the Governor’s state wide plan for wells and septs, which is very complex and requires everyone in the state to have their septic system inspected every 10 years. However, local government can be stronger than the state code.

Karner mentioned we need to focus on the watersheds and the Townships within the watersheds and look at Township point of sale septic ordinances and watershed overlay districts. The Glen Lake Crystal River Watershed is working with Township supervisors and a consultant to address this in their watershed. Fountain mentioned it is very important to include wells and septic systems in any ordinance since they are noticing a lot of issues with private wells that people are unaware of.

Karner asked Wessels what metric he has that people in Leelanau County really want this septic ordinance. Wessels explained that at every meeting there was a packed house and very few people who spoke in opposition. Karner mentioned that Township needs to know what people really want and to get Lake Associations to get Riparian’s to go to those meetings as the #1 approach. Go local and go through the Townships. There is still hope but room for improvement.

Brown explained briefly some of the initial results from a report done by an undergraduate student at Grand Valley state who did some multivariate analysis over the 25 year data set the Conservancy manages. The results shows some interesting conclusions, and many of them we already knew ---mostly that we see a huge increase in nutrients in the spring early summer,
especially when the tourist season starts. We know that the human influence (septic systems, lawn waste, fertilizers, etc.) can be one way we can have the greatest impact for non-point source pollution and having well-functioning septic systems is one way we can ensure we keep nutrients out of our waterbodies. We know that the temperatures are only going to get warmer, which means increase in algal blooms, etc. When the researcher looked deeper into the data per lake and by depth there were some trends depending on the size and depth. The hope is to present the results of the Conservancy water program in June.

Brown asked if the commissioners need /want more data, maybe we should focus on increased sampling during this time frame and after weather events to get more information? This is initially what was done when the Conservancy water sampling program was started in the early 1990s and has since been focused on the main inlets and outlets of the 7 major lakes and West Grand Traverse Bay.

Denton stated that it’s all still good information so it’s not for naught. She asked what the health department would need to help with the increased work load? Fountain responded that it would be more staff. They have no IT department and are always grabbing funds and operate with a deficit every year. Discussion followed over Commissioner Rushton’s comments on getting more staff for the health department and QPCR. Wessels stated that all the Commissioners want clean water and good public health. The Difference is how you maintain it.

Allgaier stated he thinks the Board of Commissioners (BOC) practice is backwards from normal (healthy) management process. He went on to explain that the normal process would have the BOC, responding to resident established priority, request recommendations from qualified Health Department experts and advisors they choose and respect. The Leelanau BOC approach involved outside advisors they chose “testifying” to them. Their next step would be to issue boundary conditions (constraints) to Health Department experts limiting solutions to what the board preferred - in this case none. According to Allgaier such up-front intervention disempowers our Health Department experts, negates the development of data and field experience enlightened recommendations and obstructs resident supported priorities.

Discussion followed over the health department structure for Michigan and the Tri-county area. Fountain explained that being in a joint county health department allows them to put in place some important cost sharing mechanisms that make it feasible but they still struggle with the day to day operations.

Denton pointed out that while the septic effort accomplished a great deal to increase awareness and educate, we need to continue to keep getting accurate information out about the septic issue. The assertion made by Commissioner Bunek that the majority of people in Leelanau County are on sewers anyway so septics aren’t really an issue is a concern. As noted by Tom Fountain, this quote was picked up by the Record Eagle and published in spite of the fact that there are over 12,000 identified septic systems in the county. The math simply doesn’t add up.

Williams asked Fountain if the Health Department needed the ordinance as the tool to do the job? Discussion followed.
Karner asked if all 11 Townships passed a point of sale septic ordinance, would the health department be understaffed? Fountain replied YES! They do over 350 septic inspections in Benzie County each year.

Rob thanked Ty for all his effort and focus on the septic ordinance issue.

C. Dennis Wiand from ZeroGravity Aerial came to talk about new drone Technology. He has a home in Long Lake Township in Grand Traverse County. He explained that he has been using drone technology for environmental data collection such as invasive species. He has teamed up with Rob Karner on shoreline surveys on Glen Lake and involved in the QPCR/Swimmers Itch program. Wiand explained that drones can do what we couldn’t do in the past. They can fly any time of the year and Dennis applied for a waiver to be allowed to fly at night. This would allow the drones to look for failing septic systems with infrared technology. The hotter the imagery (things that are holding heat) the more likely they are to be failing. Discussion followed. Drones can do what they couldn’t do in the past and can fly any time of the year.

When asked, Fountain agreed that they could be used as a tool, but there is a lot more to it. Namely what is a failure and there are a lot of opinions on that. Discussion followed.

Karner mentioned a company called Biomeme that is coming out with a hand held cell phone device for QPCR that will allow us to know within hours what we are dealing with in our waterbodies based on a few primers that are being developed for this area, such as which type of snail? For the life cycle of swimmer’s itch on certain lakes, or E. coli for human or wildlife DNA? They (The swimmer Itch group) are also working on a new data base to keep up with the data in a meaningful way.

Discussion followed over ways LCW and other groups can be more effective with the non-point source pollution concerns in Leelanau County.

Christensen asked Fountain if any of the issues make the paper. What if we focused stories on messy septic system failures and then a story about when a young couple buys their first home and the septic fails and then they lose their house because they can’t afford to replace the septic system?

6. DISCUSSION/ACTION ITEMS
   A. **Future Workshop Idea**- Brown explained her idea to have an event to launch the LCW Nature Change Video, which would include 15 minute presentations on various water quality data or topics over a luncheon with a call to action or some type of interactive discussion. The goal would be for LCW to partner with the Leelanau Conservancy and other groups to put this on and advertise it since it would likely include people paying for lunch. The next date for the workshop on the calendar was June 21st. That date did not work for many, so the group discussed the Wednesday before or after.

   Brown asked for feedback from the group. Discussion followed. Denton mentioned that when food and community come together with many partners, they have had the biggest turn outs. Rob asked for volunteers to help Brown on this event. Williams, Denton and Knapp agreed to help. More will be flushed out on the location and other details to be presented to the group at the March meeting.
7. COMMUNICATION ITEMS/REPORTS

Reports from Leelanau Clean Water Members on Activities

Denton mentioned the new video from Oil and Water Don’t Mix that has up to date information on the pipeline. She also mentioned the petition circulating to ask that anchor permits be denied. Enbridge has applied to install 22 more anchors and initially the pipeline was never engineered to have anchors to lift it off the ground. It is supposed to lay flat on the ground. They now have a clear pathway to intervene. There is more on the website (oilandwaterdontmix.org)

U’Ren shared the grant the Watershed Center received from DEQ to update the Grand Traverse Bay Watershed Plan. It will focus on the coastal areas since they are already working on subwatershed plans for the Boardman and Chain of Lakes watersheds. The bigger focus for this updated plan will be on the bay. Since the initial plan in 2008 TWC has leveraged over 10 in funding for the watershed.

U’ren has already asked some people on the Board to be on the steering committee and is working with the Leelanau Conservancy on the water quality data. They will hold a stakeholder meeting in Leelanau County at some point during the planning process and U’ren will let LCW know about this.

Fountain announced that there is funding for beach monitoring this year through the Health Department. It will include 13 weeks of sampling on the same beaches as before. There is an upcoming stakeholder meeting to flush out the details.

Williams mentioned the open house the Inland Seas is hosting for volunteers from 1-5 today!

Karner announced that three Lakes: Lime, Glen and Lake Leelanau have received more funding to do more Swimmers Itch research. They are working with Freshwater Solutions and will focus on different Schistosoma’s that cause swimmers itch. This can help with different life cycles via water sampling and then researchers can know what type, what the quantity and hopefully eradicate swimmers itch. It will also allow us to determine Best Management Practices to help reduce the hosts. Discussion followed. They are also looking at wind direction, depth and hoping that QPCR will help. They have a permit from the state to live trap and relocate mergansers.

Karner also mentioned a possible new option to keep people from getting swimmer’s itch- a net that sections off swim areas and then a device to clean out the worms in the blocked off area.

Knapp mentioned the Conservation District is partnering with Leo Creek Preserve in Suttons Bay to host an earth day even.

8. Public Comments – None

9. Staff Comments
   None

10. Member/Chair Comments – None

11. ADJOURN Meeting adjourned by consensus at 11:05 AM
For Immediate Release
March 5, 2018

At February Meeting, Board of Health Sends Decision on TOST to Barry, Eaton County Boards

The Barry-Eaton Board of Health met for their monthly meeting on Wednesday, February 28, at the Barry-Eaton District Health Department’s (BEDHD’s) Charlotte office. This meeting was rescheduled from February 22. Barry County board members Commissioners Ben Geiger (chair), David Jackson, and Dan Parker and Eaton County board members Commissioners Joe Brehler, Blake Mulder, and Jane Whitacre were present; no board members were absent.

The meeting discussion was dominated by the health department’s Regulations Governing On-site Sewage and On-site Water Supply System Evaluation and Maintenance in Barry and Eaton County, Michigan, also known at the Time of Sale or Transfer (TOST) program.

Following two public hearings, one on February 20 in Hastings and one on February 28 in Charlotte, the Board of Health voted 4–2 to repeal the TOST program. Commissioners Geiger, Jackson, Parker, and Mulder voted for the repeal, and Commissioners Whitacre and Brehler voted against the repeal. In March, both counties’ full boards of commissioners will vote on the repeal.

Speaking before the repeal vote, Commissioner Geiger stated that “we all want clean water; we all want less pollution,” and Commissioner Parker noted that the repeal of the TOST program is “not an end to the process [of ensuring that water, the environment, and health are protected]; it’s an end of this chapter.” Commissioner Brehler indicated that individuals opposed to the TOST program have had a mindset of “’my rights; what I want’” rather than a community-oriented focus and that there is no “creative idea [for addressing the issues] that won’t require some kind of regulation.”

BEDHD Health Officer Colette Scrimger detailed the items that require work as a result of the TOST repeal. Some of these items include budget reductions, staff reductions, a communications plan, and decisions about IT and program data.

After the meeting, Commissioner Geiger made the following statement: "Since 2007, TOST has undoubtedly made a positive impact in our two counties. Unfortunately, we’ve also become severely polarized on topics that should unite us. We need to put the past behind us, come together, and find a strategy that protects both our environment and the rights of our taxpayers."

Other topics of discussion during the meeting were the approval of a new position to coordinate state-funded hepatitis A outreach and prevention efforts and several minor changes to the Environmental Health Division’s fee schedule. BEDHD’s administrative director Lisa Watt informed the board that a third of the way into the fiscal year, the health department’s incomes and expenses are on track.

The Barry-Eaton Board of Health comprises six county commissioners (three from each county). Current Board of Health members are Commissioners Ben Geiger (chair), David Jackson, and Dan Parker from Barry County and Commissioners Joe Brehler, Blake Mulder, and Jane Whitacre from Eaton County. The Board of Health meets the third Thursday of each month at 9:30 am, unless otherwise specified. The
meetings are held at the Barry County BEDHD office during odd months (January, March, etc.) and at the Eaton County BEDHD office during even months (February, April, etc.). Board of Health meeting minutes and agendas are available at https://www.barryeatonhealth.org/about-us/board-health.

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