

The Fayette County Board of Health met on Tuesday, July 10, 2001 at 7:30 a.m. in the public meeting room in the Fayette County Administrative Complex, 140 Stonewall Avenue, Fayetteville, Georgia.

**Board of Health Members Present:** Carol Fritz  
Lynette Peterson  
Lyn Redwood  
Dr. Michael Strain, Chairman  
A.G. VanLandingham

**Staff Members Present:** Rick Fehr  
Cynthia Grant  
Merle Crowe  
Dr. Michael Brackett  
Rodney Hilley  
Dennis Davenport, Attorney

-----

Dr. Strain called the meeting to order at 7:35 a.m.

-----

**APPROVAL OF MINUTES:**

On motion made by Lynette Peterson, seconded by Carol Fritz to approve the Board of Health Minutes for May 8, 2001. The motion carried unanimously.

-----

**EMERGENCY REQUEST BY RICHARD BEARDEN:**

Rick Fehr remarked that Richard Bearden wished to make an emergency request of the Board. He reminded the Board that the initial presentation of the person making the request was normally ten minutes in duration.

Richard Bearden said he owned a piece of property in Peachtree City located at 2763 S.R. 54. He said this was a two-tenant building. He said one tenant was Creekside Chevron Convenience Store and the other was Line Creek Liquor. He said the gentleman who owned Creekside Chevron would like to sublet a portion of his building to Boasters Chicken. He said he was making the request as the owner of the building. He said in 1996 the septic system was installed. He said the drain field was somewhat limited and that Environmental Health had approved usage of 270 gallons per day. He remarked that the drain field was tight and that there was a reciprocal easement with the adjacent property owner if needed. He said when this

issue came up he had done a little research and that he found that in 1999 an average usage was 185 gallons per day. He said the first 6 month's average was 245 per day. He said usage was approaching the allowed 270 with nothing added. He said he could see a pretty drastic increase in usage in the next couple of years. He said the only things in operation there at the two buildings were two lavatories and two toilets for the employees on either side. He said there was a deep sink in the convenience store; that the biggest usage was the ice maker. He said in the last year to year and a half the convenience store had put in a large ice barrel which drains into the system, causing the big increase in water usage. He said the President of Boasters Chicken estimated restaurant usage at about 100 gallons per day. He said they would have a single 10 gallon sink which would be filled twice a day and the only other water use was the washing of utensils. He said this type operation was made to put in rural areas with septic tanks and they do not have dishwashers. He said everything was paper and plastic. He said there were no grease traps and everything was self contained. He said twice weekly the deep fryers were thoroughly cleaned. He said this operation would use about 100 gallons per day. He said there was about 25 gallons that had not been used.

Mr. Bearden said he had asked the convenience store operator to document some things, such as how much ice was put in barrels and dispensers that presently are draining into the septic line. He said a conservative estimate was that the drink barrel would use 8-10 five gallon buckets of ice a day, or about 40 to 50 gallons. He said the drink machine discharges at least 7- 8 and probably 10 gallons into the septic tank line. He said that they do not lose much water; obviously some was lost but he did not know how much. He said about 500 to 700 pounds of ice was made per day. He said the chicken operation could come in without exceeding the 270. He said the subtenant had agreed to do whatever was needed not to exceed the allowed amount.

Mr. Bearden said that when he signed the development agreement for this property he had agreed that if sewer was ever provided he would tie onto it. He said the business was already stubbed out to the high pressure line. He said at some point in time he would have sewer, although he did not know exactly when. He said he was asking for the Board's consideration for a variance. He said he felt confident that the business could stay within the allowed 270 gallon usage with conservation on the part of the convenience store. He said the gentleman who was opening the Boaster's Chicken would also conserve as much as he could. He said he would be glad to answer any questions that the Board might have.

**Mr. VanLandingham said the proposal stated that in six months there might be available sewer there that the business could tie onto. He asked if this business would leave if it had to wait on sewer.**

**Mr. Bearden replied yes, he believed so. He said he was confident that he could maintain current usage at 270 in the septic tank with this proposal. He said obviously he would love to have sewer and the business was stubbed out to it.**

**Mr. VanLandingham asked who would man the restaurant portion of the business. He asked if people would be hired or was the owner going to do it.**

**Mr. Bearden replied that the owner would actually run the business. He said it would be a small operation, and the subtenant would be owner/operator. He said there would not be a lot of employees wasting water. He said it would be in the lease agreement to conserve water as much as possible, with the understanding that if a problem developed it would be fixed. He said the line would have to be made larger or he would have to go out of operation.**

**Mr. VanLandingham said that was his concern; that once this was established then trying to fix it would be difficult. He said the window of opportunity to improve that system would be small.**

**Mr. Bearden said that would be his responsibility as the property owner. He said when he signs the lease he would allow subleasing. He said there was a firm understanding with this gentleman that if there was a problem as property owner he would have to fix it if possible. He said if he could not fix the problem then the gentleman would be out of business and that there was no question about that.**

**Carol Fritz said she would like to hear from Robert Kurbes on this situation.**

**Robert Kurbes of Environmental Health asked the Board what they wanted to know.**

**Mrs. Fritz replied that she would like some history on the system. She felt this was a very small system.**

**Mr. Kurbes replied that in 1996 the Environmental Health Department was approached because the Creekside Chevron was going to be remodeled. He said it was an existing facility and septic system. He said he had found some records which stated that prior to installation of the current system, the existing system was**

rated for approximately 200 gallons per day, which was typical of a convenience store. He said the existing septic system had to be relocated, because of creation of the small retail liquor store and some parking space that Peachtree City required. He said that in order to meet codes at that time, a pump lift station had to be utilized to lift the affluent up to a small chamber system along the side of the property. He said this was to get the affluent out of the parking area and into some usable soils. He said that system was a 50 foot chamber system, which was about as small a system that would be installed for a commercial building . He said as Mr. Bearden had indicated, that system was rated and designed according to the State Sewage Flow Schedules for maximum capacity of 270 gallons per day. He said this was strictly based on the manual's sewage flow schedules. He said when he was approached by Mr. Beardon about the chicken facility, he had contacted the Water System and gotten the monthly consumption of this facility over the last several months. He said Mr. Bearden's 245 average was very close to what he had found. He said the Health Department needed to know the largest output of this facility to design a system based on that output and allow for worst-case scenario. He said the Health Department's estimate was a daily use of 252, which was within 7 gallons of the proposal.

Mr. Kurbes remarked that the department's concern was that an easement would have to be obtained to provide for the required replacement area for this system, originally approved for use as a convenience store with additional retail space which was taken over by the liquor store. He remarked that in order for the Health Department to write a permit for a septic system it would have to show that there was not only enough room for the initial system, but enough room for a conventional or a drip replacement area as well. He said in order to get that conventional replacement area the Health Department had to get Mr. Bearden to set up an easement agreement with the mower shop next door. He said in the event that the existing convenience store system ever failed, the only way it could be replaced would be to encroach on the neighbor's property.

Mr. Kurbes remarked on the restaurant situation. He said the estimate of 100 gallons per day usage was extremely conservative, in the opinion of the Health Department. He said he had not had a chance to sit down with the proposed owner to look at details, but had spoken with him on the phone. He said, based on the equipment proposal, it would be comparable to the *Chicken and Tatters* restaurant located in the gas station at Tyrone Road and S.R. 54. He said there was also a *Chicken, Tatters and More* located in a gas station on S.R. 92 and Rivers Road. He said both of those facilities were on septic systems that are significantly larger than this 50 foot

chamber system. He said once the water goes through the meter you could not distinguish what was being used by the convenience store, what was being used by the restaurant, what was being used by the ice machine or the liquor store.

Mr. Kurbes remarked the Health Department's concern was basic sanitation; that there would need to be at least 100 gallons per day to properly clean the product and operate this chicken facility. He said he realized that the chicken was already prepared, but there was always the final wash and rinse of the chicken before it goes into the cooker. He said there would be a significant number of utensils and cutting surfaces that would need to be routinely cleaned and sanitized, hand washing that must occur on a daily basis, as well as the daily final general clean up.

Mr. Kurbes said when he had been approached by Mr. Bearden, he felt he could not approve the introduction of this additional facility on his own authority, because it would exceed the capacity of the existing system. He said he had already addressed the sewer concern in 1996 when Mr. Bearden had approached the Health Department to do the mini-mart. He said there was already a four-inch solid line from the vicinity of the septic tank underneath the parking lot the proposed sewer line. He said there was some potential development that might bring sewer in there later, but it was his understanding from the Peachtree City Water and Sewer Authority that sewer was not currently available. He said there was no way that PCWSA could give the Health Department a clear-cut time as to when it would be available. He said it would be a challenge to successfully operate this system as it existed; even with the easement, installation of a secondary system and without the chicken restaurant addition. He said space was already tight with the convenience store and liquor store. He said the other concern that the Health Department had was that if this system failed, the chicken facility would not be the only business affected. He said the convenience store and the liquor store were all tied into the same system. He said once a septic system saturates, adding on some additional line would not take care of it. He said he would have to look at a complete secondary system to give that initial system a chance to dry out and recover, if it could even be salvaged. He said his major concern was space; if this septic system fails, there would be very limited options for replacement.

Chairman Strain asked if there were any options.

Mr. Kurbes replied that in 1996 approval was based upon percolation tests. He said the county did not require soil reports until 1998-1999. He said he would not have a firm idea of the situation other than the perc test and soil borings that Mr. Fehr conducted when this permit was originally approved, and soil conditions that he

had observed when the septic system was physically installed. He said he felt that the space there was suitable based on the borings. He said the space was extremely limited because 50 feet was the biggest system that could be installed on the property. He said approval was limited by some landscaping which was now in place, and because of grading and retaining walls. He said distances must be maintained so that affluent would not seep out of the sides of the retaining walls. He said there were some underground utilities, one of which was a significant power line that prevented digging past the existing system. He said there was some replacement area on Mr. Bearden's lot; possibly enough for 20 to 25 feet. He said this would be a very generous estimation of available land. He stated that the easement was in place, and if it was needed they could slide under the fence and utilize a storage area that was being used by the mower shop. He said this was needed to approve the permit. He said to expand on that would mean having to go back and look at the mower shop. He said there would be a question if there was room to leave the mower shop enough replacement area, if expansion was done into their area. He said the Health Department was dealing with more than just the one chicken business if the system were to fail. He said there would be four businesses tied into this one septic situation.

Lyn Redwood clarified that this permit was approved for 270 and right now the maximum was 253.

Mr. Kurbes replied the permit was based on a peak flow of 252 in April, 2001.

Ms. Redwood clarified that with some conservation, possibly 50 gallons could be cut from the ice machine. She said this would still bring the figure to 200, plus another 100 on the conservative side for this new facility.

Mr. Kurbes remarked that the 100 gallons was based on Mr. Bearden's information from the company. He said in situations like this the county would have two options. He said the county could either look at the State's Sewage Flow Schedules, which stated the exact capacity of gallons needed per day. He said this was the way he had been working because he did not really have a business that he could go to for comparison. He said this facility would be a carry-out facility, and therefore could not be based on a seating requirement. He said the current State's Sewage Flow Schedule was 50 gallons a day for every 100 square feet of floor space, plus 20 gallons per employee. He said he knew one employee there required 20 gallons more, which would put the figure right at 279. He said the 100 square feet was a simple 10 by 10 area. He said most of these facilities were from 200 to 400 square

feet. He said in the past the Health Department had considered and was familiar with a proposed Checkers to be located in the county, which would require a septic system. He said based on the codes, an extremely large septic system would have been necessary. He said since there were numerous Checkers in the area the Health Department was able to get actual water consumption data to use as a factor. He said the State Manual showed a requirement of 500 gallons per day. He was able to show that three facilities that had been in operation for four years and they used a maximum of 300 gallons per day. He said in the case before the Board, he had not been able to find any actual documented water consumption; he was having to go on the Sewage Flow Schedule and the system was just too small.

Ms. Redwood said that she understood that the property owner was responsible for the system, but she also felt it was the Board's responsibility to not approve a potential failure. She said if the Board were to grant a variance for this it would already be exceeding capacity.

Ms. Peterson said the figures provided by Mr. Bearden meant the Board was looking at usage of 345 gallons.

Mr. Kurbes said he would really have to sit down and take a look at their operation and see their proposed cleaning schedule. He said hand washing and restroom facilities alone for one or two operators would exceed the maximum for the system.

Ms. Peterson said she had not heard anything about floor scrubbing, window washing, possible landscaping, hosing down the parking lot and that kind of thing.

Mr. Bearden said the history would also need to be considered. He said two years ago the figure was 185 without the ice machine. He said if the history of the location could be applied and also allow the extra 100 it would not be at 300 or 350. He felt it would be in the 270 range. He said the businessman coming in there would certainly have a reason to conserve water. He said all of the water conserved would go out into the flower beds. He said this place has a sprinkler system in the yard and this was water usage that would not go into the system. He said very little had been going into the septic tank, that there was room to expand. He felt the Board should not look at this as 300 or 350 usage, but as available conservation. He said the 100 gallons per day was not a known factor. He said that he did know that more than that could be conserved, based on the site history. He felt this project was possible and he asked for the Board's consideration in approving this request. He said it was his responsibility if the system did not work then he would have to fix it. He said the

**Board would not be approving a failure. He said the gentleman would have to close the establishment if this system failed, which would be in his lease. He said he was much more concerned with the other two tenants than this operation. He felt this was a feasible plan, from a business standpoint.**

**Chairman Strain asked what figure Mr. Kurbes could be comfortable with as usage of the system. He asked what if the daily usage was 100 gallons per day, the peak capacity was 270 and the estimate was 100. He asked for Mr. Kurbes' comfort level with these numbers.**

**Mr. Kurbes replied that his personal as well as professional comfort level was truly as close to the manual as he could get, to protect himself and the department. He said realistically, the paper sewage flow schedules could not always be met. He said the department looks at comparable water figures and available replacement area. He stated that in this particular case the one thing that concerned him most was the available replacement area. He said as Mr. Bearden had indicated, if this system did not work, the chicken restaurant was out of business. He said it was his concern that if this system did not work, the entire system would have been damaged; that the convenience store as well as the liquor store would have to be considered out of business. He said the replacement options were very limited. He said he could not speak for the department, or for other inspectors. He said he was speaking for himself now in having inspected for fourteen-plus years. He said there were some permits where you could go out and feel very comfortable, knowing that the soils were good and the size of the system was good; but there was still no way to guarantee that system was going to function properly. He said when a system starts getting maxed out on anticipated capacity and then an additional business was being proposed, professionally he starts getting extremely nervous and conservative. He said the figure he would feel comfortable with would be zero. He said looking at the last few years' usage, consumption figures had been progressively increasing. He commented on the sprinkler system that had been discussed. He said he had gone back and looked at the typical sprinkler months. He said water consumption was not that different from what one would normally consider a non-sprinkler month such as November, December and January. He said the business that was there now uses 270 gallons of water per day. He said that was based on a straight retail operation of 25 gallons per day per person. He said that was only for ten people. He said now there would be another business that would bring additional people into the facility, which would generate additional water consumption. He said how much more would be used could not be predicted.**

**Mr. Kurbes further remarked that the concept of conservation was another concern. He said the department was a big fan of conservation, especially when it came to a septic system. He said the department would also have to step in as restaurant inspectors. He stated that when one started talking about water consumption conservation in a food service establishment, he felt that would indicate that cleaning would be cut back. He said if there was potential for conservation, why not institute the conservation practices now, take a look at the next two- four months of water conservation and make sure this project would work. He said then the additional business could be brought in. He said without a doubt they would have to use water to keep that facility clean, to meet not only the State's sewage codes but the State's food service codes. He said this would have a very direct implication on everybody who goes into the store to purchase the chicken. He said with the convenience store you could limit some of the usage by limiting the public from using the restrooms. He said you could limit usage by not washing the windows every day, but raw chicken needs to be cleaned every hour. He said he did not feel comfortable with water conservation in food service.**

**Mr. VanLandingham remarked that the information that he had received yesterday mentioned conservation, and conservation was not a convenient thing when cleaning was at issue, which put him immediately on the defensive. He said also workers might not be as conscious of that need as would be the owner. He said he had difficulty in looking at approval based on conservation alone. He said the Board was already looking at figures that go over the chart for this system. He felt it would be a fallacy for the Board to believe that this was going to work. He said the system was not designed to accommodate another business, and it was going to be a different type of water with grease in it. He said he did not feel that the Board needed to rush into approving this. He said he would rather see water conservation go into affect and then revisit it three or four months from now. He said he could not approve this request based on the conservation idea.**

**Mr. Kurbes said Mr. VanLandingham had brought up an item that the Environmental Health Department had not yet discussed, which was concern about grease. He said unless a commercial operation was a food service, typically grease was not a concern. He said there was the potential that a grease interceptor would be required for this business, based on actual operation. He said he had not taken a hard look at this issue. He said with the information that had been provided, he did not see that being a concern, since a grease interceptor could easily be installed; either into the system itself or on each of the sinks.**

**Ms. Redwood asked Mr. Kurbes if she was correct in assuming that the Environmental Health Department's position on this request was for denial of the variance.**

**Mr. Kurbes replied that the only reason he was here was because he would not grant approval in the field. He said he did not feel that he had the authority to set aside the manual in this situation; it was his opinion that capacity would be exceeded in this system. He said for that reason, the department would deny this request.**

**Ms. Redwood said she was reading a letter by Richard Fehr dated July 9<sup>th</sup> that stated the recommendation of the Environmental Health Department to the Fayette County Board of Health would be to deny Mr. Bearden's request, unless he produces or obtains a written statement from the Peachtree City Water and Sewer Authority that a sewer connection would be available within six months. She said it was her understanding that there were no plans for sewer.**

**Mr. Kurbes replied that if he had a signed contract indicating that on a certain date sewer line construction would begin which this facility would be able to tie onto, and that the operation would be completed by a certain date, then that would provide a temporary solution until the sewer comes on line. He said the system could be pumped out daily or every other day for up to thirty or sixty days. He said the Environmental Health Department had considered issues like that in the past. He said that in this case it was not really known when sewer would be available, so the department would not want to use the fall-back position of pumping out the system on a routine basis. He said that would quickly get very old and quite expensive.**

**Mr. Bearden asked if there was a system that did not go into the ground and was on a private sewer system with no drain field; what would the department's objections would be to that type system.**

**Mr. Kurbes responded that this department would not be able to approve that.**

**Ms. Redwood said that would not be something that the Board of Health could consider.**

**Mr. VanLandingham asked Mr. Bearden to repeat his question.**

**Mr. Bearden replied he would be glad to. He asked that if he had a septic tank system that did not go into the ground, with no leakage, and could be privately or**

**commercially hauled off and with nothing going into the ground, could the Board approve that type system.**

**Mr. Kurbes replied that kind of system would have to be approved by the State Department of Natural Resources as a holding tank system.**

**Ms. Peterson said that kind of system was not an approved system in Fayette County. She said there were several types of septic systems that Mr. Bearden might want to look into.**

**Mr. Bearden said this kind of system would work on the property, if it was done privately.**

**Ms. Peterson replied that there was no such thing as privately. She said all sewage and septic was regulated.**

**A motion was made by Lyn Peterson, seconded by A.G. VanLandingham to deny the request as presented, discussion followed.**

**Chairman Strain asked if anyone would be willing to look at water consumption over four months, to see if the number was low enough such that 100 gallons would be under the limit. He said this could be done before the request was formally denied.**

**Ms. Peterson said she would personally prefer to deny this request but allow Mr. Bearden to come back with additional information for reconsideration by the Board, if he so chooses. She said at this point she saw no reason to grant a variance because of current usage. She also expressed concern over the other businesses there. She felt it would irresponsible to jeopardize the service station, the liquor store and the mower store and put them in a situation where they would be completely unaware that they might have to shut down.**

**Ms. Redwood said she also had some concerns with that as well. She felt it would be very easy to revisit water usage for the next few months. She said if this permit was approved there was concern that there would be risk of not having enough hand washing and sanitation. She felt it would be very easy to cut back temporarily but would not be something that could be counted on long term.**

**Ms. Peterson said the conservation issue was not something that the Board could mandate. She said the system was simply set up for a certain figure and that figure was not being met.**

**Mr. VanLandingham felt the figures that were given today indicated that the system had all it could handle right now. He said when a system gets close to capacity and continually operates at peak capacity, increasing it would be inviting trouble. He said the system was designed for 270 or 280 gallons and if this was done day in and day out one was already asking for trouble. He said he would rather see a system over-designed but evidently there was not enough surface area to do so. He said he would rather deny the request today, and if the request comes back before the Board it would be a different matter. He said he would be willing to look at this request again if something developed that would change the situation. He said as the request stands today, he just could not support it.**

**Carol Fritz said she would have to agree with Mr. VanLandingham.**

**Ms. Peterson said it sounded like it was a very real possibility that Mr. Bearden would get the sewer line. She said she did not feel like the Board was leaving him out in the cold. She said there was no guarantee that he would get sewer but there was a strong possibility.**

**The motion carried unanimously.**

**UPDATE ON LAKE EDITH SITUATION:**

**Rick Fehr presented the Board with testing results done at the University of Georgia lab. He said sampling had been done at four sites, beginning on Thursday, June 25<sup>th</sup> and each successive Thursday after that. He said the dates on the sediment results were a little bit different in that they had run the actual test after it had actually been collected. He said with the first sampling point, which was a section of Pelham Creek above Marnell Mobile Home Park on June 25<sup>th</sup>, there was a very low starting count both for the E-Coli and a low count for the Fecal Chloroform. He said on July 2<sup>nd</sup> Pelham Creek was slightly higher on the E-Coli count, but still in the double-digit range. He said on the last sampling date, which was July 9<sup>th</sup>, Pelham Creek indicated a double digit number and was higher still. He said the sample listed as Marnell Mobile Home Park outfall on June 25<sup>th</sup> showed counts in the hundreds for both E-Coli and Fecal Chloroform. He said on July 2<sup>nd</sup> the counts were less than double digit. He said chlorination was the last step of treatment in the facility, and evidently on this particular day the chlorination was extremely strong. He said on July 9<sup>th</sup> the number**

for the Fecal Chloroform was still in the hundreds, and the E-Coli count was reduced to the double digit numbers.

Mr. Fehr further remarked that samples taken on June 25<sup>th</sup> from Pelham Creek at Lake Edith were in the hundreds, but less than the counts at the actual outfall. He said on July 2<sup>nd</sup> the numbers were still in the hundreds and were higher than the figures for the outfall. He noted that there was a fair amount of distance between the outfall and that point in the lake. He said there had been reports from the residents at Marnell that sometimes there were sewage overflows. He pointed out with the amount of rain during June and July that the sewage was washing down to the lake. He remarked that on July 9<sup>th</sup> the figures for Pelham Creek at Lake Edith were well in the hundreds. He said the fecal chloroform count was 510. He felt there was a pattern on the last two samples showing that the results downstream at Pelham Creek and Lake Edith were higher than at the outfall area.

Ms. Redwood asked if Marnell Mobile Home Park was aware of the sampling being done.

Mr. Fehr replied that he was aware of when the sampling was being done, and the exact date was known by the representative here at the Extension Office and the County Marshal's Office who was going to do the transporting of the samples. He said the outfall itself it was located outside of the Marnell Mobile Home Park area fencing. He said he had done the sampling at 7:30 a.m. and 8:00 a.m.

Mrs. Fritz asked if the water was also being tested for just the fecal count at WASA. She asked Mr. Fehr if he had those results.

Mr. Fehr replied yes that he had those results, but had not finished with the third sampling date. He commented on the sampling that was done just for fecal chloroform. He said this sample was taken to the lab at the Peachtree City Water and Sewer Authority. He said on June 21<sup>st</sup> at the Pelham Creek location above the outfall, there were 15 colonies per 100 milliliters and at the outfall itself there were 180. He said at the Pelham Creek and Lake Edith point there was 116 and for the boat dock there were 4 colonies per 100 milliliters. He said these results were close, when compared with the first page of June 25<sup>th</sup> at the University of Georgia. He said on June 28<sup>th</sup> for Pelham Creek the Peachtree City Water and Sewer Authority had a count of 471 colonies, which was significantly higher than was indicated on the University of Georgia results.

**Chairman Strain asked what all of the numbers meant.**

**Mr. Fehr remarked that under DNR regulations, in order for the lake to be used for recreational purposes, there must be several samples over a certain period of time and then the geometric mean average must be taken. He said he had various experts to indicate that if one really wanted to get an idea about how a facility was doing these samples would need to be taken over an entire year. He said there would be temperature differences and usage factors. He said this was just a small view of what was going on during the three week period.**

**Chairman Strain said the Board needed to know if this was an alarm situation or whether more resources needed to be expended. He asked Mr. Fehr what the Board needed to do with this data.**

**Mr. Fehr replied that he had been contacted by State Representative Kathy Cox, who had asked to have a meeting with EPD officials this coming Thursday at the Health Department. He said he would be sharing the results of the sampling at that time to determine what direction the Health Department needed to take.**

**Mr. Redwood asked if the EPD representatives could bring their file on this permit with them. She said it was her understanding that the EPD had a long list of violations over the last few years. She said some repairs had been required, and she wanted to see if they had been done. She agreed that it would be very difficult to detect problems with this system, unless samples were taken during an entire year. She felt the things the Board and the Health Department needed to focus on would be determining if Marnell was meeting its permit requirements and also if there were any reports from residents that they were dumping raw sewage on the ground. She asked if this was a closed meeting, or would any of the residents be allowed to attend.**

**Mrs. Fritz remarked that the meeting would not be a closed meeting *per se*, but was being held at Representative Cox's request. She said Mrs. Cox had met with some businessmen of a company located in Tyrone, regarding some type of alternative system that the EPD will not even talk to them about. She said Mrs. Cox had this meeting set up to bring in residents from Marnell, EPD, Rick Fehr and some of the Board members to discuss the possibility of using Marnell as a test site for this particular system. She said the Board needed to keep on top of this matter. She said there were even reports of residents' laundry smelling like sewage. She asked how many more tests would need to be done for this series.**

**Mr. Fehr said there had been three samplings thus far. He said this had been done with the assistance of the Fayette County Marshal's Office in transporting the samples. He said one of the three days scheduling did not allow the Marshals to transport the sample, and one of the Environmental staff took it. He said he did not know if staff could sustain too much more of a sampling program, especially with the department being on a State employment freeze. He said it would be very difficult for staff to maintain the other services that must be maintained and still continue regular sampling. He said he hoped the samples would show that the State would need to more closely monitor this situation.**

**Mrs. Fritz asked Mr. Fehr to bring copies of the WASA report to that meeting on Thursday.**

**Ms. Redwood asked if their permit allowed a count of Fecal Chloroform of 400. She asked what their allowable maximum was for Fecal Chloroform.**

**Mr. Fehr replied that he did not recall specifically what the permit allowed.**

**Ms. Redwood asked Mr. Fehr to check into that, as well to see if they were falling within their permitted guidelines.**

**Mr. Fehr remarked that he would report to the Board the results of the Thursday meeting.**

**WEST NILE VIRUS PUBLIC HEALTH FORUM:**

**County Nurse Manager Cynthia Grant updated the Board on the Public Health West Nile Virus Forum. She said the forum would be held in the Fayette County Hospital meeting room on the first floor on July 26<sup>th</sup> from 9:00 a.m. to 12:00 noon. She said Kathy Rebmann would be speaking, from the Office of Infectious Disease. She said Ms. Rebmann was responsible for coordinating most of the surveillance efforts for the West Nile Virus in the State of Georgia. She said this presentation would probably take up 45 minutes of the entire program. She said Dr. Jessie Hobbs, medical Entomologist, would talk about vector issues. She said Rick Fehr would speak on Fayette County Health Department's role in dealing with this disease. She said she had spoken with Ms. Duffy at the Hospital, and it was felt that EMS personnel, Fire Chiefs, and internal medical physicians should be invited.**

**TETANUS VACCINE:**

Cynthia Grant updated the Board on the Tetanus vaccine. She said there was a shortage of this vaccine which would probably last into next year. She said the Health Department had already experienced a shortage, and at one point the department did not have more than ten doses of Tetanus Vaccine. She said the CDC was suggesting delay of all routine boosters for adolescents and adults until next year. She said this would affect the Health Department only for children coming into the Georgia school system from out of state. She said there were certain categories where the department was not holding off giving the booster: if a patient presented with a dirty wound and they had not had a tetanus booster in five years; if it was a clean wound and they had not had a tetanus booster in over ten years; pregnant mothers who have not had a tetanus booster within the proceeding ten years; people who have had less than three doses of a vaccine that contained tetanus; as well as anyone traveling to a foreign country where the risk of Diphtheria was high. She said the Health Department ordered directly through the drug companies to get the vaccine. She said right now the Department was ahead of the game, although she did not know how long this would last. She said information would be going out to the schools and reminders would go out to parents.

**FLU VACCINE:**

Cynthia Grant said the CDC was predicting that there would be delays in the Health Department receiving the vaccine. She said she hoped it would not be as bad as last year. She said they were saying that approximately one third of the vaccine would be available by October. She said the Health Department had already ordered 5,000 doses through *Caligore*. She said she was just waiting to see how much the department received, and as soon as she knew when and how much was coming she could set up the outside clinics.

**STAFF REPORTS:**

**CYNTHIA GRANT:** Cynthia Grant reported that the Health Department was down one nurse again. She said Ms. Leffall had gotten married and moved to the Fulton County Health Department. She said Fulton County was paying Ms. LaFall \$10,000 more in salary than Fayette County. She said they were looking for another nurse to fill that position.

**MERLE CROWE:** Merle Crowe reported that the Board of Commissioners had voted for a 4% supplement for the Environmental Health Department staff. She said this increased the county portion of the Health Department's budget by \$1,836 for the entire year. She said this would be reflected in the first budget revision.

**Ms. Redwood asked if this increase was in line with what had been requested.**

**Mrs. Crowe replied that there had been a number of questions about that. She said the Board of Commissioners had voted for a 7% increase and that was what was done.**

**Mr. VanLandingham said there was some confusion in the material submitted. He said when the Board of Health had first discussed the budget the Board had tabled it because there was incomplete information. He said he had looked through the minutes where he had recommended that the Board of Health give supporting documentation in its presentation to the Board of Commissioners. He said that did not take place. He said this had resulted in a lot of discussion and it cast unnecessary doubt as to validity of the figures that were given to the Commissioners. He said he had reviewed the Board of Health minutes and the motion was to approve a 7.5% increase in salary. He said the Board of Commissioners thought it was 11%. He said the supporting documentation was not there and this prompted questions that were not answered adequately. He said it was unfortunate that this happened. He said the Board of Commissioners had individually asked him questions. He said it was his recommendation that the next time the Health Department prepared a budget to get the line items sorted out with the figures attached to avoid questions. He said he was aware that this was a new approach to the budget for everybody and this was the reason documentation was encouraged. He said Finance Director Mark Pullium was a very open person and anyone could go in and ask him anything. He felt all along everyone knew what was supposed to be there but somehow it just did not materialize. He said this had provided some embarrassment. He said all of that could have been eliminated with proper documentation.**

**RICK REHR: Rick Fehr presented the Board with a copy of the septic system usage, maintenance and failure that was developed by the Fayette County Environmental Committee. He said the committee had been established a couple of years ago in response to new requirements by the Federal Government on the control of storm water. He said he had been invited to be a member of this committee and he had accepted. He said essentially the *Septic System Usage, Maintenance and Failure* was a white paper indicating the committee's current position. He said this paper had been submitted to the Fayette County Water System as well. He said it was his understanding that it would eventually be submitted to the Fayette County Board of Commissioners for their consideration. He said the committee had asked that he share this document with Board members to review. He said in addition, one of the committee members had communication with another county in another State about**

how they educate the public about sewage systems. He said in addition to the *Septic System Usage, Maintenance and Failure* white paper, a white copy of the blue folder that the other community had developed for its residents who have sewage systems was also included. He said the committee asked him to share this with the Board of Health members as well to review, and to indicate to the Board that there was an interest by the committee to obtain the copyrighted folder and mail it out to all residents who have sewage systems. He said a very rough cost estimate to obtain this folder and mail it out to residents with sewage systems was somewhere in the area of \$15,000. He said the committee wanted him to share with the Board of Health what, if any, part of that amount the Board of Health would be willing to consider contributing to that effort. He said he had spoken with Merle Crowe about this and she had discussed it with the District staff.

Merle Crowe said if the Health Department was able to supplement this it would probably be less than 10% of the total cost. She said Ms. Scarborough suggested that staff check with the Jeff Gary at the State office to see if there was a grant that could be used, or some money that the State could provide. She said at this time there were no definite plans to obtain funding.

Mrs. Fritz stated that she strongly supported looking at grants. She said the University of Minnesota had the best setup she had seen for an educational brochure for residents. She said the University had partnered with others and looked at getting grants. She felt the Board of Health also needed to do that before going to the Commission.

Mr. Fehr said the District had an environmental committee who had been looking at this for the entire District. He said he would like to give them an opportunity to share what they had determined before any action was taken. He said this staff report was just to share information with the Board today and not for any action at this point.

**SAFE KIDS COALITION:** Rick Fehr remarked that he had included a report from Robert Kurbes concerning his latest update on the efforts of the Safe Kids Coalition of Fayette County.

**ATTORNEY DENNIS DAVENPORT:** Attorney Davenport remarked on the Chariots of Fire issue that had been ongoing for several months. He said the home was substantially damaged by fire about six weeks ago. He said Mr. Graham had filed a complaint with the Georgia Commission on Equal Opportunity saying that the county had discriminated against him because of his race, in denying him the ability to hook

up to the Clayton County sewer line. He said he had received a report of findings from the Georgia Commission on Equal Opportunity about six to eight weeks ago, saying that they could find nothing to substantiate those allegations. He said it came short of saying that everything was properly done, and it would now be up to Mr. Graham if he wanted to do anything further at this point.

**DR. MICHAEL BRACKETT:** Dr. Brackett reported that the Health Department had recently signed a contract for an environmental software package called *WebStar*. He said it was hoped that this program would standardize a lot of environmental documentation now done differently county by county.

There being no further business to come before the Board, Chairman Strain adjourned the meeting at 8:55 a.m.

---

**Merle Crowe, Director of Administration**  
Prepared by: Karen Morley

---

**Dr. Michael Strain, Chairman**