

The Fayette County Board of Health met on Tuesday, January 13, 2004 in the Public Meeting Room in the Fayette County Administrative Complex, 140 Stonewall Avenue, Fayetteville, Georgia.

**Board of Health Members Present:**

Dr. John DeCotis  
Thomas Faulkner, MD  
Lynette Peterson  
Lyn Redwood  
Dr. Michael Strain  
A.G. VanLandingham

**Staff Members Present:**

Michael Brackett, MD  
Merle Crowe  
Rick Fehr  
Cynthia Grant  
Rodney Hilley  
Dennis Davenport, Attorney

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**CALL TO ORDER:**

Dr. Strain called the meeting to order at 7:39 a.m.

**APPROVAL OF MINUTES FROM SEPTEMBER 9, 2003:**

Motion was made by Ms. Peterson to approve the minutes, seconded by Ms. Redwood. There was no discussion. The minutes were unanimously approved as written.

**OLD / UNFINISHED BUSINESS / PUBLIC COMMENT:**

**ELECTION OF OFFICERS:** Mr. VanLandingham made a motion that the current slate of officers be retained for the forthcoming year. Ms. Peterson seconded the motion. There was no discussion. The motion carried unanimously.

**SMOKING ORDINANCE UPDATE:**

Board members reported on their various appearances before Fayette County's municipalities:

Ms. Redwood said she had appeared before the Tyrone Town Council and the ordinance had been well received. Tyrone's council requested a model ordinance for their review, which Ms. Redwood provided. She said this issue would be addressed during the council's annual retreat January 30<sup>th</sup> and that it was anticipated that it would then be brought before the council.

Dr. Strain said he had appeared before the councils of Brooks and Woolsey; that both councils seemed receptive and had agreed to put the proposal on their agendas sometime this coming year.

Dr. Faulkner said the Peachtree City Council was receptive but wanted the people to decide by means of an online survey. The survey would remain online for another 3 months to allow for a better response; once it was complete the council would move forward with this issue.

Mr. VanLandingham said he had presented the proposed ordinance to the Fayette County Board of Commissioners. He felt that it would be a hard sell due to the board's reservations, and from comments that he had received from other people, regarding excess existing legislation. He commented that some things must be legislated for the good of all. He mentioned that monies rendered from the Tobacco Settlement had been diverted by some states for purposes other than health, which indicated a permissiveness prevalent in today's society. He felt that in order to move the anti-smoking ordinance forward salesmanship would need to be employed. He felt that officials hesitated to enact ordinances that they felt would interfere with business operations. He said one problem was that exceptions were not made for such businesses as tobacco shops.

Ms. Crowe reported that the city of Fayetteville had not responded to requests, phoned or written, for a board of Health member to be placed on the City Council meeting agenda. She said the mayor must approve such requests.

Dr. Strain, Ms. Redwood and Ms. Peterson mentioned that Gwinnett and Dekalb counties were entertaining such ordinances. Dr. DeCotis said New York State had passed a no-smoking ordinance, which had caused an outcry from various businesses, due to loss of revenue. He said the ordinance would possibly be amended to allow smoking areas in these businesses. He said the school system had had a successful ban on smoking for about 10 years.

Ms. Peterson said smoking bans in workplaces and public buildings were not unusual nowadays. She felt it was important to keep this issue before the public, especially the fact that the Fayette County Board of Health supports non-smoking.

Ms. Redwood said study after study proved that revenue did not drop when smoking bans were enacted. The board agreed. She asked if the board of commissioners' concern was due to the definition of "public place." She thought that it would be helpful to outline various definitions of "public place" with the help of the county attorney.

Dr. Strain said the term "public place" was deliberately left broad such that municipalities could define it as they felt best.

Ms. Peterson felt that it would be helpful to send a packet of recently passed no-smoking ordinances to city councils to provide examples for their review. She thought that would make it easier for them to draw up their own ordinance.

Ms. Redwood volunteered to email a packet of existing ordinances to county municipalities, saying Ms. Holmes Long could provide such resources.

There was no further discussion.

**NEW BUSINESS:**

**FEE WAIVER POLICY:**

Mr. Fehr told the board that Environmental Health was receiving greater numbers of requests to waive fees; for example, from hardship cases like people on very limited incomes such as Social Security, or struggling non-profits. He said requested fee waivers were often for repair permit fees of \$100, and that the challenge would be to define hardship. He said that in the past such fees had been waived on a limited basis by personal appearance before the board. He said there could be 6—8 weeks waiting time for such an appearance. He asked if the board wished to implement a policy to waive fees or continue with the present process.

Ms. Redwood asked for Mr. Davenport's legal opinion.

Mr. Davenport replied that he was not familiar with this issue, but that the best way, even if cumbersome, was to review on a case-by-case basis. He said such a policy would be hard to defend: if a fee was waived for one, why not everyone?

Dr. Strain agreed and asked Mr. Fehr to consult with Mr. Davenport on this issue to see if a policy could be established, especially considering proposed state funding cuts.

**PUBLIC COMMENT:**

**Ms. Margery Peterson:** Ms. Peterson addressed the board on behalf of *Special People of Fayette County*, explaining that this group advocated for citizens who had developmental disabilities. She said the group represented all ages of developmentally disabled people. She hoped that the board had a voice in decisions made for this group. She offered her help in advocacy efforts on the state level. She said she was the contact person if the board needed resources. On another note, she commented that Dougherty County, where she previously lived, had passed an anti-smoking ordinance and felt that might be a good resource for overcoming resistance within the community on this issue.

Dr. DeCotis commended the group for all its help and its advocacy for special students.

**Ms. Becky Whitlock:** Ms. Whitlock described her developmentally disabled son Christopher's situation. She told the board that he was able to attend Sandy Creek High School and worked at Chick-fil-a and McDonald's. She said that made him feel useful. She said that he would be 22 years old this summer, which meant that there would be no such services available then. She said care of such handicapped adults was a terrible problem. She said many parents quit work to stay home with mentally handicapped adults. She said he was on a waiting list for a Medicaid waiver, which would solve the financial problem of his care, but that there was a very long wait for any help. She felt the one service center for mentally handicapped Fayette County citizens was inadequate and she did not want to send her son there. She hoped that bigger, better facilities could be found.

She also mentioned that she had read about the possibility of an after-school program for adult mentally handicapped people in online Board of Health minutes. She asked if the board would encourage such a program if it became possible. She said that current programs only served school-age children, and that transportation and costs for adult care would be problems. She said after meeting with Dr. Stuart at the Board of Education she understood that a survey was to be taken to determine the number of handicapped children in Fayette County.

Ms. Peterson asked how many moderate/severely handicapped students were in Fayette County schools. Ms. Margery Peterson replied there were at least 109 in middle and high schools, which did not include students over 21 or those not yet in school. She pointed out that after-school programs were limited to elementary school age students, not those in middle or high school. She said families must make arrangements for those students' care.

Ms. Redwood said this was definitely an unmet need in Fayette County; that it was a growing population, and that her heart went out to them. She mentioned that she had visited the service center and taken her concerns to the county commissioners by a PowerPoint presentation.

**Terry Whitlock:** Mr. Whitlock identified himself as Christopher's father, President of *Special People of Fayette* and a Fayette County resident. He thanked Ms. Redwood for her visit to the service center, and said he had read about her presentation in the online minutes. He discussed the need for more space and commented on the recent painting of the service center. He said that county offices had been expanded to meet growing need, but that handicapped residents' needs had not been met. He said the service center was not owned by Fayette County and agreed that it was inadequate. He said that McIntosh Trail was not a state agency, but was contracted by the state to provide mental health services over a large area, and as such would respond with state-provided resources. He said Fayette citizens should be provided for by county government. He suggested that provisions could be made from a Special Local One Cent Sales Tax (SPLOST), or community/block grants such as the one Henry County used to fund their facility. He said there was a hidden population of mentally handicapped citizens, which could be a developing crisis. He felt that Fayette County should take ownership of this problem by seeking its share of state resources; use of its own resources such as faith-based organizations to fill gaps; coordinate with the Fayette School system; provide increased transitional training for this population, as well as provide data to state systems for purposes of forecasting needs. He said additional public and private fund sources should be sought, such as the Tommy Novis Center and the Bobby Dodd Institute. He felt that a quality impact could be made in Fayette County. He said he had been working with the Development Authority and the Chamber of Commerce in an attempt to improve services. He offered to serve on a Task Force.

Mr. VanLandingham agreed that needs are great and said that he fully understood Mr. Whitlock's concerns. He explained that there were many needs in Fayette County and that deciding which would receive funding--and how much would be given--was a great problem for government budget-makers. He admired Mr. Whitlock's passion to assist the mentally handicapped. He said perhaps having government involved would not be the best solution, since he had seen service centers transition into government institutions like at Hardwick. He said this was a distinct possibility and that in a government institution people are treated like cattle. He felt that seeking private assistance like the Bobby Dodd Institute example was the way to go. He felt that government institutions became too restrictive. Mr. VanLandingham offered to work with Mr. Whitlock in this effort.

Dr. DeCotis mentioned that *Special People of Fayette* was a private organization and that it sought funding from private sources; that they had worked with and had provided many things for the school system, especially the summer program. He said if the board of health, the board of education and *Special People of Fayette* could all participate in a Task Force it would take some pressure for funding pressure off government. He agreed that government resources are often spread so thin that nothing is accomplished in a satisfactory manner, and felt that a Task Force could at least identify available resources.

Ms. Redwood said she had worked on this issue since the last budget was presented and the lack of resources had been brought before the board. She thought that combining efforts to seek resources was a good idea and volunteered to put together the Task Force. She asked Dr. DeCotis if he would suggest someone from the school system. She liked the idea of partnering with the Development Authority and the Chamber of Commerce.

Dr. DeCotis asked if a Task Force report could be given next meeting.

Mr. Whitlock asked if the board of health wanted to seek the county commissioners' endorsement; perhaps administrative staff could be utilized in putting information together.

Mr. VanLandingham suggested contacting Chris Cofty. He felt that it was important to make this issue public in local newspapers, to perhaps make contact with possible donors of funding, or even a building.

Ms. Peterson mentioned the community effort that had gone into rehousing Fayette Samaritans when they lost their building.

Ms. Grant suggested the Task Force contact *Fayette FACTOR*, a county collaborative of many different organizations, as well as the *Fayette Human Services Council*. She thought that some of these organizations might be able to provide resources.

Ms. Peterson mentioned that she had been approached by *Fayette County Head Start*, and that both she and Ms. Grant had agreed to serve on the advisory committee.

There was no further Public Comment.

**SERVER UPGRADE:**

Ms. Crowe reminded the board that budget planning was approaching and it would be necessary to upgrade the health department server, at a cost of between \$8,000 and \$10,000.

Mr. VanLandingham asked if this upgrade would affect transcription of the minutes.

Ms. Crowe explained the process: the board meeting was recorded on the county system and downloaded to a Compact Disk (CD), from which she transcribed the minutes and sent them along to Nina Madrid to put on the web. She said there was a link to the minutes from both the Fayette County Health Department website and the Fayette County government website.

Ms. Peterson was impressed that members of the public read the minutes.

**STAFF REPORTS:**

Ms. Crowe gave a brief staff report. She said there had been 2 recent secretary vacancies which had been filled by Spanish-speaking staff, due to the need to serve the growing Hispanic population.

Ms. Grant: Ms. Grant reported that the mandatory annual WIC update meeting would be held March 30—31. She said some health departments had a nurse assigned to do only WIC, but since all Fayette County Health Department nurses see WIC patients they would all need to attend. She said the health department would be open those 2 days but that no nursing services would be offered.

Ms. Grant informed the board that 4,700 doses of flu vaccine had been given. She said no more flu vaccine was expected, but that a private provider planned to donate 80 doses. She said Peachtree Immediate Care (PIC), next to Fayette Community Hospital, had been very helpful in accepting patients when the health department ran out of flu vaccine. She mentioned that when PIC ran out, they sent patients to the health department if a small supply of vaccine had been received. She said PIC now had a waiting list of about 200 people needing flu shots. She said when the 80 doses were received it would be shared with PIC.

She asked Ms. Redwood about the mercury thermometer exchange.

Ms. Redwood replied that exchange of mercury thermometers for digital ones would probably be funded by a private non-profit organization, and that she would be in further contact on this issue. Ms. Redwood mentioned this year's flu vaccine shortage and said many vaccines still contain mercury. She said that in 2001 the Institute of Medicine recommended that infants, children and pregnant women not receive vaccines containing mercury. She said that mercury free Fluzone vaccine was available this year but was not sure of its cost. She wondered if the state could provide mercury-free flu vaccine. She was concerned that future flu vaccine stocks be adequate and that protect against the circulating strain.

Dr. Brackett said that ensuring flu vaccine supply —like any vaccine-- was a difficult medical challenge. He said that supply was always an issue: one year it was excessive, the next it would be insufficient. He said demand was what changed and that the biggest issue was always demand, not production/supply. He said this year demand was huge, while last year flu vaccine could not be given away. He mentioned that lawsuits had driven manufactures out of vaccine production, leaving very few still producing. He said that shortages ensue when the few left have problems with production. He said burgeoning demand could also drive prices up; which was unfortunate. He said the situation had been chaotic both state and nationwide. He said a committee was looking into state-purchased flu vaccine, unlike the current process whereby each county health department purchases on its own, from whichever vendor they could find. He expressed concern that only about 15% of the indicated population was actually receiving flu vaccine, and said that medicine was failing miserably in this effort. He said attention was now being paid to this issue, which was a good thing. He hoped that reorganization would lead to reaching increased numbers of the indicated population. He said if the state bulk-bought from a single vendor, that could lead to a real problem: if prices went up the vendor could sell to another bidder, leaving nothing for the original purchaser. He said this issue was much more complex than it first appeared.

Ms. Redwood thought media attention and CDC's recommendation that children be given flu vaccine had much to do with increased demand.

Ms. Grant mentioned that some of the state-purchased vaccine was thimerosal-free. She said last year Fayette County Health Department threw away 300 doses of vaccine due to lack of demand.

She addressed Mr. VanLandingham's concern about misdirection of tobacco settlement monies. She said that *Fayette FACTOR* had partnered with the *Association of Village Pride* (a youth leadership program), and had teenagers do a survey in Fayette County regarding residents' preferences for smoking vs. non-smoking restaurants. She said the teens then collected information on which restaurants allowed smoking, and made up a very nice brochure listing non-smoking restaurants. She said brochure publishing costs were paid for by tobacco settlement money.

Mr. Fehr:

Mr. Fehr introduced Ms. Laurie Cook's new assistant, Mr. Rodney Hilley. He said Ms. Cook would still work with staff, with Mr. Hilley's assistance. The board welcomed Mr. Hilley.

He reported that as of Friday Environmental Health was in process of moving to its new offices. He thanked the Board of Commissioners and the Board of Health for the space. He

thanked Ms. Redwood in particular for her efforts. He offered the board members a tour of the new offices.

Ms. Redwood added her thanks, on behalf of the Board of Health, to the Fayette Board of Commissioners for the additional space for Environmental Health.

He mentioned his correspondence with the board on the *Atlanta Journal Constitution's* series of articles on sewage systems. He said that a Fayette resident met with him for information on sewage systems /current regulations and planned to write an article in response. He said the resident had received word that his article would be published. He said contact had also been received from the *Atlanta Regional Commission* about water pollution and sewage systems in Georgia. He felt that concern about sewage systems and pollution would continue.

**ADJOURNMENT:**

Motion was made to adjourn by Ms. Peterson, seconded by Ms. Redwood. The motion carried unanimously.

The meeting was adjourned at 8:50 am.

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Michael Strain, Chair

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Merle Crowe, Secretary