

The Fayette County Board of Health met on Tuesday, September 12, 2006, in the Public Meeting Room of the Fayette County Administrative Complex, 140 Stonewall Avenue, Fayetteville, Georgia.

**Board of Health Members Present:**

John DeCotis  
Robert Horgan  
Thomas Faulkner, MD  
Lyn Redwood, RN, MSN  
Judi-ann Rutherford, RN  
Lynette Peterson  
Michael Strain, MD

**Staff Members Present:**

Michael Brackett, MD  
Carolyn Callison, RN, BSN  
Merle Crowe  
John Darden  
Rick Fehr  
Rodney Hilley  
Hayla Hall  
Dennis Davenport, Attorney

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**CALL TO ORDER:** Dr. Strain called the meeting to order at 7:25 a.m.

**APPROVAL OF MINUTES FROM July 11, 2006:** The board requested two minor changes in the minutes: rewording one sentence and changing the second to the motion to adjourn. Motion to approve the minutes with these changes was made by Ms. Redwood, and seconded by Dr. Faulkner. The minutes were approved with Ms. Peterson abstaining.

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

**Update on Letter requested by the Board regarding Soil Testing:** Mr. Davenport presented a draft letter which addressed the soil testing directive memorandum from Dr. Stuart Brown. The wording of the memorandum required county boards of health to accept soil site reports as presented by individuals certified by the state, unless the report found soil that was deficient. He said that after review of the quoted statute, it was apparent that it had been paraphrased. He pointed out that Dr. Brown's memorandum appeared to require acceptance of a soil report that only followed a checklist, disallowing follow-up if staff needed further information on the soil site. He mentioned that prior procedure had been to not only check such a list but to verify that the information presented was accurate and good information. He said the letter stated the board's feeling that following a checklist alone was not sufficient and that he and Mr. Fehr took strong issue with this requirement. Dr. Brackett felt that this was a very valid concern.

Mr. Davenport said there was a real question about the authority to issue this kind of memorandum, which then became a rule, and that he had not been able to determine if the memorandum had been issued following due process. Ms. Rutherford expressed concern that if Dr. Brown's memorandum was followed as written and septic systems were installed under that process and which later failed, then the problem would belong to Fayette County and the homeowner, not state authorities. Mr. Davenport said he could revise the draft letter to reflect the board's desire to continue with the procedure of soil evaluation used prior to June 8<sup>th</sup>, when the

memorandum was issued, until an appeal to the State Attorney General was ruled upon and that its issue followed due process.

The board questioned if staff was currently following the memorandum. Mr. Fehr said that staff was, and that under its direction their choices were to ask the soil scientist to reassess his or her report, wherein s/he could agree to reassess the site, or decline to do so. If reassessment was undertaken, the original determination could stand and staff would then be *obligated to permit the site*. Ms. Rutherford made a motion to direct Fayette County Environmental Health (EH) staff to follow the procedure in effect prior to June 8, 2006 until a ruling from the Attorney General was handed down; seconded by Ms. Redwood. The motion carried unanimously. The board directed Mr. Davenport to add that it felt that the June 8<sup>th</sup> memorandum did not adequately evaluate sites and further requested Mr. Davenport to put their direction to staff in his letter to the Attorney General's office so that staff would have clear direction on the procedure to follow.

The board requested the letter sent to the Attorney General's office be copied to Ronnie Chance, the Fayette County Board of Commissioners, the governing bodies of Fayette County cities, and the entire local delegation. They directed that a short explanatory letter be sent to the legislative delegation stating their concerns, the actions taken by the board, and the reasons for taking those actions. They also directed that letter be copied to the Attorney General. The board directed Mr. Davenport to compose a memo to EH staff to follow the review procedure in place prior to the June 8<sup>th</sup> memorandum, so that staff would be given clear direction under its authority until this issue is clarified. Mr. Davenport said he would compose the draft letter(s) and copy them to the board by email for their comment; the board directed him to do so.

Update on Phillips Services Corporation: Captain Pete Nelms, Emergency Management Coordinator for Fayette County, reminded the board that as of June 28<sup>th</sup> the 911 Center, the Fayette County Fire Department, and EH began receiving complaints of a foul onion-like odor. He said that after tracing the odor to the Phillips Services Corporation at 8025 Spence Road in Fulton County, contact was made with his counterpart in Fulton County to attempt to mitigate the health problems experienced by citizens exposed to the odor. An exposure form was subsequently developed for affected citizens to fill out so that data could be collected in order for Public Health to conduct an epidemiological study, currently ongoing. He handed out a copy of the Fayette County Exposure report (attachment #1) and stated that 600 completed forms, showing multiple physical symptoms, were collected from affected residents. He said the chemicals released were *N-propyl mercaptan*, an added odorant much like that added to natural gas, and *MOCAPwash*, possibly *ethoprop*, a known pesticide. He said that 4 tanker loads were rejected by Phillips because they were "out of spec," and it was not known what "out of spec" actually meant. He said that a sample of these rejected tanker loads had been provided to the EPD, EPA and the state of Alabama from the company, and the composition of this sample was currently being determined.

He said reported symptoms included headaches, eye irritation, nausea, vomiting, dysentery, difficulty breathing, cough, sore throat, diarrhea, weakness, nosebleed, allergy-like symptoms, dizziness, rash, blood in the urine, chest pains, abdominal pain, renal issues, hypertension, burning in the lungs, pulmonary edema and earache. There were also reports of a number of sick pets, many of whom later died. He said most affected people lived within a 16 square mile area around the plant.

He said the cutoff date to submit an exposure report was September 1<sup>st</sup> and that just under 800 were turned in. He said the EPD had issued a preliminary report on adverse health effects after

sampling was done at Phillips Service Corporation (attachment #2), which included positive *ethoprop* and that additional testing continued on samples taken from the rejected tanker loads, now stored in a rail car in Alabama. Results of the EPD testing have not been received to date. The plant was closed for 24 hours and a \$100,000 fine was levied by the EPD. The plant was allowed to re-open with certain parameters, including de-contamination of the facility. The preliminary report showed a pattern of symptoms consistent with exposure to *N-propyl mercaptan* and possibly to *ethoprop*. He said the state of Georgia was currently entering the data from an additional 300 exposure forms turned in, and an updated report would be provided later.

Fayette County Emergency Management Agency, in partnership with Fayette County Physical and Environmental Health at the local level, and at the state level with Jane Perry at the Georgia Division of Public Health, continue to monitor the situation and provide oversight to minimize further effects of the quality of life for the residents of Fayette County. The Fayette and Fulton County Boards of Commissioners, and the town of Tyrone all signed a unanimous resolution to close the plant. He said that citizens had formed a task force, chaired by Connie Bimiller, and they were working diligently to closely monitor this incident. He said there were over 2200 pages of documentation, 63 media inquiries and over 700 phone calls regarding this incident and that there was much citizen concern over long-term effects. Ms. Redwood asked that the board be kept advised of developments and that these documents be a part of the record (attached) and questioned if oversight of the plant continued. Mr. Nelms replied that the EPD was providing oversight but that the plant was out of Fayette County's jurisdiction, but that the Emergency Authority stayed in contact with Fulton County Public Health and their Emergency Management Agency. He mentioned that Whitewater Creek ran to the east of the plant and that a one-time test showed the water tested negative for any chemical contamination from the plant. Local entities have limited ability to test for the chemicals in question so ongoing testing would need to be performed by other labs.

Dr. Allen McCullough said that medical research showed that only one other incident like this had occurred in California (CA), and the CA epidemiological study showed that *N-propyl mercaptan* was an irritant and would cause symptoms like those exhibited by local residents. No long term effects from exposure were found in extensive research. The biggest concern was possible exposure to *organophosphate* poisoning – *ethoprop* – which when released environmentally in gaseous form has only a five hour half-life and therefore would have minimal effect on living beings. The conclusion was that this gas release was not an *organophosphate*. He said there was no current test to determine exposure to *organophosphate* exposure and that the state report was pending. Dr. Brackett mentioned that Representative Virgil Flood had been instrumental in pursuing this issue, both publicly and behind the scenes. He commended Captain Nelms and Dr. McCullough for their work. He said it was important to note that *organophosphates* were lethal to water species in very small amounts and that it was comforting that a survey of Whitewater Creek showed no damage to species of resident insects, fish, and so on. He commended the Emergency Management Agency for good work and said that the synopsis of the Phillips issue was excellent. He also mentioned that the state had a health-related website which would answer many questions: <http://health.state.ga.us/programs/health>.

Captain Nelms offered to provide the stream study done by Dennis Chase and the test results conducted by the Fayette County Water System and Fayetteville Water Department. He said he would provide a copy of the other reports as they became available. Dr. DeCotis thanked Captain Nelms for his work with this issue and the school system.

There was no public comment.

**NEW BUSINESS: Presentation by Janet Smola, tabled until next meeting.**

**West Nile Virus Presentation by Rodney Hilley:** Mr. Hilley showed a short presentation on West Nile Virus surveillance. He said a previous employee who was fully trained had been hired as an intern to do mosquito surveillance for July, August, and September. He said that Dr. Rosemarie Kelley, entomologist for the state office, was also present to answer any technical questions. He said West Nile virus was primarily a disease of birds, transmitted by mosquitoes that feed on birds and become infected, which then pass the virus to animals or humans. The only way to find if West Nile was in the area was to have a mosquito surveillance program; this involved trapping the mosquitoes, identification of species on-site, and sending those to the lab for testing. He said surveillance was the missing link in tracking West Nile virus; that a general eradication program did not identify the virus if it was in the area. He said that was why this program was put in place, and it was hoped it would continue for several years. He said there were 3 prongs to the program: surveillance, public education, and mosquito control as necessary. He said the process involved setting traps, checking them 24-48 hours later, and then sending the trapped mosquitoes to the lab for identification. He said 11 of the 12 counties in District 4 were participating in the program. He commented that this had been a dry year and was not perhaps the best year to begin surveillance due to lack of standing water. He showed slides of various species of mosquitoes trapped in each county. Dr. Rosemarie Kelley, state entomologist, gave more information on the types of mosquitoes found in the traps. She said that males came to the trap, but females were the ones that fed on humans and animals. She said that the dry weather had driven some species to the traps that did not normally show up. She said the state had been proactive in June in dispensing information on mosquito control, since late summer was the height of West Nile Virus.

Mr. Hilley pointed out that District 4 had done more surveillance than most of the state. He showed a checklist of things people should do to prevent mosquito infestation at home: clean out gutters, cover water containers, fill in ditches, repair leaky pipes, monitor swimming pools, check stumps and holes in trees, change the water in bird baths, and keep the grass cut and bushes trimmed. Dr. Kelley said saucers under outside potted plants were a perfect breeding spot for mosquitoes. Mr. Hilley gave suggestions for the public to avoid mosquitoes while outside: wearing light-colored clothing; avoiding use of scented toiletries or perfume, and use of DEET at least on clothing, if not on the skin. Encephalitis was mentioned and Dr. Kelley replied that the incidence of encephalitis in Georgia was on the state website, which was updated weekly. Mr. Hilley pointed out that much good health information was also on the state website. Ms. Redwood said that infants sprayed heavily with DEET had been known to have seizures and only their clothes should be sprayed. Dr. Kelley said that state authorities recommended a pregnant or nursing mother or parents of infants speak with their health care provider before using mosquito repellants, and agreed that repellants should only be sprayed on infant's clothing. She said it was also recommended that lotion forms be used rather than sprays, as the likelihood of getting the product in the child's eyes was less with lotion.

Ms. Rutherford suggested the slide of recommendations be turned into a flyer to be handed out in the Spring, and said she would have it posted on the Peachtree City website. Ms. Redwood mentioned that local newspapers probably would be willing to run articles in the health section next Spring.

**Staff Reports:**

**Mr. Fehr** requested permission that Environmental Health be closed September 29<sup>th</sup> for a District meeting. Ms. Rutherford made a motion that EH be closed that day, seconded by Dr. Strain. There was no discussion. The motion was unanimously approved.

**Ms. Callison** thanked the board for its support in adding new staff. She said that on July 1<sup>st</sup> the new LPN started employment and that she was a real asset. She said she was on the way to the annual *Immunize Georgia's Little Guys Conference* after the Board meeting. She said the Fayette County Board of Education School Health Services was to receive an award at the conference, to be presented by Dr. Walt Orenstein, past president of the National Immunization Program. The award was for their high immunization rates, compliance, and collaboration with the health department on disease surveillance. She said she was looking forward to that and congratulated the school board on winning the award.

Ms. Rutherford asked about the upcoming flu season. Ms. Callison said it was anticipated that the first vaccine shipment would be received within 2 weeks. She said no shortage or delay was expected, and that vaccine would be in plentiful supply this year with no restrictions on administration. She said additional vaccine had been ordered this year and that administration would begin October 10<sup>th</sup> and be by appointment only this year. She said that over the past 3 years demand had increased and administering flu vaccine on a walk-in basis not only created chaos but was unsafe, therefore the decision to work by appointment was made. She said there would be approximately 25 appointments per hour with 8 or 9 nurses administering vaccine. She mentioned that Medicare had made changes that would require more intake time.

**Dr. Brackett** commended the mosquito surveillance program. He said Mr. Hilley had worked on this program for a couple of years. He said the reason for surveillance was that a peak of mosquitoes that bite humans was followed by a peak in West Nile virus and other illnesses. He mentioned that if the peak in mosquito population could be stopped the resulting illness could be avoided. He said that it would probably take about 3 years to get valid results from the surveillance program.

Dr. Brackett also introduced Mr. John Darden, newly appointed District Program Manager after Carl Knapp's resignation. He said Mr. Darden had many years of public health experience and also served as Chair of the Troup County Board of Education.

**ADJOURNMENT:**

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

The meeting was adjourned at 8:31 am.

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Michael Strain, MD, Chair

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Merle Crowe, Secretary