

The Fayette County Board of Health met on Tuesday, July 10, 2007 in the Public Meeting Room of the Fayette County Administrative Complex, 140 Stonewall Avenue, Fayetteville, Georgia.

Board of Health Members Present:

Thomas Faulkner, MD
Lyn Redwood, RN, MSN
Lynette Peterson
Cynthia Plunkett
Michael Strain, MD

Staff Members Present:

Susan Ayers, RN, BSN
Carolyn Callison, RN, BSN
Merle Crowe, BA
Rick Fehr
Wyndia Wortham
Dennis Davenport, Attorney

CALL TO ORDER: Dr. Strain called the meeting to order at 7:33 a.m.

APPROVAL OF MINUTES FROM March 13, 2007: Motion was made by Ms. Plunkett to approve the minutes as written, seconded by Dr. Faulkner. The minutes were unanimously approved.

OLD/UNFINISHED BUSINESS / PUBLIC COMMENT: There was no Old / Unfinished business.

Public Comment: Mr. Gordon Furr expressed concern about how sewage systems were being installed in Fayette County. He felt that the Georgia Department of Natural Resources (DNR) mandated requirement of a 150 foot offset from perennial streams was being violated. Those are the streams that feed into government operated water supplies, such as Lake Kedron. Mr. Fehr said that Robert Kurbes had determined that no cases in violation of this state law had been found. He felt that state regulations already mandated an adequate distance between sewage systems and perennial streams and that the board did not need to create stricter regulations for Fayette County.

Mr. Furr said that several lots did not meet offset requirements The board directed Mr. Fehr to work with Mr. Furr on any specific lots that Mr. Furr had questions about, and report his findings at the next board meeting. Ms. Plunkett asked Mr. Fehr to report his findings at the cooperative group of cities and Fayette county meeting in October. Mr. Fehr agreed to do so.

Mr. Furr also wanted the board to change the definition of a buildable acre to 100%, not 70% as currently defined. Ms. Redwood said that Tyrone had already put that definition in place. She said that the buildable acre had to be such that a septic system had a total available area of one acre, excluding wetlands, stream banks, or right of ways. The board took no action on this issue.

NEW BUSINESS:

Mr. Stephen Culver: Mr. Fehr introduced Mr. Culver, whose appearance before the board was to request a variance from state sewage system requirements. Mr. Culver planned to build a home on his lot of slightly less than one acre, which would then require installation of a sewage system. His concern was that state regulations require total area of at least one-half acre for installation of a sewage system. Mr. Fehr mentioned that a soil report turned in by Mr.

Culver verified that all the soils on the lot were suitable for a sewage system with full replacement area, and thus that issue was not a concern.

A second concern was the acre minimum requirement by Fayette County. Mr. Culver said that there were already houses on both sides of his lot and that those houses were built prior to the county requirement of one acre minimum. Mr. Davenport said that variance from state regulation was within the jurisdiction of the Board of Health. Mr. Culver's lot was approved by the county as a "Lot of Record" prior to the zoning regulation of an acre minimum in the early 1960s. Mr. Davenport advised the board that the fact that the lot was a "Lot of Record" was critical, because the zoning authority of Fayette County had platted and approved the lot prior to the change in minimum requirement in the 1980s. There would be very few of these small lots defined as lots of record, due to the zoning change, and therefore he felt that the board would not set a precedent in approving Mr. Culver's request for a variance. Mr. Fehr commented that approval for the sewage site was not automatic with the variance; normal requirements would need to be met before approval to install the system would be given.

Ms. Peterson made a motion to discuss the issue; seconded by Ms. Redwood. The board questioned if this would have been an issue if the lot had been at least a full half-acre. Mr. Fehr said that he would have checked with the board in any case, because of Fayette County's zoning requirement of an acre per lot. There being so few half-acre lots meant that this was the first request for a variance for such a small lot. He said he was comfortable with Mr. Culver's request due to the suitability of the lot's soils. He said that he had checked with the district office and state regulations and found that it was within the jurisdiction of the Board of Health to set lot sizes for installation of sewage systems. He felt that there were very few other small lots that would require a variance.

Dr. Strain stated that he had no reservations about approving this variance, because it was a lot of record per Fayette County zoning; that all the soils were suitable, and that Mr. Davenport advised that no precedent would be set by virtue of the board approving a variance. Ms. Redwood agreed with Dr. Strain. Motion to approve the variance was made by Dr. Faulkner, seconded by Ms. Peterson. There was no further discussion. The motion passed unanimously.

Dr. Mahle – National Children's Study: Dr. Mahle did not appear.

Staff Reports: Ms. Callison said that since February nurse staffing had gone from 8.5 members to 5.5, partially due to low salaries and partially due to two staff nurses retiring. District had advised to look carefully at filling those positions, and to hold off if possible, due to budgetary concerns and lack of reimbursement by Medicaid CMOs. She said that one new nurse came on board July 1, and one was to be hired August 1.

In the meantime, there was no decrease in demand for clinical services. So in order to accommodate clients, Friday afternoons were changed to a walk-in basis, no appointment necessary, and preference will be given to Fayette County residents. The board expressed surprise that out-of-county clients would be seen, but because funding came from both Federal and State sources therefore all citizens must be seen. Patients will still be worked in whenever possible, especially for services that only require 15-minute appointments. On the dates of August 9-13 no appointments will be necessary; walk in policy will be followed in order to assist children in who need vaccines or Hearing/Visual/Dental exams for entry into the school system.

Mr. Fehr: UPDATE ON ENVIRONMENTAL HEALTH FEES: Mr. Fehr revisited the issue of increased permit fees for repair of or new sewage systems. Those fees were not previously approved for increase by the board of commissioners after several meetings. Mary Holland, Fayette County Budget Director, recently indicated to Mr. Fehr that some of the commissioners wanted to re-visit this issue. He reminded the board that Dr. Brackett and all the other medical directors in the state were in agreement that Public Health is in crisis, both in staffing and budget. An increase in Environmental Health fees would have helped to alleviate that situation, and it was hoped that the board of commissioners would approve the fee increases.

He said that the primary reason for denial of the increase seemed to be that Fayette's sewage fee was higher than the other counties in District 4. Fayette's sewage fee was in line with Gwinnett County's fees. He mentioned that as a consequence of keeping fees lower, some counties were in desperate straits: forced to not fill vacant positions; furloughing staff members one day a week; cutting services, and so forth. Mr. Fehr mentioned that state law mandates certain inspections and times per year those inspections must be done. If those guidelines are not followed then state Grant-in-Aid (GIA) can be cut, or eliminated altogether. GIA financial support comprised about 25% of Health Department funding. Ms. Redwood asked if it would be helpful to write a letter of support to the commissioners. Mr. Fehr felt that it would be better to wait and see if the EH fees were increased. If the fee increases were not revisited and approved, then Ms. Peterson suggested that a letter could be sent to advise the commissioners of actions that would be necessary as a result, because mandated inspections must be met. Mr. Fehr also expressed concern that staff promotions and salary increases were not possible, due to budget shortfalls. He expressed further concern that morale was adversely affected, even to the point of losing experienced staff at a time when, for example, the food service program would require much more effort, training, and experienced staff to run that program. The board asked to be kept in touch with this issue at the next board meeting.

ADJOURNMENT: Motion to adjourn was made by Ms. Redwood, seconded by Ms. Peterson. The motion carried unanimously. The meeting was adjourned at 8:14 am.

Michael Strain, MD, Chair

Merle Crowe, Secretary