



Macon County  
Public Health

**MACON COUNTY BOARD OF HEALTH  
MINUTES  
October 6, 2015**

**Members Present:** Frank Killian MD – Chair, Teresa Murray - Vice-Chairman, Emily Bowers, Dr. Roy Lenzo, Nathan Brenner DDS, Chris Hanners, Commissioner Paul Higdon, Carole Peterson MD and Molly Phillips

Absent: Paula Ledford

**Staff Present:** Jim Bruckner, Tammy Keezer, Lynn Baker, Jimmy Villiard, Kyle Jennings, Kathy McGaha, Dorota Anthony & Charlene Bellavance.

**Public Comment:** There were no members of the public present

**Media:** Ms. Brittany Raby w/Macon County News, Ms. Kristen Karcher with WNCC Radio & Ryan Hanchett from The Franklin Press were all in attendance.

**Call to Order:** Chairman Killian reconvened the meeting at 6:10 pm.

**Approve Agenda:** A motion was made by Ms. Bowers and seconded by Mr. Hanners to approve the agenda as submitted. The motion passed unanimously.

### **Old Business**

**Environmental Health Fees:** Mr. Jennings gave a presentation regarding the services that the health department is responsible for in the Environmental Health section. They are responsible for enforcing a number of rules and all employees are required to obtain authorizations in certain areas in order to conduct the proper inspections, etc. They also respond to complaints from the public regarding property and restaurant infractions. They receive and act on all permits whether they are for food vendors, well or septic permits or pool inspections. They are a point of contact for information for the public.

There are acronyms that are used in environmental health such as an improvement permit (IP) related to the property itself, contains a site plan description of the proposed building, proposed waste water system characteristics and location. An IP is not affected by the exchange of the property. This is mostly used in Real Estate transactions. A construction authorization (CA) is the next step includes the specific components of the septic system and where it will be located in approximation to the construction of the building and other structures. The CA cannot be issued until the IP is fulfilled whether it requires any changes etc. A CA becomes invalid if the property changes hands. This is to be sure that the new owner intends to install the septic system in the same location as the prior owner. The Operations Permit (OP) is required before the septic system can be used. This can only be issued after and authorized agent finds it in compliance with the appropriate rules.

House Bill 765 has been ratified by the legislature. The CA will not be affected by the change in ownership. This does not change the need for splitting up the IP and the CA. This change will be affective when the Governor signs it. There is a private option open to property owners to work with an engineer and soil scientist to come up with an acceptable solution. This will be effective January 1, 2016 and it will be considerably more expensive. There are legal requirements that these individuals do have to meet and we have the right to charge 30% of our fee.

Ms. Phillips asked about the expiration of these permits. Mr. Jennings noted that the IP's are valid for five years. Dr. Killian asked if this change in the legislation would affect the gentleman that came to our previous meeting with a complaint against having to pay two permit charges in the event a property was sold. Commissioner Higdon responded that yes this would help this particular individual.

Mr. Hanners asked about the renewing of the permit and whether the fee has to be paid again. Mr. Jennings noted that yes that was the case and they would pay the appropriate fee again.

Ms. Phillips asked if when an individual buys a piece of property, do they have to apply for a permit right away. Mr. Jennings noted that they do not they can wait until they are ready to build but most individuals are not buying property unless they know there is the ability to put a septic system on it.

Dr. Lenzo asked if there was a revenue neutral proposal. Mr. Bruckner noted that Mr. Jennings would cover this in his presentation.

Mr. Hanners asked where the county commissioners stood regarding the recently presented changes. County Manager Derek Roland noted that at the June Board of County Commissioner's meeting they asked him to come back to them in the future with his findings.

Dr. Lenzo noted that we need to have a backup plan in the event that the Commissioner's cannot support the contingency funds past the first year or two. Dr. Peterson asked if our fees as Mr. Jennings proposed were in line with Jackson County or others. Mr. Jennings noted that we are still a little bit higher than Jackson County. Mr. Roland noted that when you combine the fees for Jackson County the average is \$380. When you do the same for Macon County it comes out above \$750. Dr. Lenzo noted that if we are comparing apples to apples with Jackson County they have a different tax base and the way their funding is done is different as well. They also have a larger budget.

Ms. Phillips asked what a \$40,000 reduction in their budget would do for their department. Mr. Jennings noted that this is basically a full time position. Mr. Bruckner noted that compared to other counties similar to ours in the region that our employees were doing the same volume of work. The only thing that the reduction and elimination of a position would do is cause a backload in permits.

Commissioner Gary Shields noted that there are three options on the table for the commissioners: We pick up the difference, we cut a position, or we leave the fees the way they are.

Mr. Jennings presented an alternative fee schedule based on the number of applications received to this point in the year and which required a 5 to 10% uptick in permits to cover this reduction in fees. This new proposal included an option for a no fee for well and septic repair permits. Mr. Jennings was asked how many well repairs they actually do. He replied they have not had more than eleven well repairs in a single year but they see quite a few residential septic repairs.

Ms. Phillips asked about the modification fee increase for an existing food service establishment or plan review. Mr. Jennings noted that they do not do a lot of these and that the plan reviews all took approximately the same amount of time and this change would help balance out the fees for this service.

Dr. Killian noted that the Environmental Health fees are not the entire health budget and asked Mr. Bruckner to break down the budgets. Mr. Bruckner noted that approximately 25% of county funding to the department went to support environmental health programs - approximately \$630,000; he went on to say that the other 75% of county funding went to support 16 plus clinical and educational programs.

Dr. Lenzo asked if a person had a repair what the cost would be in order to repair it. Mr. Jennings noted that it would depend upon what the problem was. There are certain things that can be fixed without a permit. If there is a way for them to be involved in the assessment of a repair they may be able to determine that they do not need to charge a fee.

Mr. Higdon noted that when he originally brought up this issue he was simply hoping to bring them into line with other neighboring counties. Our fees are considerably higher.

Mr. Shields asked if the shortfall of \$46,000 was approved would this be a recurring need from the county every year. Mr. Bruckner noted that this would need to be a recurring funding.

Mr. Bruckner noted that even though we had several positions vacant for a time we also had two retirements that had to be paid so there are no contingency funds in Environmental Health that could cover the shortfall in the event the fees were reduced. Any funding reductions would have to come from clinical programs to offset the new costs in environmental health.

Ms. Bowers asked if the proposal Mr. Jennings presented and it brings us closer to Jackson County's fees why wouldn't we want to consider it. Mr. Higdon noted that he would want to take some time to review this proposal and the previous proposal and consider them side by side. He asked Ms. Murray for her opinion in regard to the real estate market. Ms. Murray responded that there are several homeowners that have purchased even two bedroom homes and have additional family members move in and the septic system fails. It is beneficial for those individuals to have the availability of the advice from the Environmental Health staff.

Mr. Jennings asked Ms. Murray if an individual was purchasing a piece of land would she encourage them to get the IP before they actually purchased the land. She indicated that she would definitely recommend that obtain at least the IP. This would also be an educational process for the real estate agents. She indicated that she normally sees the IP and the CA together.

Mr. Hanners asked Mr. Bruckner if the board needed to take action on these fees or if this was something that we could postpone to a future meeting. Mr. Bruckner noted that House Bill 765 was on the Governor's desk will take care of the double billing for property that has transferred. This was the main item that the board was concerned with. Mr. Bruckner noted that his recommendation would be to let the issue lie until we hear back from the Commissioners. Dr. Lenzo asked Mr. Higdon which plan he would prefer the county subsidizing \$46,000 or the revenue neutral proposal Mr. Jennings presented. Mr. Higdon noted that if this was the only program we subsidized he wouldn't have a problem but this is not the only program. There are a lot of charity funds that are subsidized by the county as well as yearly contingency for some programs. Mr. Roland has a comparison of all the Environmental Health fees of our surrounding counties that will be presented to the county commissioners. It will be presented at the next commissioner's meeting.

Mr. Hanners asked if the commissioner's don't fund the reduction in fees will this Board come back to discuss another alternative. Ms. Phillips agreed and asked that if the Commissioners decide not to fund the reduction in fees that Mr. Jennings come back to the Board of Health meeting with several proposals which include the separation of the fees for the IP and the CA.

#### **Announcements:**

**Next Meeting Date:** October 27, 2015

**Adjourn:** A motion was made at 7:35 pm by Ms. Bowers and seconded by Ms. Phillips to adjourn the meeting. The motion passed unanimously.

Respectfully submitted,

Charlene Bellavance

These minutes were approved on October 27, 2015 with a motion by Mr. Hanners and seconded by Ms. Bowers. The motion passed unanimously.