COUNTY AGENDA REQUEST

Department:	Environmental Health	Presenter(s):	Richard Fehr, Dr. G. Nicole Haynes
Meeting Date:	Wednesday, October 5, 2011	Type of Request:	New Business

Wording for the Agenda:

Discussion and consideration of the Environmental Health Department's request to increase its fees in order to meet a budgetary shortfall.

Background/History/Details:

In July 2011, the Fayette County Board of Health requested the Environmental Health Department to provide an assessment of its financial needs that are required for a balanced budget and adequate staffing. The Environmental Health Department reported that it is facing an $80,000 budget shortfall for its Fiscal Year 2012 budget.

The Environmental Health Department reports that it currently collects 620 "predictable" fees, and that these fees are also its major annual fees. In general, these fees are collected from Food Service Establishments such as restaurants, Tourist Accommodations, and Swimming Pools. Environmental Health has recommended that the required $80,000 be evenly divided between the 620 fees they collect. This recommendation would constitute a $129.03 fee increase for each of the 620 predictable fees in Fayette County.

The State of Georgia requires all Environmental Health fees to be approved by the local Board of Health before they are submitted to the Board of Commissioners for consideration and approval. The Board of Health has authorized the Environmental Health Department to present its request to raise its fees to the Fayette County Board of Commissioners.

What action are you seeking from the Board of Commissioners?

Discussion and consideration of the Environmental Health Department's request to raise its fees. The Board is also asked to provide direction to staff on how to proceed with this issue.

If this item requires funding, please describe:

Not Applicable.

Has this request been considered within the past two years?	No	If so, when?	
Is Audio-Visual Equipment Required for this Request?	No	Backup Provided with Request?	Yes

STAFF USE ONLY

Approved by Finance	Not Applicable	Reviewed by Legal	Yes
Approved by Purchasing	Not Applicable	County Clerk's Approval	Yes
Administrator's Approval	Yes		

Staff Notes:

FEE INCREASE NEEDED TO BALANCE THE FY 12 HEALTH DEPARTMENT BUDGET

According to Merle Crowe the best estimate of the minimum amount of funding needed to balance the Health Department's budget for FY 12 is $80,000.

Of all the Environmental Health fees we currently collect there are 620 fees that are predictable and which are the major annual fees. They include the fees collected from permitted Food Service Establishments, Tourist Accommodations and Swimming pools.

So if the $80,000 amount were equally divided between the 620 predictable annual fees it would take an increase of each fee to be about $125.

HEALTH DEPARTMENT WORKLOAD COMPARISONS 1980 VS 2010 VS 2011 VS FUTURE

	# of restaurants	# of required inspections	# of staff	# of insp.staff
1980	11	22	2	11
2010	328	656	5	131
2011	317	634	4	158
FUTURE	300	600	3	200

	# of pools	# of required inspections	# of staff	# of insp./staff
1980	2	0	2	0
2010	133	266	5	53
2011	127	254	4	63
FUTURE	120	240	3	80

FY 12 PROPOSED ENVIRONMENTAL HEALTH FEES

Food Service Establishment Annual Fee-0 to50 seats	Current- $200	New- $325
Food Service Establishment Annual Fee- 51 or more	Current- $300	New- $425
Tourist Accommodation Annual Fee	Current- $150	New- $275
Swimming Pool Annual Fee	Current-$100	New- $225

Operating a Swimming Pool w/o a Permit	Current- none	New- 2 x annual fee	
Residential Sewage replacement/repair Fee	Current- $100	New- (replacement)	$250
		New- (repair)	$100

Tourist Accommodations

	Annual	Reinspection
Fulton	250-350-450	---
Cobb	200-300-400	100
Clayton	225-285-350	---
Gwinnett	250-350-450	125
Rockdale	250-350-450	150
Newton	250-350-450	100
DeKalb	----	---
Fayette	150	75

Swimming Pools

	Annual	Reinspection	Operating w/o a Permit
Fulton	350-400	---	----
Cobb	250	100	2 x the fee
Clayton	335	100	----
Gwinnett	200	100	2 x the fee
Rockdale	200	100	2 x the fee
Newton	280	75	2 x the fee
DeKalb	315	50-100	----

ENVIRONMENTAL HEALTH FEE COMPARISONS TO FULTON, DEKALB, COBB, CLAYTON, ROCKDALE AND NEWTON COUNTY HEALTH DEPARTMENTS

Sewage (Land Use) Fees

	Residential Repair	Commercial Repair	Installation Reinspection
Fulton	300	---	---
Cobb	125	75	100, 150, 200, 250
Clayton	75	275	50
Gwinnett	375	200	150
Rockdale	---	200	150
Newton	228	210	50, 100
DeKalb	140	140	---
Fayette	100	100	75

Food Service

	Annual	Reinspection	Operating w/o a Permit	Owner Requested Inspection
Fulton	300-400-500	---	----	---
Cobb	225-325-425	100	2 x the fees	200
Clayton	200-400-500	100	----	250
Gwinnett	400-600	200	2 x the fees	300
Rockdale	425-500	150	2 x the fees	150
Newton	280-420-500	75	2 x the fees	---
DeKalb	----	---	------	---
Fayette	200-300-400	75	-----	---

OVER

METRO (M) EH FEE AVERAGES vs CURRENT FAYETTE (F) EH FEES

Sewage (Land Use)

	Residential Repair	Commercial Repair	Reinspections
M	207	200	105
	High 375 Low 75	High 275 Low 140	High 150 Low 75
F	100	100	75

Food Service

	Annual Fee	Reinspection	Operating w/o a Permit	Requested Reinspection
M	305 - 440	118	Double all fees	225
	High 600 Low 200	High 200 Low 100	High Double all fees Low Double all fees	High 300 Low 150
F	200 – 400	75	None	None

Tourist Accommodations

	Annual Fee	Reinspection Fee	Operating w/o a Permit
M	235-327-460	125	Doubling all fees
	Highs 250-350-650 Lows 200-300-400	High 150 Low 100	High Doubling all fees Low Doubling all fees
F	150	None	None

OVER

Swimming Pools

	Annual Fee	Reinspection fee	Operating w/o a Permit
M	275	104	Double all fees
	High 440 Low 200	High 100 Low 50	High Double all fees Low Double all fees
F	100	75	None

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With new standards, inspectors get tough

Carrie Teegardin; Staff

Restaurants say rash of low scores inaccurate indication of safety.

Last year, Fulton County's health inspectors conducted only one routine inspection at most restaurants, half of what state guidelines call for. This year, the county's inspectors are earning a reputation for being very busy and, some say, over the top.

Armed with a new set of rules and a beefed-up staff, Fulton's Health Department has slapped some of the city's high-profile restaurants with poor marks.

"Top restaurants that are immaculate and spotless are failing," said Niko Karatassos, director of operations for the Buckhead Life Restaurant Group, the widely admired company that operates a dozen upscale restaurants in Atlanta, including Buckhead Diner, Kyma and Bluepointe.

Fulton health officials say they are simply introducing a higher standard to keep the public safe. Yet some restaurant operators say the new approach to inspections lacks common sense and doesn't differentiate between restaurants with minor violations and those that truly pose a threat to public health. The concerns on the table in Fulton have played out in restaurants across the state since Georgia updated its food code in 2007. Fulton is simply the last county in Georgia to implement the new rules.

Fulton inspectors gave the Buckhead Diner a score of 57 --- considered "unsatisfactory" --- on a March 14 inspection. The diner quickly regained its typical rating --- an A --- with a reinspection March 23, when it scored 90 out of a possible 100 points.

Critically acclaimed South City Kitchen scored a 47 in January but earned a perfect 100 on a reinspection eight days later. Flip Burger Boutique on Roswell Road, operated by celebrity chef Richard Blais, scored a 70 (grade C) in April after getting a perfect score of 100 in January. Flip regained its A status with a score of 98 on April 12, inspection records show.

Even Piedmont Hospital's cafeteria got dinged. It scored an "unsatisfactory" 68 in April before earning an A about a week later. In the previous five years, the hospital said, it had never scored below a 94.

Fulton Commissioner Robb Pitts has held a series of meetings with Fulton's Health Department staff and restaurant owners to try to address issues with the new inspections, which he said may be unfair to restaurants whose kitchens are clean.

"When the public hears or sees a bad score, the public believes that this place is rat infested or there are flies or roaches or something," he said. "They do not know it's something like a dented can out of 100 cans --- one can dented. Or out of 50 light bulbs, one is out. Those are the kinds of things we're trying to work through."

Inspectors work with restaurants to correct violations. Those who don't fix problems can be asked to close while changes are made or eventually forced to shut down in the most extreme cases.

The state of Georgia upgraded its food service code in 2007, based on the federal government's 2005 model food code. The new rules are focused on practices that can prevent foodborne illnesses, according to the state Department of Community Health. The old rules were more general, the state said, and put as

much emphasis on good retail practices as food safety.

Although the rest of the state converted in 2007, state law allowed Fulton to operate under its own rules because the county had so many restaurants. Fulton decided to adopt the state rules to offer uniformity to restaurant owners with multiple locations across the state.

The new rules deduct more points for critical violations than the old ones did. A food safety violation worth four or five points in the past will now cost nine points, said Kevin Jones, Fulton's deputy director of environmental health. If it's a repeat violation, the deduction can be as high as 11 points.

The changes include things as simple as the rules for washing hands. In the past, kitchen workers had to wash their hands after visiting the restroom. Now, rules require that hands be washed once in the bathroom and once in the kitchen. Additionally, protocols must be followed when washing, including that the wash take at least 20 seconds. Jones advises staff to sing two stanzas of "Happy Birthday" to meet the standard.

Rules changed the temperature requirements for holding both hot and cold foods and upped the point deductions for those violations. The rules also added a letter grade to the facility's numerical score.

Jones advised that patrons look at the series of recent scores that are now part of the inspection reports restaurants must post. He said a single low score that is quickly corrected should not prompt serious concerns, especially during the transition.

Fulton is mobilizing after a period of low staffing and turnover among inspectors that meant many restaurants saw an inspector only once a year --- or less. When Piedmont's cafeteria got slammed with a failing score, it had been 18 months since its last inspection.

Fulton is getting back to a full staff as it implements the new rules, Jones said. It has also added an instructor to teach classes about the new standards.

"We're trying to up the ante, not only through inspections but education," Jones said.

The state guidelines call for most restaurants to be inspected twice a year. Metro Atlanta counties vary in how often they conduct routine inspections, according to an analysis of inspection statistics by The Atlanta Journal-Constitution.

Fayette County topped the charts with an average of about three routine inspections a year. Gwinnett County did almost as well and exceeded Fayette in total inspections, which include routine checks, follow-ups and informal inspections. Across metro Atlanta, Fulton, DeKalb, Clayton and Henry counties had the least frequent inspection rates, the AJC analysis found.

Experts said protecting the public from food-related illnesses in an important mission. About one in six Americans gets sick every year from a foodborne disease, according to the Centers for Disease Control and Prevention.

Dr. Robert Geller, medical director of the Georgia Poison Center and a pediatrics professor at Emory University, said that proper preparation of foods can often eliminate pathogens that make their way into the food supply. Restaurant inspections can help make sure that raw food is properly stored, and food is cooked properly and maintained at a temperature that keeps it safe, he said.

Meredith Cook, a 25-year-old pharmacy student, said she's changed her dining habits since getting sick after eating chicken at a Mexican restaurant in December. About six hours after the meal, she became violently ill and ended up going to urgent care. The doctor suspected food poisoning and she was treated for dehydration. Cook said she missed several days of work recovering.

"It took me a long time before I could eat Mexican again --- and that was one of my favorite foods," Cook said. "At a Mexican place I still don't order chicken."

Most counties faced some difficulty when they implemented the new rules.

"It was a hard transition," said Hayla Hall, a spokeswoman for the health district that includes Henry County. But now that Henry's restaurants have been through a series of inspections and training classes under the new rules, Hall said, most have adjusted.

"Everybody might not like it, but they understand it," Hall said.

Restaurant operators in Fulton say they want to do everything possible to keep their patrons safe. But they say it's important for the public that the inspection system fairly represent risks.

Karatassos, of the Buckhead Life Restaurant Group, said that if one food container out of 100 is not properly labeled, a restaurant can lose the same amount of points as a restaurant without any of its food properly labeled. The same is true in other categories. If one worker on the staff isn't properly wearing a hat or washes his hands just short of the required time, then the restaurant can fail that entire category.

"I think anybody with common sense can clearly see that if restaurants are being marked off for these gotchas and one-off mistakes, then it's not fair," Karatassos said. "And it's not fair to the customer because they're not getting a clear picture as to what is happening."

How we got the story

To bring you this report, we analyzed statistics summarizing all food service inspections for 10 metro Atlanta counties between 2005 and 2010. But our reporting didn't stop there. We also studied the impact of the new state food code and interviewed restaurant operators, consumers, food safety experts and health department officials at the state and local level.

July 4, 2011

EH
State of the Union

Presentation to
Georgia Environmental Health Association
2/24/11

Scott A. Ulrich, MGP Director Environmental Health Program

Environmental Health is a Corner Stone of Public Health

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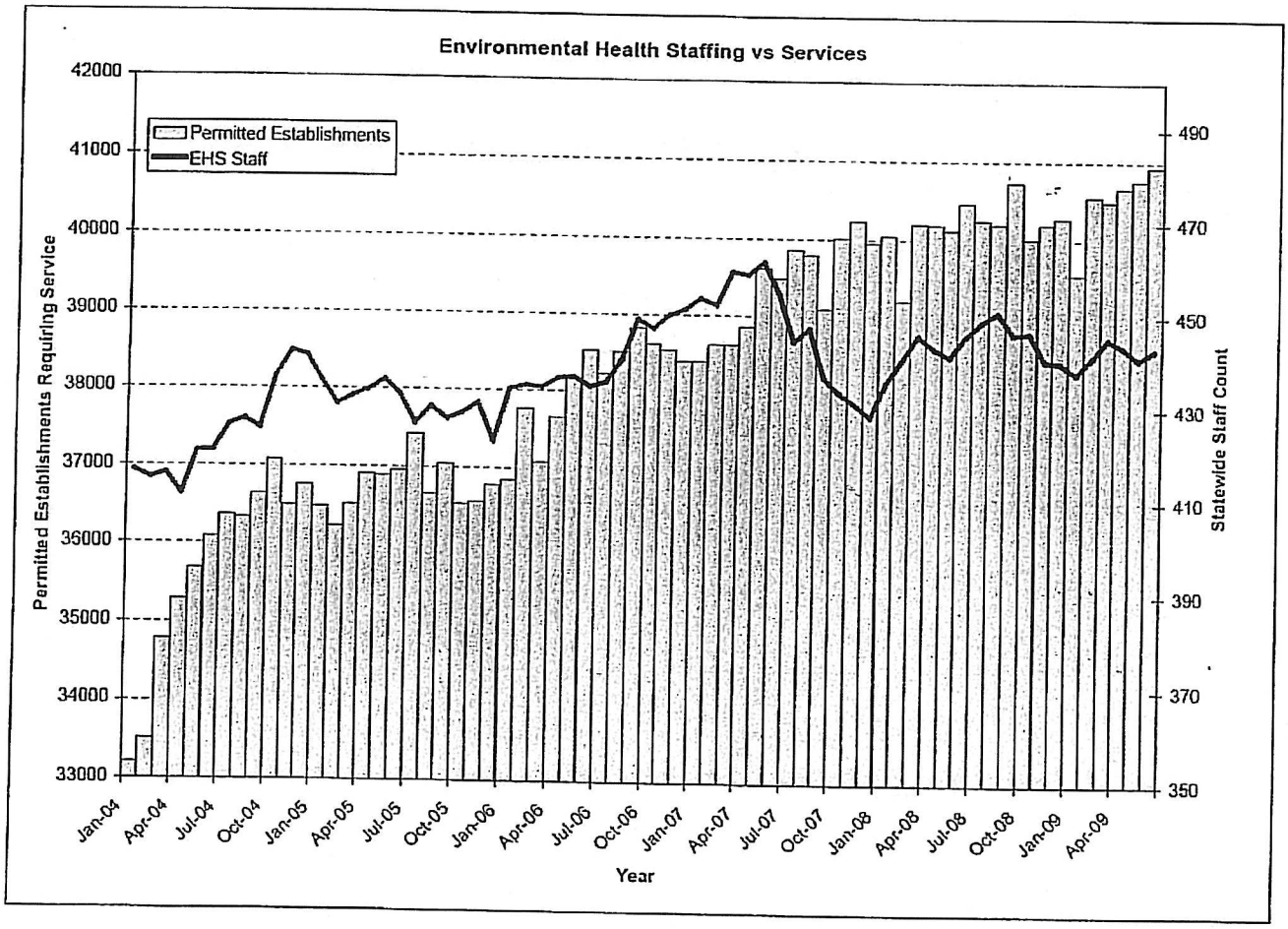
p://health.state.ga.us/programs/envservices/index.asp

EHS Workforce

- Current EHS – 394
- Estimated EHS Needed – 604


Environmental Health Staffing vs Services
Permitted Establishments
EHS Staff
Permitted Establishments Requiring Service
Statewide Staff Count
Year
42000
41000
40000
39000
38000
37000
36000
35000
34000
33000
490
470
450
430
410
390
370
350
Jan-04
Apr-04
Jul-04
Oct-04
Jan-05
Apr-05
Jul-05
Oct-05
Jan-06
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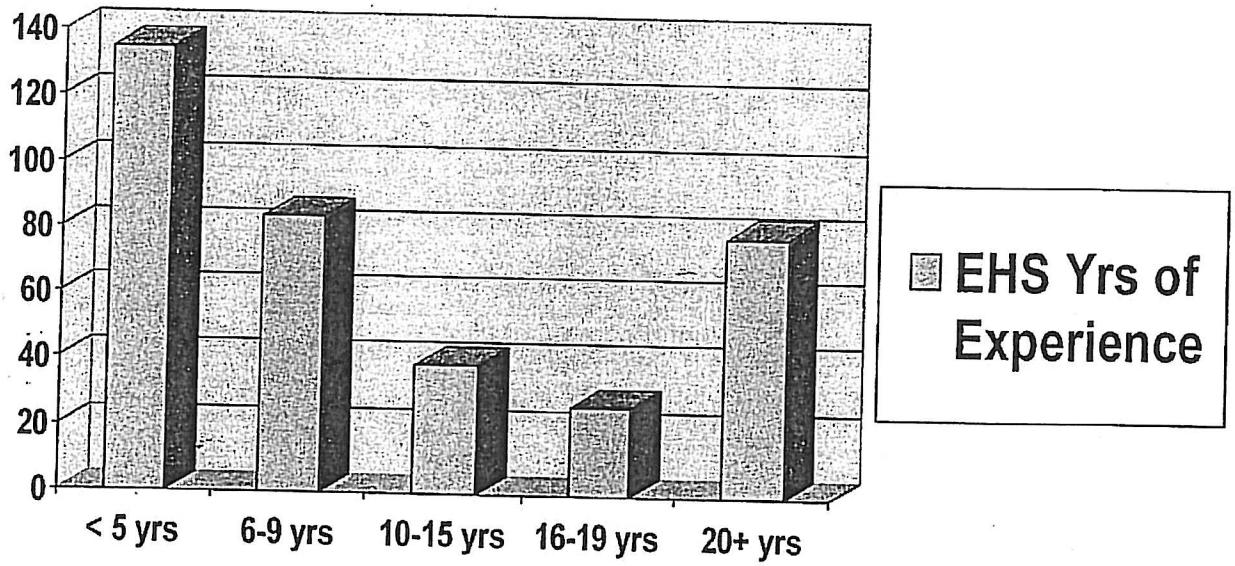
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