



### **SPECIAL CALLED MEETING**

The Board of Commissioners of Spalding County, Georgia, held a Special Called meeting on Monday, September 29, 2003 in their office in the Courthouse Annex in the City of Griffin, Spalding County, Georgia, beginning at 6:00 o'clock p.m. with Commissioners Dick Morrow, Johnie McDaniel, Cecil Davis and Eddie Goss present. Commissioner Kendall was absent due to a scheduling conflict. Also present were County Manager William Wilson, County Attorney Jim Fortune and County Clerk Phyllis Doane.

Special guests present were Dan Dunson, Spalding County Board of Health Chairman, Wayne Moss, Spalding County Board of Health Director, Dr. Michael Brackett, District IV Health Director and Laurie Cook, District IV Environmental Director.

Chairman Morrow called the meeting to order and welcomed the guests.

The order of business was as follows:

1. Dan Dunson, Spalding County Board of Health Chairman, to brief the Board of Commissioners on septic tank failures in Spalding County and request a moratorium on the use of chamber and alternative septic systems in Spalding County.

After the last Board meeting Mr. Dunson stated he had been presented with some statistics on septic system failures we are experiencing in the twelve county health district that not only got his attention but alarmed him. He said that they did not want to stop installing alternative systems at this point but would like to have a 120 days moratorium on these systems to try to work out a solution to the problem and develop a standard septic system with the input of contractors in making this decision. The Health Department has to comply with DHR rules and regulations on septic systems and they allow alternative septic systems; therefore, that is the reason they were asking the county to consider this moratorium. He noted that there are fourteen failed systems in Spalding County, ten chamber and four alternative systems as depicted on the Spalding County chart.

2. Dr. Michael Brackett, District IV Health Director, to brief the Board of Commissioners on septic system failures in District IV.

Dr. Brackett stated he had been with District IV for the past four years and for the last two years they have been working on software system that would allow them to gather specific details in relation to environmental issues. He said they had done specific studies on premature failures as there has been concern throughout District IV about premature failures. He said the process of collecting this data is still fairly new, incomplete and there are many legal questions left unanswered.

Dr. Brackett introduced Laurie Cook, District IV Environmental Director whose department is preparing the dataset. Ms. Cook commented that they consider premature failures as any system that was installed and failed within a three year window as shown in the comprehensive twelve county study. She stated that there are three different type of systems used which are the gravel systems, which are conventional systems, chamber systems with reduced footage which have been used widely for the past five years and the alternative systems, which may or may not have pre-treatment or reduced footage. She explained what constitutes reduced footage on the different systems. Ms. Cook commented that traditionally if you have a three bedroom home with standard percolation rate in most counties with a gravel system, you would have 100 linear feet per bedroom. She said that there were state requirements and guidelines for the permitting of systems and companies have gotten through law and the approval process to market products with reduced footage based on manufacturers' recommendations.

Ms. Cook stated that the Coweta County has decided to place a temporary moratorium on alternative systems at the request and action of the Coweta County Board of Health in order to give them time to meet the with Attorney General's office to find out what their range of authority truly is in regards to on-site systems. She said she did not know the results of that meeting. She said that she thought a reduction in the footage of systems for a change to allow only a 25% reduction as opposed to a 50% reduction had

been approved by the technical review committee but this has not been implemented in Georgia. She feels that maybe the State is doing something behind the scenes.

### 3. Public Comment

Mr. Ray Browning, an officer on the Southern Contractors Association, came forward and gave his address as P.O. Box 330, Sunny Side, GA. He said that the Association relies on the expertise of the Health Department. He said there is obviously some concern on their part and is shared by us and requested from the Health Department, on behalf of the Association, specific on-going information on each individual system that has failed in Spalding County. He said there was a difference in the failure in one instance and the interruption of service in another.

Mr. Julian Mobley came forward and gave his address as 325 Birdie Road. He presented some data from Mobley Construction. Since 1999 out of 90 plus chamber system installed and out of the 7 drip emitter systems within Spalding, Pike and Lamar Counties and there has been only one malfunction, which has been corrected and is now working properly at no cost to the homeowner. He said there was no soil study done on the piece of property where the system malfunctioned and there were human error factors. He said he feels that with the fourteen failed systems that there are a lot of human error factors. He also requested information from the Health Department on each individual system that has problems.

Mr. Jim Free, a representative from Infiltrator, came forward and gave his address as Swainsboro, GA. He said this product was introduced in 1987 and they give a 3-year written warranty on all systems and go and look at every system that fails no matter the age of the system. He said that their company has gone through all the process of being a system approved by law and they are the only system approved by law. He said they were aware of only one failure in Spalding County and had not been notified about the other nine. Most of the their company's failures depicted on the chart were caused by an influx of water during rain events. He said that Spalding County's failure rate is under 2% and feels that they are doing a great job.

He said that the DHR has adopted new reductions and at a meeting held in March 2003 with the Commissioner, representatives from his company were present and were told they would be implemented within the next sixty days, which has not happened. He said their company would not have to comply with this reduction; however, they would voluntarily comply with the reduction. The Commissioner proposed limiting the cap to 25%. He encouraged the Board to wait on adopting a moratorium.

Mr. John Ford, an engineer with Infiltrator, stated he is the one who goes out and does a study on failed chambers and repairs them. He commented that most of the failures are the result of incompatibility of soils and poor site planning.

Mr. George Pigeon came forward and gave his address as Jackson, GA. He said he owns a design engineering company in Locust Grove, GA and asked the Board not to place a moratorium on alternative products.

Mr. Bennie Owens came forward and gave his address as 898 Vaughn Road. He said he puts in the Infiltrator system and has not had one system to fail. He asked the Board not to put a moratorium on the alternative systems as he feels the gravel system is obsolete.

Mr. John Baird came forward and gave his address as 672 East College Street. He said he was neither a builder or developer or does not have a vested interest in a septic system company; however, there are a group of citizens that would be affected by a moratorium and that is people who have homes on small lots. If their system fails, they can't replace it with a gravel system and their only option would be a chamber system with reduced footage.

### 4. Consider moratorium on the use of chamber and alternative septic systems in Spalding County.

The Board took no action on placing a moratorium on the use of chamber and alternative septic systems for the following reasons: (1) Spalding County would be the only County in a twelve county district with a moratorium on the chamber system, (2) new standards should be forthcoming from the State and (3) legal authority ramification on adopting a moratorium. However, the Board did voice concerns with the problems occurring in the twelve county district.

*With no further comments, motion made by Commissioner Davis, seconded by Commissioner Goss and unanimously adjourned the meeting at 7:50 P.M.*

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County Clerk

Chairman

Please send comments to [webmaster@spaldingcounty.com](mailto:webmaster@spaldingcounty.com)  
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