

MINUTES

DAVIDSON COUNTY BOARD OF HEALTH

Public Hearing

March 26, 2012

6:00 p.m.

BOARD MEMBERS PRESENT

Dr. Mark Hamrick
Commissioner Don Truell
Mr. Rod Kcuik
Mr. Keith Raulston
Rev. Lamar Moore
Ms. Becky Daley
Dr. Rick Gilliam
Dr. Michael Lanning

STAFF PRESENT

Nancy Rosier
Lillian Barfield

VISITORS PRESENT

Michael Newby, Asst. County Attorney
Commissioner Billy Joe Kepley
Commissioner Todd Yates

WELCOME

Dr. Mark Hamrick called the meeting to order by welcoming everyone to the public hearing for the Board of Health public health rule to prohibit smoking and the use of tobacco products in County buildings, County vehicles, and all County grounds. Dr. Hamrick started the introductions and asked each of the Board members to introduce themselves and state their positions on the Board.

PUBLIC HEARING AGENDA APPROVAL

Dr. Hamrick asked for approval of the agenda.

MOTION

Dr. Rick Gilliam made the motion to approve the items on the public hearing agenda as presented. Dr. Michael Lanning seconded and the motion was approved.

Dr. Hamrick opened the public hearing and instructed anyone who would like to speak to sign up on the public address sheet and he would go in the order of the signatures on the list. He also requested that comments be limited to 3 minutes to allow everyone the opportunity to speak.

PUBLIC COMMENT

Attorney Irvin Sink Stated his main concern is the Davidson County Courthouse property that he frequents several times a day and many times during the week. It is plain disgusting to walk up the steps of the front door of the courthouse to see people abusing the privilege to be allowed to smoke on county property. They do not put their cigarettes in the receptacles provided and throw them on the ground. It is not just defendant waiting for court that use the courthouse, it also people going to the estates office, clerk's office to get passports and I take clients to conduct civil hearings, special proceeding hearing in front of the clerk, also there are a lot of elderly having to go through this smoke to conduct their estate business. I am very much in

favor of the passage of this ordinance for the sanitary reasons and the health benefits of keeping it away from the general public as much as possible and also the esthetics at the entrance to the courthouse. If you were to go to the courthouse today you would have seen the trashcan at the landing at the top of the steps the lid had a big burn spot where smokers had stuffed their cigarettes out and in recent months the trashcan has been set on fire. I feel this more than justifies any argument against someone's freedoms right to smoke, I feel everyone has the right to be healthy and clean.

Lillian Barfield stated I am speaking as a representative of the Davidson County Wellness Committee. The committee is made up of the City of Lexington, City of Thomasville, Thomasville Medical Center, Lexington Medical Center, Davidson County Community College, Lexington YMCA, Thomasville YMCA, and Unilin and also several of my fellow wellness committee members are here to support this ordinance. Ms. Barfield shared some facts from the American Lung Association and the Center for Disease Control:

- Companies annually spend an estimated \$157 billion/year (\$3,391/per smoker) in direct medical cost and loss of productivity for tobacco users
- More than 50 diseases have been linked to smoking
- Male smokers lose an average of 13.2 years off their lives, females 14.5 off their life
- Smokeless tobacco is as addictive as smoking
- Increased risk of heart disease for both
- Smoking claims 440,000 lives each year and is the leading cause of preventable death. More lethal than AIDS, auto accidents, homicides, suicides, drug overdoses, and fire combined.

What is important about this is that 70% of the current smokers would really like to quit and what would be a better way to have them quit than to limit where they can smoke in Davidson County.

As a health inspector for Davidson County I witnessed firsthand the hesitation of restaurant owners when the state wide smoking ban went into effect. However, since the elimination of smoking in restaurants all of the restaurant owners I have talked with are happy with the change. Their facility smells better, they have fewer absentees from staff, more families come out to eat, and some have since remodeled and really improved the interior of their facilities. All that being said is on behalf of the Davidson County Wellness Committee, and in the best interests of the citizens of Davidson County, we would like to endorse the tobacco free ordinance as submitted.

Steve Jarvis stated he is a citizen of Davidson County and he is not a smoker and has never been a smoker and I am going to look at a little different issue that has been heard tonight. I'm concerned about how much government involvement is in our lives. I grew up without a seatbelt law and I'm still here. I wear a seatbelt and I would wear it even if we didn't have the seatbelt law. I don't plan to smoke but I do think they could put designated areas for smoking without putting government regulations to try to tell us what we are to do or not to do. I don't think it is the government's responsibility to try and tell us how to live our lives. They don't tell you how much to eat or how much not to and over eating can be very unhealthy as well. I'm not saying that it would not be a good idea to move to some designated area and not have smoking on the courthouse steps, I understand that and I don't appreciate going through smoke but I think we

need to consider what kind of involvement we are getting government to mandate on us as citizens.

Ronnie Foster stated it looks like I'm going to be the only pro smoker here tonight and I am also a county employee. I know there are several departments that have designated areas for the employees to smoke outside of the building away from the entrances. In reference to what Mr. Sink brought up about smoking in front of the courthouse, I feel that something should be done there, like setting a limitation of 30 feet away from the doorway to eliminate the general public having to walk through the smoke. The problem that I see if you tell your employee they are not allowed to smoking on county property or in county vehicles. The employees that work in the Governmental Center their options are to step out here to Main Street and smoke. I'm a smoker and have smoked for 30 some odd years that is my choice. What happens if my employer tells me that I have to step out to the road and smoke and I get struck by a car? The sheriff's office is getting ready to move down to 64 does that mean the sheriff's office employees are going to have to sit on the side of 64 to smoke. Yes, there are some times when I would like to quit but there are sometimes if I didn't get a cigarette I'd probably hurt somebody. How are we going to enforce this? I understand this is going to be a civil penalty on all county property, the square is county property. What happens if we get a call that someone is smoking up by the confederate statue, who is going to enforce it, how are we going to enforce it, how are we going to collect the fines, What if someone refuses to pay their penalty? I feel we can make adjustments to this; move it away from the entrances to the buildings, the governmental center has a dock where they smoke, the sheriff's office employees go a good 50 foot away from the doorways where the general public does not pass. I don't see putting a complete ban on all county property, I drive a county vehicle, I work for the sheriff's office and I asked the sheriff today if they pass this I guess if I'm going down the road and I want a cigarette, I'll have to pull on the side of the road, put my flasher on and get out and smoke my cigarette.

Jack Myers Stated he has been a resident of Davidson County all my life and it bothers me that our rights are being taken every day in some way or another. Milk, eggs, rice, red meat is bad for you and smoking is bad for you. I have been a smoker for five years and the reason I started smoking was because everyone said you couldn't smoke. 30 years ago this wouldn't even been in play and none of this would be going on because 50% of people smoked. The big word is conformity that is the real word we are dealing with. The government has this things worked out just like seatbelts, they start out easy, and then take a little more. Smoking has been taken out of public buildings, restaurants and bars now you are taking it off the property. I have been paying taxes for fifty years and I feel like I have at least bought a foot of county property somewhere. Are you going to put up signs everywhere like you do on trespassing so we know when we start breaking the law when we enter on to county property land and are we contaminating the air when we are standing outside? The scientists say that one volcano eruption has done more damage to the world than the human race has done since we have been here and we have had our shares of volcanoes.

Dr. Rajan stated he is a family physician in Lexington. I have heard all the other people's comment and many of the comments don't have any scientific backing. I have never read anywhere that volcano eruption is more dangerous than smoking. In real life we have seen patients in the hospitals and eight out ten patients we see are all smoking related problems. Many

with lung problems basically struggling for air, so considering the public health you can make some policies. Nobody is telling anybody what they should or shouldn't do in their homes but in a public place, in a public area it is like a request but the bottom line is if something is not good, then it is not good with properly done scientific research to back it. We can choose to believe it or not to believe it; it is entirely up to us. The rest of the world believes it because it is the truth. There are more and more studies coming out from our country and developing countries. If we still want to be the same old way thirty years ago where we were that is okay too but we will have to face the consequences. When they are struggling for air and want to get treated at the hospital or carrying oxygen and still smoking possibly setting themselves or their house on fire, we can still sit and watch or make a change. If the change is going to do good for the majority of the public and if it is done as more of a request to change the habits, if someone tells me to change a habit for public good that is acceptable. They are not coming into my home to tell me how I should sleep or what I should wear and there is no study to show if you wear some different dress it will harm anyone but smoking does. It is entirely up to their own if they want to damage their own health it their right but when they come in when they are suffering. Why should a human being suffer because of a habit? There is no need too; it is an easily preventable disease. We as adults need to make a decision to prevent something that is hurting all of us.

Dr Hamrick closed by stating the Board appreciated everyone coming tonight and thanked everyone for voicing their opinions, observations and questions.

MEETING ADJOURNED

Respectfully submitted,

L. Layton Long, REHS, MSA
Secretary to the Board

This is a true and accurate copy of the March 26, 2012, Board of Health Public Hearing Minutes.

Dr. Mark Hamrick, Chair