

MINUTES

Clark County District Board of Health Meeting

625 Shadow Lane
Las Vegas, Nevada 89106
Clemens Room - 8:00 A.M.
Thursday, March 28, 1996

The regularly scheduled meeting of the District Board of Health was called to order at 8:00 A.M. by Chairman Ferraro and the Pledge of Allegiance was held. Chairman Ferraro noted that he had been provided with Affidavit of Posting of Agenda and the public notice, as required by Nevada's Open Meeting Law. The Affidavit will be incorporated into the Official Minutes.

Present:

Robert Ferraro	Chairman, Councilman, Boulder City
Sherry Colquitt, RN	Appointee, Las Vegas
Donalene Ravitch, RN	Appointee, Boulder City
Amanda Cyphers	Councilman, Henderson
Mary Kincaid	Councilman, North Las Vegas
Gary Reese	Councilman, Las Vegas
Bruce Woodbury	Commissioner, Clark County

Absent:

Kirk Cammack, MD	Physician Member At Large
Erin Kenny	Commissioner, Clark County
William Robinson	Councilman, North Las Vegas

Executive Secretary:

Otto Ravenholt, MD, MPH

Legal Counsel:

Ian Ross, Esquire

Staff: Clare Schmutz; David Rowles; Mike Naylor; Fran Courtney, RN.; Roy Soffe; Karl Munninger; Ed Wojcik; Vic Skaar; Curt Taipale; Mary Hahn; Philippa Pointon; Rene Moreno; Harold Glasser; Mike Bernstein; Mike Webb; Beverly Eccles; Julian Davis; Jeanne Palmer; Angie Negrete and Recording Secretaries Diana Lindquist and Montana Garcia

PUBLIC ATTENDANCE:

<u>NAME</u>	<u>REPRESENTING:</u>
Christine Grandstaff	Justice & Associates
Will Cates	Clark County Comprehensive Planning
Russ Wilde	NV Dept. of Transportation - Carson City
Leslie Long	City of North Las Vegas
Lori Wohletz	City of Las Vegas
Lavert Lucas	City of Henderson
L. Kenneth Mahal	NV Seniors Coalition
Richard Thornton	Nevada Ready Mix
Marianne Baltazar	Russ Steel Company, Inc.
Bob Grinnell, Sr.	Bob Grinnell & Associates
Larry Haugsness	City of Las Vegas
William E. Poole	CSR West/WMK Materials
Dick Serdoz	NV Div. Environmental Protection
Shimi Chettiath	Kerr-McGee Chemicals
Edward Martinez	Harding Lawson Associates
Greg Banks	Nevada Power Company
Alan J. Gaddy	Environmental Technologies
Ken Coats	CSR West
Ed Barry	Chemical Lime Co.
Lee Mekelburg	Monterey Pools
Terry Johnson	Clark County Public Works
John Murdoch	Clark County Public Works
Leslie Valpiani	Turtle Stop #7
Kohr Harlan	KLAS-TV
John Sharples	Silver State Petroleum Service
Bud Cort	Terrible Herbst Oil Company
Jack Zunino	JW Zunino & Associates
Jack Greco	Nevada Gasoline Retailers/Self
Barbara Tappin	United Way
Etsu Ander	Self
Albert Ander	Self
Maggie Drafi	Self
Henrik Herman	Self
Tren Hermann	Self
Andras B. Hermann	Self
Elizabeth Paradi	Self
Joseph Paradi	Self
Thomas Tankose	Self

PRESENTATION:

Chairman Ferraro on behalf of the Board presented a certificate of appreciation to Salvatore Lobello, M.D. in recognition of his past and present service to the Addiction Treatment Clinic and the residents and citizens of Clark County.

Dr. Ravenholt added that Dr. Lobello has been the physician for the Addiction Treatment Clinic for over 20 years and handles a difficult clinical issue related to heroin addiction and methadone treatment. Our clinic routinely provides service to more than 200 clients.

Dr. Lobello commented on the high standards for the Addiction Treatment Clinic. Also, he expressed his enjoyment in working with District staff.

David Rowles remarked that the District participates annually in the United Way Campaign with other government entities. In recognition of the District reaching an all time high and introduced the District's United Way Committee to the Board.

Barbara Tappin representing United Way presented a plaque to the employees of the Clark County Health District in recognition of a 22% increase in contributions to the United Way from the District employees.

I. CONSENT AGENDA:

These are matters considered to be routine by the District Board of Health and which may be enacted by one motion. Any item, however, may be discussed separately per Board Member request.

Member Cyphers moved to approve the Consent Agenda. Motion was seconded by Member Colquitt and carried unanimously approving the following Consent Agenda:

1. **Minutes/Board of Health Meeting** - 02/26/96
2. **Payroll/Overtime** for Periods of - for Periods of 01/28/96-02/10/96 & 02/11/96-02/23/96 & 02/24/96-03/08/96
3. **Claims Register** - #683 - 02/16/96-03/07/96 & #684 - 03/08/96-03/21/96

II. PUBLIC HEARING/POSSIBLE ACTION (Approximately 8 A.M.)

Chairman Ferraro remarked that he was reorganizing the public hearing section of the agenda to reflect the following order:

4. 4. **Memorandum #05-96- Public Hearing:** To Consider Amendments to Section 52 of the Air Pollution Control Regulations
2. 5. **Memorandum #06-96- Public Hearing:** Amendments to Sections: 12 – *Preconstruction Review of New or Modified Stationary Sources* of the Air Pollution Control Regulations
3. 1. **Variance Request** - To Connect Three Mobile Restrooms to One Individual Sewage Disposal System Served by a Public Water System. **Petitioner:** Allen Bell, P.E., Director Public Works Department, Mesquite, Nevada
4. 2. **Variance Request** - To Drill an Individual Water Well on an Undersized Lot Where an Individual Sewage Disposal System Exists. **Petitioner:** Andras B. Hermann
5. 3. **Variance Request** - To Permit the construction and Operation of a Public Bathing Place and Spa in Conflict with the Nevada Administrative Code Chapter 444 Public Bathing Places and Spas. **Petitioner:** Louis A. Toomin
1. **Variance Request** - To Connect Three Mobile Restrooms to One Individual Sewage Disposal System Served by a Public Water System. **Petitioner:** Allen Bell, P.E., Director Public Works

Department, Mesquite, Nevada
Chairman Ferraro opened the public hearing.

Clare Schmutz explained that Mr. Allen Bell, P.E., Director of Public Works on behalf of the City of Mesquite, Nevada, is requesting a Variance to connect three (3) mobile restrooms to one (1) individual sewage disposal system (ISDS) on 120 acres served by a public water supply. The property is to be used for the Mesquite Rodeo Grounds and is located north of Interstate 15, north of mesquite Boulevard, and west of the City of Mesquite. Legal description: NE 1/4, Section 13, T13S, R70E, MDBM, APN 660-230-005.

Section X.4 of the District Board of Health Regulations Governing Individual Sewage Disposal Systems and Liquid Waste Management states that "An individual sewage disposal system may serve only one (1) single family dwelling or one (1) single building."

The City of Mesquite is in the process of developing the temporary Rodeo Ground facility on 120 acres at the above location. The Rodeo Grounds are scheduled to be relocated to the north (in approximately two (2) years) on to land that is presently under application with the Bureau of Land Management for recreational purposes. In the meantime, they wish to connect three (3) mobile restrooms to one (1) ISDS to serve participants during events at the Rodeo Grounds.

Staff has reviewed the project with Mr. Allen Bell, for the City of Mesquite, and has determined that granting of this Variance would not create a public health nuisance since it will be used only for intermittent occasions. Therefore, staff recommends approval with the following conditions:

- a. The Variance would be for a period of two (2) years. If the Rodeo Grounds are extended beyond March of 1998, a request for extension must be filed with the Clark County District Board of Health.
- b. No additional mobile homes, structures, or buildings will be connected to the ISDS during the period of this Variance.
- c. When the Rodeo Grounds are relocated, the mobile restrooms will be disconnected from the ISDS; and the tank will be pumped and properly abandoned.

Chairman Ferraro asked if any member of the public wished to be heard, there was no response. At this time he closed the public hearing. He asked Mr. Bell if he was aware of the conditions that applied to the Variance and if he agreed with them. Mr. Bell stated, "Yes, we are aware of the conditions and we are in concurrence with them."

Member Cyphers moved for approval of Variance with the conditions recommended by Staff. Finding that there are circumstances or conditions which are unique to the applicant that do not generally affect other persons subject to the regulations. There are circumstances which make compliance with the regulations unduly burdensome; and would cause a hardship. Granting the Variance is necessary to render substantial justice and will not be detrimental to or pose a danger to public health and safety. Motion was seconded by Member Kincaid and carried unanimously.

2. Variance Request - To Drill an Individual Water Well on an Undersized Lot Where an Individual Sewage Disposal System Exists. **Petitioner: Andras B. Hermann**

Chairman Ferraro opened the public hearing.

Clare Schmutz explained that Mr. Andras B. Hermann, owners, is requesting a Variance to permit the installation of an individual water well on an undersized lot where an individual sewage disposal system (ISDS) exists. The lot is 23,257 square feet in size and is located at 7585 South Monte

Cristo Way. Legal description: SE 1/4 NW 1/4, Section 10, T22S, R60E, Clark County, Nevada.

Mr. Hermann purchased his property in 1976 from his brother-in-law. The lot was Lot 4 of a 4-lot parcel map at the corner of Monte Cristo Way and Maulding Avenue. The existing ISDS was approved August 30, 1978. Mr. and Mrs. Hermann paid \$7,500.00 for a one-quarter share of the community well which is located on Lot 3, owned by the brother-in-law. Mr. and Mrs. Hermann have been unable to provide a written contract regarding this one-quarter ownership.

Mr. and Mrs. Hermann have experienced several problems over the years regarding their water supply from the community well located on Lot 3; and for the past several years, they have reportedly been hauling water to their residence.

Staff has conducted a field survey and determined that a well can be installed and be more than 100 feet from the existing ISDS and the neighbor's ISDS.

Staff has determined that no public health problem will be created if the Board approves this Variance with the following conditions:

- a. Construction of the well will begin within one (1) year and before March 28, 1997.
- b. The residence on the property will be connected to public sewer when a sewer line comes within four hundred (400) feet of the property and the ISDS abandoned.
- c. The private well must be located 100 feet from any neighbor's ISDS and the onsite ISDS.

Chairman Ferraro asked if any member of public wished to comment on the Variance.

Albert Ander, representing himself, gave a history of the conflicts with his brother-in-law over the well. He added that Mr. Hermann's name was not on the community well at this property and that Mr. Hermann wasted a great deal of water from this well.

Andras Hermann, representing himself, declared that he paid Mr. Ander \$10,000 for the property but they have not been able to use it because of the water being shut off.

Thomas Tankose, on behalf of Mr. Ander, added that Mr. Hermann had been wasting a lot of water.

Joseph Paradi, on behalf of Andras Hermann remarked that the Petitioner has had major problems with water service from the well.

Chairman Ferraro remarked that he realized that there were some personal problems involved in this Variance application but the Board needed to remain focused on the subject at hand, that being the Variance Request based on the actual conditions for the Variance.

After outlining the conditions that applied to the possible Variance, Chairman Ferraro asked if there were any other comments relating to the Variance Request. There being no response, he closed the public hearing.

Member Reese moved for approval of the Variance with all of the conditions recommended by Staff. Finding that there are circumstances or conditions which are unique to the applicant that do not generally affect other persons subject to the regulations. Also, there are circumstances which make compliance with the regulations unduly burdensome; and would cause a hardship to and abridge a substantial property right of the applicant. Granting the Variance is necessary to render substantial justice to the applicant and enable him to preserve and enjoy his property right; and will not be

detrimental or pose a danger to public health and safety. Motion was seconded by Member Ravitch and carried unanimously.

3. **Variance Request** - To Permit the Construction and Operation of a Public Bathing Place and Spa in Conflict with the Nevada Administrative Code Chapter 444 Public Bathing Places and Spas.
Petitioner: Louis A. Toomin

Chairman Ferraro opened the public hearing.

Clare Schmutz explained that Mr. Louis Toomin, on behalf of Lee Mekelburg, owner of Boulder Landing Village, 101 Lake Mountain Drive, Boulder City, Nevada, is requesting a Variance to the Nevada Administrative Code (NAC) 444.210, Bathhouses, "Required facilities," and NAC 444.468, "when bathhouses required."

NAC 444.210, Bathhouses, "Required facilities," (a), requires a bathhouse to be constructed if more than 10% of the residents are over 300 ft. from the public bathing place requiring bathers to travel more than 300 ft. to sanitary facilities.

NAC 444.468, "when bathhouses required" 1., requires a bathhouse to be constructed if any residence is over 300 ft. from the public spa requiring bathers to travel more than 300 ft. to sanitary facilities.

The Boulder Landing Village is a 30-unit condominium project and will be a non-American Disabilities Act (ADA) and child-free community.

There will be 6 units (20% of total units) that will not be in compliance with the distances outlined in NAC 444.210 and 444.468 as outlined above. Unit #1 will be 384 ft.; Unit #2 - 340 ft.; Unit #3 - 314 ft.; Unit #4 - 338 ft.; Unit #5 - 377 ft.; and Unit #30 - 422 ft. from the public bathing and spa area.

Following several Variance Requests for projects with units just over the previously firm 300 ft. requirement, a 10% figure was added to NAC 444.210 (Public Bathing Places) in 1988, however, it was never added to NAC 444.468 (Public Spas).

As outlined in letters received from Ms. Mekelburg (read into the record), she indicates that she has tried in good faith to obtain a qualified swimming pool company to build her public bathing place, spa, and bathhouse only to receive a hole in the ground with some plumbing (no plans or specifications were submitted to the Health District for approval) and the loss of \$26,000 of budgeted funds for the projects. She would have no problem bringing the plumbing to the site for a future bathroom.

Staff felt that in her attempt to provide facilities for the bathers of Boulder Landing Village, Ms. Mekelburg has incurred a hardship not of her making. Granting of this Variance will cause some inconvenience to bathers outside the 300 ft. requirement rather than a public health or safety problem. Therefore, Staff recommended a Variance regarding construction of support facilities not to exceed two (2) years with the following conditions:

- a. All other sections of NAC Chapter 444 governing public bathing places and spas be complied with.
- b. Rough plumbing for future bathhouse/restroom facilities to be included in the initial construction.

Mr. Lou Toomin representing Ms. Mekelburg gave an overview of her situation explaining that she was not fully aware of some of the contractual problems in the state. Ms. Mekelburg is hard pressed to finish this project as she has not been able to deliver the star item in the project and

people will not buy the properties because of the lack of the pool. He felt that she had suffered enough at the hands of unscrupulous business people in this state and asked that the Board approve the Variance.

Ian Ross, District Legal Counsel, stated that he had noticed in the letter from Mr. Toomin dated February 15, 1996, it appears that there is an implication in the Variance Request that this Variance would be permanent and that restrooms would never be built. He asked Mr. Toomin if it is in the budget to finish the restrooms, and if he was aware that one of the conditions recommended for the Variance is that it be only for two (2) year period. Also, that it would be contemplated that within that time restrooms would in fact be constructed?

Mr. Toomin remarked that originally when he had written the letter he was unaware of that condition but would be in concurrence with that condition without a problem. He felt that within two (2) years Ms. Mekelburg should be able to generate the needed funds to be able to accommodate the restrooms. On Ms. Mekelburg's behalf he accepted the conditions outlined by Staff.

There being no further comment, Chairman Ferraro closed the public hearing.

Member Reese moved for approval of the Variance with the conditions outlined by Staff, finding that there are circumstances or conditions which are unique to the applicant that do not generally affect other persons subject to the regulations. There are circumstances which make compliance with the regulations unduly burdensome; and would cause a hardship to and abridge a substantial property right of the applicants. Granting the Variance is necessary to render substantial justice to the applicant and enable him to preserve and enjoy her property right; and will not be detrimental or pose a danger to public health and safety. Motion was seconded by Member Kincaid and carried unanimously.

4. Memorandum #05-96- Public Hearing: To Consider Amendments to Section 52 of the Air Pollution Control Regulations

Roy Soffe explained that Section 52 of the Air Pollution Control regulations requires that all Gasoline Dispensing Facilities (GDF), located within the area of applicability, be equipped with California Air Resource board (CARB) certified Stage I and Stage II vapor recovery systems. Certain Stage II systems are required to conduct annual performance tests, witnessed by a representative of the District.

In 1995 the District was petitioned by several of oil companies and independent gasoline service stations, requesting they be allowed to conduct performance testing outside of normal District working hours and unaccompanied by District Staff. To meet this request and also to relieve the District of the necessity of assigning personnel to witness the tests, the District proposes to initiate a program whereby persons that perform tests would be certified through the District and permitted to conduct the tests without a District representative present.

The District proposes to initiate a program whereby persons that perform these tests could be certified through the District and permitted to conduct the tests without a District representative present. Persons applying for certification would be required to have at least 2 years experience in the field of vapor recovery, provide evidence of having conducted 30 tests witnessed by District Staff, and pass a written examination. An application fee of \$50 is proposed to cover the administrative costs of certification, and certifications would be renewable every 2 years. The proposed amendments permit the District to waive the requirements of certification for persons certified in other states with substantially similar programs.

Dr. Ravenholt commented that the District considered the benefits for consumers - less

inconvenience at the pumps, and for local industry - reduced disruption to business, would outweigh any costs associated with the proposed amendment.

Roy Soffe stated that the District proposes to delete language in the regulations that requires all GDF located within the Valley to provide the District with a record of their annual gasoline throughput figures. This requirement was originally intended as a mechanism to keep track of when a GDF was required Stage II Vapor Recovery. As all stations within the Valley are now equipped with Stage II Vapor Recovery, this requirement is redundant.

Chairman Ferraro asked if any member of the public wished to be heard.

Jack Greco, Chairman of the Nevada Gasoline Retailers, stated that they were in favor of the proposed amendments to certify individuals but recommended that Staff also be in the process of decertification of individuals who are not performing the test adequately.

Dr. Ravenholt suggested that at the time individuals file for recertification in the two year cycle they be required to provide for the record a list of all the units that they have cleared during that proceeding two year period.

There being no further comment, Chairman Ferraro closed the public hearing. Member Cyphers moved to adopt the proposed amendments to Section 52 of the Air Pollution Control Regulations and to incorporate the recommendation in Section 52.15.1 (e) that at the time an individual files for recertification in the two year cycle that they provide for the record a list of all the units that they have cleared during that proceeding two year period. Motion was seconded by Member Kincaid and carried unanimously.

5. Memorandum #06-96- Public Hearing: Amendments to Sections: 12 - *Preconstruction Review of New or Modified Stationary Sources* of the Air Pollution Control Regulations

Michael Naylor commented that the proposed amendments to Section 12 are motivated by comprehensive changes mandated by the U.S. Environmental Protection Agency, input from the public and affected industries and the goal to facilitate a better understanding and interpretation of the Regulations.

The hearing today is the second installment of a comprehensive package of proposed amendments to Section 12. These proposals generally address Regulations applicable to the Las Vegas Valley and general sections relating to the administrative processing of applications and Authority to Construct Certificates.

This installment addresses the regulations for Particulate Matter (PM10) and Volatile Organic Compounds (VOC) from new or modified stationary sources in the Las Vegas Valley and the nearby management area (Jean, Stateline, Boulder City, Eldorado Valley, and Goodsprings. Some of the proposed changes include:

- a. For PM10 and VOC increases, the threshold at which we would publish a public notice would increase. These thresholds correspond to the federally defined level for significant increases by major sources.
- b. The threshold at which post-construction ambient air quality monitoring is required would increase, with the stipulation that this requirement apply only to sources with emission increases exceeding 25 tons per year. The threshold corresponds to the federally defined level pertaining to a significant deterioration.

- c. In Section 12.3, we are asking for additional time to determine completeness for Non-Major Stationary Sources to 60 days instead of 25 days. If the application is deemed complete, the Control Officer would have 45 days to publish a Notice of Proposed Action instead of the current 30 days.
- d. For Major Stationary Source, the Control Officer would have 100 days, instead of the current 60 days, in order to determine completeness. If the application is deemed complete, the Control Officer would have 90 days instead of the current 80 days to publish a Notice of Proposed Action.
- e. Subsection 12.4.1 deals with the Emission Reduction Credit requirements. This includes the emission offset ratios for PM10, VOC, NOX and CO in the Las Vegas Valley and the opportunity to use PM10 credits for offsetting emission of CO, VOC, NOx, as well as PM10.
 - (1) Staff is proposing that the offset ratios for VOC and NOx emissions would remain at 2:1.
 - (2) Privately financed road-paving projects could receive credits of up to 68 tons per year for seven years.
 - (3) The seven-year credit option of \$2,170 per annual ton of emissions would be retained.
 - (4) PM10 credits could be used in lieu of VOC credits for those sources which need VOC credits.

Dr. Ravenholt commented that the intent behind the regulations is to ensure compliance with the National Air Quality Standards and District and EPA regulations.

The Las Vegas Valley is not yet quite in compliance with the CO standard. We are in violation of the PM10 dust standard. Therefore, as we contemplate growth in the Valley, there may be more emissions particularly of CO in future years. We are not in violation of NOx and have growth room that can be accommodated here before the standard would be reached. The proposed process would require permit applicants with potential NOx emissions to provide offsets for these. We would allow PM10 dust emission reductions to help us comply with the federal standard.

At this time Chairman Ferraro opened the public hearing.

Allan Gaddy, representing Environmental Technologies of Nevada and the Coalition of Regulated Industries commended staff on their efforts. They understood staff had to undertake this massive job in a piece meal manner in order to address concerns raised by EPA. However, they are concerned about the piece meal approach in that many of the terms and phrases used in the portions for adoption are not well defined and will not be addressed until May or August. They had no objections to the offsets being proposed for the non-attainment area and agreed with Staff's recommendation.

Eddie Martinez, of Harding Lawson and Associates in behalf of Las Vegas Paving and Consultant for Wells Cargo, expressed concern that granting only a seven year credit for road paving versus a 15 year credit may delay getting roads paved expeditiously. They support the Board moving forward with a 15 year credit for road paving.

Ian Ross, Board Legal Counsel, stated that when these amendments are revisited in the August time frame, the 15 year credit could be made retroactive by the Board to April 1, 1996, so it does not necessarily follow that it has to delay any activity on the part of industry.

Ken Mahal, representing Nevada Seniors Coalition, expressed concern on the proposed offset

amendment. He stated that there was technological equipment available that can get rid of PM10 in industrial applications. They support no offsets for any industry not willing to put the latest technology on line and eliminate the problem. They are against subsidizing land holders to pave their gravel roads.

Jack Greco, Chairman of Nevada Gasoline Retailers, expressed concern that the gasoline retailers have done much to help bring this Valley into compliance for CO and now they are being asked to pay for PM10 compliance caused by another industry. He cited how the industry supported the Stage II Vapor Recovery program. They supported the 1.2:1 offset ratio which Staff had informed the industry would be proposed in the amendments. He asked consideration of the gasoline industry and that they be granted the 1.2:1 for new facilities because of the other expenses they are already going through to help reduce emissions in this Valley.

There being no further comment, Chairman Ferraro closed the public hearing.

Discussion ensued by the Board and Staff concerning the proposal to allow PM10 credits to be used in lieu of VOC credits was an option and not a mandate. The VOC credits would be less expensive than the PM₁₀ options. Also, the possibility of addressing the 7 year as opposed to the 15 year credit for road paving was discussed.

Member Woodbury moved to follow the recommendations of Staff as outlined on the orange sheets supplemented with the green sheets and the lavender sheets, with the understanding that we will revisit the issues pertaining to the 7 year versus the 15 year credit for road paving and the offset ratio 1.2:1 versus the 2:1. Motion was seconded by Member Colquitt and carried unanimously.

III. REPORT/DISCUSSION/POSSIBLE ACTION:

1. **Petition #16-96** - Air Pollution Control Hearing Board Reappointment/Selection (Expiration of One Member's Term)

Dr. Ravenholt commented that Mr. Jack Greco was appointed in 1992 and has served 1 -1/13 terms. He is one of the three Citizen Members of the Air Pollution Control Hearing Board. Mr. Greco has brought thoughtful perspectives to the Board and has regularly attended and participated in the meetings. He has expressed his willingness to accept reappointment.

Member Kincaid moved to reappoint Mr. Jack Greco to the Air Pollution Control Hearing Board. Motion was seconded by Member Colquitt and carried unanimously.

2. **Petition #17-96** - Request to Set a Public Hearing Date to Consider Proposed Amendments: Section 0-Definitions, Section 1-Definitions, Section 12- Preconstruction Review of New or Modified Stationary Sources and Section 15- Source Registration, of the Air Pollution Control Regulations

Michael Naylor asked that the Board consider scheduling a public hearing at approximately 8 a.m. on May 23rd on proposed amendments to Sections) and subsections of Section 12.

These proposed amendments represent the third installment to a comprehensive package of suggested amendments to the Regulations that will be submitted along with the first and second installment to the EPA as the updated New Source Review Implementation Plan for Clark County. The proposed changes to the Regulations address the general application requirements for all sources, the Prevention of Significant Deterioration (PSD) requirements for most criteria pollutants,

the air quality modeling requirements, the pre and post construction ambient air monitoring requirements, the Authority to Construct requirements and some changes to the definitions. Also, these proposals reflect a consensus from extensive consultation with industry. However, there are some unresolved issues which may be needed to carry over to the August Board meeting. The plan is that by May the more important regulations which need to be adopted will have been processed and forwarded to the EPA reflecting the changes necessary to maintain their approval of our program. It is our understanding that if we do not have something submitted to Region IX by June, our current regulations would be considered unapproved and we could have a regulatory chaos situation as viewed by EPA.

Member Kincaid moved to set a public hearing on May 23rd at approximately 8 a.m. including the proposed languages for definitions (on yellow sheets). Motion was seconded by Member Ravitch and carried unanimously.

3. Petition #18-96 - Request for Approval of Landscape Retrofit of Bid Specifications and Authorization to Advertise Completed Specifications for Bid Proposals

David Rowles explained that pursuant to Board approval, we have met with Jack Zunino, Architect and representatives of the City of Las Vegas and the Regional Transportation to prepare appropriate drawings and specifications for use in soliciting contractor bid proposals to accomplish our frontage landscape modification. The landscaping retrofit is endorsed by the City of Las Vegas Planning and Zoning section, the Regional Transportation Commission and the Las Vegas Valley Water District. One of the features of the retrofit would be a bus bay toward the curve that would allow a maximum of two (2) buses to discharge passengers. The design will be less water consuming and will feature low water drought tolerant plants and shrubs. Some of the cost of this project will be offset by the City of Las Vegas.

Jack Zunino, Architect gave an overview of some of the design elements. The six (6) existing Pine trees on each quadrant will remain as the landscaping is planned around those. The old shrubs (junipers) down the middle will be removed when the sidewalk is removed. Also, the four (4) Olive trees will be removed. In reminiscences of what the building looks like, we are bringing in a grouping of three (3) Swan Hill Olives which are the pollen free fruitless olives to replace the four (4) Olive trees being removed.

Member Colquitt moved for approval of Petition #18-96 - Approval of Landscape Retrofit of Bid Specifications and Authorization to Advertise Completed Specifications for Bid Proposals. Motion was seconded by Member Cyphers and carried unanimously.

4. Petition #19-96 - Request for Approval of Proposed Fiscal Year 1996-1997 Budget **Memorandum #07-96**

David Rowles gave an overview of the anticipated revenue and proposed allocation of expenditures through June 30, 1997. The proposed FY 96-97 budget is a working document which predicts our future financial ability to accomplish public health programs and services directed by the Board. It is an assimilation of our experience and knowledge of past and current trends and needs of our community health needs as they occur throughout the metropolitan and rural areas of the County. The Board through policy development and direction to staff mandates public health priorities on behalf of local taxpayer-residents, tourist and commercial service industries. Also, he complemented County Staff for their support of the Clark County Health District in discussion pertaining to the budget.

Member Kincaid moved for approval of the FY 96-97 budget. Motion was seconded by Member Colquitt and carried unanimously.

5. Petition #20-96 Request for Review & Acceptance of Addiction Treatment and Control (ATC) Yearly Report for 1995

Fran Courtney, RN, remarked that the ATC program although regulated by the Federal and state government, is primarily funded by fees collected from the clients. We feel this has worked very well. We work cooperatively with other addiction treatment programs in the community to take of those individuals who need the services. Consistently, there are approximately 200 clients on the program. The program drugs are highly controlled by the Drug Enforcement Administration (DEA) through Dr. Ravenholt's DEA number.

Dr. Ravenholt added that this program is related to the needle exchange concept around the country in that it offers former intravenous drug users a way out from addiction and reduces the potential of their contracting AIDS. Less than 5% of those on our program are HIV positive.

Member Kincaid moved for approval of Petition #20-96, Request for Review & Acceptance of Addiction Treatment and Control (ATC) Yearly Report for 1995. Motion was seconded by Member Colquitt and carried unanimously.

6. Petition #21-96 - Award of Bid for Obsolete Computer Equipment

David Rowles asked that the Board approve the bid from Tom Ruff as the lowest responsive and responsible bidder for the purchase of the Health District's obsolete computer equipment. These are basically old computer monitors and shells of CPUs that we have harvested the usable parts for other machines.

Member Kincaid moved for approval of Petition #21-96, Award of Bid for Obsolete Computer Equipment. Motion was seconded by Member Colquitt and carried unanimously.

IV. STAFF REPORTS

Environmental Health

Clare Schmutz commented that March 25th was the start of the Hanta Virus and Plague study program. Joe Nebe from the State Health Division is currently doing a survey on of our Restaurant Inspection Programs. The results will be available in a couple of months.

There has been a lot of attention directed towards contaminated Iced Tea. We have had two (2) cases of possibly related illness reported in Clark County (one March 1995 and one in January 1996). Several local restaurants no longer serve Iced Tea. Iced Tea should be prepared with water near boiling temperature and cooling it to 45 degrees and not keeping it over 8 hours.

Dr. Ravenholt added that the advisory is against Sun Tea where there is no high water temperature. The public health service does not have record of any serious illness from it and they are not interpreting that there is something new in Tea contamination

Clare Schmutz commended the following Environmental Health Staff members for passing the test for certification as Registered Environmental Health Specialists:

Beverly Eccles
Phillipa Pointon
Vic Skaar

Mary Hahn
Mike Webb

Administration

David Rowles remarked that staff has been busy with the budget and he commended the division heads for their support. During the month of February we had 8,600 health card clients were processed. All other sections running well.

Clinics & Nursing

Fran Courtney, RN, commented that during April we will celebrate National Infant Immunization Week. In recognition there will be a proclamation presented to the Health District from Sandy Miller, first lady of Nevada, on April 25, 1996 between 4 and 7 p.m.

We have identified 7 schools in the Valley whose children are least percentage wise immunized and we will be holding a clinic at one of those school each day during National Infant Immunization Week. Flyers and notices will go out to the parents of the children asking that they also bring in other siblings with them to be immunized.

Air Pollution Control

All sections are running well. Member Kincaid commended the Board and Staff for their efforts in working with EPA to move the East Charleston monitoring station.

V. CITIZEN PARTICIPATION

The Board of Health cannot act upon items raised under this portion of the Agenda until notice provisions of Nevada's Open Meeting Law have been complied with. Therefore, any actions on such items are considered at a later meeting.

Chairman Ferraro asked if any member of the public wished to be heard. Eddie Martinez commended staff for their efforts in what they accomplished with EPA regarding the East Charleston site.

VI. INFORMATIONAL ITEMS

1. Comments on Carbon Monoxide and Air Quality in the Las Vegas Valley
2. Financial Data
3. Clark County Air Pollution Control Division Annual PM-10 Emissions Offset Report, 02/96
4. Emergency Medical Services Advisory Board Meeting Minutes and Annotated Agenda, 02/07/9
5. Listing of Food Establishments in Plan Review for the Period of 02/01/96 to 02/29/96 Environmental Health Division
6. Letter of Thanks from Bally's Hotel to Steve Goode, Environmental Health Specialist II
7. Letter of Appreciation to Cheryl Clark, Public Health Nurse from the John Mason Family

VII. ADJOURNMENT

There being no further business to come before the Board, Chairman Ferraro adjourned the meeting at 10:25 A.M.

SUBMITTED FOR BOARD APPROVAL

Otto Ravenholt, MD, Chief Health Officer
Executive Secretary

/mlg