



Mission: To protect and promote the health, the environment and the well-being of Clark County residents and visitors.

MINUTES

Clark County District Board of Health
625 Shadow Lane
Las Vegas, Nevada 89106
Clemens Room - 8:00 A.M.
Thursday, May 27, 1999

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

Present:

Sherry Colquitt, RN
Paula Brown
Jim Christensen, MD
Susan Crowley
Amanda Cyphers
Robert Ferraro
Paul Henderson
Mary Kincaid
Erin Kenny
Gary Reese
Stephanie Smith

Chairman, Las Vegas
Vice-Chair, North Las Vegas
Physician Member At-Large
Appointee, Henderson
Councilman, Henderson
Mayor, Boulder City
Councilman, Mesquite
Commissioner, Clark County
Commissioner, Clark County
Councilman, Las Vegas
Councilwoman, North Las Vegas

Absent:

Donalene Ravitch, RN
Alice Fessenden

Secretary, Appointee, Appointee, Boulder City
Councilwoman, Mesquite

Executive Secretary:

Donald S. Kwalick, MD, MPH

Legal Counsel:

Ian Ross, Esquire

Staff: Fran Courtney, RN; Michael Naylor; David Rowles; Clare Schmutz; Rose Bell, PhD; Karl Munninger; Mike Sword; Ed Wojcik; Glenn Savage; Mason McNinch; Mary Hahn; Eugene Ingalise; Ron Smolinski; Robert Yager; Lorraine Forston; Jeanne Palmer; Jennifer Sizemore; George Bertoty; Jacquelyn Raiche-Curl; recording secretaries, Diana Lindquist and Montana Garcia

PUBLIC ATTENDANCE:

<u>NAME</u>	<u>REPRESENTING</u>
Bryan Shepherd	Specialty Builders
Ted Johnson	Detan Builders
Don Frazee	Host Marriott
Betty Fisher	Host Marriott
Chuck Morgan	Mobil Oil
Terry Murphy	Strategic Solutions
Leslie Long	City of North Las Vegas
Lori and Erin Wohletz	City of Las Vegas
Alan J. Gaddy	Republic Silver State Disposal Service
Kenny Young	Strategic Solutions
Mary Shope	Self
Russell Roberts	Clark County Comprehensive Planning
Clete Kus	Clark County Comprehensive Planning
Gary M. Gillihen	Flamingo Hilton
Teyi Tongersen	Flamingo Hilton
Dennis Schwehr	Nevada Power Company
James Chavez	Nevada Power Company
Shimi Mathew	Kerr McGee Chemical
Art Melkessetian	State of Nevada Agriculture Division
Art Nadler	Las Vegas Sun
Chuck LeTavec	ARCO Products Company
Jack Greco	Nevada Gas Retailers/Greco's ARCO
Steven D. Smith	TOSCO Corporation
Carl Bailey	Rebel Oil Co.
Gina Grey	Western States Petroleum Association
Andrea Banks	AirCare
Joel Hingada	COSTCO Wholesale #35
Mark Cowley	COSTCO Wholesale #35
Blake Bean	Department of Aviation
Scott Kichline	Department of Aviation
Mike Justice	Justice & Associates (So. Nevada Concrete & Aggregate Association)
Joe W. Brown	Jones Vargas (Western States Petroleum Association)

PRESENTATION:

Kathleen Boutin, of the District Baby Find Program, remarked that Mary Hall is one of the volunteers who had been with the program since 1993. Mary manages the office for the District at Mash Village which is a shelter for homeless individuals in Las Vegas. Ms. Hall works 40 hours a week out of the Mash office. Mr. Ken Robinson, Executive Director of Mash wrote a letter to the District which Kathleen read to the Board as follows: "on August 24, 1998, United States Senators Harry Reid and Max Cleland toured Mash Village Crisis Intervention Center. Senator Cleland is a Vietnam veteran and a triple amputee. While giving the tour, the Senators were introduced to Mary Hall. Senator Cleland immediately bonded with Mary. He went into her office area and spoke to her with tears in his eyes and embraced her before departing. Mary is a remarkable woman. Both Senators were impressed and amazed with her spirit and determination. It was at this time that it was learned that Mary takes the bus to and from Mash Village every day to provide volunteer services for the Baby Find Program. This was a very touching moment for all that witnessed it." Also, Mary recently won the J. C. Penney's Golden Rule Award, which is one of the most prestigious volunteer awards in Las Vegas. In recognition for her outstanding volunteer efforts, Mary was being recognized before the Board of Health with a certificate of appreciation.

Mary Hall thanked the Board Members and stated the reason she did it is because she loved doing the work.

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 before action. Any exceptions to the Consent Agenda must be stated prior to approval.

Chairman Colquitt asked if any of the Board Members wished to discuss any of the items on the consent agenda. There was no response.

David Rowles explained that a pink sheet had been handed out to each of the Board members as an amendment to **page 2 of Petition #32-99** on the District's proposed public record policy which reads as follows: "upon receipt of a detailed written request an individual or entity may, according to staff availability, be scheduled to view hard copy files on site at no charge. Hard copy viewing will be generally accommodated at one hour intervals per scheduled session subject to staff availability." This is the proposed amendment to **Petition #32-99**.

Concerning **Items 16 and 17**, Chairman Colquitt appointed Board Members: Mayor Robert Ferraro, Commissioner Mary Kinkaid, and herself to the committee to review Ian Ross, Esquire, District Board of Health Legal Counsel Contract and Steven Minagil, Air Pollution Control Hearing Board Legal Counsel Contract.

Member Ferraro moved for approval of the following Consent Agenda with the amendment to Petition #32-99, Public Record Policy. Motion was seconded by Member Reese and carried unanimously:

1. **Minutes/Board of Health Meeting** - 04/22/99
2. **Payroll/Overtime** for Periods of: 03/20/99 - 04/02/99; 04/03/99 - 04/16/99
3. **Accounts Payable Register** - **#757**: 03/22/99 - 04/02/99 & **#758**: 04/05/99 - 04/16/99
4. **Petition #28-99** - Interlocal Agreement with Clark County Social Service to Receive up to \$165,000 for providing Home Health Services to Clark County Social Service Clients (Annual Renewal)
5. **Petition #29-99** - Interlocal Agreement with Clark County Social Service to Receive up to \$7,500 for Providing HIV/AIDS Evaluation Services to Clark County Social Service Clients (Annual Renewal)
6. **Petition #30-99** - Interlocal Agreement with Clark County Social Service to Pay \$120,000 in Ryan White II Funds for Social Worker/Case Manager Services to Health District HIV Positive Patients
7. **Petition #31-99** - Interlocal Agreement with Clark County Social Service to Receive up to \$6,000 for Providing Tuberculosis Test Services to Clark County Social Services Employees
8. **Petition #32-99** - Public Record Copying Fee Policy Pursuant to Nevada Revised Statutes 239.052 Which Limits Copy Cost to Actual Cost of the Copy and Dissemination of Other Public Records Including Electronic and Tape Media (with revision)
9. **Petition #33-99** - Award of Bid for Influenza Vaccine in the Amount of \$87,750 to General Injectables and Vaccines, Incorporated as the Lowest Responsive and Responsible Bidder for the 1999/2000 Flu Season

10. **Petition #34-99** - Raising the District's Capital Equipment Threshold from \$400 to \$500 for Each Item of Equipment Tracked in the Capitalized Inventory
11. **Petition #35-99** - Review, Consideration and Possible Acceptance of Proposed Agreement with the Architect Firm of Lucchesi, Galati, in the Amount of \$8,900 to Prepare Preliminary Documents for the Potential Construction of New Office Space at the Northeast Corner of the Current Main Center Premises.
12. **Petition #37-99** - Develop an Amendment to the Air Pollution Control Division Regulations to Address Emissions from Vacant Land (Member Kenny Requested Item)
13. **Petition #38-99** - New Classification Specification for Program/Project Coordinator on Salary Schedule 19 (32,379.36 - \$45,167 Annually) Reclassify Position 1104050 to Immunization Project Coordinator to Program/Project Coordinator
14. **Petition #39-99** - New Classification Specification for Assistant to the Health Officer on Salary Schedule 28 (\$51,296.96 to \$71,552.00 Annually)
15. **Petition #40-99** - Authorizing Staff to Contract with Great Basin Primary Care Association for the Receipt of \$330,000 Over Three Years to Enroll Uninsured Children in Medicaid and Nevada Check Up - Covering Kids Initiative
16. **Memorandum #10-99** - District Board of Health Appointment of Committee to Review Renewal of Ian Ross, Esquire, Legal Counsel Contract
17. **Memorandum #11-99** - District Board of Health Appointment of Committee to Review Renewal of Steven Minagil, Esquire Air Pollution Control Hearing Board Legal Counsel Contract

Member Kenny remarked in reference to ***Item 12***, development of an amendment to the Air Pollution Control Regulations to address emissions from vacant land that this item was simply the beginning of strategy that needs to put in place to address this issue. The Clean Air Task Force II addressed the PM10 problems that the Clark County Board of County Commissioners adopted. Another area that the Task Force talked about intently was the disturbed vacant land problem. The U. S. Environmental Protection Agency has informed the community that if the problem is not solved within the next two years they will come in and solve the problem for us. Consequently, that Staff be directed to update the Board on a regular basis of program developments in this area.

Also, in November '99 the intent is to come back to this Board with a comprehensive program that hopefully we will adopt and put into place. That includes chemical soil stabilization. Attention will also be focused in the next four to six months to educate the businesses in the community that this is a very serious problem and that the potential of losing federal dollars is very real. This is a very important component that we have to deal with now. Therefore, this is the first step and I wanted to leave no stone unturned for the members of the industry, business and public to think that this was as far as we have to go.

II. **PUBLIC HEARING/ACTION**

NO PUBLIC HEARINGS

III. REPORT/DISCUSSION/ACTION

- 1. Memorandum #12-99 - Modification to the Current District Foodhandler Card Application Process by Deleting Tuberculosis (TB) Skin Tests, Implementing Hepatitis A Immunizations and Increasing Fees Therefore Accordingly**

(The following is a verbatim transcription of the discussion concerning Memorandum #12-99)

Member Kincaid: One of the reasons - and I think more than anything to make a note of this - for not meeting the Board's benefit but also for the Public's benefit is that this is simply the beginning of the strategy that needs to be put into place for those of you who have been following this issue several years ago. We started to clean up Task Force 2 which addressed the PM10 problems in the community. This Force, as you know, is adopted that Clark County Board of Commissioners adopted it and we went forward in the Legislature Consumer Center Reporter's Bills reflecting many of the recommendations that came from that. One of the areas that we talked about very intently was the disturbed vacant land problem. And within two years EPA has pretty much let us know that if we don't solve the problem here, they will come in and they will solve that problem for us. As a result, I want there to be no miscommunication with the public and the Home Building Industry or the Constituents that the direction on this in any way shape or form is going to solve the problem in itself. Consequently, I've been working with staff and what I've asked them to do is over the next six months on a regular basis, on this agenda, to bring us an update on where they are in the process of developing this program. And in November of this year the intent is to come back to this Board with a comprehensive program that hopefully we will adopt and put into place. That essentially is to be chemical soil stabilization and what we'll need is next four to 5-6 months for it to get consensus throughout the community and also to educate the businesses in the community that this is a very serious problem and that the potential of losing federal bowers is very real and it's not anymore like sitting at the sidewalk, it's actually on our doorstep, it's here, it's arrive. So this is a very important component that we have to deal with. So the reason I wanted this to be the first step is so that - I really want to make it clear to the public - this is not the sole answer or the sole solution. And we're going to have to take very broad range of approach. Otherwise, we're going to be in very big problems in the future. And so that's why this is the first step and I wanted to leave no stone unturned for the members of business meeting to think that this was as far as we have to go. Thank you.

Chairman Colquitt: Anybody have any questions? Thank you.

Dr, Kwalick: Madam Chairman, this item on the agenda in your package or in front of you is a letter to Mr. Heffner from Nevada Restaurant Association that we've left out of the package, so I want you to be aware of that. And basically what we're going to do is present a program starting with a video that's about 15 minutes on Hepatitis A Immunization and I think you will enjoy it, it's really well done.

(VIDEO SHOWN)

Dr. Kwalick: Madam Chairman, ditto for everything that was said on there (the video) and the reason we're going on this route is really to strengthen the food handlers program. What we want to do is, as you have seen in the Board book, is to have a triennial rather than a biennial renewal. At the first visit, we won't be able to Hepatitis A Immunization. That illicit almost 90% immunizations efficacy to the person ---- -----.

The second one would be done at the three years that we visited. It would increase the fee from \$10 for two years to \$30 for three years. We have - as you saw in your packet - sent letters out to the affected parties, and I think some of them maybe here to speak to this issue and I certainly recommend that we Move this direction.

Chairman Colquitt: State your name and affiliation for the records.

Van Heffner: Certainly Madam Chairman, I am Van Heffner, President of the Nevada Restaurant Association, I'm also President of the Nevada Hotel/Motel Association. I am pleased to say we do represent a 106 Hotel Casino State-wide with majority of those in Clark County as well as over 600 restaurants State-wide and again about 76% of those are in Clark County.

I personally am very concerned about the public safety and the public well being of all of our guests as well as our community and also the workers in our establishments. We formerly, however, have not taken a position and notification of this - it occurred shortly after May 18. I personally am very supportive of this concept and what we need to do is really focus on taking it to another level and revised the Food Safety and I think Immunization is really an avenue if we can't prevent Hepatitis A - that's where we need to be. Our both Boards of Directors however do not officially meet until in July, because of our International Convention.

So I can speak only on behalf at being the CEO but not a formal recommendation from either Association. We do have our Chairman of the Board of the Nevada Restaurant Association, Owner Synergy Restaurants in putting such infamous or world famous restaurants with a ----- and the Martinos and Chilly Palmers and I don't know... Mark do you want to come up and just say a word or two about this concept - it's important that we know the people that are in the trenches that are working day in and day out as well as nights.

Martin Martino: I am Martin Martino from Synergy Restaurant group and Chairman of the Nevada Restaurant Association. Like Van said - we haven't formerly taken the stand out it, we do plan to put it on our agenda in July, and I think at that time we will be able to look and decide which direction we're going to take. I think it's a great idea in ----- myself and at that time I think I will.

Member ??? - Madam Chair I have a question for these gentlemen. Knowing that there's probably at the present time somewhere near a 1000 of it, presuming even more than that, restaurants in the Clark County area, what is your proposal if any, to make sure that all of these restaurants are being contacted.

Van Heffner: That in fact would be - we work closely with the Clark County Health Department so we work within as far as notification - we would have the official publications. Nevada hospitality does go to all these people. So we would alert them to the fact. However, Robert as you know, it's really would be a public health issue to get out. What=s important about this concept is that we have to loose sight of the business and really bear with the individual person and at their health. We're looking at registered nurses and I see Councilwoman, Amanda Cyphers is not here today, but it's like a registered nursing degree. It's like when somebody is immunized that goes with that employer for ----- because people been known to work at Caesars Palace one day and Mandalay Bay the next and you know the Tillerman the 3rd week. So by tracking these people and by having the Department of Health really haven't connected with their regular renewal of the process and studies have shown that with one inoculation I believe it's about 90 percent effective in deterring the

outbreak of Hepatitis A, with the second inoculation and that's 100 percent coverage. So we are working in conjunction with all of the licensed establishments and I would say not 1000 but there is 8000 plus licensed. But again, only some of those are restaurants.

David Rowles: If I might mentions from the financial side we're about ready to send the semi-annual billing out in June to Mr. Heffner's constituents and by use of our computer database we can also assist the Restaurant Association in notifying the restaurants of the new policy if the Board indeed passes it today. And we've been able to do that and pass in terms of notices. So we'll be sending out a heavy volume toward the end of June with a billing, the semi-annual billings to the restaurants.

Member Crowley: Quick question, are you making any provisions for someone that just renewed their Health Card last week?

Dr. Kwalick: Our plan is not to implement this probably until October 1st. So anybody that comes in now would still be in the two-year cycle. We would start the three-year cycle when they came back for their renewal in two years when they get the Hepatitis A immunizations. If I might mention from the financial side, we're about ready to send the semi-annual billing out in June to...

Member Crowley: My question is, could we develop some sort of a plan where these people could come in and get this immunization now rather than waiting two years - the more you can immunize on that....

Van Heffner: Madam Chair, if I might share Mr. De Martino and myself just recently returned from Chicago for the National Restaurant Association meeting. We had over 120,000 delegates as well as the Council of all the chairman and the executives such as myself. And many, many states are voluntarily participating in this process. I don't know what your time frame is, Dr. Kwalick, but it would really assist us if we would have enough time for both of our respective Boards to meet. I think it's sometimes healthier not to call an emergency meeting with something like this but they have regular debate like all of you have whether it's Commissioner Kenny or whatever. So you can talk to your constituencies and our Chairman of the Board of the Nevada Hotel/Motel Association, Mr. Felix ----- from MGM Grand, our Executive Committee is made up of people like Bellagio and Caesar's Palace Secretary Treasurer, so it might assist in the overall thrust to have a little bit of time so that we can present this in depth to both of our Boards. Then with that endorsement we can go forth very quickly. But again we are looking at two July meetings and because we're an International Convention, we'll have over 10,000 delegates at our Las Vegas International Hotel & Restaurant show in June.

Dr. Kwalick: I might just add, that one of the reasons that we propose is not being implemented until October is because we also have heavy immunization volumes going through this building in August and September. Also to give the community a chance to become aware of this and to warming up. We will use our own resources to help this become more well known and aware in the community at that time.

Speaker ---? I will comment from an International standpoint as we look at the globalization of Las Vegas. We have over 60 languages spoken here and many of the people that are either immigrating through some of the work exchange such as the Caribbean countries, and they will come into resort areas for certain period of time through agreement with the Immigration that we have higher risks when people are coming

from throughout the world. And consequently, this is a way to really improve our quality health food safety. At the same time, I think in conjunction not only do we look at food service, but we definitely have to look - and I apologize being late this morning - but you know, the child care centers and other areas that really have a much higher incidence of the statistical data where these cases have and can be transmitted.

Speaker ---? Do either one of you have a concern with dropping the fees in testing?

Speaker --? You know my concern, Mary, is really because people are not coming back, I don't think it's effective or efficient as it needs to be with some of the immune system depletions. Whether it's a cancer survivor or whether it's somebody with HIV or whatever it might be. There seems to be quite an increase in tuberculosis and so in regards to public health I think we need to do all that we can to assure that safety but the current process I don't know what administratively we are talking about. But when somebody gets his little scratch and they go on their way, they don't return and so we're not getting the following up. And I personally - so that's kind of a concern for me.

Speaker ---? I don't know how we could improve that process and ..

Speaker ???- With 125,000 or so food handlers coming through we'll have that same 125,000 come back 48 to 72 hours later to have it read. It would really have a lot of traffic down here. And if we just have not had returns as far as positive skin tests from the program over the years plus the cost of the biological to using the skin test is increasing in cost. The State is not going to be paying for it anymore. They want it used just to prevent tuberculosis in high risk groups, and all that kind of stuff. So the cost is going up, and we feel that this would be the best way to go. We will be asking questions of people that come in as far as symptomology, in other words, if the answer is "yes" we will need skin test then but they will have to come back and get that skin test read. Another thing that we're thinking about is that there are many establishments or some establishments that do hire people that don't have food handlers card. They say that they have and they haven't seen them. When we go out on our inspections, we will be asking for food handlers cards. And if indeed people do not have Food Handlers cards, what we probably would come into the right change is that there would be a mandatory downgrade, if you had an "A" it's a "B." So it really gets the attention of owners etc., that they do hire they assure that the people do get the food handler cards and they do get Hepatitis A immunization. That's some of the things we're thinking about.

Speaker ?? - I would hope that we would use the process of community awareness far more than simply targeting an industry or to really extend this concern like I shared into the Child Care Centers making certain that, like influenza outbreaks which creates havoc for our older residents, if we're able to prevent that at the lower level for the high level of transmitting occurs then I would like to see this not only as an industry and not concern about whether we lose ten thousand dollars worth of business or not but really focus on what the target is, and that is to make Clark County a safe place to live and work and be. And it only takes one incident and it would be very devastating.

Speaker --? - Hold your ----- John, Dr. Kwalick has a comment.

Dr. Kwalick: I just had a comment concerning Day Care Center workers and employees, school

teachers, etc., that currently do get skin tests. And they will continue to be skin tested and they are read. And we also have a voluntary program ongoing as far as in Day Care Centers. And I think there are a 140 or so Day Care Centers and about a 100 or so had signed up to be part of the voluntary programs that have Hepatitis A immunizations in their children who are attending the Day Care Centers. This is a voluntary program. We will probably be able to pay for it with a vaccine for children's funding through the federal government. And in high risk areas and that's an area that has over 10 cases per hundred thousandths is where we're targeting in the Day Care Centers. But anyone who goes to a Day Care Center - it will be where the parents can bring their child in and get Hepatitis A immunization also.

Speaker ___?? - Madam Chair, I think that this is an extremely important item therefore, I Move that we approve Memorandum 12-99.

At this time, Member Ferraro moved for approval of Memorandum #12-99. Motion was seconded by Member Reese and carried unanimously.

Chairman Colquitt: Thank you very much. Next item on the Agenda is Petition #41-99

2. Petition #41-99 - Review, and Possible Selection of Site for Locating the North Las Vegas Public Health Center and Authorization of Staff Development of an Appropriate Lease Agreement

David Rowles handed out a spreadsheet evaluating the different proposed locations and firms who will lease space for a North Las Vegas Public Health Center. He commented that using Board established criterion Staff evaluated three options for a North Las Vegas Public Health Center location and identified the following eligible sites:

1. **Belmont Plaza - Las Vegas Boulevard and Belmont**
Property Managers: Great American Capital. Part of 120,000 square foot *planned* shopping center located in North Las Vegas city limits across from K-Mart and Future Millennium Arena. Estimated minimum of 12 months to complete commercial center and office space for Health Center. No draft lease provided for staff review and analysis. No mention of Tenant Improvement Allowance. Nominal access to major thoroughfares/freeway; possible security concerns for area. ***Site not preferred or recommended.***
2. **Cheyenne Villas - Cheyenne at Intersection of Berg**
Property Managers: Real Property Services Corporation. Part of 22,000 square feet *planned* apartment development. Half mile west of Community College and one half mile east of I-15 freeway/Civic Center Drive. Draft lease contract has been provided for review. [8,000 square feet - build to suit (12 months Occupancy)]. ***Site recommended as 2nd choice/alternate if primary site lease negotiations/terms are unsuccessful.***
3. **Lake Mead Square - Lake Mead and McDaniel**
Property Managers: NAI Americana Commercial. Part of a larger existing shopping center with Hispanic businesses fronting to Lake Mead Boulevard and McDaniel Street near the commercial hub of North Las Vegas and government offices. Draft lease contract provided for review. 8,500 square feet of existing office space available; occupancy estimated within 6-8 months; security and parking appear adequate; site near North Las Vegas Hospital and adjacent to Guadaloupe Health Clinic. ***Site recommended as first preference.***

(The following is a verbatim transcription of the discussion concerning Petition #41-99)

Dr. Kwalick: Madam Chairman, Members of the Board before you, you have a package which was promised that does have the Agenda Item 41-99 and the accompanying documentation that we finally have been able to put together and to hopefully have a meaningful presentation this morning. If I could get you to turn the page, what you see in the map there are the three locations. Since we last spoke to you, we did have a third location come into availability and it was made known to us and that is Lake Mead Square. You can see the approximate relationship of the three proposed locations and how they relate to North Las Vegas. These all are in the North Las Vegas City Limits. The six criteria which the Board established are on the following page. We have done our best to review the documentation provided by the representatives of the three locations. The numbers across the top in the selection criterion are identified below in terms of what the numbers mean: #1 - low crime, well lit, secured business residential area; #2 - immediate access from a public transportation drop off points; #3 - easy access from the freeway and major thoroughfares; #4 - adequate parking space for CCHD employees and plants; #5 - acceptable builder suite lease arrangements and costs per square foot; and #6 - preference for locations that are in North Las Vegas City limits. I basically tried to condense our research and analysis onto this one page. It's not as exhaustive as it might be if we had two or three more months but we really have a situation currently in our North Las Vegas Clinic where we need to relocate. There are several pros and cons for each location, our staff does not have a flag-waving recommendation we do need to solicit the Board's thoughts and concerns. There are two properties which we feel are promptly worthy of Board consideration and that will be Cheyenne Villas and Lake Mead Square, if I could have you turn the page, I'll walk you through some of the details which are also mentioned on the spreadsheet. The first property is Lake Mead Square. We have access to up to 8,500 sq. ft. That will be made available to us or a portion thereof. We had looked for a site that lease greater than that which we currently have which is 3,000 sq. ft. The quoted rental rate will be \$1.50 per square foot, triple net, and there would be approximately a 22% per sq. ft. add on for common area maintenance schedules. Most of you have heard those referred to as CAMS.

Member Kenney: Excuse me Mr. Rowles, (Madam Chair if I could just ask a question) as I am listening to the North Las representatives have a preference so we aren't even thinking about that.

Member Smith: I would think that the Lake Mead site would be the best site not only because of the location or it ran on major intersection cross streets from the hospital and police, the prices are in the range. There's lots of parking in the shopping area, it's a safe area, it's well lighted, there's lots of traffic and people, it's easily accessible, it's close enough to residential that people could still walk in the area, plus if there is an emergency, the hospitals are right across the street. I just think that there would be a good area.

Member Brown: And with all due respect to Member Smith, I disagree with the parking in Lake Mead Square. I have been in that shopping center and I guess I would ask staff - how many employees do we have, and what kind of foot traffic do we have in terms of patrons coming in to the current facility that we have - and certainly, our goal is to increase that. So I don't think that there is adequate parking there. My preference would be the Cheyenne Villas, they will build a suite for us and create enough parking for our employees, plus it's the security that's going to be at the Cheyenne Villas. And our goal is to create more residents to be able to come to the Center and foot traffic - it's right next to residential, it's within a half mile or so of the old

facility so people are used to the Cheyenne area. Plus it has accessibility from Nellis Air Force Base, the freeway, etc., and CAT buses.

Speaker ?? - I would agree with Member Brown except for the fact that in order to do this it's going to have to be rezoned to get commercial in there. Is that not correct with that facility that we're in?

Dr. Kwalick: Yes, and it will take at least 12 months to build but whereas in Lake Mead the shell is already there available but actually you have somebody that actually had a business there and I'd like Mary Kinkaid also to make ----- Her Flower Shop used to be there.

Member Kincaid: I think the Lake Mead location will be an excellent location. That area doesn't have a high crime rate for one thing and that's one problem that we are having up in the Cheyenne location where we are now and so this center is that a lot of people don't come there because it's an area that has a pretty high crime rate and I also think the parking situation where we are talking about going. There actually is a backdoor that goes into a back parking lot. When I was there I had that advantage, we had to walk down the alley to get to the back parking lot because we weren't on that side but there is a door there and if we could make that a public entrance from that back parking lot, I think would solve the parking problem. But I would agree other locations, I would say that one is probably the best location. If we go up to Cheyenne Villas, we're going to be close to where we already are and we're having problems there now. So I would think Lake Mead would be a better location. If we can solve the parking situation by having that back entrance because people would not walk around the building.

Speaker ?? - Well, Belmont shouldn't even be considered because the people who represent it don't even think that's a reasonable alternative. So the question then would be with regard to Lake Mead Square. Can a backdoor be accommodated with ----- ----?

Dr. Kwalick: There is one already.

Speaker ?? - There is a backdoor, but we have to make sure that there is a public entrance so people can park back there and come in.

Dr. Kwalick: And --- we would probably work with the landlord to increase security in that back parking area to a level what we felt convinced that it was adequate for employees. What I would also encourage the Board to consider, is that if they do select the Lake Mead Square as the primary location, that they also give staff the authority if lease arrangements are not suitable, they cannot be developed appropriately and that gives me some leverage that we look at the second site and that the Board authorizes to proceed if we cannot reach the successful negotiation on the first site.

Chairman Colquitt: Does anyone has any further question for Mr. Rowles?

Member Kenney: Paula, does that sound ..

Member Brown: Well my concern was the parking. I did not know about the back entrance. How many employees do we have at that facility.

Dr. Kwalick: We would look at something similar to our East Las Vegas site and that ultimately could be in two or three years up to 40 employees.

- Speaker ?? - So how large is that back parking lot, is there enough for 40 employees?
- Dr. Kwalick: The entity that just moved out was the US Social Security Office, and they had approximately that number of employees. So I think what we are looking at is an exchange there in terms of employees ---. I don't know whether they will have a big a traffic flow as they did. It's possible that in time we could.
- Member Brown: That was my concern - the parking and certainly the security - if they are willing to put up additional lighting and whatever to help our employees feel secure.
- Dr. Kwalick: I think in being able to leverage it 10-year lease there are lots of things that I can demand that others might not normally get. We are a long term tenant, we pay our bills and we're basically a good draw for that area, so we try to use those things in getting the best rate on the lease right ---- that we can.
- Speaker ???- Madam Chair, I would like to make a Motion if I may? And I would Move that we select the Lake Mead Square site as the first choice and for an alternative, I would leave that up to you as to what you can get the best between the two of these ---- ---
-.
- Dr. Kwalick: I agree with Member Kenny that probably the Belmont is not even considerable. I wouldn't even come back to the Board with a request on that.

Adequate funding will be allocated in revisions to the FY 1999-2000 budget to accommodate construction and/or remodeling expenses not covered by the landlord.

After brief discussion between Staff and the Board Members pertaining to provision of satisfactory parking space, security and additional lighting, Member Smith moved to select the "Lake Mead Square" site as first choice and Cheyenne Villas as the alternate site if Staff were unable to negotiate acceptable lease terms with the landlord. Motion was seconded by Member Kenny and carried unanimously.

IV. HEALTH OFFICER & STAFF REPORTS

a. Dr. Kwalick, Chief Health Officer

Dr. Kwalick stated that the fluoridation is coming to Southern Nevada. There will be a ballot question in 2001 whether fluoridation should continue. In the interim the people who worked hard to get the fluoridation bill passed will be working to assure that the referendum passes. It is a great public health initiative that will provide better oral health for children in the community.

b. David Rowles, Administrative Services Director

David Rowles briefly updated Board Members on presentations Staff made to two Legislative Committees: the Combined Senate/Assembly Finance Committee and the Assembly Health and Welfare Committee relative to remediating a 50% cut in State Aid-to-Counties funding. He announced that word had come from the legislative staff indicating legislative approval of an additional 25 cents per capita for the upcoming biennium. The result is a net \$350,000 per year increase. Mr. Rowles concluded that finally, after nine years of trying, the District has succeeded and will be able to direct and reinvest these funds into direct services to local citizens and tourists.

a. Rose Bell, PhD, Epidemiologist Manager

Dr. Bell gave a report on an investigation concerning a rubella case. Staff had a report of a positive case of Rubella, in a Hispanic male who was Superintendent of Housekeeping in one of the local

hotels. Rubella is commonly known as 3-day measles or German measles. Generally it is mild, unless you happen to be a pregnant woman and are infected in the first trimester of pregnancy when the results can be devastating to the fetus. Through investigations, Staff found that most of the employees were Hispanic females who had immigrated primarily from Mexico. In Mexico, immunization for rubella is not commonly done. Most of these individuals were not sure of their immunization status, so the Staff held a clinic in which MMR vaccine was provided to 33 employees. Four clients received their vaccine at the main health center. One woman was actually in her seventh month of pregnancy and Staff contacted the obstetrician with her knowledge of the situation. The woman had a borderline titre so Staff recommended that after the baby was born, she be inoculated with MMR. Staff was very proactive and possibly prevented an outbreak of Rubella.

d. **Clare Schmutz, Environmental Health Director**

Clare Schmutz commented that Staff was continuing to work on the Material Recovery Regulations. The comment period ended on April 30, and NDEP is redrafting the regulations to coincide with suggested changes and concerns from the workshop participants. Staff is anticipating having them redrafted and ready for review perhaps next month.

On May 15, 1999, Staff participated with the North Las Vegas Fire, Police, and Business License Departments to round up a few illegal food vendors. We confiscated 900 lbs. of food, ice cream; 5 barrels of corn, condiments and strawberries along with 2 of 4 vans. Twenty people were given citations for selling food without business licenses or health permits.

Also on May 8, Staff participated in a joint raid with multi-response teams with County Metro Police Department, County Fire Department, County Business Licenses, and County Building Department at the Bird of Paradise Lounge on East Twain. Metro Police Department was in charge of this because of so many complaint calls received about prostitution, drugs and violent crimes occurring there. This resulted in the District performing a 56-demerit inspection. The establishment was closed by the Health District after which time the Business License division picked up their business license. Metro Police issued a citation to an individual who did not have a health card. Cooperation with other agencies is going to be beneficial for the District. Staff will be participating in an illegal dumping exercise on May 28 and 29, at the East end of the Valley from Nellis Air Force Base to the Wetlands in Vegas Wash with Clark County Public Response, BLM and the Water District.

e. **Michael Naylor, Air Pollution Control Director**

Michael Naylor reviewed the Air Pollution Control Division monthly report. As of the end of April, there had been no measurement of carbon monoxide or ozone exceeding National Ambient air quality standards. However, presently (May 18, 1999) the Las Vegas Valley has had unhealthy ozone levels as reported on the psi. There has been some confusion as to what the numbers mean in terms of psi exceedances or exceedances of the national ambient air quality standard. In addition, the ozone index has changed several times in the last few months. The index is a type of percentage system.

A psi of 100 or above means the pollutant concentration is unhealthy. Also, unique to ozone, if the psi is 100 or more that means ozone exceeds the national ambient air quality standard. However, Particulate Matter has a different scale for being a NAAQS exceedance. It is important to note, the exceedance threshold varies for ozone, PM10 and carbon monoxide. For example, for PM10 a psi of 103 or higher is considered a NAAQS exceedance. For carbon monoxide a psi of 113 or more correlates to a NAAQS exceedance. The thing to remember from this discussion is that the psi system is not uniform. **Editorial Note: [There are two reporting systems designated by EPA related to air pollutants. The psi and national ambient air quality standards (NAAQS) are**

different scales with different purposes, and different numerical values for each different pollutant. The psi is for general reporting to alert the public regarding the relative healthfulness of the air. The NAAQS are used by the technical community to track and plan for air quality relative to compliance with the EPA standards.]

Staff has been tracking several legislative bills. Senate Bill 331 which would exempt newer motor vehicles from smog checks has died. Senate Bill 432 is being amended on a daily basis and will establish a committee to study the air quality control program in Clark County. Originally, the Clark County Commissioners would have appointed a committee to study the air pollution. It has been changed to function as a legislative commission with appointees. The commission will perform a study emphasizing emissions and pollution from diesel vehicles. The study would be a two-year exercise in which the commission would report the results and perhaps recommendations for legislation in the next session. Funding for the Department of Motor Vehicles (DMV) was increased to allow for crackdown on diesel trucks on the road. It could start sooner with DMV who has been authorized by law to pull diesel trucks over and do a spot roadside smog check. At present DMV does not have the staff to perform the checks. If the Bill is passed this part could start in the next few months.

Senate Bill 447 is in committee and would exempt certain permittees under certain conditions from certain penalties if the permittee is doing everything in their power to prevent emissions. The permittee would be exempt from a violation penalty. Senate Bill 511 is still pending and would supply hard earned Clark County and Washoe County money from smog checks to the Tahoe Regional Planning Agency.

In reference Member Kenny requested item, Petition #37-99, develop an amendment to the regulations to address emissions from vacant land, there will be a 24-month time period from US Environmental Protection Agency (EPA) to take care of the PM10 issues. It is Staff=s understanding that perhaps in June, the Governor will receive an official letter from US EPA disapproving the Clark County PM10 attainment plan. The letter will direct that the deficiencies be corrected and the plan would have to be wholly approved by EPA within 24 months to avoid imposing federal sanction. It will mean that the plan provide for attainment and all the regulations that need to go with it would need to be ready within 18 months because there needs to be at least a 6 month time period for EPA to process the plan. As Member Kenny suggested, vacant land would not be the only thing. EPA indicated that this would cover all categories, just to name a few, including cleaner diesel fuel, restaurants where they do charbroiling and wood fired pizza ovens. We envision some potential controls in that category. Revisions to dust permit rules where the dust mitigation plans will have more specific conditions to cut down on dust, and stricter rules for emission from asphalt batch plants that would apply valley wide. The District will assist in developing the plan in conjunction with the Clark County Department of Comprehensive Planning.

Last month the Board of Health continued a public hearing on proposed amendments to Section 14, performance standards and how we evaluate compliance with these standards. Staff held a workshop with the affected industry on May 26, 1999, and there are still some serious issues to resolve. It may be very difficult to get language that everyone can live with by the June scheduled continuation date, therefore, Staff anticipates at the June 24th meeting formally requesting to continue the hearing to the July Board of Health meeting.

Ian Ross, Board Legal Counsel, explained that the PM10 committee met last week and wanted to move forward with some proposed contract to do certain studies. However, based on the open meeting law it was not on the agenda as an action item so it would have to be dealt with at the next PM10 committee meeting. The Committee is going to request Staff to place it on the Board=s June agenda since that agenda comes out prior to the Committee meeting. Depending on Committee

deliberations, it may or may not be pulled from the Board's agenda. The Committee Chairman has asked that the Board be alerted to this possibility as it is not typical to place an item on the agenda that is tentative.

Michael Naylor remarked in reference to the Western States' Petroleum Association lawsuit that has been pending for two years. The next hearing is scheduled for June 25, 1999. A key milestone was reached approximately a week ago when the US EPA formerly approved the Las Vegas Valley Oxygenated Gasoline Regulations as part of the State Implementation Plan for regulating motor vehicle fuel. It is our understanding that once that rule has a federal status it changes the dynamics of the lawsuit and US EPA would have to become party of the lawsuit if the lawsuit continues. The District side will be filing a motion of dismissal for the June 25th hearing. The oil companies would then sue US EPA if they want to pursue the issue. The County Commission has graciously been covering all the litigation costs. The second lawsuit has been filed by Quality Sand and Gravel.

Ian Ross, Legal Counsel, commented that essentially Quality Sand and Gravel has been billed for the offset program. The company felt that the billing was inappropriate and they are questioning their specific billing in court. Also they are questioning the entire offset program as to whether it is appropriate. The lawsuit will be proceeding in due course.

V. CITIZEN PARTICIPATION

Items raised under this portion of the Agenda cannot be acted upon by the Board of Health until the notice provisions of Nevada's Open Meeting Law have been complied with. Therefore, any action on such items will have to be considered at a later meeting.

Chairman Colquitt asked if any member of the public wished to be heard?

Robert Hall, representing Nevada Environmental Coalition, explained that the environmental groups in the Valley have gotten together and are carrying the legal end of issues as far as the public is concerned. The coalition involves Citizen Alert, Senior Coalition - Charleston Group and the Nevada Car Owners Association and many different groups except the Sierra Club.

He explained that he sent some letters (Re: Conflict of Interest and Public Record Policy) to the Board and asked that they be made a part of the minutes of the meeting (see attachments).

Chairman Colquitt stated that all the Board Members had received copies and the letters would be made a part of the record.

The environmental groups are meeting monthly with the Clark County Health District and US EPA and other community groups. These meetings are no holds barred. He stated that he had some positive suggestions in order to avoid federal sanctions. When you put a State Implementation Plan before the federal government you are saying that you are going to do what that plan says. However, if there is no organization within the Valley to do that, namely to add up all the air pollution, keep a spreadsheet, see if you are exceeding your parameters and if you do not have ability to say no there is a problem. You are almost misrepresenting to the federal government that you are going to do something that the governments in the Valley have never given anyone the power to do including the District. He emphasized that there are many other issues that the Board should be aware of. He suggested that the Board hold a meeting whereby he could have approximately 50 minutes where he could go through each of the issues.

The Nevada Environmental Coalition issued a report in December 1998 that is 55 pages long. He suggested that the Board share that report with the new members on the Board (Christensen, Fessenden and Henderson). He felt that lawsuits might be forthcoming. He remarked that the Coalition

was available and they had a huge amount of knowledge that was available to the Board. For example information has been submitted on Pabco, Nevada Ready Mix, Dumpco and Chemical Lime that is shocking and shows that the pencil is being pushed as major sources become minor sources. There is a difference of opinion that needs to be aired out before we lose any more funds as the County as already lost the Beltway funds.

Commissioner Kenny expressed concern about the misinformation that Mr. Hall put out and clarified that Clark County never lost Beltway funds because as a policy choice the County Commission chose to fund it with 100 percent Clark County dollars and not with federal funds. That was a choice in order to accelerate the construction because the Board of County Commissioner recognized that there was an urgent traffic problem in the community as well as an air quality problem which the Beltway addresses. In order to respond to the needs of the community in the most rapid fashion the County Commissioner felt the need to proceed without federal funding.

Mr. Hall stated that this was a difference of opinion and that he would be happy to sit down with the Board to discuss some of these issues.

Member Ferraro commented that Mr. Hall had been invited to collaborative meetings to address concerns with Air Pollution Control Staff, US EPA, Clark County and environmental groups and asked that Mr. Hall use this avenue as a venue to voice the issues on these types of concerns.

Mr. Hall expressed concern as he felt that the Health District was controlling the agenda at the collaborative meetings.

Chairman Colquitt stated that everyone at those meetings is given ample opportunity to speak on the issues.

Member Smith asked District Staff to look into what was happening with the barricade that was on North 5 Street and South of Craig Road to Alexander. Las Vegas Paving trucks are going through kicking up a lot of dirt. Also, a local fast food restaurant employee relieved himself in the parking lot and went back in to handling food without washing his hands.

VI. INFORMATIONAL ITEMS

Duly Noted

1. Financial Data
2. Listing of Food Establishments in Plan Review for the Period of 04/01/99 to 04/30/99 Environmental Health Division
3. Emergency Medical Services Advisory Board Annotated Agenda/Minutes
4. Air Pollution Control Hearing Board and Hearing Officer Annotated Agenda
5. Air Pollution Control Monthly Report, April, 1999 (Air Quality, Enforcement Activity and Permitting, Source Compliance and Regulation Development) and Dialogue with Southern Nevada Strategic Planning Authority
6. PM Emissions Control Research Advisory Committee Agenda and Minutes
7. Observation and Photos Concerning Visible Plume from Las Vegas Paving Asphalt Plant, Sunset and Eastgate, Henderson
8. Letter from U.S. Environmental Protection Agency Regarding Flagging Two PM10 Exceedances as Natural Events
9. Letter from U. S. Environmental Protection Agency Concerning the Nevada State Implementation Plan
10. Memorandum from Terracon Concerning Small Business Assessment Update
11. Staff Recognition: Letters of Appreciation

VII. ADJOURNMENT

There being further business to come before the Board, Chairman Colquitt adjourned the meeting at 9:30 a.m.

SUBMITTED FOR BOARD APPROVAL

Donald S. Kwalick, MD, MPH, Chief Health Officer
Executive Secretary

/mlg