



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

***Amended**
MINUTES
CLARK COUNTY HEALTH DISTRICT
DISTRICT BOARD OF HEALTH MEETING
625 Shadow Lane
Las Vegas, Nevada 89106
Clemens Room - 8:00 A.M.
Thursday, July 22, 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
Jim Christensen, MD
Susan Crowley
Amanda Cyphers
Robert Ferraro
Mary Kincaid
Erin Kenny
Donalene Ravitch, RN
Stephanie Smith

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

Absent:

Gary Reese
Paul Henderson
Paula Brown

Councilman, Las Vegas
Councilman, Mesquite
Vice-Chair, North Las Vegas

Executive Secretary:

Donald S. Kwalick, MD, MPH

Legal Counsel:

Ian Ross, Esquire

Staff: David Rowles; Michael Naylor; Clare Schmutz; Fran Courtney, RN; Jane Shunney, RN; Rose Bell, PhD; Karl Munninger; Mike Sword; Ed Wojcik; Glenn Savage; Harold Glasser; Mason McNinch; Alice Costello, RN; Maureen Fanning, RN; Jeanne Palmer; Carla Freeman; Jennifer Sizemore; Maria Azzarelli; recording secretaries, Diana Lindquist and Montana Garcia

PUBLIC ATTENDANCE:

<u>NAME</u>	<u>REPRESENTING</u>
Race & Debbie Gentry	Self
Michael Forsythe	Self
Ron & LaVonne Schocker	Self
Steve Sauder	Sauder Construction, Inc
Paul Fransioli	PM Research Advisory Committee
Dennis Davis	Kiewit Western Company
Russell Roberts	Clark County Comprehensive Planning
Lori Wohletz	City of Las Vegas
Leslie Long	City of North Las Vegas
Jim Stubder	City of North Las Vegas
Aaron Harvey	Henderson Fire Department
Steve Hanson	Clark County Fire Department
Art Nadler	Las Vegas Sun
Robert Gegenheimer	Terracon
Edward Martinez	Terracon
Jennifer Simich	Republic Silver State Disposal

PRESENTATIONS:

Resignation of Mayor Robert Ferraro

On behalf of the Board and the District, Chairman Colquitt presented Member Ferraro with a World Plaque and expressed heartfelt thanks and appreciation for his twenty years of dedicated service to the public health needs of the Clark County residents and visitors from 1976 through 1983 and 1987 to 1999.

Mayor Ferraro thanked the Board and Staff and expressed appreciation for being able to serve the Board and the Community. He added that his association with the Board Members and Staff has been a very brilliant, warm and appreciative experience. The Board is unequalled in its camaraderie and ability to get something done and accomplished on time.

OATH OF OFFICE: New Members

Ian Ross, Board Legal Counsel, administered the Oath of Office to Dr. Joseph Hardy, the new representative from Boulder City. The Board and Staff welcomed Dr. Hardy aboard.

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.

1. **Minutes/Board of Health Meeting** - 06/24/99
2. **Payroll/Overtime** for Periods of: 05/15/99 - 05/28/99
3. **Accounts Payable Register** - **#761:** 05/24/99 - 06/02/99; **#762:** 06/03/99 - 06/17/99
4. **Petition #42-99** - Conceptual Approval and Funding of Two (2) Projects Recommended by the Particulate Matter Emissions Control Research Advisory Committee (PM Committee) (***Continued from June 24, 1999 meeting***)

5. **Petition #49-99** - Interlocal Agreement with Clark County Child Protective Services - Public Health Nurse Liaison Service (Annual Renewal)
6. **Petition #50-99** - Permission to Solicit Bids for Hepatitis A Vaccine
7. **Petition #51-99** - Request for Continuance of Public Hearing on Section 14 Amendments to the Air Pollution Control Regulations to August Board Meeting
8. **Petition #52-99** - Approval of Proposed Emergency Medical Services Fees – Effective July 1, 2000
(Continued from June 24, 1999 meeting)
9. **Petition #53-99** - Approval of North Las Vegas Public Health Center Lease Conditions for 8,500 Square Feet at Lake Mead Square Shopping Center
10. **Public Hearing** ***Upon request of any person any public hearing item shall be removed from this consent agenda and placed on the regular agenda for public hearing.***
 - a. **Variance Request** - To Construct an Individual Sewage Disposal System (ISDS) on an Undersized Lot Served by a Public Offsite Water System and within Twenty Feet of a Building - **Petitioner:** Steve Sauder
 - b. **Variance Request** - To Construct an Individual Sewage Disposal System (ISDS) on Property Within 400 Feet of a Public Sewer Line Served by a Public Water System. **Petitioner:** Michael L. Forsythe
 - c. **Variance Request** - To Construct an Individual Sewage Disposal System (ISDS) on an Undersized Lot Served by a Private Onsite Water Well. **Petitioner:** Race and Deborah Gentry

Discussion followed as Staff had removed Item #8, Petition #52-99, Proposed Emergency Medical Services Fee - Effective July 1, 2000 in response to a letter received from the Southern Nevada Fire Chiefs.

Member Kenny *moved to approve the portion pertaining to the Request for Proposals* on Item #4, Petition #42-99, Conceptual Approval and Funding of Two (2) Projects Recommended by the Particulate Matter Emissions Control Research Advisory Committee (PM Committee) and to table the other portion until the September 23, 1999 Board of Health meeting. Motion was seconded by Member Kincaid and carried unanimously.

Chairman Colquitt opened the public hearing and asked if any member of the public wished to speak on any of the following variances:

- a. **Variance Request** - To Construct an Individual Sewage Disposal System (ISDS) on an Undersized Lot Served by a Public Offsite Water System and within Twenty Feet of a Building - **Petitioner:** Steve Sauder
- b. **Variance Request** - To Construct an Individual Sewage Disposal System (ISDS) on Property Within 400 Feet of a Public Sewer Line Served by a Public Water System. **Petitioner:** Michael L. Forsythe
- c. **Variance Request** - To Construct an Individual Sewage Disposal System (ISDS) on an Undersized Lot Served by a Private Onsite Water Well. **Petitioner:** Race and Deborah Gentry

LaVonne Schocker, concerned citizen, stated that she wished to speak in reference to the location of the septic tank on Mr. Forsythe's property (Item "b" above). She indicated that she owned the property below his and wanted to give Mr. Forsythe the privilege of crossing her property, if he needed it in order to tie into the sewer. She expressed concern that when the water comes down the hill from Mr. Forsythe's property it usually washes out her driveway when it rains.

Ed Wojcik, Environmental Health Engineer Manager, explained that connecting to the public sewer would be approximately \$40,000 in cost compared to a septic system at \$2,000. Staff has reviewed the site and the septic system will be placed below ground at the lower level. So anything that goes through the septic tank into the leach field will go into the ground, not above ground.

Chairman Colquitt asked if any other members of the public wished to speak, there was no response. ****At this time Chairman Colquitt closed the public hearing.****

Member Kincaid moved for approval of the Consent Agenda as amended with removal of item 8, tabling one portion of Item #4. Motion was seconded by Member Crowley and carried unanimously.

II. PUBLIC HEARING/ACTION

NO OTHER PUBLIC HEARINGS SCHEDULE

III. REPORT/DISCUSSION/ACTION

1. Committee Reports

- a. **Air Pollution Control Hearing Officer Selection** (Chairman Colquitt, & Members Christensen & Smith)

Chairman Colquitt explained that the committee had met once and had scheduled a second meeting to interview a couple of other candidates. However, due to the rain and flooding on July 8th the second meeting was cancelled. They will be rescheduled for a future meeting. She explained as she was not able to attend the first meeting Committee Member Smith would be reporting.

Member Smith explained that the committee interviewed Mr. Nielsen and found him to be acceptable and recommended him for a Hearing Officer position.

She moved that the Board approve Mr. Nielsen. Motion was seconded by Member Kenny and carried unanimously.

IV. HEALTH OFFICER & STAFF REPORTS

a. Dr. Kwalick, Chief Health Officer

Dr. Kwalick introduced Jane Shunney as his new Assistant to the Health Officer. He explained that Jane has been an employee of the Health District for approximately 12 years and on a contract basis for another 12 years.

Staff has been meeting extensively with various EMS Providers concerning Y2K on what maybe going on in Las Vegas and on the Strip. Staff is developing a plan of action to deal with the hundreds of thousands of people that are anticipated. At this point the plan is to provide some sort

of medical care for minor and/or major illnesses based on protocols to be established. Certain points on the Strip will be set up to extricate individuals from the incident scene to an area where they can be triaged. If the Paramedic in the field diagnoses an emergency situation the patient will be taken directly to the hospital. Based on the triage, certain things will be treated on site or referred to a clinic in the area. Clients will be transported by taxi, medicar or some other transport. It will not necessitate the use of an ambulance. The ambulance will be for emergency- care transfer to hospitals. Discussion and coordination efforts are ongoing. Hopefully we'll be able to take care of the thousands of people anticipated in need of urgent/emergent care without overloading the ambulances and emergency room departments.

He introduced several staff members who addressed the following items:

b. Alice Costello, RN, Public Health Nursing Supervisor

Alice Costello commented that she would summarize information that had been presented at the National Immunization Conference on June 21 - 25, in Dallas, Texas:

1. Status of our immunization rates for two-year-olds - meeting the Health Kids 2000 immunization goals - four (4) states in the nation are currently at the 98 percentiles in terms of immunizing their children. Clark County continues to increase in its immunization rates incrementally. Clark County is now at 74% age-appropriate immunizations for zero to two-year-olds which is a significant increase over the last year and a half.
2. Vaccine Preventable Disease Control and Eradication - Nevada was 1 of 11 states in the nation, that had an incidence of Hepatitis A that is two times the national average. However, we were complimented at the National Conference as being one of the states that has taken a very pro-active approach in terms of intervening in increasing Hepatitis A immunization rates. All the other 10 states actually implemented programs directed towards severe outbreak. Nevada is in a pro-active mode and that has been recognized at the national level. Clark County has implemented a pro-active program, whereby we go out into the community, immunize children, particularly in Child Care facilities that are located in high risk zip code locations where we=ve identified a high incidence of Hepatitis A. To date, we have been able to bring in about 50% of the targeted Child Care facilities which numbered about a 139 with a 50% immunization rate for children participating in those Child Care facilities. Through the Child Care facility program, we=ve reached 2,000 children since March. At the same time that the program was launched at the Child Care facilities, Staff has been able to implement it at all of the public health centers and field clinics which numbered approximately 40. Our total number of children reached since March is 11,000. At this point in time, Staff is recommending that children moving into the school system be immunized for Hepatitis A. Also, parents are being educated about its existence and incidence in the community. Staff will be at 22 field locations with Vons stores and at the Malls every weekend for the month of August to be able to reach a significant amount of children.

In an effort to eradicate Polio, the only incidence reported in the United States has been in relationship to utilizing OPV (Oral Polio Virus.) As of January 1999, the Centers for Disease Control is recommending that the United States no longer utilize Oral Polio Virus. We will be moving to an all inactivated virus schedule.

In terms of immunizing for Measles, about 92% of 12 -15 months of age children have been immunized in Clark County. Clark County has been very successful in immunizing for Chickenpox. Also, Clark County is at a one-for-one (one measles-one chicken pox) and in contact with and providing chicken pox and measles vaccine at the same time and hope to have 92% of our age appropriate kids immunized with that particular vaccine.

3. Vaccine Safety - is also an issue being investigated by CDC. Nevada did not anticipate implementing the rotavirus immunization process until April 2000 because CDC had not negotiated a contractual rate. Staff is thankful that we did not as the current information from CDC is that we **stop** immunizing for rotavirus. There have been children that have had it with occurrences of intussusceptions which is actually the bowel folding back on itself. Children have had to have bowel resections. This is one time that being behind the ball instead of ahead of it has been an advantage for Nevada. Currently, staff is getting questions from parents in the community particularly those who have had children immunized through their private providers. Staff are doing their best to respond to the questions.

The next safety issue is the levels or the utilization of Mercury in the form of Thimerosal as a preservative in vaccines. The state and CDC are working closely together to determine ways to obtain and utilize vaccine that does not contain Thimerosal. Nevada has not had any problems with Thimerosal or Mercury-based products in vaccines for over 40 years. However, the Food and Drug Administration says that it could potentially be a problem with the volume of immunizations that were given children of low birth weight.

4. Development of a registry program - the biggest drive in terms of immunizations in every community across the nation, would allow documented information of vaccines to be shared between providers. The registry would insure that children are age appropriately immunized. The State of Nevada as a whole has been working since 1992 with Robert Wood Johnson Foundation and the All Kids Count organizations to develop a statewide registry to achieve this mission. Unfortunately, as a State, we do not have a registry in place that can be shared by all. However, Clark County has developed and implemented a registry. It needs work like everything in our technological systems. However, it has been very effective in terms of providing documentation of children and their immunization levels. It allows Staff to utilize statistical data to analyze and locate areas to focus efforts in terms of meeting the immunization needs of children in the Las Vegas community. Clark County Health District's registry allowed the State of Nevada, as a whole, to report to a Robert Wood Johnson and the All Kids Count grant survey. The District holds immunization clinics in the rural communities of Mesquite, Laughlin, Logandale, Overton, Sandy Valley, Mount Charleston and Indian Springs.

c. **Maureen Fanning, RN, Public Health Nursing Supervisor**

Maureen Fanning gave a brief overview of the Home Health Services program. Yearly, medicare certified Home Health Agencies undergo intense scrutiny by the survey team from the Bureau of Licensure & Certification. In April 1999, the District program had its survey and did very well. One of the recommendations that the survey team made, was the need to change the format in the presentation of our annual review both to the Board of Health and to our professional advisory group. As result, staff had changed the format for the statistical administrative report which was handed out.

Additionally, the Home Health program has undergone some major changes this year. In September, Marge Mauer who had been the program supervisor for many years retired. Marge was a wonderful leader and a valuable asset to the program and has been greatly missed.

In November 1998, staff received the first of several training sessions on the computer documentation system purchased to assist in compliance with Medicare legislation. The Outcome Assessment Information Set (OASIS) is the new regulation from Medicare that requires all home health agencies to perform a complete assessment on all clients at admission and other specific times during their stay on the program. This assessment consists of approximately eighty-eight specific questions developed by Medicare that are transmitted by computer to the State of Nevada office and then on to Medicare.

Staff began collecting data in January and passed a test transmission. All home health nursing documentation currently is being performed by computer. Each nurse has been issued a laptop computer. The program will be an effective tool in helping to improve documentation and patient care.

In January staff began decentralizing the public health field teams. The East Team moved to the East Las Vegas Public Health Center. In March the South Team moved to the Henderson Public Health Center.

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

Clare Schmutz stated that on July 1, 1999, the Health District issued a Notice of Alleged Violation and Order to Nevada Recycling. Fires have occurred at this recycling facility in the past several months, and this Order was issued to prevent further fires, and the pollution of ground water by halting the improper disposal of solid waste. Mr. Schmutz noted that Nevada Recycling has since declared bankruptcy, and was purchased at auction by the operators of Silver Dollar Recycling. Mr. Friedman, owner of Silver Dollar Recycling, has advised the District that all debris on the property previously occupied by Nevada Recycling will be removed and properly disposed of in a landfill. Mr. Friedman will provide the District with a compliance schedule when the sale of the property has been finalized.

Staff will be holding two workshops the week of July 26, 1999. The first will be held in Moapa, Nevada to consider Nevada Power Company's application to modify its Class III disposal site allowing the temporary covering of a portion of the disposal site with synthetically lined surface impoundments. The second workshop will be held in Laughlin, Nevada to consider an application by Republic Disposal Urbane Maintenance Disposal Company (DUMPco), on behalf of the Clark County Department of Public Works, to modify the existing Operations Plan to allow the placement of solid waste up to fifty feet from the property line at the 40 acre Laughlin Municipal Landfill.

Mr. Schmutz noted that over the past three years each month has seen a significant increase in the number of food establishments in the Environmental Health Division's Plan Review Program. June 1999, however, saw a decrease of 200 from June 1998. This decrease was a result of the removal of multiple food establishments located within recently opened mega resorts.

e. **David Rowles, Administrative Services Director**

David Rowles commented that last Spring the Board authorized staff to contract with Terracon engineering firm to provide an overview and analysis relative to the need for a Small Business Assistance Program in the District's Air Pollution Control Division. Representatives from Terracon were in attendance to provide a brief progress report of their activities to date. He then introduced Eddie Martinez, Engineer and Project Manager.

Mr. Martinez remarked that essentially, the project intent was to evaluate air regulations potentially affecting Small Businesses and a review whether there is need for an assistance program sponsored by the District. Currently, there is no such program at the local level although there is one at the State level. Initially, Terracon reviewed Federal and County Air Quality Regulations in relation to how they affect Small Businesses. Also, Terracon reviewed Small Business Assistance Programs in other states and municipalities. They then attempted to identify Small Business industry types that are affected by air quality regulations. Next, Terracon prepared and mailed a survey questionnaire to various local businesses in order to gain insight into their concerns. Responses have not been as great as desired. As a result of low responses, Terracon commenced phone interviews to follow up the questionnaires. An interim report has been prepared and Terracon anticipates holding public workshops to solicit additional comments from interested parties. Basically, the information that has been gathered and reviewed is being prepared in a draft report for Board Members. Terracon anticipates the draft report will be available October. Mr.

Martinez then reviewed with the Board Members detailed tasks that had been accomplished to date.

Mr. Rowles, briefly reviewed several legislative bills. Senate Bill #294, proposed by Senator Dina Titus as part of a package of Bills that came out of the Southern Nevada Planning Authority. The bill provides for multi-agency environmental coordination of planning activities surrounding environmental concerns such as air quality, land use and transportation projects, under one cohesive planning process. The bill only applies to Clark County. Staff expects to be active in coordinating efforts with other local agencies.

AB#474 relates to the use and distribution of tobacco litigation settlement fund dollars that will be coming into Nevada annually. Approximately 20 million dollars will be distributed annually under a formula approved by the legislature and signed into law by the Governor. Ten percent (10%) of those dollars will be held in reserve, the interest on which will be spent for public health issues. The District will be involved and likely receive some of those funds. Some of the tobacco funds will go to the Governor's scholarship fund, care for senior citizens, and other individuals whose medical conditions may have occurred from tobacco use.

AB#284 and its companion bill AB#589 on fluoridation were signed into law by Governor Guinn on June 9, 1999 with a caveat that there be a public referendum in Clark County to assess voter preference for continuing fluoridation.

He added that for the first time in approximately 9 years the District is getting a 25 cents restoration to the State Aid to Counties per capita funding from the legislature.

Turning to the District's Health Card program, Mr. Rowles apprised the Board that a new record was set in June for Health Card clients processed. During the month of June, we processed over 12,580 Health Card applicants: one client every 40 seconds. As far as the food handler card process, Tuberculosis (TB) skin tests will be supplanted by Hepatitis A vaccinations on or about October. There has been a large increase in the number of individuals utilizing the East Las Vegas Public Health Center.

Mr. Rowles advised that Staff was near completion of lease arrangements for an 8,500 square foot public health center in North Las Vegas. The District will have opportunity there to replicate services similar to East Las Vegas. Negotiation for the Rancho/Sahara Medical Center, (near the Rancho & Sahara intersection) are ongoing. The District is looking at 4500 square feet of existing space for relocation of the HIV/AIDS Clinic and Case Workers (approximately 30-35 staff). Other related community agencies are also located at those premises. The move will allow easier coordination of HIV/AIDS services for the client as well as District staff.

Mr. Rowles distributed samples of the annual report and introduced Jeanne Palmer, Health Education Coordinator, commending her for her efforts in organizing and getting the report finalized.

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

Michael Naylor briefly mentioned a couple of things in the Air Pollution Control monthly report. Enforcement activities penalties assessed by the Hearing Officer are above last year's total of \$300,000. During the month of June approximately \$100,000 in penalties were assessed. The largest penalties were for some asbestos cases related to the demolition of Nevada Arms Apartments.

Particulate Matter (PM) air quality this summer has been fairly good. Due to the rain we have had two months of no PM10 or dust exceedances. However, on some of the warmer days we have had some levels of ozone exceeding the standard, in the western areas of the Valley and Apex.

Regarding Apex, there had been some recent publicity about the County Commission selling land acquired from the BLM to consortium of private groups to build the Apex Industrial Park. Staff anticipates requests in the future for Air Quality Permits in the area of the Apex Industrial Park. Presently, the Apex area is designated attainment of all the air quality standards, but for ozone it is likely that area will become part of the Las Vegas Valley as a non-attainment area for Ozone. If it does become part of the non-attainment area for Ozone, the Board of Health will be asked to consider new regulations that would apply to industrial facilities being built in the Apex area. Meanwhile, if someone does apply for a facility in the Apex area or anywhere in the attainment areas, they have to prove they will not cause significant air quality deterioration and that they will be using best available control technology. That program is called "prevention and significant deterioration" and has been on our books for almost 20 years.

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.

Joseph Lenoir, citizen, stated that he wanted what is best for the Valley and expressed concern with the Health District Legal Counsel being in a position reported to be a conflict of interest.

Chairman Colquitt directed Mr. Lenoir to Health District Administrative offices for assistance.

VI. INFORMATIONAL ITEMS

Duly Noted

1. Financial Data - Revenues, Expenditures, and Cash Flows for Fund 705 (Operating), 706, (Capital Reserve), and 762 (Liability Reserve) for the Month of June 1999
2. Listing of Food Establishments in Plan Review for the Period of 06/01/99 to 06/30/99 Environmental Health Division
3. Air Pollution Control Reports:
 - a) Air Pollution Control Hearing Board Annotated Agendas
 - b) Air Pollution Control Monthly Report, June, 1999 (Air Quality, Enforcement Activity, Permitting, Source Compliance, Regulation Development and Legislative Wrap-Up)
4. PM Emissions Control Research Advisory Committee Agenda and Minutes
5. Letter from Boulder City concerning Appointment of Councilman Joe Hardy, MD and Reappointment of Donalene Ravitch, RN to the District Board of Health
6. Letter from City of Las Vegas Concerning Reappointment of Councilman Gary Reese to the District Board of Health
7. Family Planning Services Advisory Council Minutes, June 8, 1999
8. Certificate of Appreciation from Las Vegas Metropolitan Police Department to Environmental Health Staff for Their Participation in the County Multi-Agency Response Team (CMART).
9. Letter from the U. S. Environmental Protection Agency, Region IX Regarding the Timely Submittal of the FY-99 Clean Air Act Section 105 Air Program Grant
10. Staff Recognition: Letters of Appreciation

VII. ADJOURNMENT

There being further business to come before the Board, Chairman Colquitt adjourned the meeting at 9:45 a.m.

SUBMITTED FOR BOARD APPROVAL

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

/mlg