



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

MINUTES
CLARK COUNTY HEALTH DISTRICT
DISTRICT BOARD OF HEALTH MEETING
625 Shadow Lane
Las Vegas, Nevada 89106
Clemens Room - 8:00 A.M.
Thursday, September 23, 1999

The meeting of the District Board of Health was called to order at 8 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	<i>Chairman, Las Vegas</i>
Paula Brown	<i>Vice-Chair, North Las Vegas</i>
Jim Christensen, MD	Physician Member At-Large
Susan Crowley	Appointee, Henderson
Amanda Cyphers	Councilman, Henderson
Alice Fessenden	Appointee, Mesquite
Joseph Hardy, M.D.	Councilman, Boulder City
Paul Henderson	Councilman, Mesquite
Erin Kenny	Commissioner, Clark County
Mary Kincaid	Commissioner, Clark County
Donalene Ravitch, RN	Appointee, Boulder City
Stephanie Smith	Councilwoman, North Las Vegas

Absent:

Gary Reese	Councilman, Las Vegas
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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; LaRue Scull; Glenn Savage; Harold Glasser; Art Bashor; Terri Mitchell; Jeanne Palmer; Carla Freeman; Jennifer Sizemore; Ray Chua; Forrest Hasselbauer; recording secretaries, Diana Lindquist and Montana Garciaa

PUBLIC ATTENDANCE:

<u>NAME</u>	<u>REPRESENTING</u>
Fred Couzens	Ingram Communications
Ed Lubbers	NAIOP
Jesse C. Paulk	Associated General Contractors
Robert Thomsen	GES
Greg DeSart	GES
Carrie MacDougall	Dames & Moore
Rodney Langston	Clark County Comprehensive Planning
Will Cates	Clark County Comprehensive Planning
Paul Fransioli	PM Research Advisory Committee
Ed Koch	Las Vegas Sun
Troy Hildreth	Envirocom Co.
Leslie Long	City of North Las Vegas
Bill Gregory	AGC, NAIOP, Howard Hughes Corporation
John Potts	Howard Hughes Corporation
Tom Warden	Howard Hughes Corporation
Jennifer Simich	Republic Silver State Disposal
Jacqueline Roberts	Self

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 commented that a correction needed to be made on Petition # 65-99 in the back up material. In the first paragraph the word "year" has been left out and should be inserted between the words "three and term" so that it reads: "That the District Board of Health authorizes its staff to augment the District's policy of engaging its external auditors for a three-year term to provide for an option to renew for additional two years."

Member Cyphers moved for approval of the Consent Agenda with the amendment noted on Petition #65-99. Member Ravitch seconded the motion which was carried unanimously and thereby approved the following Consent Agenda:

1. **Minutes/Board of Health Meeting** - 08/26/99
2. **Payroll/Overtime for Periods of:** 07/10/99-07/23/99, 07/24/99-08/06/99 & 08/07/99-08/20/99
3. **Accounts Payable Register** - #765: 07/16/99-08/05/99 & #766: 08/06/99-08/19/99
4. **Petition #42-99** - Conceptual Approval and Funding of Two (2) Projects Recommended by the Particulate Matter Emissions Control Research Advisory Committee (PM Committee) (***Demonstration of Vacant Parcel Stabilization - Continued from July meeting***)
5. **Petition #60-99** - Approval of Hepatitis A Vaccine Bid Award
6. **Petition #63-99** - Request to Set Public Hearing Date for the October 28, 1999 Board Meeting to Consider/Adopt Amendments to the District Emergency Medical Services Regulations

7. **Petition #64-99** - Request to Develop Regulations to Acquire Mitigation Units for Non Compliance with Air Pollution Control Regulations (*Member Kenny Requested Item*)
8. **Petition #65-99** - Extension of External Audit Contract with Stewart, Archibald and Barney by Two Additional Years to Conform to Similar Practices by Member Entities
9. **Petition #66-99** - Approve Funding of the Review of Construction Activities Program Project Recommended by the Particulate Matter Emissions Control Research Advisory Committee (PM Committee), and Selection of Consultant to Perform Review
10. **Petition #67-99** - Approve Request for Proposals for Valley Wide Vacant Disturbed Land Inventory Project Recommended by the Particulate Matter Emissions Control Research Advisory Committee (PM Committee)
11. **Petition #68-99** - Approval of Lease Arrangements for Relocation of HIV/AIDS Clinic Staff and Services to Rancho Sahara Medical Center
12. **Petition #69-99, (See also Memorandum #19-99)** - Approving Fiscal Year 99-00 Revised Budget Update to the Tentative Budget Approved in March, 1999

II. **PUBLIC HEARING/ACTION**

NO PUBLIC HEARINGS SCHEDULED

III. **REPORT/DISCUSSION/ACTION**

1. **Committee Reports**

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

Chairman Colquitt reported that the Committee had met and was able to interview only one of the applicants, Mr. Robert Barron. The Committee felt that Mr. Barron was qualified for the position.

Chairman Colquitt moved to appoint Mr. Barron to the APC Hearing Officer position. Motion was seconded by Member Smith and carried unanimously.

The Committee will schedule an interview with Mr. John O'Sullivan, who had a family emergency and was unable to be at this meeting.

2. **Development of Concepts for Control of Loose Soil on Private and Public Parcels in the Las Vegas Valley** (*Member Kenny Requested Item*)

Michael Naylor explained that the District, Clark County Comprehensive Planning and Member Kenny had several discussions on developing concepts for control of loose soil on vacant land. Vacant lots and parcels within the Valley contribute significant amounts of PM10 emissions. The focus is on the open areas of vacant lots with and without vehicle access and unpaved parking lots.

The lots with loose soil could be stabilized with some combination of fencing and dust palliatives. The Department of Comprehensive Planning and District staff have conducted two of four scheduled workshops on the draft rule. It is anticipated that the draft rule will be presented to the Board of Health in November and staff would recommend scheduling a public hearing around the beginning of 2000.

The draft rule is based on a Maricopa County Rule as recommended by the U.S. Environmental

Protection Agency.

The draft rule requires control of dust from these sources:

1. Open Areas and Vacant Lots without Vehicular Access
2. Open Areas and Vacant Lots with Vehicular Access
3. Unpaved Parking Lots

The primary issues raised at workshops to date are summarized as follows:

1. Illegal dumping and operation of vehicles on vacant property without the permission of the owner is a major concern. The difficulty of keeping all terrain vehicles off vacant property, even with fencing, complicates the problem.
2. The cost of fencing and stabilization is also of concern.
3. Test methods contained in the draft rule are a problem.
4. It was suggested that perhaps air photos could be utilized for documenting rule compliance on large parcels.
5. Use of gravel, as a stabilization method, as allowed in Maricopa County for unpaved parking lots would not work here. These lots would require paving or periodic dust suppressant application.
6. Language needs to be developed which allows for phasing of the rule requirements for open areas and vacant disturbed lands.
7. The draft rule does not need to cover unpaved roads as the remaining inventory of roads has traffic counts below the threshold in Maricopa County.

The rule would apply to public and private owners of land with loose soil, as determined by the test methods described in the rule. The 1997 State Implementation Plan for PM10 estimated about 22,000 acres of land met these criteria. The Board of Health also is being asked to release a request for proposals that would provide a map of all locations in the Valley with loose soil and a documented estimate of the acres of such land.

Plans can be optimized to take advantage of contiguous property owned by different owners. A combination of fencing, berms, and periodic application of dust palliatives would be needed. Cost of \$1,000 per acre have been cited. The first time cost to the community could be in the tens of millions of dollars. The annual maintenance of such parcels could cost in the millions, up to about \$10 million.

Commissioner Kenny explained her reason for addressing this issue at this point was to take a proactive stance and move forward with problems that exists or there will be sanctions from EPA. She had met with members of the construction and business communities and it is understood that in order for Clark County to continue to grow and prosper there is a need to move forward with developing rules from the County level rather than having sanctions imposed by the federal government. Collective efforts to develop reasonable rules will show EPA the good faith effort and that the community recognizes there is a problem in Clark County. Also, this will be a good first step to send a message to the residents of Clark County indicating the Board of Health=s awareness of the problem and that we all want to live in a healthy community. Another issue that needs to be addressed is that of track out and requiring permanent wheel washers or perhaps mobile wheel washers on the site depending on the acreage.

Chairman Colquitt commented that recognizing there will be additional workshops on this issue asked if any member of the public wanted to make a brief statement on the issue.

John Potts, representing the Howard Hughes Corporation, remarked that this was an issue that they had been concerned about for over a year. The Corporation endorsed any reasonable, fair and uniform efforts to control the situation and looked forward to working with all the agencies and

regulatory bodies in solving the problems.

Jess Paulk on behalf of the Associated General Contractors (AGC) submitted a letter to the Board Members and stated that AGC agreed that cost effective regulations needed to be adopted to reduce dust from vacant disturbed land. The AGC is anticipating being involved and working with everyone to come up with a good solution.

Commissioner Kenny stated that these regulations are not only directed to the private sector but that the government entities are going to have to apply them as well and be willing to absorb the same cost. She suggested that all the entities and their respective Boards should be considering the cost factors as they enter into their budget cycles.

Brief discussion ensued by the Board Members concerning the cost effectiveness of the regulations, differences between PM2.5/PM10 and haze, and the possible sanctions that could be imposed by the Federal Government and EPA.

Commissioner Kincaid suggested that perhaps the District was missing a public relations opportunity recognizing improvements in air quality and of the efforts of District and County staff.

After a brief clarification and explanation of the meaning of Vacant Disturbed Land, use of the inventory project recommended by the PM10/2.5 Committee, Member Kenny asked that staff put this item on a fast track and moved to approve development of concepts for control of loose soil on private and public parcels in the Las Vegas Valley. Motion was seconded by Member Brown and carried unanimously.

IV. HEALTH OFFICER & STAFF REPORTS

a. Dr. Kwalick, Chief Health Officer

Dr. Kwalick, through a power point presentation, updated the Board Members on the District's plans for the Y2K four-day weekend as far as emergency health care for visitors to the Las Vegas Valley.

As you all know, last year, approximately 250,000 to 350,000 individuals visited the Las Vegas Valley. This year the estimates are anywhere between three quarters of a million to a million and one-half visitors. In order to take care of these individuals and not overly impact the current system, if somebody gets injured on the strip, the Clark County Fire Department will physically extricate the person from the incident scene. The individual will be picked up by stretcher and carried to an ambulance point where a paramedic essentially will do some basic triage. Based on that triage, the individual will be taken either to an emergency department, or to one of several staging areas. These staging areas will be on the east and west side of the strip. Non-emergent stable patients will be taken to the staging area where nurses and doctors will diagnose, evaluate, and treat the patient for minor ailments. If the patient deteriorates, or if there is an emergent condition or the patient requests, the patient will be taken by ambulance to an emergency department. However, if it is discovered that there is a non-emergent condition that warrants further care at a local clinic, the doctor can ask the ambulance to transport them to a private medical doctor or to an ambulatory care clinic nearby. Also, from the staging area, the patient will either be discharged or referred the next day or the next few days to their local doctor or to a clinic depending on the complaint.

There will be certain exclusionary criteria in place. For example, if the respiratory rate is less than 10, or greater than 24, the systolic blood pressure is less than a 100, the heart rate is greater than 100 or less than 60 where there is a decreased level of consciousness, chest pain or chest trauma, shortness of breath, abdominal pain, pelvic or multiple fractures, penetrating trauma, falls other than ground level (somebody trips over something on the ground) acute paralysis, eye trauma, less than 14 years or greater than 55 years old, they will go directly to the emergency department.

In order to do this, several variances will be brought to the Board for approval. Currently, the

Emergency Medical Services regulations mandate transport to an emergency department. So, if a patient needs to be transported to the staging area or clinic nearby, a variance will be required. The scope of practice of the paramedics at this point in time does not allow this type of transport. Depending upon the numbers of paramedics that are available, AMR may need to bring in additional paramedics from out of state that are national registry registered and are functioning in the system in another state to function on the strip. Similarly, there may not be enough emergency vehicles available necessitating that out-of-state ambulances that are functioning in an emergency system would be imported. In total, the estimated cost will probably be about \$350,000. Of that total, \$218,000 is going to be for personnel. AMR will cover approximately \$135,000 for their staff. Additionally, physicians and nurses will have to be hired for three or four evenings starting at 6:00 p.m. to 6:00 a.m. to triage and staff the staging areas at a cost of \$75,000 - \$125,000.

Equipment cost total is approximately \$140,000 and it is hoped that several items will be donated. Dr. Kwalick added that he was meeting with various groups and individuals to see what donations are possible. If no donations are possible then staff will go to the County for supplemental funding. He stressed the importance of setting up the program because if anything does go wrong on New Year's eve, it will leave a black mark on the whole valley. This project has been a team effort with all interested parties working together over the last several months. This plan will benefit the community by not overwhelming the systems so that citizens of the valley will still be able to get the necessary emergency care that they need at the emergency departments.

b. Michael Naylor, Air Pollution Control Director

Mr. Naylor introduced William Cates, representing the Clark County Department of Comprehensive Planning (DCP), to give a brief overview of the PM10 State Implementation Plan (SIP) process.

Mr. Cates explained that DCP has the responsibility for the PM10 SIP revision. The 1998 base year emissions inventory has been completed. The County anticipates going forward with the new rule for disturbed vacant land and enhancement of controls for construction activities. DCP staff anticipates going before the Board of County Commissioners in October or November for a resolution addressing reformulated diesel fuel as well as reformulated gasoline in an effort to address the annual average PM10 standard. DCP staff does anticipate having a draft PM10 SIP by March or April which includes a legitimate attainment demonstration.

Member Cyphers asked if there had been any discussions regarding changes or enhancements to the existing PM10 program in the residential areas. There is a rumor that the current voluntary PM10 road paving program may become mandatory.

Mr. Cates answered, with respect to unpaved roads, because local governments in the Valley have done an excellent job over the last few years in paving unpaved roads, they are not a major problem in terms of violations of PM10 national standards. There are no unpaved roads for example in the Las Vegas Valley that have an average daily traffic of more than 150 vehicles a day.

The County anticipates continuing with paving programs and perhaps Clark County Public Works has the largest inventory of unpaved roads in the Valley. Public Works has been accelerating their paving programs for some time. The County has paved roads that have less than an average daily traffic. However, 150 vehicles-per-day or 125 is a threshold for PM10 offset paving program which has subsidized to some extent the paving of unpaved roads.

Michael Naylor added that the emission reduction credit program does award credits for paving roads in any tract in the valley. All the busy roads of more than 150 trips or more have been paved with maybe one or two exceptions. In reference to the rumor, the Maricopa County rule that Clark County is evaluating does have a mandate to pave their busier roads. However, that would not apply in the Las Vegas Valley since the busy roads have already been paved and focus should be on the vacant parcels.

Brief discussion between Board Members and staff ensued concerning quantifying fugitive dust (PM10) from construction activities and clarification of what would be considered as disturbed vacant land. Clark County Comprehensive planning is working with Desert Research Institute in an effort to better define what/how the natural undisturbed desert background is affecting PM10 concentrations. This information will be incorporated into the PM10 SIP. Historically, the EPA has a history of not appreciating or understanding the problem. However EPA did go forward with a natural events policy for the desert communities of Arizona, Nevada and other western communities facing the PM10 problems based upon efforts of staff.

Michael Naylor informed the Board that despite all the uncertainties on the emissions estimates, the APCD enforcement program has some of the strictest regulations for construction activities among the western states. Arizona is starting to write some stricter rules. Likewise, our oxygenated and cleaner burning fuel rules are among the strictest in the country. Staff is taking aggressive actions to enforce the regulations. The penalties that have been collected over the last two years have doubled from 1997 levels.

c. Terri Mitchell, Supervisor, Clinics and Nursing

Fran Courtney introduced the new supervisor for the Immunizations program, Terri Mitchell who would give a brief overview of Universal Immunizations.

Ms. Mitchell explained that Nevada was a universal state. Approximately 15 states have the universal status. A universal State is defined as one which offers all vaccines as recommended by the American Advisory Committee on Immunization Practices (ACIP) to all health care providers to serve all patients including those who are fully insured. All providers whether public, private or managed care, receive free vaccine. Providers may charge an administration fee only.

The problem that we are facing despite the population growth of Nevada, and the increase in number of vaccines, federal funding has not increased. This will result in a potential \$1.4 to \$1.6 million dollar shortfall for the next fiscal year. Currently, for the fourth quarter this year, we're looking at a \$300,000 shortfall. If Nevada loses the Universal Status: (a) Providers would receive vaccine only for Vaccine for Children (VFC) recipients, i.e., Medicaid, Alaska Native, American Indian, Uninsured. (b) Providers would then need to purchase vaccine directly from pharmaceutical companies for all other children which would mean separate billing and storage systems.

Being a universal status state is very expensive. The other issue is that it depends on federal funding. Often times the federal funding either has been cut or has not been stable and the State of Nevada has had to pick up the shortfall. Currently, Nevada is rated 38th in the U.S. with 78.5 percent of 2 year olds appropriately immunized. Some options are being considered if Nevada was not considered a Universal State. One of those options would exclude varicella (chicken pox vaccine) and administer it to only VFC eligible children. If the entire State decides to exclude varicella, it would mean a savings of approximately \$300,000 in the next quarter. The State of Nevada Immunization Project has requested a voluntary reduction to VFC only for varicella vaccine. Fees would then be charged for non-VFC children with an estimated annual savings of \$600,000 for Nevada. Additionally, two other vaccines have been put on hold for the FDA to approve, pneumo-7 and rotovirus. Bob Salcido, State Immunization Coordinator, is awaiting federal appropriations for FY2000 to see if they will increase State funding. Emergency funding was recently received from the CDC in the amount of \$300,000.

Ms. Mitchell recommended that the State Immunization program receive support from the Clark County Health District for additional funding from the Nevada legislature's Interim Finance Committee. Also, that we look at improving the immunization registry to be able to bill providers who would be providing that vaccine to their covered children if the Clark County Health District was not picking up the funds.

d. Fran Courtney, Clinics and Nursing Director

Fran Courtney added that beginning October 4, 1999 the Health District and all other Public Health Center locations will start offering the flu vaccine. Staff will be out in the community most days and every weekend in October and November. The District has ordered 30,000 doses of the vaccine for this year. There has been a much larger participation in the last several years with HMOs offering flu shots. Also, some companies have come in from out of state and are offering flu at the local pharmacies and other locations around the community, As a result the community has been more thoroughly immunized and the District is providing fewer flu shots than in the past.

e. Clare Schmutz, Environmental Health Director

Clare Schmutz, remarked that September marks the third year that the District has participated in National Food Safety Education Month. The goals of the month are to reinforce food safety education and training among restaurants and food service workers; and to educate the public to handle and prepare food properly at home.

To kick off the month staff participated in the Back-to-School Fair at the Boulevard Mall the weekend of August 14 and 15. Staff distributed food safety information and quizzed children on food safety. Children answering questions correctly were able to enter a drawing for prizes, such as lunch bags or pails, book bags, etc. Also, on August 17th staff participated in a food safety fair conducted at the Flamingo Hilton in Laughlin. Approximately 400 food service people from local hotel/casinos in Laughlin attended the fair. Staff has also set up booths at area supermarkets at several local grocery stores throughout Clark County including Mesquite and Laughlin. Staff distributed stem and refrigerator thermometers and food safety information. Environmental Health staff are also presenting food safety presentations in 25 elementary and middle schools throughout the Valley.

As part of National Food Safety Education Month the Circus Circus Hotel and Casino and the National Restaurant Association sponsored a Serve Safe Food Sanitation Course to certify various charities in Clark County such as Salvation Army, St. Vincent, Red Cross and Meals on Wheels. Staff participated in the program by speaking at a press conference. The Environmental Health Staff participated with a North Las Vegas Judge, North Las Vegas Building and Zoning, Fire and Police Departments in inspecting a property located at North Fifth Street and Washburn. There were four residents who were hooked up illegally to Nevada Power. Also, their well was contaminated and they were dumping raw sewage onto the ground with no approved sewage disposal facility. The Judge is ordering eviction notices for the residents of this property.

f. David Rowles, Administrative Services Director

The District is moving ahead with renovation designs for the 8500 square foot North Las Vegas Public Health Center. The East Las Vegas Public Health Center has expanded from 7,000 to 10,200 square feet. It is anticipated that more services may be provided. The District is also in the design stages of the 5500 square foot Rancho-Sahara Medical Center for relocation of our community HIV/AIDS services to ensure better coordination with co-located community HIV-AIDS services.

The independent, outside auditors have finished their field work and are preparing for a November report to the Board on the District's financial status.

He added that he had been appointed by Governor Kenny Guinn to the Public Employee Benefits Program Board. It replaces the old State of Nevada Health Insurance Board.

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.

Member Cyphers suggested that the Board Members may want to move citizen's participation section to before Staff Reports as individuals in the audience may have to wait an hour and half before being able to express their concerns.

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 July 1999
2. Listing of Food Establishments in Plan Review for the Period of 08/01/99 to 08/31/99 Environmental Health Division
3. Air Pollution Control Reports:
 - a) Air Pollution Control Hearing Board Annotated Agendas
 - b) Air Pollution Control Monthly Report, August, 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. Home Health Advisory Board Minutes
6. Letter from Clark County Department of Comprehensive Planning Re: Revisions to the PM10 State Implementation Plan (SIP) and Enhanced controls for Construction Activities
7. Congratulatory Letter from Governor Guinn to Mary Hall, Health District Volunteer on Receiving The Daily Points of Light Award from the Points of Light Foundation
8. Staff Recognition: Letters of Appreciation

VII. ADJOURNMENT

There being no further business to come before the Board, Chairman Colquitt adjourned the meeting at 10:39 a.m.

SUBMITTED FOR BOARD APPROVAL

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

/mlg