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

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**MINUTES**  
**CLARK COUNTY HEALTH DISTRICT**  
**DISTRICT BOARD OF HEALTH MEETING**  
625 Shadow Lane  
Las Vegas, Nevada 89106  
Clemens Room - 8:00 A.M.  
**Thursday, January 27, 2000**

The meeting of the District Board of Health was called to order at 8 A.M. by Chairman Brown and the Pledge of Allegiance held. Chairman Brown 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:

Paula Brown  
Sherry Colquitt, RN  
Jim Christensen, MD  
Susan Crowley  
Amanda Cyphers  
Joseph Hardy, M.D.  
Paul Henderson  
Mary Kincaid  
Donalene Ravitch, RN  
Gary Reese  
Stephanie Smith  
Alice Fessenden

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

Absent:

Erin Kenny

Commissioner, Clark County

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 Munniger; Mike Sword; Ed Wojcik; LaRue Scull; Glenn Savage; Harold Glasser; Art Bashor; recording secretaries, Diana Lindquist and Montana Garcia

**PUBLIC ATTENDANCE:**

<u>NAME</u>	<u>REPRESENTING</u>
Fred Couzens	Self
Regan Miller	Self
Jacque Roberts	Self
Rob Gegenheimer	Terracon
Eddie Martinez	Terracon
Roy Thompson	Southern Nevada Home Builders
George White	NSBDC - BEP
Lori Wohletz	City of Las Vegas
Dick Serdoz	Nevada Department of Environmental Protection

**OATH OF OFFICE:** Ian Ross, Esquire, Board of Health Legal Counsel administered the oath of office to the following Board members for Year 2000 term of office:

Chairman:	Member Brown
Vice-Chairman:	Member Crowley
Secretary:	Member Christensen

**PRESENTATION:**

Chairman Brown presented a plaque to Past Chairman, Sherry Colquitt, RN, on behalf of the Board Members in grateful recognition of her outstanding leadership and vision as Chairman of the Clark County District Board of Health for the past two years.

Member Colquitt thanked the Board and Staff for the honor and privilege to serve as Chairman.

**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.

*Member Kincaid moved for approval of the following Consent Agenda. Motion was seconded by Member Crowley and carried unanimously:*

- 1. Minutes/Board of Health Meeting** - 12/16/99
- 2. Payroll/Overtime for Periods of:** 11/13/99 - 11/26/99; 11/27/99 - 12/10/99 and 12/11/99 - 12/24/99
- 3. Accounts Payable Register** - #773: 11/19/99 - 12/03/99; #774: 12/06/99 - 12/16/99 and #774A: 12/17/99 - 12/20/99
- 4. Petition #01-00** - Contract with California Air Resources Board for Compliance Testing of Clark County Cleaner Burning Wintertime Gasoline. Analyses of Gasoline Contents to Assure Compliance with Specifications
- 5. Petition #02-00** - Proposed Redefinition of the Environmental Health Supervisor Classification Current Salary Schedule 26 (Range \$48,162.40 to \$67,198.56 Annually). No salary change recommended.

## **II. PUBLIC HEARING/ACTION**

### **No Public Hearings Scheduled**

## **III. REPORT/DISCUSSION/ACTION**

1. **Petition #03-00** - Terracon Consultant's Report and Recommendation on the Establishment of a Small Business Assistance Program for Air Pollution Control Division Permittees

Dr. Kwalick stated that Terracon representatives had a brief report with options. Staff will bring forward a plan of action and cost of establishing a program to the March Board meeting.

David Rowles introduced Ed Martinez and Rob Gegenheimer from Terracon.

Ed Martinez, presented a final report on the Small Business Assistance Program Study. Following the December preliminary report to the Board, a public workshop was held on January 10, 2000. Approximately 25-30 individuals from the small business community attended. Based on the input from that meeting and previous survey findings, the final report was developed.

The overall intent of the project was to conduct a study to determine whether there was a need for a small business assistance program in Clark County to assist small businesses with Air Quality issues specifically relating to regulatory compliance and permitting. To complete the study, numerous tasks were undertaken including a review on existing federal and local regulations, a review of other small business assistance programs from throughout the region and surrounding states. Identification of small business categories was accomplished. A random survey of small businesses was conducted both by mail and aggressive telephone solicitation. A total of 700 contacts were attempted either by mail or telephone. Approximately 79-80 businesses participated. Based on the survey an overwhelming majority of the respondents expressed a strong desire for a Small Business Assistance Program separate from the existing Air Pollution Control Division. There were 2 main reasons expressed: a) many of the small businesses were concerned about confidential information being shared with the enforcement people in the Air Pollution Control Division (APCD); b) a general distrust and frustration of government overall.

The distrust issue prompted Terracon to research potential external options including the University of Nevada, Clark County Community College, various other local government entities such as the City of Las Vegas, Clark County Public Works and Clark County Comprehensive Planning. Also considered was a potential privatization or placed under the auspices of the Nevada Division of Environmental Protection. Through various discussions with these entities and additional analysis including structured programs in other areas, Terracon recommended that if a Small Business Assistance Program is to be implemented, it could be teamed with the existing program under the Nevada Division of Environmental Protection (NDEP). The NDEP currently has a statewide program in conjunction with the University of Nevada, Reno Small Business Program, which is mandated by EPA requirements and regulations. Preliminary discussions with NDEP representative Jolene Johnson indicate that they would potentially be interested in such a program in Clark County. Implementing a program locally would require additional staffing and expansion of their contract with the University of Nevada.

Another option would be to have the program locally housed and staffed separate from Clark County. Perhaps the small business community would feel comfortable to participate. One key aspect irregardless of where the program was housed it needs to be essentially marketed by the staff that is hired so that the small business community is aware of its existence and understands the types of needed assistance it can receive through the program. This

information should be made available in a multilingual format as there are many businesses in the community that are owned by Asians. There should be close coordination between the APCD and the program to insure assistance of individual business through the permitting and regulatory compliance process. Further, there needs to be active assistance on the part of APCD to provide referrals to the Small Business Assistance Program. Initial start up costs would require approximately \$80 - \$100,000 per year.

Member Colquitt expressed concern that perhaps there was a lack of interest since there was only a 1½% return on the questionnaire and 17.4% participation on the telephone survey.

Ed Martinez, of Terracon, explained that it was not necessarily a lack of interest but more of distrust of government and frustration of the existing air quality regulations since they actually talked to individuals from approximately 400 businesses.

Member Crowley commented that it seemed that other agencies were having success using an educational system such as the University. She wondered if UNLV was of any value to expand what UNR is doing in Reno to Las Vegas.

Ed Martinez, of Terracon, remarked that the UNR program actually is helping businesses in Clark County regarding other issues not related to air quality. At present, there are discussions between UNR and UNLV in regards to possibly expanding the program for other issues in Clark County which may include air quality.

*After brief discussion regarding pro-actively educating the small business community and perhaps expanding the letter of agreement with NDEP, Member Smith moved to direct staff to research the proposed recommendations, including the best way to proceed, which agency to locate it under and cost estimates to provide the service. Motion was seconded by Member Kincaid and carried unanimously.*

#### **IV. CITIZEN PARTICIPATION**

Citizen participation is a period devoted to comments by the general public about matters relevant to the Board's jurisdiction. 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 has been complied with. Therefore, no vote may be taken on a matter not listed on the posted agenda and any action on such items will have to be considered at a later meeting.

Chairman Brown stated that 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 Brown asked if any member of the public wished to be heard.

Lori Wohletz, Environmental Officer for the City of Las Vegas, suggested in reference to the small business program that a more expedient approach may to contract directly with the Nevada Small Business Assistance Program, the Business Environmental Program through UNR. A program through this process could be in place in a month. Washoe County has proceeded in this manner and the program appears to be working very well. From experience through the City, the program is outstanding and invaluable source.

Chairman Brown asked if the Motion made by Member Smith included all alternatives. Ian Ross remarked that the motion was a very broad mandate to staff.

Chairman Brown asked if any other member of the public wished to be heard. There was no response.

## **V. HEALTH OFFICER & STAFF REPORTS**

### **1. Dr. Kwalick, Chief Health Officer**

Dr Kwalick introduced a new acronym for the APCD to AQD. Staff is in the process of changing the name of the Air Pollution Control Division to the Air Quality Division. This change will be implemented on the correspondence in the future.

He briefed the Board on the Y2K Triage centers for New Year's Weekend. Beginning at midnight to 3 a.m. on New Years Eve there were approximately 300 "911" calls. Approximately a third of those went to the 5 triage centers. During that period of time, there was one hour of divert status in only one hospital. The rationale for no divert was that there was good planning.

For example, elective surgery and other things that the hospitals do on a day-to-day basis were closed down because of the potential of having an enormous number of patients that weekend. A completed evaluation is still to be done. In the future, there may be a greater influx of people. It is anticipated that there will probably be two or three triage centers rather than the five. It was a good "training" exercise, with good team work throughout the entire community to build upon for the future.

Dr. Kwalick presented a 5-minute video by Fox 5 outlining Clark County Health District activities.

### **2. Environmental Health**

Lonnie Empey presented pictures to the Board Members on a couple of motels that were recently in the local newspapers. He commented that Paradise Resort Inn had been closed. The owner chose to close the facility and no one was evicted formally by the Clark County Health District. There were two guests that were moved to other facilities. One because of living in very bad conditions not only public health wise but personal health and another because of a heavy infestation of cockroaches.

There are 205 units in the Paradise Resort Inn. During the first inspection 60 units were closed. Staff went back later and 7 more were closed and the other rooms were posted with a sign that said, "Do not re-rent". This will give the operator an opportunity to refurbish rooms and then move tenants around as necessary. Staff had received many calls from sister agencies - Metro, Building Department, that other individuals indicating the bad conditions in this facility. Several killings had recently taken place in part of the facility. The establishment is now fenced and closed completely by the owner.

The Diamond Inn Motel which is located directly across the street from the Mandalay Bay and was in the same condition as the Paradise Resort. The owner has been very cooperative. Staff closed 29 of the 50 room facility. The owner has completely refurbished 26 of the rooms which are now opened. New carpeting, mattresses, beds, showers, air conditioning and heating units have been put in place.

Dr. Kwalick commented that these were two motels that had fallen through the cracks. It has generated good media coverage and also has spurred staff to look for others in the community. Lonnie Empey added that staff will have more team inspection investigations. Currently, staff is investigating a motel on Fremont Street and one in North Las Vegas.

Clare Schmutz remarked in reference to New Year's Eve weekend, several Public Health Specialists were on standby duty and no major problems arose. Also, last month he had

reported to the Board Members that the State Board of Health Division passed regulations on public and private schools. Apparently, the Clark County School District has some problems with the regulations and are asking that they be revisited.

### **3. Air Pollution Control**

Michael Naylor briefly reviewed the Air Quality Division monthly report which was also the annual report because it has the statistics for 1999. It has been the best year yet for carbon monoxide. This is attributed at least in part to the Clean Burning Gasoline which was required starting November 1, 1999 and with cooperative weather. The PM10 remains the biggest challenge for the community and additional regulations will need to be implemented.

There have been several workshops on controlling disturbed surfaces. The next workshop, is scheduled for February 22, 2000. Staff will be bringing draft regulations to the March Board meeting focusing on the open areas, vacant lots, unpaved parking lots, and unpaved roads. Meanwhile the consultant (through Klienfielder) is doing the satellite imaging project. Results should be available during the time of the public hearings. The project will help to identify how many acres of land are involved and specific locations. In turn this will give the Board an idea of how much it's going to cost. At present, staff is estimating about 30,000 acres of publicly and privately owned land in the valley that will need some control. The EPA will need to buy into the effectiveness of our proposals.

Michael briefed the State Transportation Board, Chaired by Governor Guinn, about this issue on January 21, 2000. Governor Guinn's interested in this issue and wants to assure that EPA rapidly turns around information submitted.

The minimum dust violation penalties have been \$1800 for several years. It is likely that a higher minimum will be requested. Basically the air has been getting better. Despite improvements with Particulate Matter the community still has a ways to go.

Brief discussion followed by the Board and staff concerning the difference between disturbed vacant land and undisturbed vacant land and haze. The undisturbed land has a natural desert cement. Approximately one fourth of all vacant disturbed land is managed by the Bureau of Land Management (BLM). The BLM and all of the other government entities in Clark County would have to meet the same regulations.

### **4. Administration**

Dr. Kwalick commented that the District is in the process of moving the AIDS program to 2300 Rancho Drive. Some structural problems were discovered that have slowed the process.

The Health Card activity for December 1999 is equivalent to December 1998 with more than 8,000 people permitted. Fiscal year 2000/2001 budget preparation is underway for presentation to the Board in March.

**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 December
2. Listing of Food Establishments in Plan Review for the Period of 11/01/99 to 11/30/99  
Environmental Health Division
3. Emergency Medical Services Annotated Agenda
4. Air Pollution Control Reports:
  - a) Air Pollution Control Hearing Officer Annotated Agendas
  - b) Air Pollution Control Monthly Report (Air Quality, Enforcement Activity, Permitting, Source Compliance, Regulation Development and Legislative Wrap-Up)
  - c) Air Pollution Control Hearing Board Annotated Agenda & Minutes
5. PM Emissions Control Research Advisory Committee Agenda and Minutes
6. Staff Recognition: Letters of Appreciation

**VII. ADJOURNMENT**

There being no further business to come before the Board, Chairman Brown adjourned the meeting at 9:10 a.m.

**SUBMITTED FOR BOARD APPROVAL**

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

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