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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

***Thursday, April 26, 2001 - 8:00 A.M.***

Chairman Brown called the meeting of the District Board of Health to order at 8:05 a.m. and the Pledge of Allegiance was held. She noted that she had been provided with the Affidavits of Posting and Mailing of Agenda meeting notices, as required by Nevada's Open Meeting Law. The Affidavits will be incorporated into the Official Minutes.

#### Board Members

##### Present:

Paula Brown	Chairman, North Las Vegas
Jim Christensen, MD	Secretary/Physician Member At-Large
Sherry Colquitt, RN	Appointee, Las Vegas
Susan Crowley	Vice-Chairman, Henderson
Amanda Cyphers	Councilwoman, Henderson
Joseph Hardy, MD	Councilman, Boulder City
Paul Henderson	Councilman, Mesquite
Erin Kenny	Commissioner, Clark County
Donalene Ravitch, RN	Appointee, Boulder City
Gary Reese	Councilman, Las Vegas
Stephanie Smith	Councilwoman, North Las Vegas

##### Absent:

Chip Maxfield	Commissioner, Clark County
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#### Executive Secretary:

Donald S. Kwalick, MD, MPH

#### Legal Counsel:

Stephen Minagil, Esquire

Staff: Clare Schmutz; Karl Munninger; Fran Courtney, RN; Christine Robinson; Ed Wojcik; Mike Sword; Angus MacEachern; Jane Shunney, RN; Rose Bell, PhD; Art Bashor; Michael Naylor; Glenn Savage; Jeanne Palmer; Jennifer Sizemore; Suzann Chesebrough; Bob Folle; Shirley Busse; Judy Hartwell; Forrest Hasselbauer; Leo Vega; Diana Lindquist and Montana Garcia

**ATTENDANCE:**

<u>NAME</u>	<u>REPRESENTING</u>
Leslie Long	City of North Las Vegas
Bill Kemner	Environmental Quality Management
Rob Dorinson	Evergreen Recycling / Nevada Recycling Assn.
Helen Foley	Faiss Foley Merica
Fred Couzens	Las Vegas Business Press
Kassidy Busse	Self
David and Sheila Siegler	Self
Dick Serdoz	Self
Russell A. Roberts	Strategic Solutions
Vic Skaar	Valued Integrated Concepts, Inc

**I. CONSENT AGENDA**

These are matters considered to be routine by the District Board of Health and 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 Brown opened the public hearing on the variance requests and asked if any member of the public wished to speak. There being no response she closed the public hearings. Also, Item I needed the date to be changed to reflect May 24, 2001 instead of June 28, 2001.

*Member Reese moved for approval of the following consent agenda. Motion was seconded by Member Colquitt and carried unanimously:*

- A. Reapproval of Consent Agenda From December 14, 2000 Board of Health Meeting and Ratification of Staff Actions on These Items Since December 14, 2000 Based Upon the Attorney General's Finding of Open Meeting Law Violation
  1. **Approve Minutes/Board of Health Meeting** - 11/16/00
  2. **Payroll Overtime for Periods of** - 10/14/00 – 10/27/00
  3. **Approve Accounts Payable Register** - **#795:** 10/22/00 – 11/03/00; **#796:** 11/06/00 – 11/17/00
  4. **Petition #87-00** - Request to: Set a Public Hearing Date on January 25, 2001 to Approve or Deny Nevada Forest Products, Inc.'s, Compost Plant Application to Construct and Operate a Compost Plant at 5355 North Beesley Drive, Clark County, Nevada
  5. **Petition #88-00** - Request to Set a Public Hearing Date on February 22, 2001 for Adoption of Environmental Health Regulations Governing the Transportation of Solid Waste
  6. **Petition #91-00** - Approval of a New Position and Classification Specification for Prevention Activities Coordinator to be Placed on Schedule 22 (\$40,832.48 to \$56, 927.52 Annually)
  7. **Petition #92-00** - Request that the Board Award Request for Proposal #10-00, Provision of the Development of Construction Site Test Methods for Section 94 Compliance, to Converse Consultants

8. **Petition #93-00** - Request to: Authorize the Chief Health Officer to Execute Agreements with Participants in the Clean Diesel Engine Incentive Program
  9. **Memorandum #44-00** – Board Approval of Confidential Settlement Agreement
  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. **Memorandum #38-00** - Variance Request: to Approve a Temporary Variance to the District Emergency Medical Services Regulations for the Weekend of December 29, 2000 to January 3, 2001(New Year's Eve) to Allow for Transport to Facilities Other than Hospital Emergency Departments According to Protocol
    - b. **Memorandum #39-00** - Variance Request: to Section 900.500 of the District Emergency Medical Services for the Mesquite Fire and Rescue Department to Operate Their Second, Third and Fourth Ambulances at the Paramedic Level
    - c. **Memorandum #40-00** - Variance Request: to Consider Renewal of Clark County Fire Department's Variance to Section 900.500 of the District Emergency Medical Services Regulations to Operate Their Volunteer Ambulance Service on a Part-Time Advanced Life Support (ALS) Basis in Sandy Valley
- B. Approve Minutes/Board of Health Meeting** - 03/22/01
- C. Approve Payroll/Overtime for Periods of** - 02/17/01 – 03/02/01 & 03/03/01 – 03/16/01
- D. Approve Accounts Payable Register** - #803: 02/20/01 – 03/02/01 & #804: 03/05/01 – 03/16/01
- E. Petition #32-01** - Air Quality Hearing Officer Compensation For Preparatory Work
- F. Petition #33-01** - Air Quality Hearing Board Reappointment of Three Members Whose Terms are Expiring
- G. Petition #34-01** - Redefinition of the Following Classification Specifications in the Administration Division: Facilities Services Manager, Proposed Schedule 26; Health Education and Promotion Manager, Current Schedule 25, Proposed Schedule 26; Human Resources Analyst, Current Schedule 21, Proposed Schedule 23
- H. Petition #35-01** - Adjustments to the Air Quality and Family Planning Sections of the Clark County Health District's Fee Schedule
- I. Petition #36-01** - Request to Schedule Public Hearing on May 24, 2001 ~~June 28, 2001~~ to Consider Reclassification of Boulder City from Management Area to a Prevention of Significant Deterioration (PSD) Area

Chairman Brown indicated that she was moving \*Item B under Section III to be heard at this time due to a scheduling conflict and asked that Helen Foley, Legislative Lobbyist, provide the Legislative Update.

**\*III. B. Legislative Update by Helen Foley Representing Faiss, Foley and Merica (FFM)**

Ms. Foley, representing Faiss, Foley Merica, our Legislative Lobbyist, reviewed the legislative process for the Board. She pointed out the timelines for bills to be out of committee and passed by the originating house of the Legislature.

She referred to a tabulation of all bills being followed (See attachment #1 for details) and reviewed several of primary interest to the Clark County Health District concerning the following:

- Emergency Medical Services including a bill relating the Do-Not-Resuscitate authority for paramedics with proper parent/guardian/patient approval for minors and all individuals during inter facility transfer (AB173 & AB488)
- Various Air Quality related bills for funding and establishing a Clark County Air Quality Agency responsible for all Air Quality activities (AB 198, and SB90, 357, 478, 533, 534, 535, 536)
- Desert dumping prevention, control, and sanctions (AB442, SB424)
- Medical/Drug Error Prevention through an interim study to develop a confidential, blameless reporting system (ACR7)
- Tobacco Control was of primary interest to the Board and prompted lengthy discussion. Several bills were introduced in the Assembly and all died in the Assembly Judiciary with Bernie Anderson as Chair. The remaining bill (SB258) included language introduced by Senator Rawson concerning Tobacco use in schools, signage regarding Taxis and non-tobacco use statement by Millennium Scholars. This prompted spirited discussion and resulted in a Board resolution to be sent to Legislature **Prohibiting Tobacco Use in Schools** (See attachment #2).

Ms. Foley appreciated the background information or testimony of CCHD staff in fostering public health and enabling her to function effectively as the District's lobbyist. This session closes June 4, 2001 and still has reapportionment and balanced budget issues to consider.

A follow-up report will be provided at the end of the legislative session.

Member Hardy moved to resolve to have smoke-free schools. Motion was seconded by Member Reese and carried unanimously.

**II. PUBLIC HEARING/ACTION**

- A. Variance Request:** To Construct an Individual Sewage Disposal System (ISDS) on a Lot that is Within Four Hundred (400) Feet of a Public Sewer Line. Located at 8420 Maggie Avenue Las Vegas, Nevada. Legal Description: Lot 2, Parcel Map File 71, Page 27, APN 125-08-503-010, NE ¼ NE ¼, Sec. 8, T19S, R60E, Clark County, Nevada - Petitioner: David and Sheila Siegler

Chairman Brown opened the public hearing.

Clare Schmutz remarked that the variance request is to install an individual sewage disposal system (ISDS) on a lot, served by an offsite quasi-public water well which is 43,560 square feet in size and is located in Clark County at the corner of Durango and Maggie Lane. The City of Las Vegas maintains a public sewer line on Durango Drive approximately 100 feet from the property line. Mr. And Mrs. Siegler obtained ownership of the property on June 15, 2000. The eighteen (18) inch sewer line in Durango was completed and accepted by the City of Las Vegas for use in October of 1999. All of the parcels of land immediately to the north and south and at least one thousand (1,000) feet west from Durango Drive on both sides of Maggie Avenue are

developed and have septic systems permitted prior to October of 1999. The large parcel of land on the east side of Durango Drive in the City of Las Vegas is undeveloped.

The property owner could physically connect with less than one hundred (100) feet of four (4) inch diameter sewer service lateral directly to the existing eighteen (18) inch diameter public sewer line in Durango Drive for a cost of approximately \$3,250.00. The City will not allow this option. The contractor's estimates for the Maggie Avenue three hundred (300) foot sewer extension and lateral to the property are \$13,500.00 and \$17,045.00 excluding engineering, field staking, permits, connection fees, excavation and removal of caliche, soil sampling and testing, and relocation of existing utilities. Additionally, the contractor's estimate for the sewer extension and lateral with the same exclusions noted above and with the inclusion of curb, gutter, and paving on Durango and Maggie is approximately \$75,000.00.

The City of Las Vegas has recommended denial of this variance request.

Ed Wojcik stated that in looking at the particular merits of the request, Staff has considered if there are any health or safety risks involved that may affect the surrounding properties or the applicant. Septic systems are known to introduce nitrates into the groundwater at concentrations above the Safe Drinking Water Act maximum contaminant level (MCL) of 10 milligrams per liter. Therefore, Staff is of the opinion that the granting of this Variance will tend to endanger human health due to the location of six (6) domestic wells within six hundred (600) feet of the proposed leach field, the seven (7) residences served by the six (6) domestic wells, and the one hundred five (105) parcels not connected to community sewer within a square mile. Each of these wells supplies 100% of the water for each of these residences. Unlike other parts of the valley that served by municipal water that have the opportunity to blend approximately 10% groundwater with 90% of water from Lake Mead which is treated under the Safe Drinking Water Act. Currently, all of the wells are located on lots served by septic systems. In two (2) of the seven (7) residences a common well is shared, which is considered a quasi-municipal well.

The State of Nevada has established a guideline to control the development of major subdivisions of five (5) or more lots. The guideline specifies how many septic systems can be radius encompassing a square mile (640 acres). A threshold of 119 parcels not connected to a community sewer system within the square mile is the maximum at which a new subdivision in the Las Vegas Valley Drainage Basin is allowed by the Nevada Division of Environmental Protection to develop without requiring a nitrification reduction system. The 9 existing septic systems in that proximity occupy 13 acres and were installed prior to October 1999. This comes out to 1.4 acres per septic system. Therefore, it is approximately 4 times denser than the guidelines that were used in the development of new major subdivisions of 5 or more lots. There are many parts of the valley that have experienced this same thing as development continues out to the perimeter.

Staff feels that there is a potential health risk as the high concentration of septic systems generates nitrates. The proliferation of septic systems in this area has brought it dangerously close to the maximum number of parcels that are not connected to a community sewer system without requiring a nitrification reduction system. Providing a variance for another septic system in this area increases the risk of introduction of nitrates into groundwater which endangers human health. Staff recommended denial, however if approved, the following conditions should be placed on the variance:

1. The individual sewage disposal system (ISDS) be installed with a Health District-approved nitrogen reduction system.
2. The ISDS may not be constructed in any area subject to vehicular traffic or any area to be paved.

3. Construction of the ISDS must be commenced within one (1) year of the date hereof. If the construction has not been commenced within that period of time, this variance shall expire and be of no further force and effect, unless application is made for an extension of time by the Applicant or the Applicant's successor(s) in interest and is approved by the District Board of Health prior to the expiration date.
4. The ISDS be designed, constructed, and maintained to comply with all other requirements of the District Board of Health Regulations Governing Individual Sewage Disposal Systems and Liquid Waste Management.
5. The Applicant and his successor(s) in interest shall abide by all local governmental regulations requiring connection to community sewage systems. Use of the ISDS shall be discontinued and the structure it serves shall be connected to any community sewage system available within four hundred (400) feet of applicant's nearest property line when connection can be made by gravity flow and the record owner(s) are notified and legally required to do so by the public entity owning and operating the community sewage system.
6. If the concentration of nitrate in the applicant's well water or any other domestic well water within 600 feet of the ISDS reaches 10 milligrams per liter, then the ISDS shall be discontinued and the structure it serves shall be connected to the community sewage system existing or constructed in the future nearest Applicant's property line when the owner(s) are notified by the Health Authority to do so.

Member Reese asked whether the applicant still wanted the variance based on Staff's concerns.

Petitioner Shelia Siegler stated, "Yes" they still wanted the waiver/variance. The Health District has routinely granted septic permits for one (1) acre parcels with the stipulation that it be a 100 feet from a domestic well. The proposed septic system is 160 feet from the domestic well and further than that from any domestic well in that area. The one-mile radius surrounding the property is City of Las Vegas and it is unlikely that it will be developed any further.

This property is located in Clark County. There is an 18" sewer line located on Durango Drive and running past Maggie Avenue. Since the property is annexable, the city is requiring connection to the city sewer. However, the City will not allow a lateral hookup to the 18" sewer line. The city is requiring the installation of a sewer extension from the manhole on the corner of Durango and Maggie to the edge of the property line on Maggie Avenue (approximately 300 feet) install a manhole and the do a lateral hookup from Maggie Avenue to the property. Estimates to have this work done range from \$13,500 to \$17,045 by the time it was completed. Further, if annexable into the city they would also require installation of full offsites on the property (i.e., street lights, gutters, sidewalk) at a cost in excess of \$75,000. Faced with these financial burdens, it would be difficult to develop the property and build the home. All of the other homes in the area have existing septic systems so the probability of the property owners making lateral connections to this sewer line is quite non-existent.

*Member Reese made a motion to grant the variance with all of the conditions Staff has recommended. Member Kenny seconded the motion.*

Brief discussion followed on the cost of nitrate removal system which would cover the individual residence. The nitrate removal system would be approximately \$7,000 in addition to the standard cost \$3,000 for a septic system.

Member Colquitt clarified and asked the applicant that if she understood and accepted that if the variance were granted, the applicant would have to comply with the condition to install a nitrate reduction system.

Mrs. Siegler stated that "yes" she understood and accepted the conditions.

Member Crowley asked how often the wells were sampled and how other residents know if nitrates affected their well.

Ed Wojcik commented that none of the wells within the 600 feet radius described in the conditions are required to sample on a regular basis. Staff does provide information to private and quasi-municipal well owners on when and how to sample and interpret those results.

Routinely when a property owner wants to refinance or sell his home the lender will require a loan certification, which includes testing the well. At this the water must be sampled and tested by a State certified laboratory.

Chairman Brown asked if any members of the public wished to speak.

Dick Serdoz, concerned citizen commented on the ISDS density.

There being no further public comment, Member Brown closed the public hearing.

*At this time, Member Reese restated the motion to grant the variance with all of the conditions Staff has recommended. Member Kenny restated her second to the motion. The motion was carried with Member Cyphers voting Nay.*

### **III. REPORT/DISCUSSION/ACTION (Board may take action on any items and information in this section and/or direct staff accordingly)**

#### **A. Chief Health Officer Annual Review Committee Report and Recommendations**

Chairman Brown stated that the Board of Health Chief Health Officer Annual Review Committee met on April 18, 2001 at 8:15 a.m. by telephone conference with appropriate public notices. Chairman Brown called the meeting to order with Members Christensen and Crowley in attendance. Dr. Kwalick reviewed his accomplishments and future plans.

Following discussion, the committee unanimously recommends that effective May 13, 2001 the following 3 actions be afforded Dr. Kwalick:

1. Five percent (5%) salary increase,
2. Longevity benefits similar to Clark County Health District (CCHD) Division Heads based on years of service in the Public Employees Retirement System (PERS), and
3. Authorization to sell back up to 80 hours of annual leave each year when 60 days maximum accumulation is exceeded.

Dr. Kwalick gave a brief overview of future plans for the District. He noted that the enormous growth in Clark County has necessitated expansion of District staff and space in order to provide effective and efficient public health services. These expansions have affected every CCHD activity and extended services from primarily being at Shadow Lane, to satellite and special clinics throughout the County for the convenience and easy access of clients and to fulfill the District's vision of "We're In Your Neighborhood".

In the next 12-16 months, new, expanded, remodeled, reorganized and planned facilities will allow the District to eliminate all of the old temporary modules on the main campus and add 75 parking spaces. These changes will provide sufficient, comfortable and permanent quarters for all of our programs and activities. The District has a long history of providing quality services with very limited resources. The Management Study by Ralph Anderson and Associates will provide justification for increased support and recommendations for further improvements. He expressed his honor in serving the Board and the people of Clark County.

*Member Colquitt moved to approve the recommendations of the subcommittee. The motion was seconded by Member Ravitch and carried unanimously.*

**B. Legislative Update by Helen Foley Representing Faiss, Foley and Merica (*moved to follow the Consent Agenda*)**

**C. Recycling Activities in Clark County by Glenn Savage, Environmental Health Supervisor**

Member Kenny stated that one of the most important things the community could do is take an active role in recycling. There is a low recycling rate in general and the valley is falling below the levels that have been mandated by the State. Also, we are falling below levels of those states around Nevada. The Board of Health should take the lead in community awareness.

Glenn Savage remarked that the recycling activities and surveys received from local businesses were submitted to the State Department of Environmental Protection for its review.

The recycling rate has gone from 8% in 1999 to a reported amount of 11% in 2000. The Las Vegas Valley has one of the lowest rates in the country for recycling. In late 1980s the US Environmental Protection Agency set a goal for communities to recycle 25% of their municipal solid waste. Currently, they are looking at establishing a higher rate of 35% by the year 2005. One of the major changes based upon the survey is that there has been an increase in the amount of paper and various scrap metals that have been recycled in the community. He commended Silver Dollar Recycling as the firm has increased its recycling rate of last year by 445% from 18,055 tons to over 98,346 tons. Due to the population growth and the number of tourists visiting the community, there is over 2.4 million tons of municipal solid waste being generated and landfilled. At present, in order for the Las Vegas Valley to meet the mandated 25% goal there would be a need to double the present amount of 300,000 tons.

Staff is currently working with Zia Engineering and the technical advisory committee to discuss ways to improve community awareness for recycling including the use of educational pamphlets, coloring books, advertising on Clark County Channel 4, small business recycling centers, curbside recycling. Also, the District is looking into appointing and selecting a Recycling Coordinator for the County who would take an aggressive role in promoting and encouraging recycling in the community. Staff is reviewing Mesa, Arizona's recycling program and position description for its coordinator. The City of Henderson is reviewing its franchise agreement and considering incorporating certain goals toward recycling. Discussions are being conducted with Republic Services of Southern Nevada which is also considering hiring a Recycling Coordinator to work with the local business and community to do curbside recycling.

Brief discussion by the Board and Staff followed concerning the need for businesses to recycle. The permitting and licensing process needs to be simplified for recycling companies to exist. Staff will research past newspaper editorials on recycling to assist in community awareness efforts and determine recycling efforts in apartment complexes from surrounding communities.

**D. Immunization Update by Suzann Chesebrough, Public Health Nurse Supervisor**

Suzann Chesebrough, Immunization Supervisor provided a brief update on some changes that have occurred in the immunization program.

Prevnar - On April 1, 2001 the Clark County Health District began offering Pneumococcal 7 – Valent Conjugate Vaccine (Prevnar) which protects children from streptococcus pneumonia, the most frequent cause of bacteremia, sinusitis, meningitis and otitis media. Prevnar is recommended by the Advisory Committee on Immunization Practices of CDC (ACIP) for all children 23 months of age or less and for children 24-59 months of age who are at high risk of infection due to high-risk conditions. Vaccine for children (VFC) will provide Prevnar to all uninsured, Medicaid eligible, Native American, Alaskan Native and underinsured. The District has set a fee schedule of \$70.00 per dose for those not eligible for VFC vaccine.

Nationwide Tetanus and Diphtheria Shortage (DTaP) - The shortage was caused by a decrease in the number of lots released by Wyeth Lederle and a temporary decrease in inventory of vaccine following routine maintenance activities at the production facilities of Aventis Pasteur. Currently CCHD has approximately 800 doses of Tetanus in stock and is only vaccinating clients requiring wound prophylaxis. The District DTaP supply is adequate to vaccinate all children under the age of seven at this time. The State Health Division is only providing a 30-day supply per vaccine request.

Proposed Changes to Required School Immunizations – The proposed amendments would require vaccination against, Hepatitis A, B and Varicella (Chicken Pox) for school entry. Nevada is only one of seven states that do not require Hepatitis B for school entry. All of these diseases are preventable through vaccination. The Clark County health District supports the proposed changes. The State Board of Health will meet on June 15, 2001 to review the proposed changes.

Varicella and Hepatitis A Outbreaks in Local Schools – An outbreak of Varicella occurred in a Northwest area school. Eighteen (18) cases were reported in the last month. An alert was sent out to all parents who were encouraged to bring their children to the District for vaccination. Another outbreak occurred in a North elementary school of Hepatitis A. The District contacted the school and provided onsite vaccination and prophylaxis treatment to remaining students and the instructor in the classroom.

Current Vaccination Rates in Clark County – Overall rate of 2 year old children given age appropriate immunizations is 71.63%; IPV 86.24%; Hib 92.77%; MMR 90.78% and Hepatitis B 94.61%. Staff is currently working with a local fast food chain on an advertising and reward campaign specifically targeting completion of the fourth dose of DtaP, which will improve the overall rate in Clark County.

#### **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 invited any member of the public wished to speak to come to the podium.

Mr. Rob Dorenson, representing Evergreen Recycling and the Nevada Recyclers Association complimented the Board and Commissioner Kenny for their recognition of the issue of recycling.

He noted that cardboard and scrap metal were absent on the recycling report but are included as recycled municipal solid waste. The construction clean up companies that recycle their waste contribute significant amounts of corrugated cardboard and scrap metal in the main stream. These numbers are not included and perhaps may change the percentage. He suggested segregating these items in the regulations for tracking purposes.

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

Dr Kwalick commented that the District received approval from the Clark County School District to establish an onsite Comprehensive School Based Health Center at the Roy Martin Middle School. The District is the first public health agency in the State of Nevada to offer onsite health care programs in the school setting. The District will order a modular unit to house the services, which will also be available to 2 other nearby schools. Also, there is another high-risk area, triad of schools that has shown interest in a Health Center. Staff is anticipating expanding this program throughout the community to impact the health of children in the school system. There is a myriad of menu-driven services that will be offered on a voluntary, parental-consent basis. Some of the services will include sexually transmitted disease treatment, acute and chronic care, various health promotion and education efforts. In the interlocal agreement with the school district the Health District will not offer any controversial programs such as family planning services.

Steve Minagil, Board Legal Counsel advised the Board that the Air Quality Division had already scheduled a workshop on May 15, 2001 on the Boulder City request to consider reclassification from management area in anticipation of the May 24, 2001 public hearing.

He also reported that in the last 8 months he has had to deal with several instances of a Health District employee in the field being the subject of intimidating and bullying behavior, generally from a permittee or an associate of the permittee. Intimidating a public officer is a crime in the State of Nevada. In each of the instances the individuals have received written correspondence asking for modification of their behavior. Because of the serious nature of one situation, the District Attorney's office has been contacted and a criminal prosecution is proceeding. Additionally, the DA has shared with Staff the process for dealing with the most serious cases. This type of conduct has been a regular concern of the Environmental Health Staff.

Jeanne Palmer reviewed a couple of television commercials on drowning and tobacco with the Board. The District will have 500 of these 30-second spots on television in English and Spanish running from April 23, 2001 to May 12, 2001.

Member Kenny reported on a campaign she launched with Dr. Kwalick and the 51s baseball team on April 25<sup>th</sup>. There are going to be smoke-out nights at the 51s baseball games. She encouraged support of these games and emails to the 51s in appreciation. Minor league rules do not allow any of their players to chew, smoke or use tobacco products. The 51s will be going into the various schools to talk to the students about not using tobacco.

## **VI. INFORMATIONAL ITEMS**

*Duly Noted*

### **1. Administration:**

- a. March 2001 Monthly Activity Report
- b. Financial Data – Revenues and Expenditures for Fund 705 (Operating), 706 (Capital Reserve), and 762 (Liability Reserve) for the Month of March 2001
- c. Emergency Medical Services Medical Advisory Board 03/07/01 Minutes and Annotated Agenda

- d. Health Education March 2001 Monthly Report
- e. Epidemiology March 2001 Monthly Report
- f. Public Information March 2001 Report
- g. Letter from City of Mesquite Indicating Board Appointments of Councilman Crescent Hardy and Councilman Paul Henderson
- h. Letter from State of Nevada Department of Taxation Regarding the Annual Audit Report for Fiscal Year 1999-2000

**B. Air Quality:**

- 1. Monthly Report, March 2001 (Air Quality, Enforcement Activity, Permitting, Source Compliance and Regulation Development)
- 2. Particulate Matter Emissions Control Research Advisory Committee Agenda, 04/13/01 and 12/08/00 Minutes

**C. Environmental Health:**

- 1. March 2001 Monthly Activity Report
- 2. Listing of Food Establishments in Plan Review for the Period of 03/01/01 to 03/31/01
- 3. Letter from Nevada Environmental Health Association in Appreciation for Assisting with the Recycling Forum
- 4. Letter from Nevada Environmental Health Association in Appreciation for Environmental Health Division Hosting the Food Safe Schools Advisory Committee

**D. Nursing and Clinics:**

- 1. March 2001 Monthly Activity Report
- 2. Tuberculosis Treatment and Control Clinic Quarterly Report
- 3. Letter from Nevada State Health Division Human Resources and Health Division in Appreciation for the Tuberculosis Quarterly Report, April 6, 2001

**VII. ADJOURNMENT**

There being no further business to come before the Board, Chairman Brown adjourned the meeting at 10:12 a.m.

**SUBMITTED FOR BOARD APPROVAL**

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

/mg