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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, September 25, 2003 - 8:00 A.M.***

Chairman Reese called the meeting of the District Board of Health to order at 8 a.m. and the Pledge of Allegiance was held. He noted that he 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:

Gary Reese	Chairman, Councilman, Las Vegas
Jim Christensen, MD	Physician Member At-Large
Sherry Colquitt, RN	Appointee, Las Vegas
Susan Crowley	Appointee, Henderson
Donna Fairchild	Council Member Mesquite
Joe Hardy	Appointee, Boulder City
Chip Maxfield	Commissioner, Clark County
Rory Reid	Commissioner, Clark County
Stephanie Smith	Councilwoman, North Las Vegas

##### Absent:

Andrea Anderson	Council Member, Boulder City
Robert Eliason	Councilman North Las Vegas
Paul Henderson	Appointee, Mesquite
Steven Kirk	Councilman, Henderson

#### Executive Secretary:

Donald S. Kwalick, MD, MPH

#### Legal Counsel:

Stephen Minagil, Esquire

Staff: Karl Munninger; Glenn Savage; Fran Courtney, RN; Jane Shunney, RN; Angus MacEachern; Steve Goode; Ed Wojcik; Daniel Maxson; Doug Joslin; Nancy Hall; Mary Hahn; Glen Moses; Paul Klouse; Robert Newton; Jeanne Palmer; David Tonelli; Forrest Hasselbauer; Leo Vega; and Recording Secretaries Diana Lindquist and Montana Garcia

**ATTENDANCE:**

<u>NAME</u>	<u>REPRESENTING</u>
Ken Johnson	Four Queens
Jim Slade	Purge Tech, Inc.
Larry Jenkins	Purge Tech, Inc.
Dan Musgrove	Clark County

**OATH OF OFFICE: Joe Hardy, MD, Boulder City Appointee**

Stephen Minagil, Board Legal Counsel administered the Oath of Office for Dr. Hardy.

**PRESENTATION: Retirement of Board Member Donalene Ravitch, RN, Boulder City Appointee**

Chairman Reese indicated that a plaque would be sent to Donalene Ravitch in appreciation and honor for her 25 years of service to the citizens and visitors of Clark County, Nevada.

**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.

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

1. **Approve Minutes/Board of Health Meeting:** 08/28/03
2. **Approve Payroll/Overtime for Periods of:** 08/02/03 - 08/15/03; 08/16/03 - 08/29/03
3. **Approve Accounts Payable Register:** #884: 07/31/03 - 08/07/03; #885: 08/08/03 - 08/14/03; #886: 08/15/03 - 08/21/03; #887: 08/22/03 - 08/27/03
4. **Petition #40-03:** Approve Interlocal Agreement with Clark County Providing \$25,000 for the District's Drowning Prevention Campaign
5. **Petition #41-03:** Approve Interlocal Agreement with Clark County Providing \$10,000 for the District's Suicide Prevention Campaign

**II. PUBLIC HEARING/ACTION**

1. **Variance Request** to Operate a Food Establishment not in Compliance with the District Board of Health Regulations 1996 Governing the Sanitation of Food Establishments (APN 139-34-111-054) **Petitioner:** Four Queens Hotel and Casino

Chairman Reese opened the public hearing. He explained that this variance request had been approved in the past however the hotel now had new owners.

Edmund Wojcik, commented that a representative for the Four Queens was present, Mr. Ken Johnson.

Chairman Reese asked Mr. Johnson if he had seen and agreed with the conditions. Mr. Johnson stated, Yes, he had.

Staff is of the opinion that there exist circumstances which satisfy the requirements for a variance and that the granting of this variance will not be detrimental or pose a danger to public health and safety if the conditions as recommended are included.

There being no further question or comment Chairman Reese closed the public hearing and called for the vote.

*Member Maxfield moved for approval of the variance with the following conditions as outlined by Staff:*

1. The menu at this offsite portable unit (OPU) food establishment must be limited to beverages that require little or no preparation but may include beverages served from fully enclosed drink dispensing granita machines.
2. Equipment at this OPU food establishment must be on wheels and limited to the following: (a) Two (2) 96"W x 32"D main beverage carts constructed with stainless steel and each including hand sink with hot and cold running water, soda gun, and ice chest with an ADA compliant counter between the two (2) carts; (b) one (1) 59"W x 27"D x 37"H stainless steel three (3) keg refrigerated draw beer dispenser with two (2) towers; (c) one (1) 96" x 32" stainless steel cabinet to hold two (2) granita machines, with storage; and (d) one (1) 72"W x 32"D stainless steel cabinet for dry goods storage and counter to hold bus tubs for iced beer.
3. This OPU food establishment must be designed, constructed, maintained, and operated with all other applicable requirements of the ***District Board of Health REGULATIONS 1996 Governing the Sanitation of Food Establishments***.
4. If in the future, this OPU food establishment is operated other than between mid-afternoon and midnight (except New Year's Eve), then written notice must be given to the Health District by the Four Queens Hotel & Casino at least thirty (30) days prior to change in order to avoid being charged for reinspection fees.
5. This OPU food establishment shall not be operated in adverse weather conditions that would significantly increase the possibility of contamination. If adverse weather conditions (e.g., high wind conditions, dust storms, driving rain) exist, then the operator shall close this OPU food establishment until proper conditions exist to ensure no increase in contamination of food or food contact surfaces.
6. This variance is automatically terminated without further notice upon receipt by the Health District from the Fremont Street Experience of written revocation of approval of this OPU food establishment location or upon the closing of any sale transaction involving the subject property unless the new owner/operator operates the OPU as approved herein.

*The motion was seconded by Member Fairchild and carried with Member Colquitt abstaining.*

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

#### **1. Legislative Liaison Committee Report** - Selection of Legislative Liaison

Committee Chairman Colquitt explained that the committee which consisted of herself and Members Eliason and Kirk had met twice, once to go over the applications and once to interview potential candidates. Of the applications received, four were deemed to adequately serve the needs of the Board and Staff as the state Legislative Lobbyist. Also, the committee met on September 12<sup>th</sup> and interviewed those four groups. At that time, the committee selected the Gresh Group as the District's new lobbyist.

*She moved to select the Gresh Group as the Legislative Lobbyist through the next session, May 2005, of the legislature and directed Staff to negotiate the contract terms. The motion was seconded by Member Reid and carried unanimously.*

Brief discussion followed by the Member Crowley and Dr. Kwalick concerning whether or not there was a need for a lobbyist to help with federal funding. Dr. Kwalick remarked that the District has some good contacts in Washington and will be pursuing them rather than having a separate lobbyist for various kinds of things.

### **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 Reese asked if any member of the public wished to be heard on subjects that are relevant to the Board's jurisdiction. There was no response.

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

Dr. Kwalick introduced Glenn Savage to brief the Board Members on public accommodations and Nancy Hall to provide a brief PowerPoint presentation.

Glenn Savage, Environmental Health Director, introduced Nancy Hall, Environmental Health Specialist, as one of the key staff members working on the proposed regulations. Staff has done a lot of review and hard work. Staff is anticipating sharing this information with the community by way of workshops, public notices and will bring comments back to the Board in the future.

Nancy Hall briefly reviewed the key items and reasons for the proposed public accommodation regulations. Also, she remarked that Staff had been using the Nevada Revised Statutes (NRS) 447 which was generated by the State of Nevada in 1945 and the Nevada Administrative Code (NAC) 447. Both were updated in 2001 to add penalties for violations and noncompliance. The proposed changes are recommended due to virus outbreaks on cruise ships and hotels, SARS, vector borne or pest diseases such as West Nile Virus, Hantavirus and the increase in clandestine drug labs all of which can result in major financial losses for the tourism industry. The proposed regulations will include a number of informative appendices to aid the responsible person and facility in achieving compliance.

There will be some upfront costs. Certification programs will have to be designed and implemented such as for “mold assessment professionals, mold remediation technicians” and service technician for Legionnaires control. The proposed programs may go into effect no sooner than 2005. Additionally, health cards may be required, as will vaccinations for Hepatitis A & B. Staff will need to develop a two-way reporting system with each facility to allow a more timely response to issues.

Brief discussions ensued between Board Members and Staff on the proposed regulations, cleaning of clandestine meth labs and the potential impact on the Las Vegas tourism industry. Mr. Savage emphasized that all of these proposals would undergo public workshops for stakeholder input.

Dr Kwalick alerted the Board that flu immunizations would be offered beginning on October 13, 2003 and available to Board of Health Members.

**VI. INFORMATIONAL ITEMS**

*Duly Noted*

**A. Board of Health:**

1. Letter of Appointment of Assemblyman Joe Hardy, Boulder City

**B. Chief Health Officer and Administration:**

1. Monthly Activity Report, Mid August 2003 - Mid September 2003
2. Financial Data: Revenues and Expenditures for Fund 705 (Operating), 706 (Capital Reserve), and 762 (Liability Reserve) for the Month of August 2003
3. Health Education Monthly Report, August 2003
4. Epidemiology Monthly Report, August 2003
5. Public Information Monthly Report, August 2003
6. Emergency Medical Services Annotated Agenda and Minutes 08/06/03
7. Family Planning Services Advisory Council Minutes, 08/13/03

**C. Environmental Health:**

1. Monthly Activity Report, August 2003

**D. Nursing and Clinics:**

1. Monthly Activity Report, August 2003

**VII. ADJOURNMENT**

There being no further business to come before the Board, Chairman Reese adjourned the meeting at 8:35 a.m.

SUBMITTED FOR BOARD APPROVAL

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

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