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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, December 18, 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  
Chip Maxfield  
Andrea Anderson  
Sherry Colquitt, RN  
Susan Crowley  
Robert Eliason  
Donna Fairchild  
Joe Hardy, MD  
Rory Reid

Chairman, Councilman, Las Vegas  
Commissioner, Clark County  
Councilman, Boulder City  
Appointee, Las Vegas  
Appointee, Henderson  
Councilman North Las Vegas  
Councilwoman, Mesquite  
Appointee, Boulder City  
Commissioner, Clark County

##### Absent:

Jim Christensen, MD  
Paul Henderson  
Steven Kirk  
Stephanie Smith

Physician Member At-Large  
Councilman, Mesquite  
Councilman, Henderson  
Councilwoman, North Las Vegas

#### Executive Secretary:

Donald S. Kwalick, MD, MPH

#### Legal Counsel:

Stephen Minagil, Esquire

Staff: Karl Munninger; Glenn Savage; Fran Courtney, RN; Jane Shunney, RN; Rory Chetelat; Angus MacEachern; Patricia Rowley; Steve Goode; Ed Wojcik; Doug Joslin; Daniel Maxson; Michael Attaway; Robert Newton; Mary Ellen Harrell; Patricia Armour; Nicole Bungum; Jeanne Palmer; Barbara Ludwig; Jennifer Sizemore; Max Wilson; David Tonelli; Patricia Rowley; Heather Nelson; Forrest Hasselbauer; Leo Vega; and Recording Secretaries Diana Lindquist and Montana Garcia

**ATTENDANCE:**

**NAME**

**REPRESENTING**

Gerald Ernst	Homeowners Association
Rose Gibson	Homeowners Association
Gary Emery	Homeowners Association
Fred Couzens	LV Tribune
Clemens Goewert	Homeowner
Vic Skaar	ISDS Owner
Craig Walton	Homeowner
Chris Munhall	Clark County
David Christensen	Boulder City Disposal
Jimmy Ashment	Boulder City Disposal
Steve Kalish	Republic Services of So. Nevada
Alan Gaddy	Republic Services of So. Nevada
Rick Andrews	KLAS Channel 8

Dr. Kwalick and the Board of Health commended Ann Markle for 35 years of services to the residents and visitors of Clark County.

**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. Minutes/Board of Health Meeting:** 11/20/03
- 2. Approve Payroll/Overtime for Periods:** 10/25/03 - 11/07/03 & 11/08/03 - 11/21/03
- 3. Accounts Payable Register:** #897: 10/29/03 -11/05/03; #898:11/06/03 - 11/12/03; #899: 11/13/03 - 11/20/03
- 4. Petition #53-03:** HIV Prevention Services Awards for Grant Year 2004
- 5. Petition #54-03** - Establishment of Reduced Fee for Continuing Education Units (CEU) Training Courses
- 6. Petition #55-03** - Redefinition of the following Classification Specifications in the Maintenance Series: Landscape Maintenance Technician to Remain on Schedule 12 (\$27,495.52 - \$38,411.36); Duplicating Technician to Remain on Schedule 16 (\$33,800.00 - \$47,153.60); Maintenance Specialist, Currently Schedule 19 (\$39,395.20 - \$54,951.52) Recommend Schedule 21 (\$43,661.28 - \$60,848.32); Maintenance Technician to Remain on Schedule 18 (\$37,425.44 - \$52,174.72); Security Aide to Remain on Schedule 12 (\$27,495.52 - \$38,411.36); Storeroom/Mail Clerk, Current Schedule 15 (\$32,104.80 - \$44,782.40) Recommend Schedule 16 (\$33,800.00 - \$47,153.60); Senior Janitor to remain on Schedule 15 (\$32,104.80 - \$44,782.40); Approval of New Classification Specification for Security & Surveillance Specialist to Replace Senior Security Aide and Maintain Schedule 15 (\$32,104.80 - \$44,782.40)

## II. PUBLIC HEARING/ACTION

1. **Memorandum #11-03:** Proposed Changes to the Environmental Health Division Fee Schedule: Chicken Processing Facility Permit Fee; Individual Sewage Disposal System (ISDS) Annual Fee and the Waste Management Fee (*Continued from the November 20, 2003 Meeting*)

Chairman Reese explained that staff was withdrawing discussion on the chicken processing and the ISDS section of the proposed fee schedule.

*Member Maxfield moved to withdraw the Chicken Processing Facility Permit Fee and the ISDS Annual Fee sections of the proposed fee schedule in order to allow more public education and workshops. Motion was seconded by Member Colquitt and carried unanimously.*

Chairman Reese opened the public hearing on the Waste Management Fee.

Glenn Savage, Environmental Health Director, gave an overview of the recent workshops and discussions and explained that staff was considering a 15 cent per cubic yard fee and 2.3% on every third party hauler.

Discussion ensued by the Board Member and Staff concerning the financial impact of the 2.3 % on smaller communities such as Boulder City, how it would effect Mesquite and possible exempting the smaller communities. The Mesquite landfill will not be impacted as it is no longer located in Clark County and is regulated by the State of Nevada.

Mr. Kalish, President of Republic Services of Southern Nevada explained that they supported staff's recommendation and would be setting the fee up, and revenues generated would be collected and then forwarded directly to the Health District on a quarterly basis. However he expressed concern over exempting Boulder City from the fee as it may encourage more third-party haulers to the area.

Dr. David Christensen owner of Boulder City disposal explained that the cost of the auditing services to comply with the new fee would place a significant financial burden upon his firm in comparison to the minuscule amount collected.

Chairman Reese asked if any other members of the public wished to speak. There being no further comment, he closed the public hearing.

Brief discussion followed by Staff and Board Members concerning holding the item for 30 days in order to further research the impact on Boulder City and smaller communities.

*Member Maxfield moved to hold the item for 30 days. Motion was seconded by Member Eliason and carried unanimously.*

## 1. REPORT/DISCUSSION - ITEMS ON WHICH ACTION MAY BE TAKEN

1. **Committee Report/Recommendation:** Nominating Committee – Board of Health 2004 Officers (Chairman Eliason, Members: Anderson & Fairchild)

Member Eliason, committee chairman, explained that the committee had met and discussed possible candidates for officers for the 2004 calendar year. The committee recommended the following Members for Board of Health Officers for Year 2004:

Chairman:	Gary Reese
Vice-Chairman:	Jim Christensen, MD
Secretary:	Sherry Colquitt, RN

*Dr. Hardy moved to close the nominations and to accept the recommendations. Member Reid seconded the motion which 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 Reese asked if any member of the public wished to be heard on subjects that are relevant to the Board's jurisdiction.

Mr. Gerald Ernst, President of the Homeowners Association for Tropicana Palms asked that the Board Members place an item on the next agenda that covered the development of regulations for pools and spas inside gated communities which would: a) provide that use is limited to residents and not available to the general public; b) deny access to the semi-private pool to children in diapers; c) require the licensing of pool inspectors; d) provide for penalties for operators; and e) require that temperatures be posted in clear view of the facility.

Chairman Reese explained that the items under this section could not be addressed until the notice provisions of Nevada's Open Meeting Law had been complied with and could not be acted upon at this time. However, he would have Dr Kwalick and staff to work with Mr. Ernst.

Dr. Kwalick explained that due to the open meeting law and posting requirements it may take a couple of months in order for the item to be brought back to the Board.

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

Dr. Kwalick introduced Patricia Armour, Southern Nevada Public Health Laboratory (SNPHL) Manager to give a presentation on the status of bringing the laboratory into full operation.

Pat Armour explained that in 2002-2003, Clark County Health District (CCHD) received \$2.3 million in funding from a Center for Disease (CDC) bioterrorism grant to establish a public health laboratory in Southern Nevada. The construction renovations are complete and equipment is being set up to pass the necessary certifications. The laboratory is an extension of the state public health laboratory in Reno and will be a participant in the CDC Laboratory Response Network (LRN). The laboratory is located on the second floor of the District's new warehouse building. I would like to discuss the issues related to the opening of the Southern Nevada Health Laboratory.

##### **Equipment**

Specific testing equipment is required to perform the CDC bioterrorism protocols. In addition, a new laboratory requires many standard pieces of equipment, for example refrigerators, freezers, incubators and centrifuges. The CDC grant provided funding to purchase this equipment. Extensive research was undertaken to acquire the best possible items for the laboratory. Some of

the equipment purchased, including the biosafety cabinets and pass through autoclave, have a one to two month manufacturing lead time.

#### Staffing

The 2003-2004 bioterrorism grant has dollars budgeted to accommodate 10 staffing positions.

Under the interlocal agreement with the University of Nevada School of Medicine (UNSOM), laboratory employees will be hired through the CCHD personnel system. UNSOM will supervise employees and be responsible for the operation of the laboratory. Current staffing includes the Laboratory Manager, Clinical Laboratory Scientist/Microbiologist, two Security Guards and two Clerk/Courier positions. The Clinical Laboratory Technologist and Clinical Laboratory Assistant positions have been posted with expected hire date the middle of next month.

Training and documentation of training in CDC protocols and BioSafety Level 3 (BSL-3) procedures is required of all staff performing testing. New staff will commence training in laboratory techniques and procedures after the analyzers are installed. I am working with the facilities manager to establish a courier service prior to the opening of the laboratory. Additional staff will be trained in hazardous material shipping and handling procedures as required by federal regulations.

#### Licensure/Certification

SNPHL will be a member of the Center for Disease Control (CDC) Laboratory Response Network (LRN). The LRN establishes an integrated multilevel lab network to provide rapid and critical laboratory capacity for response to bioterrorism, emerging infectious disease, other public health threats and emergencies. It includes both biological and chemical laboratories. The LRN provides agent specific protocols, standardized reagents and controls, lab referral directory, secure communications, training and technology transfer, and proficiency testing.

In order to participate in the LRN, laboratories must apply for registration with Department of Health and Human Services (DHHS) and United States Department of Agriculture (USDA). The regulations cover possession, use and transfer of select agents and toxins. Strict criteria regarding safety, security, emergency response, training, transfers, records, inspections and notification for theft, loss or release of select agents are enforced with this rule. Inspection of the SNPHL facility requires compliance with Select Agent regulations and the CDC guidelines for a BSL-3 laboratory. Existing facilities, for example the Reno laboratory, were allowed to phase in compliance with the Select Agent program and continue testing, pending the CDC inspection. Since SNPHL is a new facility it must be inspected by CDC personnel. To ensure conformance with all requirements, CCHD has engaged Council Rock Consulting (CRC) to perform a third party certification of the BSL-3 design and operational procedures. Once the facility is complete and occupied, DHHS and USDA will inspect the laboratory and issue a registration number. As soon as a registration number has been issued, SNPHL can participate in the LRN and receive reagents, controls, and protocols.

I am working with Southern Nevada Public Health Laboratory (SNPHL) Director Dr. L.D. Brown to prepare the LRN required procedure manuals for SNPHL. In addition, Ben Owens, University of Nevada Reno Biosafety Officer, is providing support for the many safety manuals, procedures and training that we are currently writing.

#### Clinical

SNPHL must also meet the qualifications and regulatory requirements necessary to comply with the Clinical Laboratory Improvement Amendments of 1998 (CLIA) to receive certification for testing clinical samples by the Department of Health and Human Services (DHHS) and Centers for Medicare and Medicaid Services (CMS). In addition, SNPHL will be licensed by the State of Nevada as a Licensed Laboratory.

Staff

All technical staff must also be licensed by the State of Nevada. This licensure will allow staff to perform laboratory testing on both clinical and environmental samples.

Timeline

Middle of December	Laboratory occupied on December 15, 2003 Pass through autoclave delivered and installed BioSafety Cabinets certified fluorescent microscope delivered and installed
January 22, 2004	Laboratory capable of accepting environmental samples with rule out culture methods at minimum Biosafety Level-2. Interim identification of organisms isolated will be performed at the Reno laboratory pending CDC inspection and LRN registration number

**VI. INFORMATIONAL ITEMS**

*Duly Noted*

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

1. Monthly Activity Report, Mid November 2003 - Mid December 2003
2. Financial Data: Revenues and Expenditures for Fund 705 (Operating), 706 (Capital Reserve), and 762 (Liability Reserve) for the Month of November 2003
3. Health Education Monthly Report, November 2003
4. Epidemiology Monthly Report, November 2003
5. Public Information Monthly Report, November 2003

**B. Environmental Health:**

1. Monthly Activity Report, November 2003

**C. Nursing and Clinics:**

1. Monthly Activity Report, November 2003

**VII. ADJOURNMENT**

There being no further business to come before the Board, Chairman Reese adjourned the meeting at 8:45 a.m.

SUBMITTED FOR BOARD APPROVAL

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

/mg