



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

Thursday, February 26, 2004 - 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
Sherry Colquitt, RN	Appointee, Las Vegas
Andrea Anderson	Councilwoman, Boulder City
Susan Crowley	Appointee, Henderson
Robert Eliason	Councilman North Las Vegas
Donna Fairchild	Councilwoman, Mesquite
Joe Hardy, MD	Appointee, Boulder City
Chip Maxfield	Commissioner, Clark County
Rory Reid	Commissioner, Clark County
Stephanie Smith	Councilwoman, North Las Vegas

Absent:

Jim Christensen, MD	Physician At-Large
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; Steve Goode; Jane Shunney, RN; Rory Chetelat; Angus MacEachern; Patricia Rowley; Mary Ellen Harrell; Patricia Armour; Nicole Bungum; Jeanne Palmer; Maria Azzarelli; Mandi York; Barbara Ludwig; Jennifer Sizemore; Max Wilson; David Tonelli; Patricia Rowley; Heather Nelson; Michael Palmer; Forrest Hasselbauer; Leo Vega; and Recording Secretaries Diana Lindquist and Montana Garcia

P. O. Box 3902 – Las Vegas, Nevada 89127 – (702) 385-1291 – www.cchd.org

ATTENDANCE:

<u>NAME</u>	<u>REPRESENTING</u>
Rose Gibson	Tropicana Palms HOA
Gerald Ernst	Tropicana Palms HOA
Robert Wiecek	Quality One Pool Management
John McCallum	John's Pool Service
Don Lindley	Lindley's Pool & Spa, Inc.
Dale Thompson	Flamingo Laughlin
Kevin DeGraw	O'Reilly & Ferrario

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 Smith and carried unanimously.

- 1. Approve Minutes/Board of Health Meeting:** 01/22/04
- 2. Approve Payroll/Overtime for Periods:** 11/22/03 - 12/05/03; 12/06/03 - 12/19/03; 12/20/03 - 01/02/04; 01/03/04 - 01/16/04; 01/17/04 - 01/30/04
- 3. Approve Accounts Payable Register:** **#904:** 12/24/03 - 12/30/03; **#905:** 12/31/03 - 01/08/04; **#906:** 01/09/04 - 01/15/04; **#907:** 01/16/04 - 01/22/04; **#908:** 01/23/04 - 01/29/04
- 4. Petition #04-04:** Approval of Interlocal Contract with State of Nevada Criminal Justice Information System (NCJIS) User Agreement
- 5. Petition #05-04:** Approval for 9 Additional Positions in the Environmental Health Division
- 6. Petition #06-04:** Approval of Redefinition of the Classification Specification for Clinical Laboratory Scientist/Microbiologist to Remain on Schedule 24 (\$50,848 - \$70,949)
- 7. Petition #07-04:** Approval of New Classification Specifications for Disease Investigation and Intervention Specialist I/II, Recommend Schedule 19 (\$39,395 - \$54,952) and Schedule 21 (\$43,661 - \$60,848) and Disease Data Collection Specialist/Interviewer, Recommend Schedule 14 (\$30,509 - \$42,578)
- 8. Petition #08-04:** Approval of New Classification Specifications for Social Worker, Recommend Schedule 24 (\$50,847 - \$70,949); Eligibility Worker, Recommend Schedule 14 (\$30,509 - \$42,578); Client Care Assistant, Recommend Schedule 12 (\$27,496 - \$38,411)
- 9. Petition #09-04:** Approval of Ryan White Title I Supervisor Position
- 10. Petition #10-04:** Approval of Ryan White Title I Service Awards for Project Year 2004-2005

II. PUBLIC HEARING/ACTION

No Public Hearings Scheduled

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

1. Committee Report: Revisit of Merit Increase for Chief Health Officer (Board Members: Gary Reese, Jim Christensen & Sherry Colquitt)

Member Colquitt remarked that the committee had met and discussed the financial condition of the District. Also, on April 24, 2003 the Board of Health approved the Committee's recommendation to revisit a merit salary increase for the Chief Health Officer "...as the District's financial situation improves". At this time, Member Christensen *moved to provide a 5% merit increase, retroactive to January 1, 2004* for Dr. Kwalick. The motion was *seconded* by Member Colquitt and carried unanimously.

2. Homeowners Association Pool Issues Update: directions to staff

Glenn Savage, Environmental Health Director, commented that a concerned citizen, Mr. Ernst, came before the December 2003 Board of Health meeting and had some suggestions on how to modify the pool regulations and our policies. He introduced Mr. Goode to give an update on concerns expressed by Mr. Ernst.

Steve Goode, Environmental Health Manager, explained that Mr. Ernst had spoken to the Board about four major concerns affecting the residents in the Tropicana Palms Mobil Home Park. The first issue was the lack of environmental health's ability to enforce fines or penalties on pool operators and technicians if their pools are closed down. Currently, the District is unable to do that due to legislative constraints, however, we are looking into the feasibility of putting together a hearing officer process in the same manner that we have for our solid waste management inspections. At present, if a pool or spa is closed there is a closure fee assessed which is \$250. By assessing this fee, staff is able to enforce a penalty against the permit holder, which the permit holder may pass on to the operator.

The second issue was that Mr. Ernst wanted the definition of a semi-private pool in the community. In our community we really don't have semi-private pools, either a pool is private - meaning that it is in one's backyard, or it is public - where the community can actually go to swim or be invited to swim. Staff felt that issue has already been addressed.

Third was the issue of monitoring daily maintenance records. Nevada Administrative Code 444 requires that pool operators maintain records so this issue is currently being accomplished. However, most records are not posted for public view and Staff is now recommending that a letter be sent out to pool operators.

Finally, the fourth issue is that of babies with diapers being allowed in the pool. Certainly, the operators and the managers of the pool would not allow that to be occurring but apparently it does. Staff has stressed in the letter that improperly attired individuals, including babies in diapers, are not acceptable and certainly would be cause for pool closure.

The Environmental Health division is currently working on a number of regulations including public accommodations. We believe they are going to be the best in the country. Staff is rewriting the food regulations, and updating both the body art and body piercing regulations. Also, staff is looking into writing regulations concerning massage parlors. Upon completion of

these items, staff is anticipating updating District regulations governing swimming pools and spas.

Brief discussion followed between Staff and the Board Members ensuring that the wording in the letter to [permit holders](#) included the exclusion of babies wearing diapers from using the pool without proper protection [such as](#) rubber over-garments and “swim” diapers to prevent diaper leakage.

V. 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, representing Tropicana Palms Homeowners Association, thanked the Board and staff for considering the swimming pool issues.

Robert Wiecek, representing Quality One Pool Management, expressed concern with the pool regulations and new fees that are being charged.

Don Lindley, representing Lindley's Pool and Spa also expressed concern with the new permit fees and penalties for pools. Also, he suggested that service operators be included in any workshops or meetings to do with pool regulations to provide their input.

John McCallum, of John's Pool Service, also, expressed concern about the reinspection fees being assessed to the service operator and not the pool owner.

Chairman Reese explained that no action could be taken on those items at this time and directed Staff to place these items on the March Board of Health agenda.

IV. HEALTH OFFICER & STAFF REPORTS

Dr. Kwalick asked Glenn Savage to provide a brief update on the residential Mercury contamination incident of a few weeks ago.

Glenn Savage said that the U. S. Environmental Protection Agency (EPA) has finished the cleanup of the home located at 1400 Saylor Way, Las Vegas. The EPA removed the pool because of the contamination as well as the soil surrounding the pool. A synthetic membrane liner was installed to prevent further contamination possibly leaching into the groundwater. Just about everything within the house was torn out including the wall boards and plumbing. An epoxy sealant has been placed on the concrete slab floor.

The young man who was mishandling the Mercury is recovering. Staff has exhausted leads on other kids who might have also been playing with the Mercury as well as leads into California and throughout the community. Staff coordinated with the schools to provide information and try to get kids to cooperate with other helpful information. The family dog has recovered and one of the US

EPA employees asked the family to give the dog to him because he became very attached to the dog.

VI. INFORMATIONAL ITEMS

Duly Noted

A. Chief Health Officer and Administration:

1. Monthly Activity Report, Mid January 2004 – Mid February 2004
2. Financial Data: Revenues and Expenditures for Fund 705 (Operating), 706 (Capital Reserve), and 762 (Liability Reserve) for the Month of January 2004
3. Health Education Monthly Report, January 2004
4. Epidemiology Monthly Report, January 2004
5. Public Information Monthly Report, January 2004
6. Emergency Medical Services Advisory Board Minutes and Annotated Agenda, January 2004

B. Environmental Health:

1. Monthly Activity Report, January 2004

C. Nursing and Clinics:

1. Monthly Activity Report, January 2004

VII. ADJOURNMENT

There being no further business to come before the Board, Vice-Chairman Christensen adjourned the meeting at 9:28 a.m.

SUBMITTED FOR BOARD APPROVAL

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

/mg