



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, June 23, 2005 - 8:00 A.M.

Chairman Reese called the meeting of the District Board of Health to order at 8:02 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
Sherry Colquitt, RN
Susan Crowley
Tom Collins
Andrea Anderson
Donna Fairchild
Steven Kirk
Robert Eliason
Stephanie Smith
Joe Hardy, MD
Mary Jo Mattocks, RN

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

Absent:

Rory Reid
Jim Christensen, MD

Commissioner, Clark County
Secretary, Physician-at-Large

Executive Secretary:

Donald S. Kwalick, MD, MPH

Legal Counsel:

Stephen Minagil, Esquire

CCHD Lobbyists:

Bryan Gresh, Gary Milliken

Staff: Karl Munninger, Sylvia Claiborne, Dr. Larry Sands, Ed Wojcik, Steve Goode, Jane Shunney, Angus MacEachern, Joyce Champoli, Brandi Harrington, Rory Chetelat, Patricia Rowley, Glenn Savage, Daniel Maxson, Mary Ellen Harrell, Bonnie Sorenson, Alice Costello, Tony Frederick, Linda Covelli, Jennifer Sizemore, David Tonelli, Susan Eiselt, Shelli Clark, Norma Jordan, Leo Vega, Forrest Hasselbauer

ATTENDANCE:

<u>NAME</u>	<u>REPRESENTING</u>
Jane McAlevey	SEIU
Jayson DiCotignano	American Catholic Church in Nevada
JJ Straight	Self
Tim Jones	MGM Grand Hotel
Tom Peterman	MGM Grand Hotel
Jennifer Simich	Republic Services, Inc.
Ted Olivas	City of Las Vegas
Jay DiCotignano	CCHD
Penny Orr	CCHD / SEIU
Synthia Metzger	CCHD / SEIU
Diana Daniels	CCHD / SEIU
Chris Bischoff	CCHD / SEIU
Alice Mandi York	CCHD / SEIU
Malcolm Ahlo	CCHD / SEIU
Donna Johnson	CCHD / SEIU

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.

1. **Minutes/Board of Health Meeting:** 5/26/05
2. **Approve Payroll/Overtime for Periods of:** 5/07/05 - 5/20/05; 5/21/05 - 6/03/05
3. **Approve Accounts Payable Register:** **#974:** 5/05/05 - 5/11/05; **#975:** 5/12/05 - 5/18/05; **#976:** 5/19/05 - 5/26/05; **#977:** 5/27/05 - 6/01/05
4. **Petition #25-05:** Approval of Interlocal Contract with Clark County for \$310,000 in ODP/05 Homeland Security Equipment Funding
5. **Memorandum #04-05:** Approval of Lunas Construction Settlement and Mutual Release Agreement
6. **Petition #27-05:** Approval of Fee Changes to District Administrative and Medical Services Fee Schedules and Establishment of New Fees for Public Health Laboratory Fiscal Year 2005-06 Effective 07/01/05
7. **Petition #28-05:** **Resolution #02-05:** Approval of Proposed Adjustments to Fiscal Year 2004-05 Appropriations
8. **Petition #30-05:** Approval of Transfer of \$850,000 from the General Operating Fund to the Capital Reserve Fund

9. **Petition #29-05:** Approval of Exchange Agreement Transferring Vector Control to the District and Ryan White Title I Administration to the County *
10. **Petition #26-05:** **Resolution #01-05:** Approval of Resolution Designating the Position of Vector Control Entomologist Supervisor as a Critical Labor Shortage Position and Approval of Vector Control Entomologist Supervisor Classification – Recommended Schedule 26 (\$58,597 - \$81,758)
11. **Memorandum #05-05:** Request to Address Fee Schedule Revisions to Plan Review, Special Events and Temporary Events
12. **Petition #31-05:** **Resolution #03-05:** Approval of Resolution Adopting the National Incident Management System (NIMS)

*Item #9 was pulled from the agenda. There was a correction to item #6 – line item nine, Clinic Services Fee Schedule. This item was listed as \$15.00 per injection and \$25.00 for two injections; it should be \$16.00 per injection and \$20.00 for two or more injections.

Member Smith asked for discussion on item # 5.

A motion was made by Member Hardy to approve items numbered 1 – 12, with exception of item #5, seconded by Member Eliason and was unanimously approved.

Discussion on Item #5: Mr. Minagil stated that Clark County District Board of Health was the subject of a federal lawsuit regarding the solid waste management process. The solid waste management regulations had stated that only local municipalities could transport solid waste and in unincorporated Clark County, only the county or its franchisee could transport. The Board of Health had tailored its solid waste regulations to be consistent with existing county code. The resolution that came out of the federal lawsuit was that the county will change its code to be less restrictive and allow other entities to transport solid waste. The Clark County District Board of Health has already changed its regulations. There is no financial effect other than the District will permit these facilities and receive additional permit and application fees.

Member Collins made a motion to approve; seconded by Member Smith and was unanimously approved.

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 Establishment* (APN #162-21-401-025). Petitioner: MGM Grand Hotel LLC, dba L'Atelier Restaurant/Las Vegas; Thomas Peterman, Senior Vice President, General Counsel & Assistant Secretary, Resident Agent, MGM Grant Hotel LLC

Petitioner Thomas Peterman was present. Staff recommended approval with conditions as listed and distributed. Mr. Peterman stated he has read those conditions and agreed to them.

Chairman Reese asked if any member of the public wished to speak on this item. No one came forward. Chairman Reese closed the public portion of this hearing.

Member Eliason made a motion to approve; seconded by Member Kirk and was unanimously approved.

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

1. Update on Trauma System Development

Rory Chetelat, EMS Manager, updated the Board of Health on the trauma system. The final catchment area for St. Rose Hospital has been established and approved by the medical advisory board. Training is in progress. St. Rose has experienced a few delays and will probably be operational in August. The hospital is finalizing physician coverage areas.

2. Update on recycling program in Clark County – Environmental Health

Chairman Reese made a motion to defer this item to the next meeting. Member Crowley seconded and it was unanimously approved.

IV. CITIZEN PARTICIPATION

Chairman Reese asked if any member of public wished to be heard.

Diana Daniels, Clark County Health District employee, speaking on behalf of SEIU, (Service Employees International Union), presented a signed petition to the members of the Board of Health.

Penny Orr, Clark County Health District employee, stated her feelings regarding the negotiation process.

Synthia Metzger, Clark County Health District employee, stated her feelings regarding the union negotiation process.

Donna Johnson, Clark County Health District employee, stated her feelings regarding the union negotiation process.

Jane McAlevey, SEIU Executive Director, identified herself as the chief negotiator for the SEIU contract with Clark County Health District. She distributed documents which stated their position regarding the union negotiation process.

Chairman Reese closed this portion of the agenda.

V. HEALTH OFFICER & STAFF REPORTS

Dr. Kwalick presented Bryan Gresh and Gary Milliken, legislative lobbyists, to summarize the legislative session. Mr. Gresh summarized the history of AB380. There were four reprints of this bill. This bill would have reorganized the makeup of the Board of Health to include only elected members consisting of two from Clark County, two from the City of Las Vegas, and one each from North Las Vegas, Henderson, Boulder City and Mesquite. The original intention of the bill was to have the chief health officer serve as an ex-officio non voting member of the Board. A health advisory committee would have been created made up of non voting health professionals selected by the new Board. A citizen's advisory committee would be composed of members of the general public. The original bill made no mention of a specific funding source. The sponsor of the bill did indicate his willingness to work with the Health District. The county stepped up and offered a dedicated funding source which started at 3.25 cents per \$100 assessed valuation but was ultimately locked in at 3.50 cents per \$100 assessed

valuation. Because this was the session containing the property tax cap, there is no history of what those funding levels will prove to be in actual dollars. The county stated on record that if the funding level is not sufficient to cover the health district's budget, the county will make up the difference. The final version of the bill allows the health district board to remain fairly close to its current makeup: two elected members from the county, two from the largest city, and one each from the other cities in the county. The elected members of the board will also select as full voting members: five additional at-large experts, two physicians, one nurse, an environmental health specialist and a representative from an industry that is subject to regulation by the health district. The district's chief health officer remains one position. Earlier versions had the position split in two, with both a chief health officer and a general manager. This bill was signed into law by the Governor on June 17.

AB 260, a bill licensing environmental health specialists, was signed by the Governor on June 15. This bill mandates the registration of environmental health specialists, spells out necessary education and training, including board approval for current specialists and those with military environmental health experience. Currently 18 states require such registration, including the surrounding states of California, Utah, Arizona, and Oregon. California has had such requirements on the books since 1945. There were five reprints before the bill made it out of both houses. Military exemptions were a major issue as well as concerns that the board wasn't experienced enough. Some lawmakers were concerned that the board would be overwhelmed with oversight responsibility for 350 licensed environmental health specialists. However, there were businesses that testified in favor of the registration requirement.

Both AB 380 and AB 260 passed the full houses of the legislature with little opposition, AB 380 received just two 'no' votes and AB 260 passed both houses unanimously.

Mr. Milliken summarized two bills. SB 120 addresses trauma center designation in counties over 400,000. This duty will now require Clark County District Board of Health approval prior to state designation.

SB 458 is referred to as the 'drop time' bill. It applies to every county in the State of Nevada. However, every county whose population is less than 400,000 may 'opt in' if it wishes. It requires that hospitals will accept patients in an emergency room within 30 minutes of arrival by either a private or fire department ambulance. A log-in procedure is to be followed including signatures. There is no penalty for not meeting the 30 minute time frame. Initial discussion of the bill included establishing a fine for the hospital if the 30 minute deadline was not met. It was determined this was not a fair to the hospital. The bill provides a good framework to study time frames for the delivery of patients. If only one county participates in the study, the health division may delegate its duties to the county or to the district board of health in that county. According to discussions, other counties within the state were not going to participate. A study committee will be formed comprised of a Board of Health member, a member from each hospital, a member from each ambulance company and a member from each fire department in the county. Each quarter a report will be submitted to the interim health care committee. It will list all the drop times as well as average times for each hospital. This bill expires December 31, 2006. The interim committee on health care can request up to three bills be drafted pursuant to this study. Mr. Milliken stated the drop time issue would be taken up again by the 2007 legislative session.

Member Eliason asked if the resulting information will be made available to the municipalities as this would be good for developing budgets for the fire departments, etc.

Mr. Milliken stated that yes this information would be made available to the Board and member entities.

The Board members congratulated both representatives for their work during the legislative session.

VI. INFORMATIONAL ITEMS

A. Chief Health Officer and Administration:

1. Monthly Activity Report, Mid-May 2005 – Mid-June 2005
 - i. Letter of notification concerning comprehensive annual financial report status
 - ii. Note of thanks from Commissioner Tom Collins
2. Financial Data: Revenue and Expenditure Report for General Fund, Capital Reserve Fund and Public Health Laboratory Fund for the Month of May 2005
3. Public Information Monthly Report, Mid-May – Mid-June 2005

B. Community Health:

1. Emergency Medical Services Monthly Report, May 2005
2. Epidemiology Monthly Report, May 2005
3. Health Education Monthly Report, May 2005
4. Office of Public Health Preparedness Monthly Report, May 2005

C. Environmental Health:

Monthly Activity Report, May 2005

D. Nursing and Clinics:

Monthly Activity Report, May 2005

Member Fairchild made a motion to close the public portion of the meeting; seconded by Chairman Reese and it was unanimously approved.

VII. Meeting of the Board of Health as governing body of a local government employer with its management representatives – a **CLOSED SESSION was held pursuant to NRS 288.220.**

This session convened 8:45 am and the public portion of the meeting reconvened at 9:30 am.

VIII. ADJOURNMENT

There being no further business to come before the Board, Chairman Reese adjourned the meeting at 9:31 a.m.

SUBMITTED FOR BOARD APPROVAL

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

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