



MINUTES

Southern Nevada District Board of Health Meeting

625 Shadow Lane
Las Vegas, Nevada 89106
Clemens Room

Thursday, July 27, 2006 - 8:00 A.M.

Chair Donna Fairchild called the meeting of the District Board of Health to order at 8:01 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. Chair Fairchild indicated a quorum was met at this time.

Board Members Present:

Donna Fairchild
Tim Jones
Joseph Hardy, MD
Susan Crowley
Tom Collins
Mary Jo Mattocks, RN
Stephanie Smith
Karla Burton
Lynette Boggs McDonald
Jimmy Vigilante
Frank Nemeec, MD
Lon Empey

Chair, Council Member, Mesquite
At-Large Member, Business/Industry
At-Large Member, Physician
At-Large Member, Environmental Specialist
Commissioner, Clark County
At-Large Member, Registered Nurse
Councilwoman, North Las Vegas
Councilwoman, Boulder City
Commissioner, Clark County
At-Large Business/Industry Member Alternate
At-Large Physician Member Alternate
At-Large Environmental Alternate

Absent:

Jim Christensen, MD
Steven Kirk
John Onyema, MD
Lawrence Weekly
Gary Reese

At-Large Member, Physician
Vice Chair, Councilman, Henderson
At-Large Physician Member Alternate
Councilman, Las Vegas
Secretary, Councilman, Las Vegas

Executive Secretary:

Donald S. Kwalick, MD, MPH

Legal Counsel:

Stephen R. Minagil

Staff: Mike Walsh, Sylvia Claiborne, Nancy Hall, Glenn Savage, Steve Goode, Angus MacEachern, Jennifer Sizemore, Patricia Rowley, Deborah Williams, Jane Shunney, Nicole Bungum, Linda Newton, Dennis Campbell, Mary Ellen Harrell, Alice Costello, Jo Alexander, Stephanie Bethel, Patricia Hayde, Dr. Lawrence Sands, Jim Osti, John Harris, Robert Newton, Robert Moldowan, Julie Hurd, Patricia Armour, Jerry Boyd, Forrest Hasselbauer, Kim McGill, Jeffrey Good, Ann Markle, Leo Vega, Diana Lindquist, Susan Eiselt

ATTENDANCE:

<u>NAME</u>	<u>REPRESENTING</u>
Mark Nemeth	Escapees RV Club
Everett Thomas	River Palms Resort & Casino
Margaret Ann Schneuers	Nevada Commission on Tourism
Tom Allred	Harrah's Laughlin
Steve Mattocks	Self
JoElle Hurns	Clark County Administration – Laughlin
Bill Fairchild	Self
Carl Shangle, MD	Pediatric Resident – UNSOM
Eric Carrington	Nevada Commission on Tourism
Morgan Ulmer	High School Intern

OATH OF OFFICE:

The Oath of Office was taken by Mary Jo Mattocks, RN, At-Large Nurse Member and Frank Nemecek, MD, Physician At-Large Alternate. (filled in for Dr. Christensen's at the meeting)

HIV/AIDS Outstanding Community Awareness Advertiser Award

Mary Ellen Harrell, public health nurse manager, stated that the outreach efforts of staff under the HIV Prevention Grant were recognized with an HIV/AIDS Outstanding Community Awareness Advertiser Award by *Q Vegas Magazine*.

Dr. Kwalick and the Board of Health congratulated staff on receiving this award.

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. Approve Minutes/Board of Health Meeting:** 6/22/06
- 2. Approve Payroll/Overtime for Periods of:** 6/3/06 – 6/16/06; 6/17/06 – 6/30/06
- 3. Approve Accounts Payable Registers:** **#1029:** 6/02/06 - 6/08/06; **#1030:** 6/9/06 - 6/15/06; **#1031:** 6/16/06 - 6/21/06; **#1032:** 6/22/06 - 6/29/06; **#1033:** 6/30/06 – 7/05/06
- 4. Petition #35-06:** Approval of Revision of Medical Procedures Fee Schedule

A motion was made by Member Smith to approve all consent items; seconded by Member Mattocks and was unanimously approved.

II. PUBLIC HEARING/ACTION

1. **Memorandum #9-06:** Adoption of the Proposed Adjunct Section Governing Self-Contained Recreational Vehicle Dry Camping Facilities to the Regulations Governing the Sanitation and Safety of Public Accommodation Facilities

Glenn Savage, environmental health director, introduced the document to members of the Board and reviewed it following the table of contents, addressing the highlights, and by giving background information.

On January 6, 2006, a cease and desist order was issued to four hotel casino properties in Laughlin, Nevada requiring that they no longer operate unpermitted recreational vehicle (RV) parks and campgrounds. The facilities complied with that order. Meetings were held with property representatives and multiple government agencies where public health concerns, statutes, regulations and ordinances pertaining to RV parks, dry camping and campgrounds were discussed. A 120-day moratorium on the dry camping cease and desist order in Laughlin was presented to the Board and approved on March 23, 2006. The moratorium was to allow Southern Nevada Health District (SNHD) staff time to draft new regulations to specifically address dry camping for self-contained recreational vehicles (SCRVs) and to proceed with a peer and industry review process. The current Nevada regulations for RVs did not adequately address or acknowledge the improved sanitary capabilities of newer SCRVs. During the moratorium, the affected facilities agreed to monitor their properties for leaks and spills of sewage and improper disposal of solid waste from SCRVs, to report health related issues to the SNHD's Environmental Health Division and to assure that guests had access to necessary services such as potable water, dump stations and solid waste collection facilities.

Mr. Savage stated that it is the recommendation of staff to add this section to the recently approved Regulations Governing the Sanitation and Safety of Public Accommodation Facilities regulations. He reiterated that staff is addressing public accommodations that serve the needs of self contained recreational vehicles. Mr. Savage indicated that the proposed regulations do not refer to Wal-Marts, truck stops, parking lots, etc. Staff is addressing public accommodations and hotels. The health district already issues permits for pools, spas, hotels themselves or other portions of that facility.

Staff asked the community to respond to the business impact with the proposed regulations; staff did not receive any. The cost of a plan review is \$110. Patricia Hayde is located in Laughlin and will assist anyone who needs to file for a permit. The campground annual permit fee is \$82.00, plus \$1.65 for each space, would be applied. Average yearly costs would be less than \$200 for facility owners.

Members of the Board had questions regarding this issue. Dr. Nemecek asked about monitoring and reviewing the plan and would this be done on an annual basis. Mr. Savage indicated that Patricia Hayde is located in Laughlin on a permanent basis and works with the community on various issues and is able to be reached anytime and can assist and respond to any questions.

Member Crowley asked about how the distinction is made between a Wal-mart parking lot and an intentional location for camping and facilities use. Mr. Savage stated that the title of the document rules out Wal-mart. Wal-mart is not a public accommodation facility and therefore not subject to the regulations. Member Collins indicated what is being referred to are resort or recreation facilities, not shopping facilities. Member Jones asked if these regulations only apply to those that already have an existing public accommodation permit. Mr. Savage stated yes, or facilities that wish to provide these types of services. Member Jones asked if they wish to start a new campground the Health District would be seeking a public accommodation permit. Mr. Savage stated the facility would be required to apply for a recreational vehicle park permit, or public accommodation permit if applicable.

Chair Fairchild stated these regulations bridges the gap between RV parks and facilities in a parking lot of a public accommodation. Member Crowley indicated that the language in the proposed regulations does not indicate how a business determines what regulations they must adhere to. Member Smith indicated that businesses must obtain proper permits in order to be in compliance with the law. Chair Fairchild indicated that a section including definition of public accommodation should be added.

Member Jones indicated that a change to the language under section 14.1, from dry camping facilities in Nevada, to facilities that fall under the purview of only the Southern Nevada Health District. Mr. Savage indicated that was correct and the language will be corrected.

Member Jones asked how the regulations would apply to an existing facility. Mr. Savage indicated that those facilities that already have a permit would not be affected. Mr. Savage indicated these regulations are less cumbersome than the RV facility regulations.

Chair Fairchild opened this item to public participation.

Mark Nemeth, representing the Escapees RV Club addressed the Board. He stated his membership concerns are the ability to make brief overnight stops and are concerned the regulations do not address this. He also indicated that the proposed regulations do not specifically address who the regulations apply to. He also indicated that he felt the signage regulations were not appropriate as well. RVers believe that their ability to 'dry camp' will be negatively affected.

Chair Fairchild indicated in her response that we are only addressing those facilities defined as public accommodations and the regulations do not pertain to any other private businesses. Member Smith stated the proposed regulations are an adjunct to the existing regulations. Member Smith indicated that any signage issues can also be addressed. Mr. Savage indicated that staff can review the signage language and make any necessary changes.

Margaret Ann Schnewers, senior manager of the Nevada Commission on Tourism addressed the Board. She stated her agency promotes tourism in the State of Nevada. She stated that she believed the proposed regulations may trigger an unintended consequence on the RV visitors. She requested the Board be diligent in how they present the regulations to the tourism industry to avoid a negative image.

Dr. Kwalick stated staff will produce a written fact sheet which will explain the regulations and distribute to RV associations and tourism outlets.

Mr. Everett Thomas of the River Palms Resort, Laughlin, Nevada addressed the Board. He stated that he felt the health district should move forward on this, that we have a responsibility to the RVers and employees to act appropriately and with speed and efficiency.

Joelle Hurns, Laughlin town manager's office, indicated her appreciation for the opportunity for input on this issue. Ms. Hurns indicated that with the changes proposed, it was felt the proposed regulations will work.

There being no more members of the public who wished to speak, Chair Fairchild closed the public participation portion of this item.

A motion was made by Member Smith to accept the proposed Adjunct Section Governing Self-Contained Recreational Vehicle Dry Camping Facilities to the Regulations Governing the Sanitation and Safety of Public Accommodation Facilities to include the following revisions: in section 14.1, Plans for construction, area designation and remodeling, page 3, and insert "Clark County, Nevada." In section 14.10.2 Signage, page 6,

strike the sentence, "These signs should include directions that overnight camping is not permitted in those parking lots," and in the Table of Contents, Section 1, General Provisions, Definitions, to include the definition of "public accommodation facilities" as defined in the Regulations Governing the Sanitation and Safety of Public Accommodation Facilities, section 1.56, page 7, "public accommodations definition;" seconded by Member Nemeec and was unanimously approved.

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

Funding for Poison Control Center Services:

Dr. Sands and Jim Osti gave a presentation on the status of funding for Clark County poison control services. A copy of this presentation is attached. (Attachment #1)

The Rocky Mountain Poison Control Center was funded by Sunrise Hospital until 2001 at which time the responsibility was transferred to the Southern Nevada Health District. Since 2004, it has been funded with HRSA Hospital BT Preparedness grant funds which also covered the cost of enhanced service, in combination with CDC Public Health Preparedness funds. However, due to the rapid growth in call volume over the past six years, basic service costs have risen in 2005 through 2006 to \$370,000. The total service costs, including enhanced services are \$491,347. Recently, with the submission of the 2006-2007 HRSA grant application, SNHD has been advised by NSHD that HRSA grant funds may no longer be available to support basic poison control services. While funds for these services have been included in the state's HRSA application; it is expected that HRSA will deny the request. Options to resolve the situation include encouraging the Nevada State Health Division to fund statewide services with general fund money or with other sources of funding, or for the health district to fund poison control basic services.

Member Hardy suggested exploring funding by possibly partnering with schools of pharmacy and having interns assist with drug identification calls. Dr. Kwalick stated since 2001 there has not been any participation by local hospitals. It was suggested that prior to the September 1 contract end date, a month-to-month contract be negotiated with the possibility of modifying services provided to the health district.

At 9:42 a.m. Chair Fairchild indicated that the Board no longer had a quorum, therefore, no action could be taken on this item.

IV. CITIZEN PARTICIPATION

Chair Fairchild invited any individuals wishing to speak to come forward.

No one came forward to address the Board. Chair Fairchild closed the citizen participation portion of the meeting.

V. HEALTH OFFICER & STAFF REPORTS

Dr. Kwalick indicated that preliminary proposal on a new building has been given to each Board member. We are interested in pursuing a new facility on this campus.

Chair Fairchild asked that Dr. Kwalick relay to the Board members and audience the award he will be receiving. Dr. Kwalick responded that the *Nevada Business Journal* and their co-sponsors, Anthem Blue Cross and Blue Shield and Channel 13 will be honoring him on August 2 at the Bellagio. He will receive the Healthcare Hero Award in the administrator category. Dr. Kwalick was chosen for his activities in healthcare in Southern Nevada.

Chair Fairchild and members of the Board and audience congratulated Dr. Kwalick on this award.

VI. INFORMATIONAL ITEMS

A. Chief Health Officer and Administration:

1. Monthly Activity Report, Mid-June 2006 – Mid-July 2006
2. Financial Data: Revenue and Expenditure Report for General Fund, Capital Reserve Fund and Public Health Laboratory Fund for the Month of June 2006
3. Public Information Monthly Report, Mid-June 2006 – Mid-July 2006
 - a. Letter from judicial candidate to Public Information Office
 - b. Letter from G.C. Wallace to Public Information Office

B. Community Health:

1. Monthly Activity Report, June 2006
 - a. June 2006 Communicable Disease Statistics

C. Environmental Health:

1. Monthly Activity Report, June 2006

D. Clinics and Nursing:

1. Monthly Activity Report, June 2006

VII. ADJOURNMENT

Chair Fairchild asked if there were any other reports. There were none. Chair Fairchild adjourned the meeting at 9: 43 a.m.

SUBMITTED FOR BOARD APPROVAL

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

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