



## MINUTES

### ***Southern Nevada District Board of Health Meeting***

625 Shadow Lane  
Las Vegas, Nevada 89106  
Clemens Room

***Thursday, February 22, 2007 - 9:00 A.M.***

Chair Donna Fairchild called the meeting of the Southern Nevada District Board of Health to order at 9:00 a.m. and the Pledge of Allegiance was held. She also 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 are incorporated into these Official Minutes.

#### Board Members Present:

Donna Fairchild  
Jim Christensen, MD  
Susan Crowley  
Chris Giunchigliani  
Timothy Jones  
Mary Jo Mattocks, RN  
Lawrence Weekly  
Robert Eliason  
Lon Empey  
John Onyema, MD  
Jimmy Vigilante

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

#### Absent:

Susan Brager  
Karla Burton  
Joseph Hardy, MD  
Steven Kirk  
Frank Nemec, MD  
Gary Reese  
Steven Ross  
Stephanie Smith  
Debra Toney, RN

Commissioner, Clark County  
Councilwoman, Boulder City  
At-Large Member, Physician  
Vice Chair, Councilman, Henderson  
At-Large Member, Physician Alternate  
Secretary, Councilman, Las Vegas  
Councilman, Las Vegas Alternate  
Councilwoman, North Las Vegas  
At-Large Member, Registered Nurse Alternate

#### Executive Secretary:

Donald S. Kwalick, MD, MPH

#### Legal Counsel:

Stephen R. Minagil

Staff: Lawrence Sands, D.O., Glenn Savage, Jennifer Sizemore, Stephanie Bethel, Angus MacEachern, Sylvia Claiborne, Bonnie Sorenson, Mary Ellen Harrell, Veronica Morata-Nichols, Nancy Gerken, Jo Alexander, Ann Markle, Rory Chetelat, Patricia Rowley, Pat Armour, Steve Goode, Brian Labus, Eddie Ridenour, Stanley Jensen, Nicole Truax, Dennis Campbell, Paul Klouse, Diana Lindquist, Susan Eiselt, Shelli Clark, Forrest Hasselbauer, Leo Vega

**ATTENDANCE:**

<u>NAME</u>	<u>REPRESENTING</u>
Bud Cranor	City of Henderson
Lori Dorinson	Evergreen Recycling
Rob Dorinson	Evergreen Recycling
Fred Erickson	KCA
Katie Fellows	Jones Vargas
Matt Heaton	Evergreen Recycling
Tom Keller	KCA
Debra Martin	SEIU
Tracy Novak	City of Henderson
Cheng T. Shih	City of Las Vegas
Randy Slater	City of Henderson
Michele Voelkening	Purdue Marion & Association
Annette Wells	Las Vegas Review Journal

Chair Fairchild stated that Councilman Gary Reese is in the hospital. The Board wishes him well and is thinking of him.

**I. CONSENT AGENDA**

These are matters considered to be routine by the Southern Nevada 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:** 1/25/07
- 2. Approve Payroll/Overtime for Periods of:** 12/30/06 – 1/12/07; 1/13/07 – 1/26/07
- 3. Approve Accounts Payable Registers:** #1059: 01/04/07 – 01/10/07; #1060: 01/11/007 - 01/17/07; #1061: 01/18/07 - 01/24/07; #1062: 01/25/07 – 01/31/07
- 4. Petition #47-07:** Approval of New Classification Specification for Attorney, Recommended Schedule 35 (\$99,677 - \$139,129)
- 5. Petition #05-07:** Approval of New Position and Revised Classification Specification for Grants Research and Development Specialist (formerly Grant Writer/Locater), Recommended Schedule 23 (\$53,951 - \$75,258)
- 6. Petition #06-07:** Approval of Amendment #1 to Interlocal Contract with Clark County on Behalf of Clark County Social Service for Extension of Ryan White Title I Services

7. **Petition #07-07:** Approval of Agreement with State Division of Environmental Protection: Small Quantity Generator (Biennial Renewal)
8. **Petition #08-07:** Approval of Revised Classification Specification for Director of Community Health (Schedule 40 - \$128,795 - \$178,690)

Regarding item 5, Petition #05-07, Commissioner Giunchigliani asked how many positions currently exist that are related to grants research. Dr. Kwalick responded this is a new classification. She also asked how many grants or dollars this position might be tied to or how will the position be funded. Currently, the position salary is not tied to funds brought into the Health District.

Regarding item 6, Petition #06-07, Commissioner Giunchigliani asked whether the Health District housed the sub-grantee. Dr. Kwalick stated these funds are for case management services provided by the Health District in conjunction with and for Clark County Social Services.

*A motion was made by Member Eliason to approve all consent items; seconded by Member Crowley and was unanimously approved.*

## **II. PUBLIC HEARING / ACTION**

1. **Memorandum #05-07:** Adoption of Evergreen Recycling, Inc. for a Permit to Operate a Materials Recovery Facility located at 5491 Accurate Drive, Las Vegas, Nevada 89156

Mr. Dennis Campbell indicated that staff has reviewed the application and has indicated that the petitioner has met all the requirements for a Materials Recovery Facility. Staff recommends approval of the permit.

Mr. Rob Dorinson, manager of Evergreen Recycling, Inc., was present and agreed to the conditions listed.

Chair Fairchild asked if anyone from the public wished to speak. No one came forward, and Chair Fairchild closed the public hearing portion.

Member Giunchigliani asked if she could receive a list of the permitted Materials Recovery Facilities. Mr. Campbell stated that Evergreen Recycling is one of the first that has applied. He stated that there will be additional applications forthcoming.

*A motion was made by Member Giunchigliani to approve the permit application as listed; seconded by Member Crowley and was unanimously approved.*

2. **Variance Request:** To Operate a Public Bathing Place not in Compliance with the *Nevada Administrative Code (NAC) 444, Public Bathing Places, NAC 444.024(3)*, (APN #179-32-502-002). **Petitioner:** City of Henderson Parks & Recreation Department, Tracy A. Novak, Parks Superintendent

Paul Klouse, environmental health supervisor, stated that this request is to construct a barrier around a spray park at Mission Hills with less height than required by regulations. Staff has reviewed the application and recommends approval of the variance with conditions listed. Mr. Tracy A. Novak, Parks Superintendent, petitioner, was present and agreed to the conditions listed.

Chair Fairchild asked if anyone from the public wished to speak. No one came forward, and Chair Fairchild closed the public hearing portion.

Member Jones asked if there was a body of water present at the park. Mr. Klouse responded that the body of water exists in a chamber below and inside the equipment room. Water does not pool anywhere and poses a highly unlikely drowning hazard. The proposed barrier of 4 feet as opposed to the required 5 feet would be more than adequate for that purpose. This does meet the definition of a pool even though it does not have a pool. Mr. Klouse responded that in this particular case a regulation change may be recommended due to the unique nature of spray parks.

*A motion was made by Member Jones to approve the variance as listed; seconded by Member Crowley and was unanimously approved.*

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

#### **1. Business & Strategic Planning Process – Knowledge Capital Alliance**

Dr. Kwalick requested Dr. Tom Keller and Fred Erickson give an overview of the strategic planning process that the District has undertaken. Dr. Kwalick stated this is the first time in the history of the Health District that such a process has been undertaken and he wanted to thank them for their work. Dr. Tom Keller and Mr. Fred Erickson gave a PowerPoint presentation of the update to the Board.

Dr. Keller indicated that early in discussions while developing a strategic planning process, the executive team identified that the planning process itself needed to be updated as well. The entire Health District was engaged in this activity and this was recognized as critical to its success. A copy of the PowerPoint presentation is attached. (Attachment #1) The presentation consisted of three parts:

- I. A description of the SNHD strategic planning and business planning processes
- II. The results of the planning efforts to date and the potential impact on the District and its stakeholders
- III. A preview of the District's 2007 strategic initiatives and its operational plan execution process

Dr. Keller stated the results of this effort are a business plan that is now in place for the first time in the history of the district including operational plans tied to the work of the Health District. A leadership skill database has been established with 154 people trained on 18 skill sets. Strategic initiatives for 2007 have been developed. Organizational consensus and commitment to the vision, mission and goals has been established. The completion of two leadership academy cohorts has taken place. Dr. Keller concluded that the overall approach to this process was indeed collaborative and was based upon individual respect, and open discussion.

Member Crowley asked if there would be any organizational changes based upon the operational plan. Dr. Kwalick responded that these are the initial steps to have each division look at services provided, should those services continue to be provided, how do we organize to be the most efficient organization with the limited staffing and resources that we have.

Member Crowley asked if this will influence the new building construction. Dr. Kwalick responded that yes, next month the Board will hear a presentation from the architects. Dr. Kwalick stated that the presentation will include a layout of the facility and an estimate of costs. Commissioner Giunchigliani asked what the dollar amount of the RFP (Request for Proposal) was for Knowledge Capital Alliance. Dr. Kwalick responded that it was in the \$125,000 range. Commissioner Giunchigliani asked if the contract was concluded. Dr. Kwalick stated that the contract has been concluded and the Health District is now in the process of determining where we go from here and if we need a facilitation process to assure that execution of the plan occurs. Commissioner Giunchigliani asked who the management team was. Dr. Keller responded that the executive team is Dr. Kwalick, Dr. Sands, Bonnie Sorenson, Angus MacEachern, Glenn Savage, Mike Walsh and Jennifer Sizemore. The senior management team is comprised of managers from all the divisions. Commissioner Giunchigliani asked how the leadership academy participants were selected. Dr. Keller stated it was decided during meetings to look at individuals who are currently leaders and people who are identified as potential leaders within the organization. Everyone was fully engaged across all the divisions and no one group was excluded. Commissioner Giunchigliani asked if union representation was included in this process. Dr. Keller stated there was nothing to identify union members. Dr. Kwalick stated that it was not asked whether staff were union or non-union, however, of those that participated in the leadership academy, approximately 50 percent were union members. Dr. Sands stated that most of the decision process was left to the division directors and office managers to identify people within their units.

Member Jones asked if there were any key areas identified that were unknown before. Dr. Sands responded that what the Board approved today, the position of grant research and development specialist is partly a manifestation of the work accomplished in this process. There is a need to diversify funding sources and do a better job of identifying funding sources that match with the work we are presently doing rather than the other way around.

Chair Fairchild commended the executive team and management teams for including all staff and requesting full participation.

## 2. Chief Health Officer Succession Committee Report / Recommendations

Donna Fairchild stated the Chief Health Officer Succession Committee met this morning at 8 a.m. to determine the recommendations of the contract with Dr. Lawrence Sands. Chair Fairchild reviewed the details of the contract including salary and benefits package. It is the recommendation of the Committee that Dr. Sands be compensated at \$225,000 per year, with an annual cost of living raise equal to the employee contract and up to 5 percent merit raise which shall be reviewed each year on or about March 24. The contract shall be in effect 12:01 a.m. on March 24, 2007 through June 30, 2010, a three year contract. The benefit package shall include 20 days annual leave, 15 days sick leave, 100 percent health insurance coverage for him and his family. Retirement will be through the PERS (Public Employee Retirement System) in accordance with NRS. An automobile allowance of \$600 per month shall be included along with longevity pay calculated at the rate of 0.057 percent times base salary times the years of service at the Health District upon completion of five years of service. The employee may terminate this agreement at any time prior its expiration providing six months written notice to employer. The employer may terminate this agreement without cause upon six months written notice to employee. If the employer terminates this agreement without cause prior to expiration date, the employee will receive normal compensation for days worked in addition to an amount equal to current salary for 60 working days as severance pay and all accrued annual and sick leave at current salary. Chair Fairchild explained the rationale regarding the compensation package. Upon reviewing all other health districts throughout the

southwestern United States, the Southern Nevada Health District is unique. Typically, there is one individual who is in charge of both the physician position and the administrative position. Therefore, this position is doing the work of two. In all other instances, there are two separate positions under the county and those are paid at \$150,000 – \$175,000 per person. Dr. Sands is in a unique position, serving as the CEO of a very large organization plus a physician who is responsible for health, safety and well-being of all of resident and visitors to Clark County. He has been with the Southern Nevada Health District for two years and brings his knowledge, expertise and public health experience in Southern Nevada and Clark County is advantageous to both the Board and Clark County. Salary ranges for city and county managerial positions were provided by Angus MacEachern.

Commissioner Giunchigliani asked if this recommendation to the Board was for adoption. She expressed concern that there was nothing provided in writing for not only Board review but for the public. Chair Fairchild replied that this information was discussed in public per Open Meeting Law. Commissioner Giunchigliani inquired about the number of annual leave days. Chair Fairchild indicated the annual leave package for all employees of the SNHD is 12 days upon hire and progresses to 20 over a period of time. Sick leave is handled in the same manner. Since Dr. Sands has already been an employee of the Health District for a two year period, we are allotting the maximum number of leave days as part of the compensation package. The Commissioner asked if the 100 percent employer paid insurance included any increases. Chair Fairchild asked to what increases she was referring. Commissioner Giunchigliani indicated that increases to retirement are typically picked up by employees, and management does not have to pick up any increases. Chair Fairchild clarified that PERS contributions are per NRS. Chair Fairchild stated that we are allowing the same for Dr. Sands as any employee. Commissioner Giunchigliani asked the current salary of the chief health officer. Dr. Kwalick responded the base salary is \$312,000. Commissioner Giunchigliani indicated she had a problem on something that she really hadn't seen and having to react to it quickly. She said that during her time as a Commissioner she has seen approved contracts with little review. She would not support the recommendation at this time.

Chair Fairchild stated it is the recommendation of the sub-committee to approve the contract as listed for Dr. Lawrence Sands effective March 24, 2007, for the period of three years.

*A motion was made by Member Jones to approve the recommendation of the Chief Health Officer Succession Committee and contract as listed; seconded by Member Crowley. All approved with the exception of Commissioner Giunchigliani who opposed.*

Commissioner Giunchigliani asked for a copy of the approved contract. Chair Fairchild said that all Board members would receive a copy.

#### **IV. CITIZEN PARTICIPATION**

Chair Fairchild invited any individuals wishing to speak to come forward. No one came forward at this time and this portion of the meeting was closed.

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

##### **Health Status Report - Brian Labus, MPH**

Dr. Sands introduced Brian Labus, Senior Epidemiologist, who presented on the Health Status Report: Socio-Economic Context & Population Health. A copy of the presentation is attached (attachment #2). The epidemiology department has been working over the last year to prepare this first ever health status report for Clark County. This is a very important product which will be

delivered on a regular basis to both the Board and the community. Volume 1 will provide an overview of the socio-economic context and population health as well as the communicable disease report covering 2000-2004.

Mr. Labus began his presentation by commending Jing Feng, MS and Katie Daley, BS for their efforts in preparing this document. Mr. Labus reviewed a series of charts and graphs relating to population growth, age and gender, race and ethnicity, health care coverage, self-assessed health status, prenatal care, infant mortality, low birth weight and very low birth weight, life expectancy, life expectancy by race and ethnicity. Also covered were leading causes of death, and age-adjusted death rates.

Key findings include:

- The estimated percentage of county residents reporting they lack any health insurance coverage is higher than the national median.
- County residents self-report poorer health status than the rest of the nation.
- Infant mortality rates and the percentage of low birth weight babies are highest among Non-Hispanic Blacks.
- County residents have lower life expectancies than Americans in general, with Non-Hispanic Blacks having the lowest life expectancy. In 2003-2004, life expectancy at birth for county residents was 76.7 years, an increase of 1.9 years over the life expectancy of 74.8 years in 1993-1994.
- Seven out of the top fifteen leading causes of death in the county are chronic diseases and conditions. These diseases and conditions account for more than 60% of all deaths among county residents.
- Age-adjusted death rates for cancer, chronic lower respiratory disease, and chronic liver disease and cirrhosis are consistently higher in the county than in the nation.

Member Jones asked about the visitor deaths in Clark County. Mr. Labus responded that the visitor deaths are counted in the state of residence where it is actually calculated in their respective death rates. In general, most deaths will not be tourist related.

Commissioner Chris Giunchigliani asked about the reference to the “healthy worker effect.” Mr. Labus explained that worker exhibit death rates lower than those of the general population due to the fact that the severely ill and disabled are ordinarily excluded from employment. This is an important factor when evaluating the health of the Hispanic population in the United States, the majority which are migrants, who must have at least a minimum level of health to hold a job, and to migrate in the first place, whereas the general population includes everyone healthy as well as sick.

Member Crowley commented on the interesting presentations given by Mr. Labus. Chair Fairchild commended Mr. Labus on an excellent presentation.

#### **Nevada Clean Indoor Air Act Update – Steve Minagil, Legal Counsel**

Dr. Kwalick asked Mr. Minagil to brief the Board on the status of the Nevada Clean Indoor Air Act. Mr. Minagil responded the Health District efforts were a three prong approach. The first prong was education, telling the public and affected business what the new law requires. The second prong was discussion, and the third prong was citation or hearings for persons or business owners who are recalcitrant and unwilling to comply. The Health District is still in the education and discussion process. Updated information is posted on the website to advise businesses and the public about various issues. There have been many meetings and many discussions with affected business owners. Many questions are operational issues. On February 13, Paul Klouse, Steve Minagil and Glenn Savage made a presentation at the Laughlin Town advisory board. The law was defined, and the presentation included what the Health District is doing and how Health District staff are

educating and encouraging discussion and how, very soon, for persons or businesses that refuse to comply what is the citation and hearing process. Mr. Minagil indicated that he, Mr. Klouse and Mr. Savage received a positive response in Laughlin and they have offered to make a presentation to any government entity in Clark County. Issues are being dealt with on a case by case basis and examples were presented. Next month the Board will be presented with two sets of regulations that will allow the Health District to have an efficient and effective forum such as the solid waste hearing officer process. Revisions to the food regulations will also be presented. Current food establishment regulations list 11 substantial health hazards and say that operators of food establishments are to prevent these types of health hazards. A twelfth health hazard will be added which will list exposure to secondhand cigarette smoke. The Act compels employers to do two things: post signs and remove ashtrays. It doesn't tell them they have an affirmative obligation to make the workplace smoke free. The Health District believes that business owners need to have an affirmative obligation to comply with the law. There are public workshops scheduled; one in Laughlin, one in Mesquite and two in Las Vegas.

Chair Fairchild stated the Board is very pleased with the progress on this Act to date. Dr. Kwalick stated that Board members should have all received copies of the workshop schedules and drafts of the proposed regulations.

Member Crowley asked about the affirmative obligation. Would we be basing this on food regulations, for example, requiring someone have shoes on their feet. Mr. Minagil responded that this is a health based issue and for food establishments the regulations currently identify 11 substantial health hazards, etc.; we are adding a twelfth.

Commissioner Giunchigliani asked about the \$100 fine and what portion does the Health District receive. Mr. Minagil responded the \$100 fine is collected and goes to the State education fund. The proposed regulations will add an administrative fee of \$600 to cover some costs incurred by the Health District.

Chair Fairchild congratulated Commissioner Weekly on his appointment to the County Commission. Chair Fairchild also thanked committee members for their work on the Chief Health Officer Succession Committee. The Board welcomed Dr. Sands.

## **VI. INFORMATIONAL ITEMS**

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

1. Monthly Activity Report, Mid-January 2007 – Mid-February 2007
2. Financial Data: Revenue and Expenditure Report for General Fund, Capital Reserve Fund and Public Health Laboratory Fund for the Month of January 2007
3. Public Information Monthly Report, Mid-January – Mid-February 2007

### **B. Community Health:**

1. Monthly Activity Report, January 2007
  - a. Influenza Newsletter
  - b. Chickenpox Press Release
  - c. Gastrointestinal Press Release
  - d. January 2007 Communicable Disease Statistics
  - e. *Forensic Magazine* Article: "Southern Nevada Health Lab Gears Up for Bioterrorism"

**C. Environmental Health:**

1. Monthly Activity Report, January 2007
  - a. Electronic letter of thanks to Spring Valley satellite staff from USDA SITC

**D. Clinics and Nursing:**

1. Monthly Activity Report, January 2007

**VIII. ADJOURNMENT**

There being no further business to come before the Board, Chair Fairchild adjourned the meeting at 10:15 a.m.

SUBMITTED FOR BOARD APPROVAL

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

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