



Memorandum # 01-15

Date: January 22, 2015

To: SOUTHERN NEVADA DISTRICT BOARD OF HEALTH

From: Daniel P. LaRubio, Jr., P.E., REHS, *Environmental Health Engineer/Supervisor* *DPS*
Paul L. Klouse, REHS, *Environmental Health Manager* *L*
Jacqueline L. Reszetar, REHS, *Director of Environmental Health* *JLR*
Joseph P. Iser, M.D., DrPH, MSc, *Chief Health Officer* *JPI*

Subject: Amending the language of the *Southern Nevada Health District Regulations Governing the Sanitation of Used Mattresses, Bedding and Upholstered Furniture*

Since the Regulations were approved on September 27, 2007, by the Southern Nevada District Board of Health, there has only been one permitted Used Mattress Sanitization Facility that has an oven located in Clark County. That facility received the first permit issued in Clark County on January 10, 2014. There is also one Used Mattress Sanitization Facility in California that is permitted to sanitize used mattresses and send them to Clark County for sale.

The Current Regulations have not been effective in providing industry with a way to sanitize used mattresses in a cost effective manner. At this time the Southern Nevada Health District (SNHD) does not regulate the people that sell the used mattresses, only the sanitizers. In an effort to be industry friendly, the SNHD is requesting that the current Regulation language be amended.

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Attachment A: Southern Nevada Health District Regulations Governing the Sanitation of Used Mattresses and Bedding (Page 1 of 7)

Amending the language of the *Southern Nevada Health District Regulations Governing the Sanitation of Used Mattresses, Bedding and Upholstered Furniture*

**SOUTHERN NEVADA HEALTH DISTRICT
REGULATIONS GOVERNING THE SANITATION AND SAFETY OF
USED MATTRESSES AND BEDDING**

WHEREAS, the Southern Nevada Health District (SNHD) has been established by the County of Clark and the cities of Las Vegas, North Las Vegas, Henderson, Mesquite, and Boulder City as the public health authority for those entities, and pursuant to Nevada Revised Statutes (NRS) Chapter 439; has jurisdiction over all public health matters in the health district; and

WHEREAS, the Southern Nevada District Board of Health (Board) is the governing body of the SNHD, and is authorized to adopt regulations to regulate sanitation and sanitary practices in the interest of the public health, and to protect and promote the public health and safety in the geographical area subject to the jurisdiction of the Health District and is specifically authorized to adopt regulations regarding used mattresses and bedding as per [NRS 444.030](#); and

WHEREAS, the Board finds that the sanitation and safety of used mattresses and bedding and the sanitation facilities for these articles does affect the public health, and finds that it is necessary to adopt the Regulations Governing the Sanitation and Safety of Used Mattresses and Bedding to promote and regulate the safety and sanitary condition of those articles and the facilities in which they are handled, sterilized, refurbished, and stored.

INTENT AND SCOPE

Intent The purpose of these Regulations is to protect and promote the public health, safety, and environment through preventive measures and timely correction of public health and environmental issues relating to used mattresses and bedding and the facilities for receipt, disassembly, sanitation, refurbishment, storage, and/or distribution of such articles.

Scope These Regulations set standards for the location, design, construction, operation, and maintenance of facilities for the receipt, disassembly, sanitation, refurbishment, storage, and/or distribution of used mattresses and bedding; list items prohibited from reuse or refurbishment; clarify approved sanitation processes.

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Section 1.0 Disinfection/Sterilization and Labeling Requirements

1.1 Disinfection/Sterilization and Labeling of Used Mattresses and Bedding (NRS 444.010)

1.1.1 It shall be unlawful for any person, business, firm, association, sole proprietorship, partnership, LLC or corporation to engage in the operation of manufacturing, making, or renovating, used mattresses and bedding in Clark County to sell or offer for sale any used mattress or bedding as described in NRS 444.010 to 444.040, inclusive, directly or indirectly, without causing said mattresses or bedding to be disinfected or sterilized, or to hold out for sale, at either wholesale or retail, such mattresses or bedding as described in section 1.2 that have not been disinfected/sterilized by an approved method as provided in section 1.3 and properly labeled as provided in section 1.1.2.

1.1.2 Used mattresses and bedding must be labeled with a tag affixed onto these products marking them as "Sterilized, Used" or alternate label, as approved by the Health Authority, and the name of the manufacturer, renovator, or dealer.

1.2 Articles requiring Disinfection/Sterilization (NRS 439.200, 444.020, NAC 444.001)

1.2.1 Quilted pads

1.2.2 Bunk quilts

1.2.3 Comforters

1.2.4 Mattresses

1.2.5 Mattress pads

1.2.6 Cushions

1.2.7 Pillows

1.2.8 Sheets

1.2.9 Blankets

1.2.10 Any other contaminated or soiled article of bedding

1.2.11 Materials used in the filling of any of the above or similar articles

1.3 Methods of Disinfection/Sterilization (NRS 439.200 444.020, NAC 444.002)

1.3.1 Disinfection/Sterilization of the articles listed in Section 1.2 must be accomplished by one or more of the following methods, under the conditions outlined:

1.3.1.1 By thorough Washing and Disinfection/Sterilization by prolonged boiling for at least 1 hour.

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- 1.3.1.2 By steam under 15 pounds pressure for at least 30 minutes. A gauge for registering steam pressure, visible from the outside of the room, must be provided where steam under pressure is used.
- 1.3.1.3 Two applications of streaming steam for maintained for 1 hour each to be applied at intervals of not less than 6 hours or more than 24 hours will be accepted as an alternate for steam under pressure for disinfection of mattress materials or made-up mattresses. When streaming steam is employed, valved outlets must be provided near the bottom and top of the room used for this purpose.
- 1.3.1.4 By application of a chemical pesticide registered with or exempted by the United States Environmental Protection Agency and registered with the State Department of Agriculture. The chemical pesticide must:
 - (a) Have clearly stated on the label, or on printed matter included in each container or package, detailed instructions for its use in disinfecting used or secondhand articles;
 - (b) Have clearly stated on the label a statement that the pesticide is safe to use on bedding; and
 - (c) Be applied in a manner which ensures that the used or secondhand articles are disinfected.
- 1.3.1.5 By the use of dry heat can be used for a period of time that is greater than or equal to 1 hour and 15 minutes at a temperature of 125° F. OR
- 1.3.1.6 An alternate method may be presented to the local health authority and may be approved based on review of the method.

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1.4 Approval of Disinfection/Sterilization Operation: Application; limitations (NRS 439.200, 444.020, NAC 444.003)

1.4.1 A Disinfection/Sterilization Operation is defined as the location, method, and handling of used mattresses through an approved process as set forth in section 1.3.

1.4.2 Before engaging in any Disinfection/Sterilization Operation process as described in 1.3, application for registration must be made to the Southern Nevada Health District (SNHD) and the approved fee remitted.

1.4.2.1 The application shall include:

(A) The name, mailing address, telephone number, and signature of the Person applying for registration, and the name, mailing address, and location of the Disinfection/Sterilization. If an application is made by a corporation, an LLC, or partnership, the names of the members or officers and signature of at least one member or officer, the corporate phone number, and address shall be provided.

(B) Information specifying whether the Disinfection/Sterilization Operation is owned by an association, corporation, individual, partnership, or other legal entity.

(C) The name, title, address, and telephone number of the Person directly responsible for the Disinfection/Sterilization Operation

(D) The name, title, address, and telephone number of the Person who functions as the immediate supervisor of the Person specified in Paragraph (C) of this Section including but not limited to the zone, district, or regional supervisor.

(E) The physical location of the Disinfection/Sterilization Operation including but not limited to street address, proof of ownership, Grant Bargain Sale Deed, lease agreement, or other legal document that establishes the standing of the applicant with respect to the property.

(F) The names, titles, and business addresses of:

(1) The Person's comprising the legal ownership as specified in Paragraph (B) of this Section, including the owners, managing members, and officers.

(2) The local authorized applicant, if one is required, based on the type of legal ownership. Authorization shall be in writing and shall be signed by the owner or corporate officer, managing member, or other authorized Person.

(G) A statement signed by the applicant that:

(1) Attests to the accuracy of the information provided in the application.

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(2) Affirms that the applicant will:

- (a) Comply with these Regulations.
- (b) Allow the Health Authority access to the establishment for inspection during normal hours of operation and to any records needed to establish compliance with these Regulations.

1.4.2.2 In making application for approval of a Disinfection/Sterilization Operation, a complete statement must be made of the method to be employed for disinfection or alternate method and this statement must be accompanied by a plan, drawn to scale showing details of the installation. This plan must bear a title indicating clearly where the installation is to be made, the scale of the drawing, and signed by the applicant.

1.4.2.3 In making application for approval of a Disinfection/Sterilization Operation, a draft of an alternate proposed label must be accompanied.

1.4.3 Upon approval of the application and plans, the Disinfection/Sterilization Operation may be subject to site inspection to verify the contents of the application and plan.

1.4.4 Once approved a formal letter will be sent advising the applicant that the Disinfection/Sterilization Operation is registered. No further correspondence will be sent and no additional fees will be due unless a complaint regarding illness or injury is received.

1.4.5 If a complaint regarding illness or injury is received, an investigation will be conducted and a determination made as to the validity of the complaint. If a complaint is confirmed, a confirmed complaint fee will be charged.

1.5 Premises used for Disinfection/Sterilization Operations. (NRS 439.200, 444.020, NAC 444.004)

1.5.1 All premises, rooms, chambers and devices used for the purpose of Disinfection/sterilization must be kept in a clean and orderly condition, free from accumulated dust, dirt and other filth and must be kept free of vermin.

1.6 New covering required. (NRS 439.200, 444.020, NAC 444.005)

1.6.1 Filthy or soiled articles of bedding are not considered properly sterilized or disinfected unless the fabric covering the articles is laundered or replaced by a clean or new covering and the filling material subject to one of the Disinfection/sterilization methods outlined in Section 1.3.1.

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Sanitation of Used Mattresses and Bedding (Page 7 of 7)**

Section 2.0 Miscellaneous

2.1 Severability clause

- 2.1.1 Should any section, paragraph, sentence, phrase, or provision of these Regulations be held invalid for any reason, the remainder of these Regulations shall not be affected.

Attachment B: Public Notice

The newspapers of Nevada make public notices from their printed pages available electronically in a single database for the benefit of the public. This enhances the legislative intent of public notice - keeping a free and independent public informed about activities of their government and business activities that may affect them. Importantly, Public Notices now are in one place on the web (www.PublicNoticeAds.com), not scattered among thousands of government web pages.

County: Clark

Printed In: Las Vegas Review-Journal

Printed On: 2014/11/23

PUBLIC NOTICE The Southern Nevada District Board of Health will conduct a **PUBLIC HEARING** on Thursday, January 22, 2015, at 8:30 a.m. during its regular monthly meeting in the Conference Room #2 at the Southern Nevada Health District, 330 South Valley View Blvd, Las Vegas, Nevada to approve or deny an Amendment to the Regulations Governing Sanitation of Used Mattresses, Bedding and Upholstered Furniture. Note, if this application is not presented at the January 22, 2015, meeting, it will be rescheduled for the February 26, 2015, Board of Health meeting. Nevada Revised Statutes (NRS) and Nevada Administrative Code (NAC) Regulations governing Used Bedding and Mattress Regulations are taken from NRS 439.200, NRS 444.010 to NRS 444.040 and NAC 444.001 to NAC 444.006. The Regulation Amendment Application is available for review at the Southern Nevada Health District, 330 South Valley View Blvd, Las Vegas, Nevada. Please contact Heather Hanoff at (702) 759-0660 to schedule an appointment to review the Regulation Memo application during normal business hours of 8:00 a.m. to 4:30 p.m. or for special viewing needs. Copies of documents may be requested during that time at a nominal fee. The same may be viewed on the SNHD website at www.southernnevadahealthdistrict.org/public-notices.php Interested persons may appear at the **PUBLIC HEARING** and present their views thereon. Written comments will also be considered by the Southern Nevada District Board of Health and must be forwarded to Daniel LaRubio, Jr., Environmental Health Engineer/Supervisor, Southern Nevada Health District, P.O. Box 3902, Las Vegas, Nevada 89127-3902, no later than December 31, 2014. A Fact Sheet is available for viewing on the Southern Nevada Health District's website at www.snhd.info/public-notices.php and by mail, fax, or e-mail upon request from Daniel LaRubio, Jr. -S- Jackie L. Reszetar, M.S., R.E.H.S. Director of Environmental Health Date November 21, 2014 Prior to the above **PUBLIC HEARING** before the Board of Health on January 22, 2015 or February 26, 2015, there will be two workshops for the public to present their views on the proposed application on December 9, 2014, 9:00 a.m. and 6:00 p.m., at the Southern Nevada Health District, Conference Room #2, 330 South Valley View Blvd, Las Vegas, Nevada. Written submissions are encouraged. For additional information, call (702) 759-0660
PUB: November 23, 2014 LV Review-Journal

Public Notice ID: 21945961

Attachment C: Fact Sheet



FACT SHEET

AMENDMENT OF THE SOUTHERN NEVADA DISTRICT BOARD OF HEALTH REGULATIONS GOVERNING THE SANITATION OF USED MATTRESSES, BEDDING AND UPHOLSTERED FURNITURE

APPROVAL OF THE
REGULATIONS:

The Regulations were approved by the Southern Nevada District Board of Health (DBOH) on September 27, 2007

REQUEST OF THE
DISTRICT BOARD
OF HEALTH:

The Southern Nevada Health District is requesting that the DBOH Amend the *Regulations Governing Sanitation Of Used Mattresses, Bedding and Upholstered Furniture* and allow SNHD to adopt language compatible with the authorizing state statutes and regulations.

EXPLANATION:

The Regulations have been in existence since September 27, 2007. These Regulations are not business friendly, as a financial burden would be placed on any company that could be permitted to sanitize Used Mattresses. First time applicants would pay a plan review fee of \$175. Applicants that have been reviewed and approved by plan review will not be charged again for the annual review and approval letter, if there have not been changes in the process. If there have been changes in the process, a fee of \$175 will be charged for the annual review and approval letter. A bi-annual registration fee (plan review misc. fees-exemption) of \$100 will be charged. The property will only be inspected for complaint investigations.

POINT OF
CONTACT:

Daniel LaRubio, Jr., P.E., REHS, Environmental Health Engineer/Supervisor
Environmental Health Division, Southern Nevada Health District
P.O. Box 3902, Las Vegas, NV 89127-3902
(702) 759-0660, FAX (702) 759-1427, email: larubio@snhdmail.org

SCHEDULED TO BE
HEARD:

This memo is to Amend the *Regulations Governing the Sanitation of Used Mattresses, Bedding and Upholstered Furniture* and allow SNHD adopt language compatible with the authorizing state statutes and regulations. This will be heard at the DBOH on January 22, 2015 at 8:00 a.m. in the SNHD Conference Room 2, 330 S. Valley View Blvd., Las Vegas, Nevada 89127.

Attachment D: Public Workshop Agenda



PUBLIC WORKSHOP AGENDA

Tuesday, December 9, 2014, 9:00 a.m. and 6:00 p.m.
Southern Nevada Health District
Conference Room 2
330 S Valley View Blvd, Las Vegas, Nevada

Amendment to the Regulations Governing Sanitation of Used Mattresses, Bedding, and Upholstered Furniture

I. Introductory Remarks	Daniel LaRubio, Jr., P.E, REHS Environmental Health Engineer/Supervisor Southern Nevada Health District (SNHD) Environmental Health Department Introduction of SNHD Environmental Health Staff
II. Description of the Requested Revert to NRS/NAC Used Bedding and Mattress Regulations	Daniel LaRubio, Jr., P.E, REHS
III. Public Comments on the Application	Participants to use microphone at front of room. Each time, participant identifies self and organization
IV. Summary & Final Comments	Daniel LaRubio, Jr., P.E, REHS
V. Adjournment	Daniel LaRubio, Jr., P.E, REHS

This agenda has been posted in the main lobby of the following locations:

1. SOUTHERN NEVADA HEALTH DISTRICT, 330 S Valley View Blvd, Las Vegas, Nevada
2. CITY OF LAS VEGAS, 495 S Main St, Las Vegas, Nevada
3. CLARK COUNTY GOVERNMENT CENTER, 500 S Grand Center Parkway, Las Vegas, Nevada
4. CITY OF NORTH LAS VEGAS, 2250 N Las Vegas Blvd, North Las Vegas, Nevada
5. CITY OF HENDERSON, 240 Water Street, Henderson, Nevada

NOTE: Disabled members of the public who require special accommodations or assistance at the meeting are requested to notify Sally Wahl in Environmental Health at the Southern Nevada Health District by calling (702) 759-0660

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PUBLIC WORKSHOP MINUTES

**Amendment to the Regulations Governing Sanitation of
Used Mattresses, Bedding, and Upholstered Furniture**

Tuesday, December 9, 2014, 9:00 a.m.

Southern Nevada Health District

Conference Room 2

330 S Valley View Blvd, Las Vegas, Nevada

Public Present: Joy Moss
William Moss

SNHD Present: Carol Cottam Robert Fyda
Paul Klouse Dan LaRubio
Jackie Reszetar Dan Slater

Meeting started at 9:35 a.m.

Good morning my name is Dan LaRubio, Engineer/Supervisor in the plan review section for the used mattress program; with me is Robert Fyda, engineer with the plan review section of the program; next to me is Dan Slater an REHS in operations of the program; also Paul Klouse, manager of the plan review is here; and Jackie Reszetar the Environmental Health Director is here also.

Mr. LaRubio: I would like to make a brief statement before asking people to step up to the microphone and ask any questions they have about the amended regulations. I will start off by stating the basic background for this amendment. The current regulations were approved by the Board of Health in 2007 requiring the use of dry heat sanitization only. This proved to be a hardship because as one local company found out it cost over \$100,000 to begin a dry heat operation. In April 2011 we tried to have an amendment to the regulations approved by the Board of Health; after several meetings and workshops, the amendment included several methods to sanitize used mattresses and was business friendly toward rental retail and consignment businesses. This amendment was not approved by the Board of Health and we were told to revise the amendment and bring it back to the Board of Health in four months. This never did happen based on a management decision not to go forward. The proposed amended would allow for six methods of sterilization disinfection as we have adopted the language of NRS/NAC. Dry heat is still allowed but the temperature required is reduced from 205⁰ Fahrenheit for one hour and fifteen minutes to 125⁰ Fahrenheit for one hour and fifteen minutes. This minimum temperature will kill bed bugs and can be achieved with a less powerful oven. Other methods are as follows: Boiling the mattress for one hour; steam under pressure for 30

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minutes; two applications of steam for one or each at intervals between six and twenty-four hours; chemical sterilization sanitization using a US EPA registered chemical that is safe for disinfecting mattresses. An alternate may be presented in the operations plan but must be approved by SNHD. A variance is also allowed but must be approved the Board of Health. Fees are now reduced to a plan review fee of \$175 and doesn't have to be repeated yearly if the operation plan doesn't change. Also, a bi-annual registration fee of \$100 will be required. Only for complaints will a \$275 fee be charged for the inspection. The cost of a dry heat facility has limited the number of permitted facilities since the regulations were adopted in 2007. One facility in Southern California has a letter of approval for reciprocity to sanitize and sell mattresses in Clark County. One facility was permitted in Clark County in January 2014 as a sanitizer.

Mr. LaRubio: Now I'd like to ask people to step up to the microphone and state their name, company, and any questions they have about the amended regulations. That's for you Mr. Moss.

William Moss, A Creative Charity Solution, my address is 4151 N Pecos, #207, technically in North Las Vegas, although the mailing address does say Las Vegas. As Dan knows and I've covered a little bit prior to the meeting I would like to voice my objections at this meeting today for the record, I think the posting of your-of this meeting and the lack of correct information makes this meeting-I think meeting should be postponed until the proper posting is made. You included as the exhibit of the existing the existing law was miscorrectly posted as the new law coming in. The existing law is 60 or 70 pages and your current law as posted on your web site is 6 pages as the same as the new law; word for word verbatim. So when I talked to other people in the non-profit which as I am they looked at it and they said it's mute, it's already been adopted. So my point is I respectfully request and you've already made your ruling that this meeting not be held today but in the event that you are going forward, which you are I've prepared to make some statements.

May I take my jacket off and get a little more comfortable please? Some of the facts that are important to me as a non-profit organization, we have done thousands and thousands of mattresses; we are the largest mattress, not recycler but taker, legal taker of mattresses in Las Vegas and Clark County. We have done thousands of mattresses from the different hotels just to name a few; I just got through doing 1,800 sets at The Quad, six months ago I did another 1,800 sets from The Quad and my record with the Health Department is as Dan knows, I have never received one complaint in the six or eight years that I've been doing this. I've never received one complaint of any bed bugs for contaminations. We do a very thorough inspection of any mattresses or job or hotel we are currently doing. As in case of tomorrow (inaudible) we're extremely careful and I need to sit down and figure out what this new law entails about spraying, but again as a non-profit we would ask that this new code be amended to allow non-profits to take mattresses in. I read the law maybe I haven't read it as carefully as the gentleman to the left of Dan, my left of Dan, pointed out, I believe the Salvation Army as an example cannot sell, and they collect mattresses, I don't believe they can legally sell one mattress to anyone; whether to be a rebuilder, technically based on the law I can't sell them to Gilbert. If I read the law to strictest letter of it, I cannot sell mattresses to anyone. Meaning if I bring in a thousand sets in what do I do with them (inaudible) I can't sell them to Silver Mattress; I have to bring my own in equipment in.

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What we've done is I've prepared a few things which Las Vegas has a modest but very good record of the lack of bed bugs reported and to be very candid with you casinos make a point not to report. I'm not in any way trying to impugn the (inaudible) casinos but if you get bed bugs at Golden Nugget they do all they can to keep it quiet. They give you comps, they'll give you free dinner, and I've had customers come in to my facility and describe that facility. At the Tropicana they have big notes in their maid rooms saying "bed bugs don't exist." I'm sure you realize the impact that the casino industries would have if they wind up on some registry; the bed bug registry, which I'm going to pass out, this document has the six most bed bug riddled city in Canada and the United States. We don't want Las Vegas to be on that list, we have records that show how many bed bugs have not necessarily been reported to this agency because the bed bug registry does allow the public to go on their website and report (inaudible) the problems they had at a hotel stay. Over the last, and I don't have that particular document with me, over the last several years we've been able to document from their website the bed bugs problems in this city, in this county. The other thing is the Health Department I'm sure is aware of they've recently found that bed bugs can transport disease. Are you aware of that? (YES) I have that story here, that I'd like to pass out. You're action actually is good for this, the action of trying to enforce, I emphasize the word trying to enforce, there's two different stories, there's a second one. Two different stories in there that talk about the same exact report that bed bugs do now found to transmit diseases to other means. I'll let you read the stories if you have the desire to. I hope I'm not taking too much of your time. I've got bullet points here that I'd like to quickly run through them if I may sir. I hope I'm not limited on time, although I'm trying to cut it as briefly as I can. As I told you guys in the informal meeting prior I run a very large non-profit, I run the largest furniture bank in the nation. Originally took over an agency called Lift Up, are you familiar with the group called Lift Up (inaudible) Lift Up was started by a guy named Frank, I used to buy his furniture. He would provide furniture to the needy families of Clark County and to the Clark County agencies, whether they be Salvation Army or whatever. I took over his () and where starting-getting ready to implement that organization called I Lift Up, it's a faith based organization which I happen to be a faith based organization. Our nonprofit goes back to 1977, we're not a new organization, we're a very well established organization out of California and we're very proud of our reputation. When I go to the casino and I say Mr. Casino I want to do your furniture removal which includes the beds they very happily and eagerly let us take it on, cause we've never failed them, we've never failed agencies such as yours, we will comply, we ask for more time for the implementation of this program, so I can get the ovens, cause I believe in the dry heat process. Many years ago when I was dealing with Adrian I attempted to put in some ovens but the cost at the time was a quarter million dollars an oven and that was cost prohibited, then there, not to complain, then the Southern Nevada Health District (inaudible) which allows more people to get in and I came to those meetings were the rent beds and rent a furniture people with their attorneys and all their suits came in and they got the law reduced a little bit so they can maybe sanitize their used mattresses. Problem of it is, this code as opposed does not address some of the major problems which I addressed to yourself, Dan, and letters that were-your code allows you to restrict the use and/or disposal of mattresses, hide-a-beds, cushions, anything with fabric on it. Right now as an experience person in the field, believe me there's bed bugs in all items. I go and take a head board off the wall, there's bed bugs in piles behind it. People are not-bed bugs are hitchhikers, yes they are, but they're also going through the wall, apartment complex and they're all over the place. With this admin of this law, in my

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belief, strong belief, that more and more mattresses are going to wind up on the curb or more mattresses are going to wind up in a non-regulated operation. As I pointed out to you this morning one regulated operation the proportion of recycled mattresses well they frankly I can prove they do not. Currently in town there is one casino doing 6,500 sets of mattresses totally outside of either laws. A company, A&T Liquidators, did the South Point and no repercussions. An inspector from this agency, a lady, and I've forgotten your name ma'am pointed it out, went down and convinced the inspectors that they were (inaudible) to Silver Mattress. Well Silver Mattress wasn't getting them. You go back into records that Silver Mattress that you did not get (inaudible) sets from there. You go to Silver Mattress right now A&T did the Venetian and did what 25,000 sets, and they sold them on the street, people by the truck loads, oh yes, some went out of state, but a lot of them stayed right here sir. Again, no enforcement and ma'am I've forgotten your name (Jackie) Jackie so adjectively stated that you don't have the manpower to enforce it. But it's not going to change by down grading your laws, the law you had on the book is well thought out and I suspect that you spent thousands and thousands of dollars researching and coming up with the most stringent law in the nation. Why step back away from that? I realize that budgets a problem, I realize that enforcements a problem. I'm not an agent of the government but I can whisper in your ear for sure that's the MGM is doing 6,500 sets right now between now and Christmas, they'll have changed out 6,500 sets, and guess who's doing itinaudible A&T Liquidators and they don't even have a business license, they're on Harmon, 4170 Harmon and they're selling hide-a-beds and this document you have in front of you as proposed new law, they don't address hide-a-beds that I can see, does it?

Paul Klouse, Manager, Environmental Health: Hide-a-beds contain a mattress, they contain a mattress.

Mr. Moss: But it doesn't specifically say that. Doesn't specifically as it did before. Bar the hotels from liquidating, giving away, selling, (inaudible) the other thing with a mattress they can do what they want they can get someone dumb enough to take them they can legally do it now. And that's a stick that I had, I had that stick, you cannot legally dispose of this mattress and based on the law and I maybe misquoting it, based on your law, you barred the hotels from disposing of their mattresses and not barter, trade, and so on. And that was my stick, that was my stick to get the casinos to bend to my will if you wish. Now I don't have that stick the hotels can legally dispose of them to anyone they damn well please. But what am I to do? Half of my business income comes from the mattresses; half of it and I do support a lot of different things in the community, I'm very very involved in donating. I've donated probably half a million dollars in furniture to the Baptist church on the corner of Cheyenne and Pecos, they in turn donate to other churches, they in turn donate it to other families and today there'll be a load of clothing going down to them that we've collected from the Mandalay Bay; uniforms and so on so they can go on. We're very active in the community; our bottom line is we ask to be excluded from this new law. In your...I know I may be rambling so forgive me please I'm not the best speaker in the world. Thank you for your patience ladies and gentlemen. I already covered the restricted laws. I don't understand your premise that's it's been a financial burden. Who's it been a financial burden on inaudible The fact that you can add to your current laws, the fact that you can use chemical now, simple change, instead of just doing away with what you have, if you don't mind a suggestion, take your laws, adapt them, to include this chemical treatment and steam treatment, nothing wrong with that. I don't think it's as big as a burden on the community as you guys seem

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to think, although, I won't argue with you. I do really believe that there's better ways to do this instead of going back to, in all due respect, to the stone ages. The state of Nevada is in the stone ages when it comes to bed bugs. Clark County is on the leading edge with the current laws and I hope you will reconsider adding this or at least make it so the non-profits will be exempt as we are. I believe () as business friendly as you may think it is and the reason why is most of these places that are out there are breaking the law whether you pass a new one or not. Are people going to come up and do an oven or do some other treatment (inaudible) How difficult is that going to be to get passes (inaudible) I don't know. Gilberts been over a year to get his passed and I don't know exactly what you expect, but we plan to put in a portable oven. One that I can take out to the casino's if need be. I don't know if it requires a building permit. I don't know how you'll permit that? My guess is, what's the requirements going to be on a portable trailer mounted equipment? Do you have any ideas? I don't know; can you give me a comment back on that Dan?

Mr. LaRubio: Well you'll have to do an operations plan for that and the work you'll be doing with that oven.

Mr. Moss: Well the oven would be portable. It would be pulled by a semi after we sanitize the mattresses at a job and bring the mattresses in and sanitize. That way we won't run into exposure in our facilities. We think that's an answer, a viable answer. But again it takes time; time is what I'm looking for. If you postpone the adaptation of the new regulation then I'll have time to adapt to your regulations. If you're not willing to give a non-profit organization exemption of this new law at least give the non-profits time to enact and react to your regulations that's what part of why I'm standing here in front of you. Is I'm trying to do this quickly.

Ms. Reszetar: Remember sir, this is just a workshop. We haven't had the Board of Health yet.

Mr. Moss: I understand, but if I can convince you guys then maybe it'll change

Ms Reszetar: You still have plenty of time to comply.

Mr. Moss: When will that law go into effect if I may ask Jackie, may I call you Jackie? When will that law affect me.

Ms. Reszetar: When the Board of Health approves. But we can work with you to get you time prepare and comply with the regulations. No one said it has to be drop dead...

Mr. Moss: That's what I'm reading, that's what I'm reading ma'am.

Ms. Reszetar: We have to start somewhere but we'll work with individual non-profit organizations to get them set up appropriately to the regulations.

Mr. Moss: Okay. May I be so bold as to ask how long that might be.

Ms. Reszetar: I don't know.

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Mr. Klouse: That's something we can discuss.

Mr. Moss: Good, I'm opening that dialogue, good.

Ms. Reszetar: I have to come and look at your operation.

Mr. Klouse: Again, that's the kind of things we need to talk about in these meetings.

Mr. Moss: I'm fearful of you guys coming out to my operation.

Ms. Reszetar: Why (inaudible) Your fearful?

Mr. Klouse: Can I ask you a question?

Mr. Moss: Yes sir. To me it's an open meeting.

Mr. Klouse: Why should non-profits be exempt?

Mr. Moss: Well we provide a service that frankly, very few people can the homeowner calls Salvation Army, I don't deal with the home owner, I did a little bit of work with the Autism group and bringing their furniture in that they couldn't put in their stores. If you're not familiar with the autistic group or autistic children they supply all the furniture and goods they Savers sells. They have a contract with Savers to provide them clothes. So they have been put in washing machines and all those things, they've done it right. But they were-the furniture that would not reach the standards of Savers they would bring to me and have me dispose of them. Well we wound up getting bed bugs because they're dealing with the public and what does the public do when they get bed bugs? They don't call you, not Dan as a person, but they don't call your agency. "Oh I got bed bugs" and self report, no way, they're lucky if they call an exterminator. The truth of it is they put it on the curb or call Salvation Army to get rid of it. If they put it on the curb that costs additional disposal fees. So Salvation Army and Goodwill are the answers and they wind up with them. I don't wind up with them, I don't deal with the public, I deal with the casinos. I do not like to deal with the public because the risk is too high. If I go in and get a whole floor of mattresses off of a casino I know what I'm getting. I know their reputation of the Tropicana. I didn't take one mattresses from the Tropicana when I did the Tropicana in my facility, not one, because they had such a bad reputation. I looked on the registry back then, and they had a bad reputation (inaudible). Santa Fe Station I'm doing right now and not one mattress is coming into my facility because they have the type of clientele, and not to be a snob, but the kind of clientele they're more likely to have are those ones that may have bed bugs. They may have problems because they stay at a lower clientele. Siegel Suites, oh my God, we won't talk about Siegel Suites, because we know they have a problem, they don't talk to you about it but I talk to the manager's about it and they're managers are just—shall we say overwhelmed with bed bug problems. I can go on, the low end motels are high risk to your agency and to me so we won't touch a mattress that comes from them. We send them straight off to Gilbert. But again who's going to enforce that? I can help you by whispering in your ears. I'm not trying to be a snitch but I'm trying to help you enforce the laws that benefits all of us In Clark County.

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I have my own that came from one of the casinos, Treasure Island, it happens, I'm not afraid of them because I know what I'm getting, I know what I put out as an end product. Again back to my question is, if you can't enforce what you got how are you going to enforce what you're getting? I know how to enforce the first one. The second one you're not even enforcing A&T, and they need to be shut down period. There've been 6,500 sets of mattresses this month from a major casino, and they're doing it through Beacons. Beacons have been taking the furniture out the mattresses out of the rooms and they're picking them up them up at the dock. Yea they may send some to Silver Recycling, I think Silver bought 500 sets from them out of 6,500. No one is equipped to handle 6,500 sets. I'm as big as they get and I can't handle 6,500 sets of mattresses. I'm as big as they get here in town. It just doesn't get any bigger. I've placed several complaints, with no disrespect, on deaf ears because you weren't enforcing the law. I (inaudible) with Silver Mattress, not Silver Mattress, A&T I don't know what you're going to do about it but they are on 4170 Harmon and they have a store open from 10-4, six days a week, and I've got an ad if you like proving my point. They're selling mattresses and sofas from the Venetian and based on Clark County...I'm I making a good presentation? I don't think so, I don't know what to do, I'm scared, I'm scared for my business, I'm scared for a non-profit organization that frankly we provide a big service to the casinos. I don't know what the casinos could do without me. (inaudible). What will the casinos do when they call and say we need you to get rid of 5,000 sets of mattresses, is there anyone else in town? Goodwill won't take them, Salvation Army won't take them, Desert Industries won't take them, they're not equipped. I'm equipped to handle any volume they throw at me. I can handle it. And I'm the solution to the hotels problems. I don't mean to boast, I don't mean to brag, but the truth of it is I am the solution. If you cut me off at the legs and you say you can give me time with this law, I will comply with the law, I am that kind of a person. If you write it down in black letter, I believe in the black letter law, and I comply to the word. I will comply but I beg you I respectfully request that somehow or another some provisions be made for people like me, and I do provide a great service to Clark County. I provide the best service for Clark County and I've never had one complaint, I've never had one casino not ask me to come back. My job is when they have a party my philosophy is I want to be invited your next party. I do a good job on time and when I sit in front of you gentlemen and ma'am, I will do a good job providing you give me some time, to comply with this rule. It's going to cost me thousands of dollars to put an oven in and I will make it portable and the reason I'm pointing my finger at you Dan is because I know I'm going to have to deal with you. I don't know how to prepare a plan. I don't have a staffing to prepare a plan. I have volunteers.

Ms. Reszetar: We are your staff; we are here to help you.

Mr. Moss: Help me by giving me a little bit of leeway here. Maybe you can, I don't know, I strongly suggest making non-profits exempt. Enforce what you have now. You've got hide-a-beds being sold right now at A&T from the Wynn, the Venetian, and there's hundreds of them there. I haven't been in their warehouse but I know they're doing 6,500 sets of mattresses they did the Venetian 2,500 sets more or less and they did the South Point total impunity. Impunity from the law, that's my problem. Enforce what you got now then change the laws but enforce what you have now. I don't know how to close myself except I'm...I got another story here. Do you know who the DOT is? DOT Department of Transportation, they got bed bugs, Bill Clinton has bed bugs I've got a library of stories about bed bugs going back eight years. (inaudible)

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Courthouse (inaudible) for bed bugs (inaudible) bed bugs mobile command center for the DOT, these are just examples of what you guys have to face. I'm here to solve part of the problem. I think you've gone backwards, I really say (inaudible) and I'm trying to get in your face, I'll get back into my space, the truth of it is you've gone backwards this law had, maybe not totally perfect, but it was a good law. It was a very good law and it gave you the teeth need be to give me the opportunity to go into the casino and say this is the law. Now I don't know what I'm going to go into the casinos and say, I'm not sure what I've got to do to make you. Can I go into mattress and sell mattress tell them casino "Mr. Caesars Entertainment which I'm (inaudible) I will take care of your mattresses, course in Lake Tahoe it doesn't matter but I'm going to do the Lake Tahoe job. I've been (inaudible) for them, but as a preferred vendor for Caesars Entertainment what do I tell them? This is the law, how do I tell them getting around it but (inaudible) problem so I can? Tell me Dan.

Mr. LaRubio: Do they sell you the mattresses?

Mr. Moss: No, totally strictly a donation.

Mr. LaRubio: Okay and then the way this new law is written you would need to sanitize.

Mr. Moss: Yeah but can they transfer that responsibility to me? I don't read that in the law sir, I don't read the law saying the casinos can transfer that responsibility to someone like me. I read them and they can't, technically if I take it out and if I wanted to (inaudible). I'm sorry I'm taking your time and I don't know where to go. (Mr. Klouse: That's what we're here for.) But if the casino is my client unless, let's take Caesars Entertainment it's gonna do Harrahs in the Spring. They come to me and say you're our preferred vendor we want you to solve our problem. Right now I don't know how to solve their problem. Because (inaudible) the new code is going to be worded they don't have the right to give it to me. Do they? It doesn't really say it, but they can't dispose of them, how do they get them to me? Your other law was perfect. I raise my voice not to be angry but I'm really...

Mr. Klouse: It says sale it doesn't say give away.

Mr. Moss: I'm going to pose a question to you. Sir I forget your name (Paul) and I'm glad you're giving me the time to thank you for not putting a dinger on me. What if I rent my mattresses starting tomorrow? I rent them.

Mr. Klouse: You rent your mattresses?

Mr. Moss: Yeah, I'm going to rent them starting tomorrow, I'm being a smart ass, but I'm going to rent them. Forever, I'm going to rent you a mattress for \$100 forever. Your law doesn't prevent me from doing that sir. I'm not being a smart ass. I'm trying to point out the fact that you had a good law. The law said that hotels couldn't trade, barter, steal, or whatever, now you don't have that. I think that absolutely positively you need to keep the law you have and just improve upon that. Going back to state law, it was very long ago they were using Melthianine, a cancer causing agent to spray mattresses. I don't know if you remember that. Dan do you remember? When I first got involved in this the only approved agency the only approved chemical for the

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state of Nevada was Melthianine a known cancer causing agent. You could spray the mattresses but Clark County came up and changed the law. The state caught up a little bit. Right now you're ahead of the state. Stay there please, I beg you. Am I doing good? I've probably been talking to a deaf ear I don't mean to be disrespectful.

Ms. Reszatar: No, we just want to make it work for you. In a sense that it keeps the law intact and it's manageable for us. But what can we do to help you to stay in business, keep your business maintained, and still comply with what we have. I have a feeling that we can work together as a partnership to make that.

Mr. Moss: I'd love to be your-and I don't mean partner like you're going to come and invest in my company or (inaudible)...but a partner working together, yes.

Ms. Reszatar: It's not to hinder you it's to make you better.

Mr. Moss: Making it better? You've got to include things like hide-a-beds, the cushions, cause right now I could take the cushion off of the leather here, I could take the cushion off of any, I can sell, under your law, I can sell the chairs (inaudible). But they've got bed bugs in it. Your law doesn't prevent that, transfer of that.

Ms. Reszatar: Quilted pads, quilts, comforters, mattresses, mattress pads, cushions, pillows.

Mr. Moss: I'd read that as cushions from the bed. Fluffy cushions.

Ms. Reszatar: Make it more (inaudible) that's a comment. We can make that more detailed.

Mr. Klouse: We have a certain mandate under state law, to regulate certain things.

Mr. Moss: I totally agree with that but you can expand on that law as you did previously, and your law was perfect. Maybe it wasn't enforceable, but it was perfect. If you needed to come down on somebody like A&T you had the teeth. I'm gonna ask another question and I know I'm taking way too much time, boring the heck out of everybody. What is the penalty is I get caught selling mattresses? I'm looking at you Dan. What's the penalty? You got to have a carrot with no stick.

Ms. Reszatar: Well what's the penalty right now?

Mr. Moss: None.

Mr. Klouse: It's a misdemeanor under state law to do so.

Mr. Moss: I don't read that in the...maybe in another part of the state law. I didn't read that in your code section.

Mr. Klouse: No because we don't put that in there because it is in state law.

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Mr. Moss: I've taken way too much of your time. I think you already knew my feelings. Jackie, I'm going to take you as your word. If you're willing to work me, but I'm not only one, Salvation Army and all the rest of us, and we need to... I ask you to postpone this meeting so I can get those guys together and get their input. I can't get them together today.

Ms. Reszetar: We do have a meeting tonight at 6:00.

Mr. Moss: I still can't get them together in time. They're (inaudible) of the law, basically if I looked at that as I saw in the posting, I thought the law was already passed. I thought why bother, based on what you said the current law and the new law are identical so why bother, but now I (inaudible). I read more back in 2006 or whatever it was, but I need time to get those other people here and go into that public meeting you know what's going to happen there's going to be a five minute time limit; attorneys and all kinds of people are going to show up. I'd rather do it in an informal setting, is there any way I can sit down with yourself Dan and go over some of this? My concerns, on a face to face basis before it gets to that next meeting, maybe we can make some changes as Jackie suggested. I know hide-a-beds are a big problem.

Mr. Klouse: I've got some notes here as to some changes that we can make, (inaudible) comment and that's often what happens with these meetings. People make good comments and we go oh hey we didn't think of that let's put that here. So what we can do is provide....

Mr. Moss: Again I'm trying to defend my business.

Ms. Reszetar: Don't think that your efforts are deterred, we are taking little bits and pieces of what you said and the information and see how we can make our regulation better.

Mr. Moss: Are you expecting a big turn out tonight?

Mr. Klouse: It was publically noticed so we don't know.

Mr. Moss: (inaudible) and not throw rocks at me.

Mr. Klouse: You have every right to show up at 6:00 for that meeting.

Ms. Reszetar: And you have what almost six hours to go and recruit.

Ms. Cottam: We also take written comments so if your other non-profits want to do a written comment, they're welcome to do that.

Mr. Moss: They may not have the passion that I do.

Mr. Klouse: And that's open until when Carol?

Mr. Moss: (inaudible) Salvation Army this is not-this is a blip in their ocean, Goodwill it's a blip in their ocean. This is half my business. Okay so it's a bigger blip in my ocean. That's why I

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guess that's why I'm more passionate. Thank you for your patience and all of you, Dan, and I've forgotten the names of the rest of you, forgive me. It's important.

Mr. Klouse: December 31st, we'll take written comment until December 31st.

Mr. Moss: I know you know I'm passionate about this I know you know its life and death, but we'll figure out some way. How restrictive? I'd like to sit down with you Dan, how restrictive (inaudible) other than spending money to get it I need to know how restrictive that's going to be as released to my fiscal operation. I don't really plan to do it inside my building. My physical operation how you interpret that is really all I need.

Mr. LaRubio: The paper that you showed me, that's your operations plan.

Mr. Moss: That's the physical plan it'll be trailer mounted and will not be inside my building. I don't know...

Mr. Klouse: So what you're asking is we need to make that part of the regulation a little bit more flexible.

Mr. Moss: No I'm asking this because I want this to be my secret, no.

Mr. Klouse: Yes, but we need to make it more flexible so that it allows for those types of operations. I never even conceived a portable disinfection. So that's-we're glad to hear that because that's something that we can work into the draft to make it better.

Mr. Moss: Back when I was working with Adrian, five/six years ago, before those people came in from rent-a-bed. I had conceived this idea back then. To have my operation, put it in my operation, have a portable operation, go to Salvation Army, shelters, and the jails, and the jails, you know what a big problem the bed bugs, God Bless America. They need, the community need a portable operation equipped to go out and do it on site. Because the jail can't shut down a day, jails gotta bring the beds out and send them back in, in a couple hours. That's our overall plan. In fact I had whole business model around that. To be able to go out and, we have the ability-can I take a second more, I know you probably want to go back to your other meetings. We have the ability to take an old mattress and this is something you may want to address in your regulations. But a mattress gets blood stained or urine stained what does the hotel do? In your record you have to throw it away. I have the ability to go in and re-skin that mattress and make it new again as long as it comes from the same hotel and goes back to the same hotel I don't think I'm breaking the rules. Am I?

Mr. LaRubio: Re-skin? Are you going to rebuild the mattress?

Mr. Moss: Totally put a new skin on top. Remove the blood stain and the urine mark and re-skin it. I've got a \$500 mattress or a \$100 bill.

Mr. LaRubio: Are you removing the old cover?

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Mr. Moss: Yes, sir.

Mr. LaRubio: You can do that.

Mr. Moss: That doesn't address that in your new regulations.

Mr. Klouse: Well 1.6.1 on the last page.

Mr. Moss: I haven't read it word for word. Go ahead, what.

Mr. Klouse: It says "filthy or soiled article of bedding are not considered properly sterilized or disinfected unless the fabric covering in the article is laundered or replaced by a clean or new covering and the filling material subject to one of the disinfect."

Mr. Moss: But don't I have to sanitize it in an oven also?

Mr. Klouse: That's only if you're selling it to somebody else.

Mr. Moss: But if I'm taking it in and repairing it for a hotel you say I'm okay.

Mr. Klouse: I believe so, yeah.

Mr. Moss: Okay I take that gospel. The gospel according to Paul.

Ms. Reszetar: If we have to write it in there to make it more clear, well...

Mr. Moss: Again, I'd like to think I'm on the cutting edge I like to think I'm the guy that's out in front thinking and this portable rig, five years ago my dream it still is. I want to stay in compliance I will stay in compliance (inaudible).

Mr. Klouse: Thank you very much appreciate your comments.

Mr. Moss: Thank you for your time gentlemen I know I overstayed my welcome. Don't change the law! My final parting statement just modify what you have. It ain't the law it is a good law it might not be as enforceable but I don't think it's going to get better. Gentlemen and ma'am thank you. And again I still don't think this meeting should have been held today. May I shake your hands?

Ms. Reszetar: Absolutely. You were very helpful.

Mr. Moss: You say this is recorded? So I can get a copy of the recording?

Mr. Klouse: Yes it'll be posted I believe. No.

Mr. LaRubio: It'll be written up verbatim.

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Mr. Moss: I just said the part about the MGM doing 6,000 mattresses is not part of that record.

Mr. LaRubio: It is now cause you said it during the hearing. It is transcribed.

Mr. Klouse: These articles did make the rounds within the last couple of weeks and raising our level of concern

Mr. Klouse: Make final comments and close them meeting.

Mr. LaRubio: Oh okay, I just would like to say one thing regarding Mr. Moss and his suggestion. In was suggested in 2011 by Commissioner Guinchiliani that we do not except non-profits anymore when we're doing that amended so to bring that to her again and say that we're going to exempt non-profits is not going to fly, she's the most vocal on the commission, so. We need to take his words with a grain of salt maybe make some light changes but not take-create his exemption like he'd like us to.

Mr. Klouse: Thank you. Any further public comment? Seeing none we'll close the meeting at 10:25 a.m.



Carol Cottam, Administrative Assistant

Minutes are transcribed verbatim.

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PUBLIC WORKSHOP MINUTES
Amendment to the Regulations Governing Sanitation of
Used Mattresses, Bedding, and Upholstered Furniture

Tuesday, December 9, 2014, 6:00 p.m.
Southern Nevada Health District
Conference Room 2
330 S Valley View Blvd, Las Vegas, Nevada

Public Present: Cynthia Boo, Mattress Paloma Recycling Center
Joy Moss
William Moss

SNHD Present: Carol Cottam Robert Fyda
Dan LaRubio Jackie Reszetar

Dan LaRubio opened the meeting at approximately 6:05p.m. by introducing the SNHD staff and giving a brief history of the Regulations Governing Sanitation of Used Mattresses, Bedding, and Upholstered Furniture

Recording wasn't working for a period of time (seven minutes)

Public Comments

William Moss(inaudible) ...pick up these used mattresses that do have bed bugs. If I had to guess probably half of those mattresses picked up by those agencies have bed bugs. If I had a bed bug at my home I'd get rid of it by way of a donation to a charity. To limit the ability of a non-profit (inaudible) to take those mattresses in, I think it would limit the ability of people to legally dispose of their mattresses. You don't want mattresses out in the desert, you don't want mattresses filling the landfill, and I think non-profits including ourselves provide a very useful service. If you take a 53 foot trailer-semi-trailer of mattresses, it can be about 55-60 cents in a mattress based on size and fluffiness. If that winded up at the landfill and let's say a hotel 2,000 beds and there's about 300,000 beds if I recall correctly in the hotel industry which I specialize in that impact going to the landfill would be enormous burden on (inaudible) and we all of us are green we all want to be green. As I said it this morning we've never sent a mattress to the landfill and we don't intend to we find some way to get rid of it. If it has bed bugs I send it to Silver Mattress, if I can address Silver Mattress briefly. They went out and spent a \$100,000 to comply with your rules. I almost spent a quarter million dollars to comply with your rules, when you were at 215⁰. We found that these were cost prohibited, but when you change the rules to 175 or

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whatever you've lowered the temperature that made it so it wasn't quite as easy to get involved on a large scale because we've invested close to half a million dollars in a plant and bring it to here, standard. Now Silver Mattress has invested a quarter-\$100,000 plus dollars, what are they out. They're out \$100,000 thinking they were going to have some exclusivity in the market place. I think they should've been invited and have some input into this. I did not call Gilbert I certainly should have, but I'm speaking (inaudible) for him. I think its not-he invested \$100,000 to try to get into compliance and now your shooting him in the foot too. Please reconsider this law, I think it (inaudible) of course I've already said that before and if you'll allow me I'll say good night but if you have any questions I'm here to answer what you might have. As I pointed out to Dan I don't think one, Dan answered the question but I'm going to pose the question again. Have you ever had one complaint against my operation? Dan's answer was no. Have you ever had a complaint about any non-profits with bed bugs? I believe the answer is "There have been none" from Dan's nod of the head. Non-profits provide a very good outlet for the public now I work with the hotels; I don't need that. Again, (inaudible) time to shut up Jackie.

Jackie Reszetar: I didn't say that.

Mr. Moss: I know you didn't say that. My point is I had my time this morning I can back to see if anyone else had comments and I felt I was compelled to say something for Silver Mattress, because they didn't (inaudible) and they took 1,000 of my mattresses from The Quad because they're invested not to say The Quads a bad place and but they had problems and we took on the problems and my guys the minute we opened the truck and saw bed bugs we—off it went, we don't take risks. And I think other non-profits have that same exact (inaudible). Any questions? Gosh I was wishing you'd ask me some questions. I'm feeling (inaudible) to you guys. I do hope you don't pass this or go back and re-think it. (inaudible) first proposing this, they were side by side of proposed changes one of them was a revision of the old law and then this new one, side by side on the web site and I was watching and watching, I was kind of hoping you'd go the other way and revise the old one, but you didn't. Here we are. Alright, is that the end of the meeting?

Ms. Reszetar: You guys are the voice.

Mr. Moss: I try not to be the voice.

Ms. Reszetar: That's what we have a public hearing for.

Mr. Moss: I appreciate the opportunity, I do. I think I was treated fairly and respectfully and I did (inaudible) and I hope I have been respectful to you guys also and I haven't attacked anyone, I was a good boy. Somebody else here? I'll step aside.

Mattress Paloma: I'm here to let you know that I hear on the open swap meet, they are already selling used mattresses and they don't have any stickers or tickets they said they are used mattresses and how they are they were properly sanitized. That's why we wanted to tell you that we know that (inaudible) open swap meet they are sell that kind of mattresses. We wanted to tell you that you help us to go check it out and everything and be sure because this is going to be new and we don't want the bed bugs and everything else that comes up.

Attachment E: Workshop Minutes - 6:00 p.m. (Page 3 of 5)

Mr. LaRubio: Are there any other questions or comments? We'll wait about 15 more minutes before we close the meeting, if you can think of anything just step up to the microphone and let us hear.

Mr. Moss: As it relates to the flea markets we've had some recent experiences at the flea market. We-you know we're a non-profit and we attempted to set up and sell used mattresses at the flea market at Broad Acres and they would not allow us to. Even though we're exempt they would not allow us to set up there. They're very strict as it turns out; from our experience, selling straight used mattresses there. I haven't had the experience that Paloma's had about the sticker but Broad Acres is really enforcing the absence or lack of entrance on the property that we're aware of, cause we did try.

Mr. LaRubio: Thank you Mr. Moss. Before we finish up I'd like to say just one quick thing to Mr. Moss. This new regulations if they are adapted-adopted by the Board of Health. Hotels can give you mattresses like they do, then you can sell the mattresses to refurbishers without you refurbishing them yourself.

Mr. Moss: We're not in the refurbishing business.

Mr. LaRubio: So you wouldn't need an oven.

Mr. Moss: Because I do sell the mattresses in my thrift store. Half of my income comes from selling used mattresses but also from the couches and other things that prohibit the other people from collecting and selling. Like I said this morning we're very interested in not only the mattresses but sofas and stuffed chairs that you had including in your laws before. Right now you're silent on those other items in our opinion. You say cushions, but to be a cushion is like a decorative cushion on a bed your proposed law does not include (inaudible) and overstuffed chairs in the room and they are definitely a harbor if you wish for bed bugs and I've told you before, bed bugs hide behind head boards there everywhere. You get a room that's infested its bad and I've seen them bad. I'm taking you back to my days at the Tropicana when I did that one; very bad place. Did I answer your questions accurately sir?

Mr. LaRubio: Well would you be able to just take the mattresses from hotels and then sell them to refurbishers?

Mr. Moss: As I (inaudible) the law I think I'm prohibited to sell to anybody in Nevada, if I read the law accurately and this morning your people pointed out a couple of misconceptions that I had. One of which I've forgotten-the chemical-all that I saw was the oven, the-my interpretation of the law is we couldn't sell it to Silver Mattress. If I read the law correctly, now I'm open to, you tell me I'm wrong, I'll believe you, I don't believe under that law that I can sell them to anyone, period, In Clark County or in the State of Nevada and that's again one of the concerns that I have. Yes we sold a 1,000 sets to Paloma not to Paloma, forgive Paloma, to Silver Mattress and we'd like to continue to do that but I don't think the law allows us to do that if I read like letter, and I believe in black letter law.

Attachment E: Workshop Minutes - 6:00 p.m. (Page 4 of 5)

Mr. LaRubio: It does say that you would need to sanitize before you could sell. Disinfect and sterilize.

Mr. Moss: So I couldn't sell them to Gilbert. As I read the law, I couldn't I couldn't sell to Gilbert, Gilbert is Silver Mattress if you didn't know Jackie. Now one other correction I talked to Don from Gateway Mattress, a couple of years ago, and he told me didn't request to renew his reciprocity. Is he still current? I believe he is not, I believe he dropped the reciprocity. That was back when Jamie was here and I think she went to California and she requested some things and is operation and I think he planned to make those changes and I think he tells me, we are communicating right now to send him some mattresses, he needs some of my mattresses but we don't think he has reciprocity currently. I could be wrong, because I haven't checked but if you'll allow me to be wrong, I'll allow you to correct me if I am wrong.

Mr. LaRubio: No they don't, they don't have it.

Mr. Moss: I didn't think they did I think they dropped the reciprocity many years ago. When Jamie was still here. I go back a long time.

Mr. LaRubio: Well they had it up to 2013.

Mr. Moss: Did they? I talked to Don last Friday but he's out of the city until tomorrow, which he doesn't really have an effect on this, but again going out of state (inaudible) doesn't seem to have a problem. I don't think I can sell to Gilbert. Gilbert, like I said, just took a 1,000 sets of mine from the Imperial Palace, Quad, whatever one you want to call it.

Mr. LaRubio: The reg does say it shall be unlawful for any person, business, firm, association, sole proprietorship, partnership, LLC, or Corporation to (inaudible) operation of manufacturing, making, or renovating used mattresses and bedding in Clark County to sell or offer for sell any used mattress or bedding.

Mr. Moss: So I couldn't sell to Gilbert?

Mr. LaRubio: No

Mr. Moss: Again, that hurts Gilbert, Gilbert's the poster child if I may use that, he's the one spent \$100,000 in a year, more than a year to get his oven in, took him a year or more to get approved cause of all, I don't want to call it red tape, maybe it was because he didn't quite understand, you know and have the engineers and help necessary to do that. I'm not privy to what he went through; I know he had problems with fire marshal's and other issues, other agencies other than your own. Again we've been longtime friends, him and I used to be, when he was on Steptoe I had an office directly across the street from Gilbert so we became good friends as it is. We respect him, back when he invested money and then he's gonna maybe not be necessary anymore or as necessary. I'm sure he's gonna squeek, that being said it's not my place to represent him. Again we're proud of our record on an average year I do 10,000 sets of mattresses a year, I'm the largest guy in town, the biggest dog in town and the dog wants to

Attachment E: Workshop Minutes - 6:00 p.m. (Page 5 of 5)

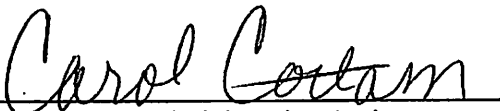
continue to play and don't think anyone else can claim 10,000 sets a year or more. Questions? Thank you. It makes me feel part of this.

Mr. LaRubio: Thank you for coming out.

Mr. Moss: No problem and thank you for hearing my comments. Thank you Jackie. You owe me a card.

Background talk regarding phone numbers etc, between Mr. Moss and Ms. Reszetar. And with Mr. Moss talking about coming in and meeting with staff.

Mr. LaRubio: If there are no other comments I'd like to go ahead and close the meeting at 6:34, time to close the meeting. Thank you very much for showing tonight.



Carol Cottam, Administrative Assistant

Minutes transcribed verbatim.

Southern Nevada Health District
 Environmental Health Division
PUBLIC WORKSHOP
 SNHD Meeting Room 2
 December 9, 2014, 9:00 a.m.

**Amendment to the Regulations Governing Sanitation of
 Used Mattresses, Bedding, and Upholstered Furniture**

NAME, TITLE (Print Please)	BUSINESS/AGENCY	PHONE NUMBER	E-MAIL ADDRESS
Dan LaRubio, Jr. Engineer/Supervisor <i>DL</i>	SNHD	702-759-0660	larubio@snhdmail.org
Robert Fyda EH Engineer	SNHD	702-759-0660	fyda@snhdmail.org
Carol Cottam Admin Assistant <i>CC</i>	SNHD	702-759-0661	cottam@snhdmail.org
<i>DAN BITER</i>	<i>SNHD</i>	<i>702-759-0661</i>	<i>slaterd@gal.lanark.org</i>
<i>DAN</i>			
<i>Robert Fyda</i>	<i>SNHD</i>	<i>702-759-0660</i>	<i>fyda@snhdmail.org</i>
<i>Paul Klause</i>	<i>SNHD</i>	<i>702-759-0583</i>	<i>Klause@SNHOMHL.org</i>
<i>WILLIAM MOSS</i>		<i>702-450-1580</i>	<i>wmoss702@yahoo.com</i>
<i>JOY MOSS</i>		<i>702-813-0703</i>	<i>joy-gaalago@yahoo.com</i>

Attachment F: Workshop Sign In Sheets (Page 1 of 2)

Southern Nevada Health District
 Environmental Health Division
PUBLIC WORKSHOP
 SNHD Meeting Room 2
 December 9, 2014, 6:00 p.m.

**Amendment to the Regulations Governing Sanitation of
 Used Mattresses, Bedding, and Upholstered Furniture**

NAME, TITLE (Print Please)	BUSINESS/AGENCY	PHONE NUMBER	E-MAIL ADDRESS
Dan LaRubio, Jr. Engineer/Supervisor <i>DLR</i>	SNHD	702-759-0660	larubio@snhdmail.org
Robert Fyda EH Engineer <i>RF</i>	SNHD	702-759-0660	fyda@snhdmail.org
Carol Cottam Admin Assistant <i>CC</i>	SNHD	702-759-0661	cottam@snhdmail.org
<i>Jackie Reszeta</i> Dir. EH	<i>SNHD</i>	<i>702-259-0590</i>	<i>reszeta@snhdmail.org</i>
<i>William Moss</i> <i>W Moss</i>		<i>702-450-1588</i>	<i>wmoss702@yahoo.com</i>
NAME, TITLE (Print Please)	BUSINESS/AGENCY	PHONE NUMBER	E-MAIL ADDRESS
<i>Cynthia Boo</i>	<i>mattress Palomar Recycling Center</i>	<i>702 638 7856</i>	<i>mattressrecycenter@gmail.com</i>

Attachment F: Workshop Sign In Sheets (Page 2 of 2)

Attachment G: Public Comments

No Public Comments

Attachment H: Business Impact Statement (Page 1 of 2)

BUSINESS IMPACT STATEMENT

Amending the current *Regulations Governing the Sanitation and Safety of Used Mattresses, Bedding and Upholstered Furniture* and accepting the language of the NRS and NAC Bedding and Mattress Regulation language in a new amended regulation adopting NAC language.

1. Manner in which comments were received
 - a. During the past 7 years, since the adoption of the Southern Nevada Health District (SNHD) *Regulations Governing the Sanitation and Safety of Used Mattresses, Bedding and Upholstered Furniture* on September 27, 2007, there have been only two Sanitization Facilities permitted by the SNHD. One of those facilities, Gateway Mattress has an Approved Letter of Reciprocity and is located in California. A second and only facility permitted in Clark County, Sunset Mattress developed a warehouse with a Dry Heat Oven as required by the original Regulations and was permitted in January, 2014.
 - b. Public Workshops regarding the Amending of the Current Regulations and adopting the language NRS and NAC Bedding and Mattress Regulations were held on December 9, 2014 at the SNHD. The public Notice for the proposed revision was duly advertised in the Las Vegas Review – Journal provided the date and time of the Public Hearing and Public Workshops. During the workshops, a verbatim transcript was written after the meetings were taped. There were only positive comments at the 9:00 am workshop. There were minimal comments at the 6:00 pm workshop.
2. Proposed Fees to Accompany the Proposed Regulations
 - a. The current Environmental Health Fee Schedule has an annual health permit fee of \$605 for mattress refurbishing companies, with a plan review fee of \$175 for instate permitting and \$605 for out-of-state permitting.
 - b. The proposed fees are \$175 for a plan review, that doesn't have to be repeated unless there are changes to the plan and a bi-annual registration fee of \$100.
 - c. Inspections will only be completed for complaints with a fee of \$275.
3. The Estimated Economic Effect of the proposed regulations on Businesses, including Without Limitation: Both Adverse and Beneficial Effects and Both Direct and Indirect Effects
 - a. Adverse Effects:

The economic impact could be significant on Regulated Businesses that currently choose not to sterilize used mattresses. All refurbishing businesses will be required to register with SNHD annually.

Attachment H: Business Impact Statement (Page 2 of 2)

b. Beneficial Effects:

- 1) The adopting of the NRS and NAC Bedding and Mattress Regulations will deregulate the industry by providing decreased costs to businesses.
- 2) Businesses are given more sterilization options. Minimum Dry Heat sanitization temperatures are reduced from 230 F to 125 F. Businesses accepting returns under company guaranty or warranty have additional options for sterilization with the NRS and NAC Regulations including Dry Heat at a lower temperature, streaming steam and chemical disinfection.
- 3) Businesses may submit a plan of operation for approval to the SNHD which incorporates modern treatment technologies not identified in the regulations. In addition, businesses may apply for a variance, if the regulatory requirements set forth are deemed too burdensome.
- 4) Vulnerable community members will be protected from bed bug infested or otherwise unsanitary articles because of the proposed sterilization requirements including the requirement that such articles be sterilized before being donated to charitable organizations.

c. Direct Effects:

There will be direct costs for the initial Plan Review and Registering twice a year with the SNHD, purchasing equipment and supplies, and making facility improvements that comply with the sterilization requirements. Businesses may experience an increase in disposal costs that may be passed on to customers.

d. Indirect Effects:

- 1) Indirect effects include the ability of a business to provide a sterilized product due to guidance provided to them. The potential for market growth and consumer confidence increases with an understanding of the industry sterilization requirements.
- 2) The only approved sanitization method in the *Regulations Governing the Sanitation and Safety of Used Mattresses, Bedding and Upholstered Furniture* was the Dry Heat Method. Since the time the Regulations were adopted in 2007, only one Sanitizing Facility using Dry Heat was permitted in Clark County and only one sanitizing facility in California has a Letter of Approval for Reciprocity.