



MINUTES

**Southern Nevada District Board of Health Meeting
April 28, 2016 – 8:30 A.M.
Southern Nevada Health District, 280 S. Decatur Boulevard, Las Vegas, NV 89107
Red Rock Trail Conference Room A and B**

Bob Beers, Chair, called the Southern Nevada District Board of Health meeting to order at 8:30 a.m.

BOARD:
(Present) Bob Beers – Chair – Councilmember, City of Las Vegas
Richard Cherchio – Councilmember, City of North Las Vegas
Cynthia Delaney – Councilmember, City of Mesquite
Douglas Dobyne – At-Large Member, Regulated Business/Industry
Chris Giunchigliani – Commissioner, Clark County (*arrived at 8:41 a.m.*)
Marilyn Kirkpatrick – Commissioner, Clark County
John Marz – Councilmember, City of Henderson
Frank Nemec – At-Large Member, Physician
Scott Nielson – At-Large Member, Gaming (*arrived at 8:32 a.m.*)
Rod Woodbury, Vice-Chair – Mayor, Boulder City (*arrived at 8:40 a.m.*)

(Absent): Lois Tarkanian, Secretary – Councilmember, City of Las Vegas

ALSO PRESENT:
(In Audience) None

LEGAL COUNSEL: Annette Bradley, Esq.

EXECUTIVE SECRETARY: Joseph P. Iser, MD, DrPH, MSc, Chief Health Officer (**Absent**)

STAFF: Stephanie Bethel, Karen Carifo, Richard Cichy, Rachell Ekroos, Margarita DeSantos, Tony Fredrick, Andrew Glass, John Hammond, Victoria Harding, Jeremy Harper, Sharon McCoy-Huber, Shandra Hudson, Jay Johnson, Edie Mattox, Michelle Nath, Veralynn Orewyler, Laura Palmer, Jackie Peet, Jacqueline Reszetar, Jennifer Sizemore, Marlo Tonge, Leo Vega, Linda Verchick, Jacqueline Wells, Susan Zannis

I. CALL TO ORDER

II. PLEDGE OF ALLEGIANCE

III. RECOGNITIONS:

- **Public Health Heroes**

Sarah McCrea, EMTP, BSN
Narbeh Ghazarian, M.D., Orthopedic Surgical Resident

Chair Beers and Andrew Glass, Director of Administration, introduced Sarah McCrea, EMTP, RN, Quality Improvement Coordinator, Las Vegas Fire and Rescue and Dr. Narbeh Ghazarian, Orthopedic Surgical Resident, UMC Trauma, the two public health heroes this year.

- Mr. Glass reported that Michael Johnson has been selected as the new Director of Community Health.
- Rachell Ekroos, new Chief Administrative Nurse was introduced to the Board by Mr. Glass.

- IV. PUBLIC COMMENT:** A period devoted to comments by the general public about those items appearing on the agenda. Comments will be limited to five (5) minutes per speaker. Please step up to the speaker's podium, clearly state your name and address, and spell your last name for the record. If any member of the Board wishes to extend the length of a presentation, this may be done by the Chairman or the Board by majority vote.

Greg Scherr, Food Safety Program Manager, Sysco Las Vegas, acknowledged his appreciation of the quality of the Environmental Health inspectors and the District's standards are set higher than most other regions he has encountered.

Victoria Harding, SNHD, SEIU, asked the Board to approve the classification specification for the Disease Data Collection Specialist II, as it has been in the works for some time. In regard to the TB Clinic, Ms. Harding reported it was visited by OSHA recently; however, she does not know why. She added that the TB clinic will be closed soon in order to do construction that is necessary to make the isolation rooms functional, and the health lab trailer will be used in the interim. Ms. Harding referenced the Administration Monthly report and noted that her name appeared on the overtime report, although she did not work any overtime and there were zero dollars associated with the entry. Ms. Harding feels that she has been singled out and is sick and tired of it.

Jakki Wells, Administration, advised that the payroll reports are generated by Human Resources using the ABRA payroll software by pay period, and Ms. Harding was not singled out.

Seeing no one else, the Chair closed this portion of the meeting.

V. ADOPTION OF THE APRIL 28, 2016 AGENDA (for possible action)

A motion was made by Member Giunchigliani seconded by Member Kirkpatrick and unanimously carried to adopt the April 28, 2016 agenda as presented.

- VI. CONSENT AGENDA:** Items for action to be considered by the Southern Nevada District Board of Health which may be enacted by one motion. Any item 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:** March 24, 2016 *(for possible action)*
2. **PETITION #13-16:** Approval of Classification Specifications to Establish a Disease Data Collection Specialist/Interviewer II, Schedule 16 (\$41,870 - \$58,427), and a Billing Specialist Schedule 21 (\$54,080 - \$75,421); direct staff accordingly or take other action as deemed necessary *(for possible action)*
3. **PETITION #14-16:** Approval of Agreement between the Southern Nevada Health District and Eide Bailly LLP; direct staff accordingly or take other action as deemed necessary *(for possible action)*
4. **PETITION #17-16:** Approval of an Amendment to an Interlocal Contract between the Southern Nevada Health District and the Regional Transportation Commission; direct staff accordingly or take other action as deemed necessary *(for possible action)*
5. **PETITION #18-16:** Approval of Contract between Southern Nevada Health District and Argentum Partners; direct staff accordingly or take other action as deemed necessary *(for possible action)*

A motion was made by Member Giunchigliani, seconded by Member Delaney and unanimously carried to approve the Consent Agenda with the exception of Item VI(5), Petition #18-16, Contract between the Southern Nevada Health District and Argentum Partners.

Petition #18-16: Member Kirkpatrick abstained from voting on this item. Member Giunchigliani stated discussion occurred some months ago about bringing additional information to the Board prior to hiring a new lobbyist, however it appears that the contract has been ratified. Member

Giunchigliani asked Mr. Glass to provide the parameters of the contract. Mr. Glass advised the contract was vetted through the RFP process and was awarded to Argentum Partners for two years at \$5,000 per month to represent Southern Nevada Health District in Legislative sessions and in meetings pertaining to legislative matters.

Chair Beers stated at the City of Las Vegas, management arrives at an agenda through the discussion and the Board essentially ratifies the legislative agenda.

Member Giunchigliani stated that the Board needs to be engaged on issues that arise. Mr. Glass added that the legislative agenda items were brought before the Board in February.

A motion was made by Member Nielson, seconded by Member Dobyne and carried to approve the Contract between Southern Nevada Health District and Argentum Partners as presented. (Member Kirkpatrick abstained)

VII. PUBLIC HEARING / ACTION: Members of the public are allowed to speak on Public Hearing / Action items after the Board's discussion and prior to their vote. Each speaker will be given five (5) minutes to address the Board on the pending topic. No person may yield his or her time to another person. In those situations where large groups of people desire to address the Board on the same matter, the Chair may request that those groups select only one or two speakers from the group to address the Board on behalf of the group. Once the public hearing is closed, **no additional public comment will be accepted.**

1. **Memorandum 02-16: Consider/Adopt Application by Clark County Fire Department for a Variance to District Emergency Medical Services Regulations Section 1100.200 "Staffing: Operation of Firefighting Agency Vehicles";** direct staff accordingly or take other action as deemed necessary (*for possible action*)

Laura Palmer, Emergency Medical Services and Trauma System Supervisor, presented the variance requested by Clark County Fire Department (CCFD) to allow volunteers who do not hold an attendant license to operate an emergency vehicle in the rural areas. Staff recommends the issuance of the variance with the provision that CCFD assures SNHD that the volunteer drivers will be certified in cardiopulmonary resuscitation (CPR) and use of the automated external defibrillator (AED). In addition, they will also be required to complete a Certified Emergency Vehicle Operations course prior to driving any CCFD vehicle. The volunteer drivers will be utilized as "driver only" and will not be permitted to provide patient care, with the exception of CPR and the use of an AED.

A motion was made by Member Giunchigliani seconded by Member Dobyne and unanimously carried to approve the Application by Clark County Fire Department for a Variance to District Emergency Medical Services Regulations Section 1100.200 "Staffing: Operation of Firefighting Agency Vehicles" with conditions noted by staff.

2. **Consider/Approve Variance Request to Operate Public Bathing Places not in Compliance with Nevada Administrative Code (NAC) 444.132 and 444.1976, Henderson Water Park LLC, dba Cowabunga Bay, located at 900 Galleria Drive, Henderson, Nevada 89011, [Assessor's Parcel Number (APN 161-35-402-021) for Health Permits PR0104086, PR0104426, PR0104428, PR0104430, PR0104431, & PR0104432; Shane Huish, for the Owner(s), Henderson Water Park, LLC;** direct staff accordingly or take other action as deemed necessary (*for possible action*)

Jeremy Harper, Environmental Health Supervisor, Aquatic Health Program, and Jackie Peet, Environmental Health Specialist, Aquatic Health Program, presented the variance request submitted by Henderson Water Park LLC, dba Cowabunga Bay to allow the facility to submit a staffing and operating plan for each aquatic venue based on the Model Aquatic Health Code (MAHC). Staff is of the opinion that, based on the evidence provided by the petitioner, there exist circumstances which satisfy the requirements for a variance, and that the granting of this variance will likely not be detrimental or pose any unreasonable danger to public health and safety. Staff recommends approval of the variance with the following conditions:

1. The petitioner agrees to implement and follow the approved plan during open hours and all periods of use;
2. The petitioner agrees to adhere to all other applicable requirements of the Public Bathing Places Public Spa Regulations, NAC 444;
3. Failure of the petitioner to prevent public health and safety issues, as determined by the health authority, will result in the voiding of this variance;
4. This variance is automatically terminated without further notice upon the closing of any sale transaction involving the subject property, or upon petitioner leasing or assigning operation of these public bathing pools and spas to any other person or entity.

Representatives of the petitioner agreed to comply with recommended conditions: Shane Huish, General Manager of Cowabunga Bay; Mike Frischa, President of Innovation Attraction Management, LLC; and Chris Norman, Aquatics Manager of Innovation Attraction Management, LLC.

A motion was made by Member Marz seconded by Member Giunchigliani and unanimously carried to approve the Variance Request to Operate Public Bathing Places not in Compliance with Nevada Administrative Code (NAC) 444.132 and 444.1976, Henderson Water Park LLC, dba Cowabunga Bay, located at 900 Galleria Drive, Henderson, Nevada 89011, [Assessor's Parcel Number (APN 161-35-402-021) for Health Permits PR0104086, PR0104426, PR0104428, with conditions noted by staff.

VIII. REPORT/DISCUSSION/ACTION

1. **Consider/Adopt Proposed Advisory Board Governance Documents Recommended by the Public Health Advisory Board at March 21, 2016 Meeting**; direct staff accordingly or take other action as deemed necessary (*for possible action*)

After discussion, the following changes to the Advisory Board Bylaws were recommended:

- Paragraph 7.6 remove "except when adopting regulations whereby an affirmative vote of a majority of all members of the Advisory Board is required."
- Added paragraph 7.13 "Any member who has been absent from three (3) meetings will be subject to removal by the Board of Health."
- Paragraph 10.1 added "and any amendments"

Chair Beers confirmed that the Advisory Board should not be involved in regulatory process as it would add additional delays in the Board's ability to promulgate regulations.

A motion was made by Member Giunchigliani seconded by Member Kirkpatrick and unanimously to Adopt Proposed Advisory Board Governance Documents recommended by the Public Health Advisory Board at March 21, 2016 meeting as amended.

2. **Review/Discuss Budget Reserve Funding Level (Tabled from 3/24/16)**; direct staff accordingly or take other action as deemed necessary (*for possible action*)

Sharon McCoy-Huber, Financial Services Manager, presented an overview of the ending fund balance, noting the projection for FY17 is approximately \$17.1M. In 2014 the minimum fund balance was reduced from 16.6% to 10%. Staff recommends changing the ending fund balance back to 16.6%.

A motion was made by Member Giunchigliani seconded by Member Kirkpatrick and unanimously carried to change the projected target reserve level to 16.6%.

- IX. **BOARD REPORTS:** The Southern Nevada District Board of Health member may identify emerging issues to be addressed by staff or by the Board at future meetings, and direct staff accordingly. Comments made by individual Board members during this portion of the agenda will not be acted upon by the Southern Nevada District Board of Health unless that subject is on the agenda and scheduled for

action.

Member Kirkpatrick has heard concerns from the rural areas regarding the cost to volunteer emergency medical staff and hopes it is addressed in the regulations. Chair Beers asked staff to explore the feasibility of discounting volunteer licenses and the fiscal impact it would have on the budget.

X. HEALTH OFFICER & STAFF REPORTS

- Accreditation Update – Adele Solomon, Accreditation Coordinator, reported she is working to integrate the Community Health Assessment (CHA) and the Community Health Improvement Plan (CHIP) with the organizations in the community. Internally, the workforce development plan performance measures and quality improvement plan are near completion. Training for the performance measures is on-going.

Member Giunchigliani asked how much has been spent so far on pursuing accreditation in both staff time and dollars. Mr. Glass' response was that all staff time devoted to accreditation is not accounted for as they are projects that should be taken on by the District anyway to improve the quality of services and the internal systems. Ms. Solomon's salary, the cost to obtain the accreditation, annual fee would be included in costs.

Member Giunchigliani commended the staff working with "Southern Nevada Strong".

- Program Overview – Office of Disease Surveillance – this item was moved to the May agenda due to absence of staff.
- Building Update – Mr. Glass reported all the roof and drain repairs have been made. It was determined that the leaks were caused by 1) pinhole tears in the roof, some occurred over the years, some during the course of construction; 2) the removal of two of the older air handlers from the roof and the manner in which the condensate return lines were repaired during construction; and 3) the majority of water in three particular areas was due to the separation of the drain pipe for the roof drains on top of the roof. In addition, professionals were hired to clean up the water damage and engineers have tested the wall board and interstitial space between the walls for moisture content. So far, wall board has been removed from one small area and is in the process of repair. Bacteriological and mold surveillance in the damaged areas have produced negative results thus far and will continue over the next month.

Member Dobyne asked how much has been spent on repair and if the District is able to recoup any funds from the contractor. Mr. Glass explained that the contractor is doing a lot of the repairs without any cost to the District, as they recognize their involvement in the issues. In response to Member Marz, Mr. Glass noted the roof was not replaced during renovation and is thought to be between twelve to fifteen years old. A roofer has been hired through the contractor, who inspected the entire roof and found a number of pin holes. Also, a plumber has inspected the drainage and drainage areas that penetrate through the roof. Member Woodbury noted the building has a flat roof and they are not built to handle heavy rain. He expects more pin hole areas will be found over time.

- TB Clinic – Mr. Glass has met with TB staff and they are intimately aware of the timetable and expectations of the renovation. Equipment has been ordered and expected to arrive in two to three weeks. Once all equipment is received, the exam and sputum induction rooms, a total of five rooms, will be closed for service during construction which is expected to take two to three weeks. The mobile laboratory trailer has been relocated and is being fitted with a special exhaust system to be used for active TB cases during renovation.

Member Kirkpatrick stated the District asked the County about the ability to stay in the other building (at 625 Shadow) and she was told by Dr. Iser publicly there wasn't an issue, and now the new clinic has to be closed. Ms. Kirkpatrick feels the County and District could have worked together to keep the clinic open. Mr. Glass emphasized Dr. Iser has always recognized the issues and has always addressed it exactly as he would. He added the District was very surprised to learn that the air

handling system had not been installed as requested and this issue is being pursued with the architect and engineer who decided to design the system. Additionally, the existing system meets CDC guidelines as an acceptable system; however it is not designed to the higher level of construction requested by the District, which is the CDC preferred way of handling new construction. Bringing the mobile clinic over during renovation is less disruptive to clients and patients than temporarily relocating back to the Shadow Lane campus. Member Delaney confirmed with Mr. Glass that the mobile lab will be in place before construction starts on the five rooms and essentially, no interruption in services.

Chair Beers stated he has never seen an entity buy a building with a plan to spend one and a half times the purchase price on renovation. Even with this issue, to come in under ten percent over budget is remarkable. The Chair is thankful that minimal discomfort and disruption for the clients and staff was considered when making the decisions to rectify this situation.

XI. INFORMATIONAL ITEMS

- A. Chief Health Officer and Administration Monthly Activity Report
- B. Clinical Services Monthly Activity Report
- C. Community Health Monthly Activity Report
- D. Environmental Health Monthly Activity Report

XII. PUBLIC COMMENT: A period devoted to comments by the general public, if any, and discussion of those comments, about matters relevant to the Board's jurisdiction will be held. No action may be taken upon a matter raised under this item of this Agenda until the matter itself has been specifically included on an agenda as an item upon which action may be taken pursuant to NRS 241.020. Comments will be limited to five (5) minutes per speaker. Please step up to the speaker's podium, clearly state your name and address, and spell your last name for the record. If any member of the Board wishes to extend the length of a presentation, this may be done by the Chairman or the Board by majority vote.

Victoria Harding, SNHD, SEIU, stated in regard to the TB clinic, there would never be services cut to the community and employees have made home visits to the clients when there was no clinic to go to. Ms. Harding distributed a history of the Interest Based Bargaining (IBB) sessions from the last contract. Mutual interests between Management and SEIU for the economic portion were established on June 5, 2014 as:

- Equality – Individually and District-wide
- Quality of lift/morale
- Reasonable
- Fiscally responsible
- Employee retention
- Retention of program and services/mandates/non-mandates
- Values employees
- Acceptable to both sides
- Enhances employee commitment to the District
- Reasonably acceptable to members
- Fall within National and local standards

During IBB, if ideas did not meet agreed upon criteria, it was not good for the District. The standby pay issue is now going to arbitration next week due to contract violation. On June 25, 2014, during the infamous "All Hands" meeting when the employees who had just gone through a layoff and were in vulnerable positions, were told there was no money to give concessions and to work on the union representatives. This changed bargaining from that point forward and on July 2, 2014, consensus agreement was reached on Article 21, Section 1(F), which is the article that has been constantly violated for over two years, due to Dr. Iser's edict of no overtime. Employees have adjusted their schedules voluntarily and cut overtime drastically. This is impeding morale and Dr. Iser needs to solve some of the issues or there will continue to be issues.

Seeing no one else, Chair Beers closed this portion of the meeting.

Chair Beers noted the RTAB item will be moved from the May meeting agenda to June due to the absence of a Board member in May who would like to be part of that discussion.

In regard to public comment, Member Giunchigliani noted issues with morale and leadership have been raised that may need to be discussed further by the Board.

XIII. ADJOURNMENT

The Chair adjourned the meeting at 9:56 a.m.

Joseph P. Iser, MD, DrPH, MSc
Chief Health Officer/Executive Secretary

/jw