



## MINUTES

**Southern Nevada District Board of Health Meeting**  
330 S. Valley View Boulevard, Las Vegas, Nevada 89107  
Conference Room 2  
**Thursday, August 15, 2013 – 1:00 p.m.**

### **I. CALL TO ORDER:**

Rod Woodbury, Chair, called the Special meeting of the Southern Nevada District Board of Health to order at 1:11 a.m. Annette Bradley, Legal Counsel, confirmed the meeting had been noticed in accordance with Nevada's Open Meeting Law.

Annette Bradley noted a quorum was present at the start of the meeting with Members Beers, Giunchigliani, Jones, Marz, Noonan, Scow, Tarkanian and Woodbury seated and Members Litman and Wood participating via telephone.

**BOARD:**  
**(Present)**

Rod Woodbury – Chair, Councilmember, Boulder City  
Bob Beers – Councilmember, City of Las Vegas  
Chris Giunchigliani - Commissioner, Clark County  
Timothy Jones – At-Large Member, Regulated Business/Industry  
Allan Litman – Councilmember, City of Mesquite (by telephone)  
John Marz - Councilmember, City of Henderson  
Bill Noonan – At-Large Member, Gaming  
Mary Beth Scow – Commissioner, Clark County  
Lois Tarkanian - Councilmember, City of Las Vegas  
Anita Wood – Alternate, Councilmember, City of North Las Vegas  
(by telephone)

**(Absent)**

Susan Crowley – At-Large Member, Environmental Specialist  
Marietta Nelson – At-Large Member, Physician  
Frank Nemec – At-Large Member, Physician  
Wade Wagner - Councilmember, City of North Las Vegas  
Lori Winchell - At-Large Member, Registered Nurse

**ALSO PRESENT:**  
**(In Audience)**

Douglas Dobyne – At-Large Alternate, Regulated Business/Industry  
Michael Collins – At-Large Alternate, Registered Nurse

**LEGAL COUNSEL:** Annette Bradley, Esq.

**INTERIM EXECUTIVE  
SECRETARY:** John Middaugh, M.D.

**STAFF:** Heather Anderson-Fintak, Stephanie Bethel, Kelly Brinkhus, Dr. Thomas Coleman, Cara Evangelista, Elaine Glaser, Forrest Hasselbauer, Amy Irani, Jim Osti, Brian Riddle, Bonnie Sorenson, Leo Vega, Valery Klaric and Jacqueline Wells, Recording Secretaries.

**PUBLIC ATTENDANCE:**

<b><u>NAME</u></b>	<b><u>REPRESENTING</u></b>
Fatima Rahmatullah	KSNV
Ann Markle	Self
Trevor Smith	CBS Radio
Web Solomon	KSNV

- II. **PUBLIC COMMENT:** Public comment is a period devoted to comments by the general public on items listed on the Agenda. All comments are limited to five (5) minutes. The Chair asked if anyone wished to address the Board pertaining to items listed on the Agenda.

Cara Evangelista, General Unit Chief Steward, thanked Dr. Middaugh for his leadership during the last year. She stated that union members respect Dr. Coleman's position and will continue working with him in his capacity of Director of Community Health. They are committed to working with Dr. Iser in a positive manner to move SNHD into the future and continue to protect public health. She presented characteristics that union members were looking for Chief Health Officer:

- Clear vision for SNHD that includes all employees
- Well rounded education in all areas of public health who will care for all four SNHD divisions
- Create a balance between public health and politics
- Promotes positive attributes of SNHD to the media
- Proven integrity
- Agrees to a cooperative bargaining session next year to the benefit of District employees as a whole
- Hires qualified and directors, managers and vendors
- Has a fundamental grasp of the budget and can use that information to make fiscally responsible decisions
- Disciplines, removes and correctly controls unethical or inappropriate behavior in high level positions or vendor contracts
- Honest, trustworthy and respectful and understands the challenges SNHD had in the past to move into the future

Ms. Evangelista stated that the employees are anxious as the CHO is a major position and District staff wants to move positively into the future with someone with that vision. They are asking the Board to carefully select a leader with a clear vision of where public health is going in Southern Nevada, who is well respected due to the integrity of their character and has the courage to support all staff. Employee morale has been much improved and hopefully will continue.

The Chair asked if anyone wished to comment and seeing no one the Public Comment portion of the meeting was closed.

III. **ADOPTION OF THE AUGUST 15, 2013 AGENDA**

The Chair called for a motion to adopt the agenda for the August 15, 2013 meeting as presented.

*A motion was made by Member Marz seconded by Member Noonan and unanimously carried to adopt the August 15, 2013 Board of Health meeting agenda as presented.*

Chair Woodbury acknowledged that Members Litman and Wood were participating by telephone and both acknowledged their presence telephonically.

#### IV. REPORT/DISCUSSION/ACTION

- A. Review, discuss, identify and select options regarding CHO selection and appointment and direct staff accordingly; and/or take other action deemed appropriate. ***(for possible action)***

Chair Woodbury stated that Dr. Coleman was selected and initially accepted the Chief Health Officer position and withdrew his acceptance. Dr. Iser remains as a candidate and has spoken with Dr. Middaugh regarding the CHO position. Chair Woodbury asked Dr. Middaugh to attend the meeting to provide an update on Dr. Iser's position.

Dr. Middaugh commented that the processes and decisions made by the Board were appropriate and he was taken aback when Dr. Coleman withdrew. Dr. Middaugh reported working with Dr. Iser in his capacity as Chief Health Officer (CHO) for Washoe County Health Department. Dr. Middaugh contacted Dr. Iser to ask if he was still willing to be considered for the position in light of Dr. Coleman's changed decision and reported that Dr. Iser was in discussion for other similar positions in California, booked tickets for a class reunion and psychologically started to move on. Dr. Iser asked Dr. Middaugh if the Board would be supportive of him as he was not the first candidate selected or if he was selected as the only other candidate. Dr. Middaugh responded that he believed that the Board would fully support Dr. Iser if he was appointed CHO and that he was very qualified for the position. Prior to providing a response regarding further interest in the position Dr. Iser requested to revisit SNHD to interview the remaining Leadership Team members that he was unable to meet with during his previous visit. Dr. Middaugh contacted him a few days later and Dr. Iser indicated that he was willing to accept the position if the Board chose to appoint him. Dr. Middaugh shared information regarding his compensation and stated that he believed that a fair compensation package for Dr. Iser would be very similar to Dr. Middaugh's current contract. Dr. Middaugh stated that he believes Dr. Iser can do the job and would be an excellent CHO for the District, and also has the support of the SNHD Leadership Team.

Member Giunchigliani asked for input about Dr. Iser and the recruitment process from CHO Succession Committee members. Committee member Beers reported that an Executive Recruitment firm was employed and after two to three months into their search reported that Nevada State law limited the potential pool of candidates that could be entertained for the position to two, Dr. Coleman and Dr. Iser. State law required the CHO be licensed physician, DO or MD, in the state of Nevada. The recruiter reported that approximately 1/3 of the health agencies throughout the country require a physician and Nevada has a very high standard. The Nevada licensure requirement was changed during this legislative session based on documentation submitted by the recruiter. Outcome was that the law states the CHO must be licensed within one year, must have the academic and work experience and could be a licensed physician in another state who could secure Nevada licensure within a one year period. The two candidates presented were the only two that met the basic qualifications to run a health agency, had experience and Nevada physician licenses. Chair Woodbury noted there was another candidate that chose not to pursue the position. Member Giunchigliani asked if SNHD was short sighting itself without flushing out new candidates that could be found based on legislative changes. Member Noonan echoed Member Giunchigliani's comments and asked if due diligence was done on Dr. Iser, e.g., passed a full background check, passed all reviews needed by the

District to be a viable candidate and if not, he concurs with Member Giunchigliani and Member Scow concurred based on experience when serving as a CCSD School Board member.

Member Marz stated that he attended the July 30, 2013 Special Board of Health meeting to interview the two candidates and at that meeting Board members stated that Dr. Iser was totally qualified for this position and the physician on the Board voted for Dr. Iser because of his qualifications and background. In preparation for the July 30, 2013 Board Meeting, Member Marz contacted government staff in Washoe County regarding Dr. Iser and reported receiving very good reports. Member Marz cautioned that the District would lose Dr. Iser by opening recruitment and stated that if he was qualified two weeks ago what could have happened in that period of time to make him unqualified today. Member Marz stated that he voted for Dr. Iser and was impressed with his qualifications and excellent response to questions.

Chair Woodbury stated it was necessary to be realistic about the amount of time the recruitment process would take, which could possibly involve up to one year. During the recruitment process not many candidates came to the forefront because of qualifications and Chair Woodbury believed there were more than three applicants, but only three qualified. He asked those who voted for Dr. Iser to speak to the reasons they voted for him. Member Tarkanian stated that she voted for Dr. Iser and if the situation was reversed she would have supported Dr. Coleman and believed either candidate would be fine. She concurred that Board members did state both applicants were equally qualified.

Member Giunchigliani stated that she was thinking more of the process due to legislative changes and was interested in the tenor or passion more than qualifications and trying to get a sense of the person that was going to lead the District forward. Member Tarkanian reported that both applicants were equally passionate. Mr. Marz stated that Dr. Iser's qualifications educationally were outstanding and he exceeded qualifications. Mr. Marz continued stating that he appreciated Dr. Iser's demeanor, which he believed would assist in working through issues calmly and precisely as well as issues with the Board and politics surrounding the District and believed he would deal with them in a pragmatic and calm manner, which is an asset well served for the Board of Health. Member Marz was impressed with how Dr. Iser handled himself during the question and answer period and noted that it is hard to know someone in twenty minutes and at times must go with instinct. Member Tarkanian stated that she appreciated Dr. Iser's demeanor and straight answers and he asked the Board straight questions, adding that it is important for someone to ask questions that need to be asked.

Chair Woodbury asked Dr. Middaugh who Dr. Iser met with during his visit. Dr. Middaugh reported that Dr. Iser met with Bonnie Sorenson, Director of Clinics and Nursing Services, Eddie Larsen, IT Manager, and was scheduled to meet with the Leadership Team that afternoon, but in light of the CHO selection the remaining meetings were cancelled. During his second visit Dr. Middaugh stated that Dr. Iser was to complete meeting with Leadership Team members.

Chair Woodbury asked if any Leadership Team members wished to speak regarding Dr. Iser. Bonnie Sorenson, Director of Clinics and Nursing Services, reported knowing Dr. Iser through working with nursing issues and believes he can make decisions quickly and can think on his feet, which are both important in public health. She noted that in discussions including Nurse Family Partnership and both shared the same vision and

public health philosophy. Ms. Sorenson was not present for the interview process and stated that review of Dr. Iser's resume showed that he has a grounded background in public health, working with federal partners and understanding those liaison relationships, how health divisions function and is very articulate.

Member Jones agreed that Dr. Iser would no longer be a candidate if not selected and the Board should reflect on that when making a decision. Member Jones stated that Dr. Iser is very qualified and noted that he voted for Dr. Coleman and his presentation was stronger and had a comfort level with the Board that Dr. Iser did not have. In reference to Member Giunchigliani's question regarding demeanor of this executive Member Jones stated that Dr. Iser would have the demeanor for public vision of the District as well as working inside the District and with the Board. Member Jones added if the Board decides that Dr. Iser does have those qualifications he would be comfortable with Dr. Iser as the CHO going forward.

Member Marz noted that Dr. Middaugh is leaving August 23, 2013 and asked if the Board thought through what SNHD would do for the next year if they decided to conduct a new search. Chair Woodbury agreed with Member Jones and that the Board should not choose someone because they were the only candidate left, but believes Dr. Iser is qualified and appreciates comments from Ms. Sorenson and Dr. Middaugh and stated it is important to know that he has the support of the internal staff that he will be managing. Chair Woodbury stated that he felt comfortable enough listening to Dr. Iser that he would do an admirable job and agreed that Dr. Iser would not be available to SNHD again. He is supportive of the decision to offer the position to Dr. Iser and believed the alternative would be disastrous in starting a new search that he expected would minimally take 4-6 months.

Member Beers hoped to hear if there was an increase in potential candidates running large agencies like SNHD due to the legislative change regarding Nevada licensure and stated that much of the preliminary work was completed and believed it would take three to four months as compared with nearly one year. Annette Bradley reported speaking with Pam Derby from the executive search firm indicated there would be significantly more candidates due to the law change. Ms. Bradley reported that an inquiry by Mr. Derby conducted to determine if there were any qualified persons to provide interim coverage resulted in no available pool. Ms. Derby also contacted applicants that originally responded, but were not Nevada licensed physicians as required at the time, but none were interested. There is no way of knowing what would occur with starting a new process.

Member Jones stated that he believed both Drs. Coleman and Iser's qualifications, background and experience to be superior and stated that finding more people with credentials is not the way to go, but comes back to the concept to who has the demeanor to be the public face of Southern Nevada Health District. Member Jones stated that he believes Dr. Iser would be that person and does not see any value in restarting a search.

Member Tarkanian asked Dr. Middaugh what he believes the candidate pool would look like and Dr. Middaugh responded summarizing it as "hen's teeth". Dr. Middaugh reported calling colleagues throughout the country to find people to apply for the position and stated there is a very limited pool of people possessing these high level management, medical and technical skills and believed the Board had two very well qualified candidates to vet and interview and if the other candidate was selected originally it would be fine and Dr.

Iser is eminently qualified. Dr. Middaugh reported working with Dr. Iser to allocate preparedness funding between the State Health Division, Carson City, Washoe County and rural areas and SNHD. Dr. Iser was able to establish rapport with Mr. Whitley and the state to enable major decisions to be made about formula funding and allocations that showed an incredible amount of wisdom and diplomacy and brought them to a point of consensus to allocate the funds at a time when the funds were dropping. Dr. Middaugh reported that a difficult relationship existed during the past five years between the health districts and state. Dr. Middaugh connected with contacts in Washoe and the area for input regarding Dr. Iser and reported that he was very highly regarded. Dr. Middaugh stated that it will not be easy to find anybody better and believed that the licensure and eligibility is a bit of a red herring because the District could have gotten around them. Dr. Iser also has knowledge of Nevada, other counties, state budget and has a very good relationship with staff at the State Health Division, which is beneficial and urged the Board to confirm his appointment as he would do an excellent job.

Member Giunchigliani stated the discussion was helpful and hoped that due diligence was done and asked if elected officials or board members that Dr. Iser worked with were contacted. She stated that she continues to believe the CHO position should be a management and not a physician position. Member Giunchigliani asked Dr. Middaugh if Dr. Iser expected the same financial package provided to Dr. Middaugh and hoped that he did not expect the same package and feel disrespected if modifications were made to the contract. Dr. Middaugh informed Dr. Iser the Board would negotiate the financial package.

Member Noonan stated that he could support Dr. Iser as he was considered equally qualified to Dr. Coleman. .

Chair Woodbury asked for input from Members Litman and Wood, who were participating telephonically. Member Litman was no longer on the telephone, but Member Wood responded that she participated on the committee, which she stated was an eye opening experience and rather difficult to find candidates with all of the qualifications required by the state and was exceedingly happy ending up with two solid candidates to come before the Board. She stated through interviews of both candidates she found both would be excellent assets to the Board of Health and that Dr. Iser was very open, honest and forthright, would do a good job and has her support.

Chair Woodbury entertained a motion.

Motion made by Member Jones seconded by Member Tarkanian and carried to proceed with selection of Dr. Joseph Iser as the best candidate for Chief Health Officer.

The motion was not unanimous with members voting as follows:

Aye: Members, Jones, Marz, Noonan, Tarkanian, Wood and Woodbury. (Member Litman was no longer participating by telephone when the vote was taken)

Nay: Members Beers, Giunchigliani and Scow.

- B.** Discuss and delegate follow up responsibilities regarding the CHO position and/or take any other action deemed appropriate (**for possible action**)

Member Giunchigliani stated review of the \$245,000 salary is not in sync with other areas and stated that Orange County ranges from \$117,000 to \$223,000. She suggested the elimination of longevity pay, which has been discussed in the past. Member Jones

concluded with elimination of longevity and stated the salary should reflect the person's rating for the position. He stated that the District CHO selection is based on medical and administrative abilities and when comparing with other communities such as Riverside, CA, there is a salary for administrator and one for the medical officer so when comparing those salaries combined they may be paying much more than the District CHO position. Member Jones believes the salary offered at SNHD is comparable when compared with other communities paying salaries and benefits for two positions compared with one person with that responsibility at SNHD. Member Beers and Tarkanian agreed with elimination of longevity. Chair Woodbury reported that any negotiations will be presented to the Board of Health for approval. Member Giunchigliani stated that it may be wise to establish a pay range for the position and asked about sick, vacation benefits. Chair Woodbury agreed that the salary package should be vetted, which should have occurred at the beginning of the recruitment process and agreed that salary expectations exist based on Dr. Middaugh's existing salary and benefit package. He stated that if the salary was going to be reduced substantially it should have occurred a long time ago and he did not agree that the Board should provide a salary cap at this time. Dr. Iser will provide his bottom line at which time the Board will determine whether or not that is acceptable. Dr. Middaugh stated in discussion with Dr. Iser there was no detailed review and salary package negotiations would be presented to the Board for approval.

Members Giunchigliani and Scow asked if Dr. Iser's salary package in Washoe County was known and Ms. Bradley responded that she made an inquiry to the executive search firm, but has not received a response. Member Giunchigliani stated that it is her belief that longevity for management should be eliminated. She stated that if Dr. Iser rejects the position the Board needs to be prepared and staff have a plan in place to oversee SNHD if there is no conclusion in negotiation that would be acceptable.

Member Scow stated that when the position was offered to Dr. Coleman the CHO Succession Committee was charged with negotiating with Dr. Coleman. Member Tarkanian recapped stating the CHO Succession Committee would conduct salary package negotiations with the elimination of longevity adding a maximum compensation amount.

Dr. Middaugh responded to Member Noonan's inquiring regarding SNHD's relocation policy reimbursement between \$6000-7500 to top level staff and Chair Woodbury believed that the Boulder City range was similar and could be part of the salary package negotiation.

Annette Bradley stated that there are timing issues for the CHO Succession Committee as Dr. Middaugh is scheduled to retire on August 23, 2013 and she is unsure when Dr. Iser would be available to start if he accepts the position. Dr. Iser may not be able to start until mid or late September. Key issues include when the committee would be available to meet with Dr. Iser and in the interim she asked if the Board wanted Dr. Middaugh and Ms. Bradley to start preliminary discussions with Dr. Iser and provide direction to move the process. Chair Woodbury stated that in his opinion the District would not want to renegotiate every particular of the contract and would prefer preliminary discussions with staff for presentation to the committee and then to Dr. Iser, which would be brought to the full Board.

Chair Woodbury asked Dr. Middaugh to review his offer to assist with the CHO transition. Dr. Middaugh stated that he made unbreakable plans until September 16, 2013 and

offered to return if needed by Dr. Iser and the Board until October 11, 2013. Dr. Middaugh stated the management staff is qualified to carry on until Dr. Iser joins the District. After discussion it was agreed that Dr. Middaugh will speak with Dr. Iser to determine if he would like a transition period with Dr. Middaugh and let the management staff do their job until Dr. Iser comes on board.

Annette Bradley stated that the Nevada statute requires a physician to oversee the District. Commissioner Giunchigliani stated that the Administrator could deal with signatory issues. Member Jones stated that SNHD needs to clearly define the medical doctor of responsibility in the event of community disaster, outbreak or need to quarantine as that needs to come from a physician. Dr. Middaugh stated chain of command issues can be handled during the transition with existing staff of Drs. Coleman and Williams and the Director of Administration.

Member Jones reported that the Transparent Nevada website showed the salary for Dr. Joseph Iser as Washoe County District Health Officer at \$162,147.22 and benefits of \$47,000 for a total package of \$209,157 for 2012.

Member Giunchigliani summarized as follows: Initiate a chain of command and delineate duties, identify if Dr. Iser needs a transition period with Dr. Middaugh, provide information to the Board regarding the transition plan and inform the Chair of any legal items needing attention to enable posting and authorize Dr. Middaugh and Ms. Bradley to initiate discussions with Dr. Iser. The CHO Succession Committee will conduct salary package negotiations and were tasked to solicit benefit, termination clauses and other salary package information from other entities.

Motion made by Member Giunchigliani, seconded by Member Tarkanian and carried unanimously to Initiate a chain of command and delineate duties, identify if Dr. Iser needs a transition period with Dr. Middaugh, provide information to the Board regarding the transition plan and inform the Chair of any legal items needing attention to enable posting and authorizes Dr. Middaugh and Ms. Bradley to initiate discussions with Dr. Iser. The CHO Succession Committee will conduct salary package negotiations and were tasked to solicit benefit, termination clauses and other salary package information from other entities

- V. **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. The Chair opened the meeting for public comment.

Cara Evangelista, SNHD SEIU Chief Union Steward, reported that employees have heard good things about Dr. Iser and are committed to working with him. She noted that many key positions are filled with staff in "acting" positions that need filled and looks forward to moving in a positive direction as a group. She stated that District employees are known to be vocal when encountering problems.



Ann Markle, a retired 40 year SNHD employee, stated that both Chief Health Executive Officer candidates were very qualified and believes Dr. Iser to be a good choice. She added that SNHD employees are known to voice their opinion, both positively and negatively and expressed her appreciation for Dr. Middaugh's leadership over the past year.

The Chair asked for further comments and seeing none closed the Public Comment portion of the meeting.

**VI. ADJOURNMENT**

The meeting was adjourned at 2:35 pm.

SUBMITTED FOR BOARD APPROVAL

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John Middaugh, M.D., Interim Chief Health Officer  
Executive Secretary

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