



## MINUTES

**Southern Nevada District Board of Health Meeting**  
330 S. Valley View Boulevard, Las Vegas, Nevada 89107  
Conference Room 2  
**Thursday, July 25, 2013 - 8:30 a.m.**

Mary Beth Scow, Chair, called the meeting of the Southern Nevada District Board of Health to order at 8:38 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, Dobyne, Litman, Marz, Nelson, Noonan, Osgood, Peterson, Scow, Tarkanian, Winchell and Woodbury seated.

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

Mary Beth Scow – Chair, Commissioner, Clark County  
Bob Beers – Councilmember, City of Las Vegas  
Douglas Dobyne – At-Large Alternate, Regulated Business/Industry  
Allan Litman – Councilmember, City of Mesquite  
John Marz - Councilmember, City of Henderson  
Marietta Nelson – At-Large Member, Physician  
Kenneth Osgood - At-Large Alternate, Physician  
Kathleen Peterson - At-Large Alternate, Environmental Specialist  
Bill Noonan – At-Large Member, Gaming  
Lois Tarkanian - Councilmember, City of Las Vegas  
Lawrence Weekly - Commissioner, Clark County  
Lori Winchell - At-Large Member, Registered Nurse  
Rod Woodbury – Councilmember, City of Boulder City

**(Absent)**

Susan Crowley – At-Large Member, Environmental Specialist  
Chris Giunchigliani - Commissioner, Clark County  
Timothy Jones – At-Large Member, Regulated Business/Industry  
Frank Nemec – At-Large Member, Physician  
Wade Wagner - Councilmember, City of North Las Vegas

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

None

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

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

**STAFF:** Heather Anderson-Fintak, Stephanie Bethel, Dr. Thomas Coleman, Alice Costello, Margarita DeSantos, Jason Garcia, Elaine Glaser, Forrest Hasselbauer, Mars Patricio, Rick Reich, Brian Riddle, Leo Vega, Valery Klaric and Jacqueline Wells, Recording Secretaries.

**PUBLIC ATTENDANCE:**

| <b><u>NAME</u></b> | <b><u>REPRESENTING</u></b> |
|--------------------|----------------------------|
| Kam Brian          | Par 3                      |
| Terry Coffing      | Marquis Aurbach Coffing    |
| Bryan Gresh        | Gresh Group                |
| David Jaramillo    | Par 3                      |
| Norbert Mandrigal  | Lunas Inc.                 |
| Ann Markle         | Self                       |
| Donna Russell      | PGAL                       |
| Scott Seastrand    | Discount Dumpsters         |

**OATH OF OFFICE:**

Chair Scow reported the following Board of Health elected member changes effective July 1, 2013.

| <b>New BOH Member</b>   | <b>Member Replaced</b>     | <b>Municipality</b>    |
|---|----------------------------|------------------------|
| <b>John Marz Member</b><br><b>MEMBER</b><br><b>(was alternate)</b>  | <b>Sam Bateman</b>         | <b>HENDERSON</b>       |
| <b>Mayor Andy Hafen</b><br><b>Alternate (new)</b>   | <b>John Marz</b>           |                        |
| <b>Wade Wagner</b><br><b>MEMBER (new)</b>   | <b>Anita Wood</b>          | <b>NORTH LAS VEGAS</b> |
| <b>Anita Wood</b><br><b>ALTERNATE</b><br><b>(was member)</b>  | <b>Pamela Goynes-Brown</b> |                        |
| <b>Kraig Hafen</b><br><b>ALTERNATE (new)</b>  | <b>Karl Gustaveson</b>     | <b>MESQUITE</b>        |
| <b>Boulder City did not appoint an alternate based on legislative changes.<br/>                     Notified them 7-16-13 that alternate appointment is needed.</b> |                            |                        |

Councilman John Marz, City of Henderson, took the oath of office for the 2013-2015 term administered by Jacqueline Wells.

**RECOGNITION OF SERVICE:**

The following members were acknowledged for their service as former Board of Health elected members:

- Sam Bateman – City of Henderson (7/2011 – 6/2013)
- Pamela Goynes-Brown – City of North Las Vegas Alternate (7/2011 – 6/2013)
- Karl Gustaveson – City of Mesquite Alternate (2009 – 2013)

- I. **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. Seeing no one the Public Comment portion of the meeting was closed.

## II. ADOPTION OF THE JULY 25, 2013 AGENDA

The Chair called for a motion to adopt the agenda for the July 25, 2013 meeting as presented.

*A motion was made by Member Winchell seconded by Member Osgood and unanimously carried to adopt the July 25, 2013 Board of Health meeting agenda as presented.*

1. **Receive Report from the Nomination of Officers Committee; Election of Southern Nevada District Board of Health Officers for FY 2013-2014:** (Committee: Chair Tarkanian, Members Bateman, Beers, Jones, Litman)

Lois Tarkanian, Chairperson of the Nomination of Officers Committee, reported that the committee met on June 13, 2013 and recommended the following slate of Board of Health Officers for Fiscal Year 2013-2014:

Chairman: Rod Woodbury  
Vice Chairman: Bob Beers  
Secretary: Lois Tarkanian

Chair Scow asked for comments and/or discussion and receiving none called for a motion.

*Motion made by Member Tarkanian seconded by Member Litman and unanimously carried to appoint Rod Woodbury, Chairman; Bob Beers, Vice Chairman, and Lois Tarkanian, Secretary, as officers of the Southern Nevada District Board of Health for FY 2013-2014.*

**OATH OF OFFICE:** District Board of Health Officers for FY 2013-2014: Jacqueline Wells, Executive Assistant, administered the oath of office to Rod Woodbury, Bob Beers and Lois Tarkanian as Board of Health officers for FY 2013-2014. Newly elected Chairman, Rod Woodbury, chaired the remainder of the meeting.

## III. CONSENT AGENDA

These are matters considered to be routine by the Southern Nevada District Board of Health and may be enacted by one motion. Any item, however, may be discussed separately per Board Member request before action. Any exceptions to the Consent Agenda must be stated prior to approval.

1. **APPROVE MINUTES / BOARD OF HEALTH MEETING:** June 27, 2013
2. **PETITION #22-13:** Approval of Confirming Director of Administration and Chief Health Officer Responsible for Development, Award and Proper Administration of all Purchases and Contracts; direct staff accordingly or take other action as deemed necessary (***for possible action***)
3. **PETITION #20-13:** Approval of New Classification Specification for Contract Administration Analyst (Schedule 23 (\$61,172.80 - \$85,321.60); direct staff accordingly or take other action as deemed necessary (***for possible action***)

*Motion by Member Tarkanian, seconded by Member Noonan and unanimously carried to approve the Consent Agenda as presented.*

- IV. 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.

There were no items to be presented.

*Motion by Member Osgood, seconded by Member Winchell and unanimously carried to enter into the closed session portion of the meeting at 8:40 a.m.*

*Member Nelson left the meeting at 8:40 a.m.*

**V.**

### **CLOSED SESSION – To Be Held Following the Public Hearings**

Go into closed session pursuant to NRS 241.015(2)(b)(2), to receive information from the Southern Nevada Health District's attorney regarding potential or existing litigation involving matters over which the Board has supervision, control, jurisdiction or advisory power and to deliberate toward a decision on the matter; **(for possible action)**

*Member Weekly arrived and joined the Board of Health Closed Session 8:47 a.m.  
Member Nelson returned to the meeting at 8:50 a.m.*

The Chair reconvened the Open Session at 9:06 a.m.

### **VI. REPORT/DISCUSSION/ACTION**

1. Receive report from CHO Succession Committee; or take other action deemed appropriate **(for possible action)**

Annette Bradley, Legal Counsel, reported that the agenda item to receive a report from the CHO Succession Committee was no longer needed due to the successful scheduling of the Special Board of Health Meeting on July 30, 2013 to conduct interviews of the two Chief Health Officer candidates.

Member Scow stated it is the intent to select the candidate at the special board meeting, but noted that the Board could delay the decision if needed. Candidate questions were distributed to Board members who were asked to review the questions prior to the meeting and select a question that they would like to ask the candidates. She outlined the CHO candidate interview process as follows:

- A.** Explanation of Format of Meeting and Structure of Interviews; and/or take any other action deemed appropriate **(for possible action)**

1. Candidates will not enter meeting chamber until called.
2. Candidates will draw for first and second interview when called.
3. Forty minutes (timed) will be dedicated to each candidate interview which will consist of:
  - a) Five minutes of opening statements by the client (timed)

- b) Twenty minutes for prepared questions (up to 3 minutes each, at least 7 questions per candidate, timed, prepared and given to candidates beforehand)
  - c) Ten minutes for follow-up or new questions (untimed)
  - d) Five minutes for closing statements by the candidate (timed)
  1. Candidates will be dismissed from meeting chamber after interview
- B.** Interview of Dr. Thomas Coleman and Dr. Joseph Iser, Deliberation, and Selection of Chief Health Officer; and/or take any other action deemed appropriate (**for possible action**)
1. Interview of Dr. Thomas Coleman and Dr. Joseph Iser, Deliberation, and Selection of Chief Health Officer; and/or take any other action deemed appropriate
    - 8:40 a.m. – 9:20 a.m.– Interview of First Candidate
    - 9:20 a.m. – 10:00 a.m.– Interview of Second Candidate
- C.** Discuss and delegate follow up responsibilities regarding the New Chief Health Officer's Employment Agreement, and/or take any other action deemed appropriate (**for possible action**)

**VII. BOARD REPORTS:** The Southern Nevada District Board of Health members 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.

Chair Woodbury thanked outgoing Board members and officers and commended former Chair and Vice Chair, Scow and Bateman, on their service as officers and their time dedicated to those positions. He stated that SNHD did a fantastic job during the legislative session.

Chair Woodbury discussed arranging a meeting with the Clark County Commissioners regarding the ongoing legal motions filed by the County. Annette Bradley, Esq., asked if SNHD planned to meet with the County to follow-up with any further decision or action after the meeting. Member Winchell expressed the desire to see a timeline to set up the meeting and moving forward with another alternative if a meeting cannot be arranged. Ms. Bradley will reach out to the Clark County Commissioners immediately to identify who will attend the meetings to expedite scheduling the meeting. Member Winchell requested feedback at the August 22, 2013 Board of Health meeting and stated that the District may need to proceed with other options if it is unable to be scheduled. She expressed frustration as a taxpayer with the amount of money spent between the County and SNHD for attorney fees for resolution when other agencies have monetary needs and would like to see both agencies rapidly move forward in a positive way.

Member Noonan requested an accounting to date of SNHD legal fee costs regarding the Clark County lawsuit. Ms. Bradley will provide the information to Board of Health members tomorrow, July 26, 2013.

Member Osgood summarized stating that Ms. Bradley will act upon direction of the Board to arrange a meeting with Clark County and provide feedback at the August 22, 2013 Board of Health meeting.

Member Dobyne thanked Senator Mo Dennis for his invaluable help saving the SNHD Alternate Board of Health positions and informed the Board that he invited guest speakers. Member Dobyne reported that almost two years ago he approached the solid waste management staff stating there has become the ability to craft and apply for a recycling license permitting process of demolition debris the same as a materials recovery facility (MRF) without the health and safety issues required by Title 30. For the past year the MRF operators have been trying to resolve this with staff, but have not reached any agreement. Member Dobyne was approached by MRF operators to bring this matter to the Board's attention in hopes of fostering dialogue to address these health and safety issues with two diverse types of operations occurring. A number of local operators will address these issues in the Public Comment portion of the meeting in hopes of reaching resolution. Member Dobyne clarified that he was referring to Section 10 in response to Ms. Bradley's question.

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

- Dr. Middaugh echoed his commitment to improved communication with Clark County and thanked Commissioners Scow, Giunchigliani and Weekly as they have had an open door and are aware of SNHD's efforts to keep communications open during his remaining month with the District and thanked the Board for their guidance to make the process work. Dr. Middaugh and Elaine Glaser are scheduled to meet with Don Burnett, Clark County Manager, on July 29, 2013. Member Weekly reported that the Clark County Commissioners will review the legal documents and stated that any derogatory comments made against the SNHD Board of Health are unacceptable and should be brought to the attention of the County Manager. Board members and those in the room are there for the right reasons and name calling is inappropriate, deters progress and is a waste of time and taxpayers dollars. Member Weekly noted that he will work with Commissioners Scow and Giunchigliani to move the process forward at the County.
- Public Health Effects From Wood Smoke – Dr. Middaugh reviewed a slide presentation illustrating various fires throughout the country. He reported that extensive epidemiology studies were conducted on a large fire in Alaska involving over one million acres with smoke that traveled 1500 miles to Vancouver and Seattle. The studies looked at the impact on human health from exposure to wood smoke and it identified that very few serious health effects were noted when people were exposed to wood smoke and the human body deals with the smoke with minimal events.
- Transition Planning – Dr. Middaugh is working with staff to identify major items to accomplish during the next month. Informatics and Epidemiology met to discuss development of databases, merging informatics skills with epidemiology skills that can be made available to the whole District, e.g., Environmental Health, Nursing Programs, Finance and Administration. An all day Leadership Team meeting is scheduled on August 13, 2013 to envision where SNHD is going in the next five to ten years and identify the major issues and challenges anticipated. Dr. Middaugh identified the future of public health under the Affordable Care Act and the role of public health as a major challenge and area of concern. Many on the federal level believe that funding to local health departments will not be needed and that billing private insurance would provide funding and the government will no longer provide public health funding for immunization, STD, HIV, HIV treatment, surveillance or many of the other core programs. Massive services are required when the District is conducting an investigation that can only be supported with tax dollars and there is no one to bill. The

major concern for public health is that there is no way to run a public health agency without tax dollars for the core programs regardless of what services that SNHD would bill. Member Winchell reported that UMC is forming a committee for discussion of the Affordable Care Act and the impact on the outpatient clinics as they are going to broaden Medicaid giving patients the ability to see any provider.

- Dr. Middaugh reported on projects for the next month:
  - Review of the Vector Control program.
  - Superintendent Skorkowsky is willing to execute an MOU between SNHD and Clark County School District to continue to collect and expand height and weight measurement data despite the future of the statutes until resources are available to collect that data annually.
  - Make hemoglobin A1C and lipid measurements reportable through the District's electronic system to enhance surveillance for chronic disease.
  - Finalize detailed fiscal analysis of our budget to establish an indirect rate that will enable SNHD to provide accurate information on the true cost of our programs.
  - Complete recruitment for the Director Environment Health and Human Resources Administrator.
  - SNHD recently completed an analysis in mortality data looking at prescription drug poisoning, which is a massive epidemic. During the last ten years the Centers for Disease Control and Prevention (CDC) reported successive reports on what is occurring nationally. The Las Vegas rate of unintentional deaths is almost twice the national rate with a 74% increase in fatalities and approximately 65% are narcotic prescription drugs locally and one of the worst in the country. In the past this was a problem primarily for males that now includes females. SNHD is working with the Clark County Medical Society, State Medical Association and Nevada Board of Medical Examiners to look at what can be done to prevent this preventable problem. Currently there are more deaths from prescription drug poisoning than firearms or motor vehicles and is the leading cause of injury deaths in our community.
  - Dr. Middaugh reported on the death of a 25 year old pregnant woman who became pregnant through a fertility clinic, became very sick and had premature delivery of twins of which one died. Her health continued to deteriorate, she died in June and at autopsy disseminated tuberculosis (TB) was identified. The diagnosis was not made at any time during her illness. SNHD is engaged in a major investigation to determine where she acquired TB, how infectious she was and if she infected people. Testing was underway on all nurses in the neonatal care unit, staff providing care during her terminal illness and family members. The District has been working with the state and received great support from the hospitals and staff. Additional Staff can be requested from the CDC if SNHD needs to expand the circle of testing. A central concern was whether she was infectious when visiting her newborns in the neonatal intensive care unit and if other infants in that unit were exposed. Dr. Middaugh stated it is very difficult to diagnose TB in children less than two years of age, much less than premature infants and medication to prevent infection has serious side effects if given to newborns and premature babies. SNHD hopes to secure information about the level of infectivity during the time of her illness as it is a very serious clinical decision on whether to start these infants on medication. The situation continues to be a major focus of the TB, Nursing and Epidemiology staff. Dr. Middaugh responded that this did not occur at UMC when presented with the question.
  - Elaine Glaser, Director of Administration, will provide an update on building options at the August meeting.

- The District is reviewing, streamlining and updating policies and will provide a mechanism for making them available to all staff.
  - The Environmental Health Division created a working group to review pool regulations.
  - All program management plans are under review for the next fiscal year.
  - IT staff developed an electronic timekeeping system currently in the final testing stage that is intended to be deployed in the near future and will eliminate a huge amount of paperwork and provide more accurate information.
- Accomplishments: December 2012 – July 2013: Dr. Middaugh reported that he presented a progress report in December for the first six months and will provide the updated list to the Board. He thanked the Board for their support and expressed thanks to District staff for pulling together with relocation from the Ravenholt Building. The past year has been challenging and many changes were made in programs, in some cases to eliminate programs no longer effective, adopt new technology and policies and overhaul processes for budgeting, payroll, federal grants and certifications.

Member Scow asked to be kept abreast of any ability to renegotiate the lease on the Valley View Building. She thanked Dr. Middaugh for his leadership in this last year and stated that he did a great job in extending communication to the Board and was proactive.

Member Winchell also thanked Dr. Middaugh commended him on changes instituted in the last year. She commented on the prescription narcotic medications and her personal experience in a county agency stating it is a huge concern and would like state involvement, a more accountable approach and would also like to hear more about the medical marijuana clinics.

Member Peterson asked if a database existed for patients and contraindications for medication existed and Dr. Middaugh responded that he had no knowledge of it. Dr. Middaugh reported the Informatics team developed the ability to perform analyses that SNHD was unable to do five years ago. Epidemiology compiled a comprehensive evaluation of causes of death from chronic diseases and prescription drug issues. SNHD is at the threshold of gathering evidence based information and produce reports on almost all problems of concern to public health and from that target interventions and involve the necessary stakeholders.

Member Winchell stated that the Affordable Care Act has funds available for research looking at behavioral studies to change behavior for prevention and good health and may be worth looking at for some of the public health issues for prevention rather than intervention.

Member Weekly left at 9:44 am

Discussion followed reading the perils of exchanging medications, sometimes with fatal results, flushing medications down the toilet that ends up in Lake Mead and all of the medication cannot be captured when cleaning the water for use. Member Winchell reported that patients at her clinic were seen selling narcotic pain medications to other patients that resulted in a very strict policy.

Member Weekly returned at 9:40

Member Dobyne reported that in a recent attempt to dispose of medication in the proper manner he found it very difficult and it took several telephone calls find a location within a reasonable drive from his home. He asked if the District could provide facilities for medication collection. It was noted by other members that medication collection involves chain of custody issues and other perils exist, e.g. robberies. Member Tarkanian noted that senior citizen homes are often a place fostering the drug trade. Member Osgood stated that he holds a medical license in three states and all of them are aware of the problem and require continuing education as this is a well known problem in the southwest. He questioned the legal jurisdiction of the District versus the oversight of the medical examiners or physician assistant boards.

Member Noonan congratulated the Board and staff on the LGBT (Lesbian, Gay, Bisexual and Transgender) Center located on Maryland Parkway. Boyd Gaming was instrumental in assisting with funding for the center. He reported that during a tour of the facility their staff complimented the services provided by SNHD and the relationship developed between the two entities.

Chair Woodbury asked for any further comments and seeing none moved to the Public Comment portion of the meeting.

## **IX. INFORMATIONAL ITEMS**

### **A. Board of Health**

1. Letter from the City of Boulder City appointing Rod Woodbury as member of the Southern Nevada District Board of Health for the term July 1, 2013 – June 30, 2015. Alternate to be determined.
2. Letter from Clark County appointing Chris Giunchigliani and Mary Beth Scow as members and Lawrence Weekly as alternate of the Southern Nevada District Board of Health for the term July 1, 2013 – June 30, 2015.
3. Letter from the City of Henderson appointing John Marz as member and Andy Hafen as alternate of the Southern Nevada District Board of Health for the term July 1, 2013 – June 30, 2015.
4. Letters from the City of Las Vegas appointing Bob Beers and Lois Tarkanian as members and Steve Ross as alternate of the Southern Nevada District Board of Health for the term July 1, 2013 – June 30, 2015.
5. E-mail from the City of Mesquite appointing Allan Litman as member and Kraig Hafen as alternate of the Southern Nevada District Board of Health for the term July 1, 2013 – June 30, 2015.
6. Letter from the City of North Las Vegas appointing Wade Wagner as member and Anita Wood as alternate of the Southern Nevada District Board of Health for the term July 1, 2013 – June 30, 2015.

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

1. Monthly Activity Report - June 2013

### **C. Community Health:**

1. Monthly Activity Report - June 2013

### **D. Environmental Health:**

1. Monthly Activity Report - June 2013

### **E. Clinics and Nursing:**

1. Monthly Activity Report - June 2013

- X. 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.

Scott Seastrand, Discount Dumpsters, Kam Brian and Norbert Mandrigal, Lunas Inc., expressed concerns as Material Recycling Facility (MRF) operators that recycling companies are allowed to receive construction demolition waste (C & D). They reported discussing the issue with SNHD Solid Waste staff, who they commended for listening to their concerns regarding defining a distinction between a MRF and recycler. The MRF operators expressed the following concerns and suggestions.

- The MRF is a clean environment that can work at all hours and is protected from the outside elements. Recyclers should not be permitted to commingle C & D waste and that material should be handled by MRF's. 1.5 million pounds of C & D waste is accumulated annually in Nevada with existing MRF's capturing only 1/10 of that material, providing the opportunity for more MRF's to open and capture more of the recyclables and the recyclers get the metal, cardboard, plastic and other recyclables pulled out at the MRF's.
- MRF operators have numerous requirements include size of acreage, air control quality for ground buildings, dust suppression, fire prevention and environmental protection in place for ground, air, storm water. Definitions between the MRF and recycler are so similar that recycling permits allow them to do everything that a MRF does if they can meet the 90% standard, which cannot be regulated. The recycler can make it appear that they are meeting at percentage, but that is not possible. The distinction is not significant enough to prevent a recycler to take C & D waste and perform all the functions of a MRF without the protections or requirement of a MRF. They questioned why a recycler can avoid these requires by applying under a different permit, which they indicated was a loophole needing closed.
- Suggested that recycling centers should not be permitted to accept construction demolition waste) and should only be able to accept separate recyclables. Construction demolition waste and is heavy, large, cumbersome, dusty and difficult to manage and process. MRF's were built to manage that material in compliance with safety and health guideline.
- Recyclers are required to recycle 90% of material brought into their facility, which is not feasible with C & D waste. Recycling facilities were designed for the ability segregate recyclable commodities onsite that they can sell. They have less processing and less risk to the community and should be required to become a MRF if they want to do the larger heavier processing.
- Operators met with SNHD to discuss proposed changes to the language in permitting and believe this could be handled within the District as the permitting authority.

Member Dobyne stated that a recycling facility is required to have 90% recycled material at the point of pick-up, not once they get to their site. MRF's recover about 35% of recyclable material of everything that is brought into their facility. Hazardous materials go to Republic Services.

Member Beers asked if this was a legislative issue. Mr. Brian responded he believed it to be a SNHD definition issue. Member Dobyne stated there is a slight regulatory issue with the NRS as it allows this type of material. The Board has the ability to reduce the amount that a recycling center can take without impacting operations.

Commissioner Weekly asked if impact studies were conducted to bring different entities together to close those loopholes. Mr. Brian responded affirmatively noting that conflict does exist as everyone wants to promote recycling. MRF operators want to ensure the environmental protections are in place and these are mutually beneficial regulations because the more the MRF's take in the more the recyclers receive from the MRF's.

Member Peterson asked whether recyclers were violating federal laws regarding water pollution, clean air, etc., as it was alluded to in the discussion. Mr. Brian responded that recycling center regulations do not have those prevention mechanisms.

Member Dobyne stated that Solid Waste inspection is severely understaffed and has been a problem for well over a year and it is nearly impossible for them to enforce the 90% recycling requirement.

Chair Woodbury asked for further comments and seeing none closed the Public Comment portion.

## **XI. ADJOURNMENT**

*Motion made by Member Tarkanian seconded by Member Winchell and carried unanimously to adjourn the Board of Health Meeting at 10:11 a.m.*

SUBMITTED FOR BOARD APPROVAL

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

/vk