



MINUTES

Southern Nevada District Board of Health Meeting
330 S. Valley View Boulevard, Las Vegas, Nevada 89107
Conference Room 2
Thursday, January 23, 2014 - 8:30 a.m.

Rod Woodbury, Chair, called the meeting of the Southern Nevada District Board of Health to order at 8:35 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, Crowley, Dobyne, Giunchigliani, Litman, Marz, Nemec, Noonan, Osgood, Scow, and Woodbury seated.

BOARD:
(Present)

Rod Woodbury, Chair – Councilmember, Boulder City
Bob Beers – Councilmember, City of Las Vegas
Susan Crowley – At-Large Member, Environmental Specialist
Douglas Dobyne – At-Large Alternate, Regulated Business/Industry
Chris Giunchigliani - Commissioner, Clark County Commissioner
Allan Litman – Councilmember, City of Mesquite
John Marz - Councilmember, City of Henderson
Frank Nemec, At-Large Member, Physician
Bill Noonan – At-Large Member, Gaming
Kenneth Osgood – At-Large Member, Physician
Mary Beth Scow – Commissioner, Clark County
Lois Tarkanian - Councilmember, City of Las Vegas
Wade Wagner - Councilmember, City of North Las Vegas
Lori Winchell - At-Large Member, Registered Nurse

(Absent)

Timothy Jones – At-Large Member, Regulated Business/Industry
Marietta Nelson – At-Large Member, Physician

ALSO PRESENT:
(In Audience)

Kathleen Peterson – At-Large Member, Environmental Specialist

LEGAL COUNSEL: Annette Bradley, Esq.

EXECUTIVE SECRETARY: Joseph Iser, MD, DrPH, MSc, Chief Health Officer

STAFF: Karen Atkins, Heather Anderson-Fintak, Stephanie Bethel, Haley Blake, Mary Ellen Britt, Dennis Campbell, Mee Kee Chong-Dao, Richard Cichy, Alice Costello, Margarita DeSantos, Cheryl Dolesh, Cara Evangelista, Jason Garcia, Andy Glass, Rose Henderson, Julie Hurd, Amy Irani, Paul Klouse, Brian Labus, Sarah Lugo, Dr. Christina Madison, Linh Nguyen, Shirley Oakley, Suzan Pruitt, Jacqueline Reszetar, Brian Riddle, Rick Reich, Patricia Rowley, Joanne Rupiper, Jennifer Sizemore, Bonnie Sorenson, Dr. Nancy Williams and Valery Klaric and Jacqueline Wells, Recording Secretaries.

PUBLIC ATTENDANCE:

| <u>NAME</u> | <u>REPRESENTING</u> |
|----------------------|----------------------------|
| Ann Markle | Self |
| Sherry Henninger | Self |
| Patricia Townsend | State of Nevada |
| Jim Barger | Pacific Custom Pods, Inc |
| Scott Gibson | Caesars' International |
| Mark Lefever | MB BC, LLC |
| Chris Stachyra | American Medical Response |
| Eric Diesendard | American Medical Response |
| Tammy L Vanderherdin | Pooters Ice Cream |
| Tammy M Vanderherdin | Pooters Ice Cream |
| Chris Williams | Pooters Ice Cream |
| Ashley Trendler | Roseman/SNHD |
| Donna Russell | PGAL |

- 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.

Cara Evangelista, SEIU Chief Steward, General Unit, referenced Petition 01-14 on the Consent Agenda as an example of how the union has worked with management to save money. Cara explained that she, Jacque Raiche-Curl, Chief Steward for the Supervisory Unit, Shirley Oakley, Human Resources Administrator, and Kelly Brinkhus, Human Resources Supervisor, were able to cooperate and compromise to reach an agreement on the exemption issues instead of going to arbitration which saved at least \$20,000. Ms. Evangelista stated that another example is the new Director of Administration, Andy Glass, and Acting Director of Environmental Health, Paul Klouse, listened to employee suggestions and fixed a situation that was costing the district unnecessary money. Ms. Evangelista remarked that employees like Dr. Iser because he has shown to have integrity, is a decision maker and is trustworthy, and added that during a recent all hands meeting, Dr. Iser took questions and asked employees for real suggestions. Ms. Evangelista stated that the union and employees like Ms. Oakley, noting that they were sitting together at today's meeting and added that the new management staff has established results in a short period of time. Ms. Evangelista advised the board that on January 22, 2014, union and management agreed to cooperative bargaining, which will begin on February 18, four months earlier than usual, and will work together to correct problems and already discussed cost savings. Ms. Evangelista also expects to achieve solutions that will result in increased morale and set-up of long term plans to correct the issues. Ms. Evangelista stated that the new management staff is "normal", have no tricks, trustworthy, result-driven and are willing to listen to front-line employees to fix issues and save money. Chair Woodbury thanked Ms. Evangelista for her comments.

Member Tarkanian arrived at 8:40 a.m.
Member Winchell arrived at 8:43 a.m.

Seeing no one else, the Public Comment portion of the meeting was closed.

II. **RECOGNITIONS:**

Dr Iser welcomed:

Andrew (Andy) J. Glass, Director of Administration
Jacqueline (Jackie) Reszetar, Director of Environmental Health

Dr. Iser also thanked Amy Irani and Paul Klouse for keeping Environmental Health on track until a permanent director was hired.

Dr. Iser and Chair Woodbury presented the Silver Syringe Award, Nevada's opportunity to celebrate immunization champions across the state, to **Dr. Christina Madison, Pharmacist**, who is the 2013 Education Champion of the Year and **Joanne Rupiper RN, Community Health Nurse Supervisor** who is the National Infant Immunization Week (NIIW) Champion of the Year. Dr. Madison was also credentialed with the American Academy of HIV Medicine.

Dr. Iser and Chair Woodbury acknowledged **Laurie Hickstein RN, Sr. Community Health Nurse and Haley Blake, Sr. Disease Investigation and Intervention Specialist**, who published the article: A Tuberculosis Outbreak Fueled by Cross-Border Travel and Illicit Substances: Nevada and Arizona (In Collaboration with the CDC, Kiren Mitruka, Haley Blake, Philip Ricks, Roque Miramontes, Sapna Bamrah, Carla Chee, Laurie Hickstein)

Chris Stachyra of American Medical Response, presented **Sherry Henninger, RN (SNHD Retired)** with a Honorary Community Hero Award for her dedication and pride in instructing CPR classes for the District, teaching over 870 people and inadvertently saving the life of one, if not many people through the years.

Dr Iser thanked Richard Cichy, Community Health Nurse Manager, Haley Blake, Sr. Disease Investigation and Intervention Specialist, Bonnie Sorenson, Director of Clinics and Nursing Services, and Brian Labus, Senior Epidemiologist, for their work during the recent tuberculosis outbreaks.

Dr. Iser and Chair Woodbury recognized **Brian Labus MPH, Senior Epidemiologist**, author of the chapter "Local and Regional Public Health Informatics", which was published in the book *Public Health Informatics and Information Systems*, (Jeffrey M. Kriseman, PhD, MS; Brian J. Labus MPH)

III. **ADOPTION OF THE JANUARY 23, 2014 AGENDA**

The Chair called for a motion to adopt the agenda for the January 23, 2014 meeting as presented.

A motion was made by Member Scow seconded by Member Noonan and unanimously carried to adopt the January 23, 2014 Board of Health meeting agenda as presented.

IV. **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:** November 26, 2013 (*for possible action*)
2. **PETITION #01-14:** Ratification of Memorandum of Agreement dated December 5, 2013 by and between the Southern Nevada Health District and the Service Employees International Union (SEIU), Local 1107 revising classification specifications changing status from non-exempt to exempt for the following: Communicable Disease Supervisor, Community Health Nurse Supervisor, Environmental Health Engineer-Supervisor, Environmental Health Supervisor, Health Education Supervisor, Public Health Preparedness Supervisor, Vector Entomologist/Supervisor, Administrative Analyst, Advanced Practitioner of Nursing, Computer Systems Analyst, Environmental Health Engineer I/II, Information Technology Project Coordinator, Publication Specialist, Regional Trauma Coordinator, Senior Accountant, Senior Epidemiologist, Senior Public Health Preparedness Planner, Web Content Specialist; direct staff accordingly or take other action as deemed necessary (*for possible action*)

Member Giunchigliani clarified that this petition was a continuation of what had been previously agreed to which Dr. Iser confirmed.

3. **PETITION #02-14:** Approval of Interlocal Agreement with Clark County School District (CCSD) during a one year period for SNHD's provision of services to students, CCSD staff and/or members of the general public which may include general immunizations, seasonal influenza clinics and other community health programs as mutually agreed upon (*for possible action*)

A motion was made by Member Beers seconded by Member Crowley and unanimously carried to adopt the Consent Agenda as presented.

- V. 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.

Chair Woodbury declared the public hearing open.

1. **Consider/Approve:** Variance Request to operate a Public Bathing Place not in compliance with the Nevada Administrative Code (NAC) 444.134.1, MB BC LLD, d/b/a Daylight Beach Club, 3950 South Las Vegas Blvd., Las Vegas, NV 89109. (Assessor's Parcel Number (APN) 162-29-710-002) for Health Permits: PR0104813 and PR0104814; Mark B. Lefever, Manager/Owner's Agent (*for possible action*)

Jacquelyn Raiche-Curl, Environmental Health Supervisor, presented the variance request from Daylight Beach Club as follows:

I. BACKGROUND:

MB BC LLC, d/b/a Daylight Beach Club is petitioning for a variance as requested by Mark B. Lefever, Owner's Representative of Daylight Beach Club, to construct two public bathing places not in compliance with the Nevada Administrative Code NAC 444.134.1, which states in part: "... a clear, unobstructed deck must be provided around the entire perimeter of a pool. In no case may the width of the deck be less than 4 feet (1.2 meters). A deck may be obstructed for a distance equal to not more than 10 percent of the perimeter of the pool ..."

II. DISCUSSION:

The petitioner requests a variance to grant a condition that two (2) pools at the Daylight Beach Club at Mandalay Bay Resort Las Vegas, NV be constructed with a raised wall 18" and 36" above the adjacent deck. The underground utilities present throughout the pool area necessitate the proposed pools to be constructed with the walls above deck level. Relocation of the underground utilities to include main sewer lines, storm drain laterals, electrical lines, communication conduits and a main water line. The 18" section would be on the cabana side of the pool and the 36" elevation would face the existing pool. 4 feet of unobstructed deck space will be provided around the entire perimeter of the pool after the raised wall. Steps will be constructed to exit the pools on the cabana side of the pool.

The evidence presented for granting a variance to permit Daylight Beach Club to deviate from NAC regulation 444.134.1 accommodating a pool with a perimeter edge raised 18-36" above the surrounding deck, is thus:

(a) There are circumstances or conditions which –

(1) Are unique to the applicant:

The addition of pools to an existing area creates challenges with regard to existing below ground utilities. The proposed design encompasses the only area available to construct additional pools without negatively impacting the needed deck spacing to operate a club style facility. The purpose of adding two additional pools is to alleviate overcrowding of the existing pool during busy times.

(2) Do not generally affect other persons subject to regulations:

Granting a variance will not affect other persons subject to regulations regarding pool decks. The design of the water bodies will comply in all respects with the requirements of NAC Chapter 444 other than for the subsection cited.

(3) Make compliance with the regulation unduly burdensome:

Compliance with the regulation in this particular instance will not result in a detriment to public health and safety. The relocation of existing underground utilities in order to accommodate construction of pools

without a raised edge would make this project cost prohibitive.

(4) Hardships caused and substantial property right abridged by complying with the regulation include.

Relocating the proposed pools to a location that does not require a raised wall would likely double the expense of the project making it cost prohibitive. Any other location would also negatively impact available deck space for patrons in the club setting.

(b) Granting the Variance –

(1) Is necessary to render substantial justice to the applicant and enable their preserving and enjoying a property right:

Granting the variance will allow for the use of the pools without reduced safety and elevates the potential overcrowding of the single existing pool in the club.

(2) Will not be detrimental or pose a danger to public health and safety:

Granting the variance will not be detrimental or pose a danger to public health and safety, as the pools will be engineered to incorporate all necessary and code mandated safety provisions, as well as additional accent striping to delineate the raised spa edge condition.

III. RECOMMENDATION:

Staff is of the opinion that there exist circumstances which satisfy the requirements for a variance and that the granting of this variance will not be detrimental or pose an unreasonable danger to public health and safety so long as the following conditions are included. Therefore, staff recommends approval of the variance in accordance with the outlined conditions.

IV. CONDITIONS:

1. The petitioner agrees to maintain the walkway area around the pools accessible and free from obstructions;
2. The petitioner agrees to adhere to all other applicable requirements of the Public Bathing Places Public Spas Regulations, NAC 444.
3. Steps will be provided to exit the pool with required tread heights on both the interior and exterior of the pools;
4. 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;
5. Pertinent design changes that deviate from the plans proposed during the initial review of this variance may void the variance;
6. 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 to any other person or entity.

Member Beers asked if comments were made during the public hearing or if this is the public hearing. Ms. Raiche-Curl confirmed that the request to the board is the public hearing. Member Beers asked for clarification of Condition #6 regarding change of ownership and Ms. Raiche-Curl explained that is a NRS requirement and upon change of ownership, a new variance must be applied for.

Member Nemec inquired as to the purpose of the four foot space. Ms. Raiche-Curl advised that there are two reasons:

- (1) If a bather is in distress, they can be moved from the water to a safe place
- (2) Provide an unobstructed area for emergency crew and equipment to access

Member Crowley asked if there is anyone from the applicant present to confirm that they agree with proposed conditions. Mr. Jim Barger, Contractor, Mark Lefever, CFO, Daylight Beach Club, confirmed that both agree with the conditions.

Member Dobyne asked if there were any conflicts with ADA regulations with this modification to which Mr. Barger responded no.

A motion was made by Member Scow seconded by Member Tarkanian and unanimously carried to approve Variance Request to operate a Public Bathing Place not in compliance with the Nevada Administrative Code (NAC) 444.134.1, MB BC LLD, d/b/a Daylight Beach Club, 3950 South Las Vegas Blvd., Las Vegas, NV 89109. (Assessor's Parcel Number (APN) 162-29-710-002) for Health Permits: PR0104813 and PR0104814; Mark B. Lefever, Manager/Owner's Agent as presented.

2. **Consider/Approve:** Variance Request to operate a Public Bathing Place not in compliance with the Nevada Administrative Code (NAC) 444.454.1, Corner Investment Propco, LLC, d/b/a/ Caesars Entertainment, Inc. Bill's Gamblin' Hall, 3595 Las Vegas Blvd. South, Las Vegas, NV 89109. Assessor's Parcel Number (APN) 162-21-101-001 for Health Permits: PR0108664, PR0108665, PR0108666, PR0108667, PR0108668

Jacquelyn Raiche-Curl, Environmental Health Supervisor, presented the variance request from Daylight Beach Club as follows:

I. BACKGROUND:

Corner Investment Propco, LLC d/b/a Caesars Entertainment, Inc. Bill's Gamblin' Hall, is petitioning for a variance as requested by Scott Gibson, Owners Representative, to operate five public bathing places not in compliance with Nevada Administrative Code (NAC) 444.454.1, which states in part – "... a continuous unobstructed deck at least 4 feet (1.22m) wide including the coping must be provided around at least half of the perimeter of the spa...". The proposal is to construct the spas with a raised edge 18" above the deck providing a sitting area for guests around the spas. The public bathing places will be located on Assessor's Parcel Number (APN) #162-21-101-001 (see Attachment

C "Assessor's Parcel Information" and Attachment D "Assessor's Map"), at 3595 Las Vegas Blvd South, Las Vegas, NV, 89109.

II. DISCUSSION:

The petitioner requests a variance "...to raise the edge of the spas 18 inches above the deck. The raised deck will provide a sitting area around the spa... The roof top location of the pool area has unique elevation challenges that come as a result of working with an existing building structure with its load restrictions."

The evidence presented for granting a variance to permit Bill's Gamblin' Hall to deviate from NAC 444.454.1 accommodating a spa with a perimeter edge raised 18" above the surrounding deck, is listed below:

(a) There are circumstances or conditions which -

(1) Are unique to the applicant:

The roof top location of the pool area has unique elevation challenges that come as a result of working with an existing building structure with its load restrictions. The Spas are small and easily accessible from all sides for safety reasons.

(2) Do not generally affect other persons subject to regulations:

Granting a variance will not affect other persons subject to regulations regarding spa decks. The design of the water bodies will comply in all respects with the requirements of NAC Chapter 444 other than for the subsection cited.

(3) Make compliance with the regulation unduly burdensome:

There are no solutions that could include the existing grade changes that already exist in the top floor of the building; this is the only place where a pool facility can be built on this property. Further, the existing Hotel was already at a disadvantage since it had not had a pool area, making it difficult to compete in the current Las Vegas market.

(4) Will not be detrimental or pose a danger to public health and safety:

Granting of this variance will not pose a risk to public health and safety. Similar designs have been approved for variances by this board to include additional bathing features at this location.

(b) Granting the Variance -

(1) Is necessary to render substantial justice to the applicant and enable their preserving and enjoying a property right:

Granting the variance will allow the use of the deck for swimming and to provide amenities offering high aesthetic value and aquatic ambience, in

conjunction with the operation of a nightclub; a right currently enjoyed by other nearby properties.

(2) Will not be detrimental or pose a danger to public health and safety:

Granting the variance will not be detrimental or pose a danger to public health and safety, because the pools and spa will be engineered to incorporate all necessary and code mandated safety provisions, as well as additional warning tiles and markings to delineate the raised pool edge condition.

III. RECOMMENDATION:

Staff is of the opinion that there exist circumstances which satisfy the requirements for a variance and that the granting of this variance will not be detrimental or pose an unreasonable danger to public health and safety if the following conditions are included.

IV. CONDITIONS:

1. The petitioner agrees to maintain a walkway area around the spas accessible and free from obstruction;
2. The petitioner agrees to adhere to all other applicable requirements of the Public Bathing Places Public Spas Regulations, NAC 444;
3. Steps will be provided to exit the pool with required tread heights on the interior and a 9 inch tread heights on the exterior of the spas;
4. 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;
5. Pertinent design changes that deviate from the plans proposed during the initial review of the variance may void the variance;
6. 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 spas to any other person or entity.

Member Crowley asked if there is anyone from the applicant present to confirm that they agree with proposed conditions. Scott Gibson, Caesar's International, confirmed agreement with the conditions.

A motion was made by Member Noonan seconded by Member Osgood and unanimously carried to approve Variance Request to operate a Public Bathing Place not in compliance with the Nevada Administrative Code (NAC) 444.454.1, Corner Investment Propco, LLC, d/b/a/ Caesars Entertainment, Inc. Bill's Gamblin' Hall, 3595 Las Vegas Blvd. South, Las Vegas, NV 89109. Assessor's Parcel Number (APN) 162-21-101-001 for Health Permits: PR0108664, PR0108665, PR0108666, PR0108667, PR0108668 as presented.

Chair Woodbury opened the meeting for questions or comments and seeing none closed that portion of the meeting.

A motion was made by Member Osgood seconded by Member Tarkanian and unanimously carried to enter into Closed Session at 9:07 a.m.

VI.

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)**

The Chair reconvened the Open Session at 10:43 a.m. with the absence of Members Wagner and Marz who left at the end of Closed Session and did not return.

Due to the length of the meeting, the Chair asked that the Budget Report and Building Update in Item IX, Health Officer and Staff Reports be moved out of Agenda order and presented next.

Dr. Iser presented the Budget Report and Building Update, informing the board that his presentation had been made to all staff during an All Hands meeting and to Chair Woodbury. (Attachment 1):

| Baseline Reserves | |
|---|---------------------|
| Total Reserves | \$46,000,000 |
| Building Fund | \$13,700,000 |
| General Fund | \$10,800,000 |
| Capital Fund (less required for needs) | \$ 2,000,000 |
| Capital Fund (needed) | \$ 4,500,000 |
| Lab Enterprise | \$ 3,500,000 |
| Worker’s Comp Fund | \$ 1,000,000 |
| Retiree Fund | \$ 500,000 |
| Required Reserve Fund | \$10,000,000 |
| Net Usable Reserves (Building + Capital + General) | \$26,500,000 |

Dr. Iser remarked that the board followed good financial advice and asked the district to keep its reserves between 16.6% - 25% and the minimum amount of that 16.6% of the annual operating expenses is \$10M, which is where money has been drawn from when needed, citing TB outbreaks as an example, such as the one with the infant and mother which will cost well over \$200,000 alone, in addition to other TB issues that will cost between \$200,000 - \$250,000. On-going investigations are also paid from the reserve, such as the recent Norovirus outbreak.

Assumptions

- Last year's and this year's budget deficits are about \$8,000,000
- Calculations for scenarios are made beginning FY 15
- Given the current contract, employees will get 2.5% increase each year
- No inflation
- No decrease in services funded by 8010 "no changes"
- Revenues are stable
- No unanticipated costs
- Grant funds remain stable or no increase in 8010 to cover grant losses

Additional Background

- We currently lease 400 Shadow Lane at approximately \$500,000 annually
 - Building purchase now at \$8,850,000
 - Build out cost is \$700,000
 - Total \$9,500,000
- We currently lease 330 S. Valley View at \$2,000,000 annually
 - This lease goes up significantly in 1.5 years
 - We need to find another location to lease or purchase
- Most likely purchase is Covington Cross
 - Purchase price is \$8,300,000
 - Build out cost is \$3,000,000
- Ongoing discussions with City of North Las Vegas
 - We can lease enough administrative space for <\$1M annually
 - Most of Environmental Health would be out stationed
- Following slides will use \$20,000,000 purchase and build out costs

| Scenario 1 – No Changes | |
|-------------------------------------|---------------|
| Reserves | \$26,500,000 |
| No changes from this year (deficit) | (\$8,000,000) |
| Reserves depleted | 2.8 years |

In Scenario 1 the district will be out of funds and in the red by FY17.

| Scenario 2 – Purchase Buildings and No Changes | |
|--|---------------|
| Reserves | \$26,500,000 |
| Purchase proposed buildings | \$20,000,000 |
| Remaining | \$6,500,000 |
| No changes from this year (deficit) | (\$5,500,000) |
| Reserves depleted | FY 15 |
| Saves \$2M in current VV lease and \$0.5 M in Shadow lease | |

In Scenario 2 the district will save \$2M in lease costs at the Valley View building after the end of CY15 and \$500,000 at 400 Shadow Lane, but would still be out of funds with no change in the trajectory of the budgeted deficit and in the red by FY15. The proposed buildings to be purchased in Scenario 2 are 400 Shadow Lane for clinical services and the property at Covington Cross for administrative services.

| Scenario 3 – Purchase Buildings and Balanced Budget FY 15 | |
|--|--------------|
| Reserves | \$26,500,000 |
| Purchase proposed buildings | \$20,000,000 |
| Remaining | \$6,500,000 |
| Balanced budget FY 15 | \$0 deficit |
| Reserves depleted | Never |
| Saves \$2M in current VV lease and \$0.5 M in Shadow Lease | |

In Scenario 3 the district can purchase the buildings and balance the budget in FY15. There will be no additional lease costs and the reserves will not be depleted. Operating expenses, utilities and upkeep have not been calculated in this scenario, but there is enough flexibility in the figures to accommodate.

| Scenario 4 – Purchase Shadow Lane, Lease and No Changes | |
|--|---------------|
| Reserves | \$26,500,000 |
| Purchase Shadow Lane | \$9,500,000 |
| Remaining | \$17,000,000 |
| No changes from this year (deficit + \$1M lease - \$2M VV lease - \$0.5M Shadow) | (\$6,500,000) |
| Reserves depleted | 2 years |

In Scenario 4, the reserves would be depleted in two years as “no changes” means no change in the budgeted deficit.

Member Osgood left the meeting at 11:01 and did not return

| Scenario 5 – Purchase Shadow Lane, Lease and Balanced FY 15 | |
|---|--------------|
| Reserves | \$26,500,000 |
| Purchase Shadow Lane | \$9,500,000 |
| Remaining | \$17,000,000 |
| Balanced Budget FY 15 | \$ 0 deficit |
| Lease at \$1M/year (+\$2M VV lease + \$0.5M Shadow) | \$1,000,000 |
| Reserves depleted | Never |

Scenario 5 outlines the purchase of Shadow Lane, lease of the administrative property and balance the FY15 budget, leaving the district in great financial shape.

| Scenario 6– Purchase Shadow Lane, Lease and Balanced Budget in 3 Years (\$3M/\$3M/\$2M) | |
|---|-------------------|
| Reserves | \$26,500,000 |
| Purchase Shadow Lane | \$9,500,000 |
| Remaining | \$17,000,000 |
| Deficit FY 2014 (Current FY) | (\$8,000,000) |
| Deficit FY 2015 (Cut \$3M) | (\$5,000,000) |
| Deficit FY 2016 (Cut \$3M) | (\$2,000,000) |
| Balanced Budget FY 2017 (Cut \$2M) | No deficit |
| Lease at \$1M/year (+\$2M VV lease + \$0.5M Shadow) | |
| Reserves depleted | Stable by FY 2017 |

Scenario 6 allows for a balanced budget in 3 years.

| ACTIONS |
|--|
| Bring overtime under control (may require increase in FTEs in some areas) |
| Decrease travel, especially out of state, unless convinced of necessity or other contingencies |
| Eliminate contracts where 8010 has to be used to supplement providing services |
| Consider elimination of non-mandated/unnecessary functions |
| Analyze all leases and eliminate, renegotiate, or move |
| On-call pay |
| Cell and smart phones |
| Assure grant funding is used directly for grant deliverables |

Member Nemec left the meeting at 11:17 and did not return
Member Scow left the meeting at 11:17 and did not return

Dr. Iser stated that some of the district's programs are mandated and mandated at a certain level, however, at times public health requires greater than the mandated service level. There are also programs that are not mandated but are done by the district and the public health implications of not doing those programs will have to be considered. Member Winchell is concerned that this may mean cutting some of the programs, such

as Family Planning and STD and hopes that other revenue streams are being considered to avoid elimination of services.

| RECOMMENDATIONS |
|---|
| • Purchase Shadow Lane |
| • Continue looking at administrative options – likely NLV and Covington Cross |
| • Continue to save funds for future building(s) |
| • Decrease 8010 budget by at least \$3M FY 15 then reconsider annually (saving grant funds does not help) (can consider more thoroughly at retreat) |
| • This will result in a change in services |
| • Adjust assumptions as grant funds decrease and as 8010 funds increase or decrease |
| • Await outcome of ACA and adjust accordingly |
| • No increase in 8010 to cover grant losses |

*Member Giunchigliani left the meeting at 11:26
Member Litman left the meeting at 11:26 and did not return
Member Giunchigliani returned at 11:27
Member Dobyne left the meeting at 11:28
Member Tarkanian left the meeting at 11:30 and did not return
Member Dobyne returned at 11:30*

Member Giunchigliani expressed concern regarding the location of the Covington Cross property. Dr. Iser advised that both Clark County and the City of Las Vegas would like the district to remain in the medical corridor; however, there is no adequate available property in the area.

Chair Woodbury clarified that it did not matter who owned the property, but the district would be providing funds to purchase the property and actual vesting of ownership would be determined, whether by the board or by the Supreme Court. Member Giunchigliani asked that it be kept in mind that from a client's perspective, the Shadow Lane site is the best location. Dr. Iser agreed and stated that all of the scenarios use the Shadow Lane site as a baseline for the rest of the calculations because of the location, however, both the city and county have been asked to help identify other buildings and there are no others within the medical district for the health district to purchase.

Dr. Iser stated that he would be very pleased if the money that comes to the county for franchise fees for the ambulance services could somehow help the district in its mandated role as EMS and Trauma services as it would be very helpful to the budget and added that the actual outcome of the Affordable Care Act has to be determined first to see how it will affect the district. Bonnie Sorenson, Director of Clinics and Nursing Services, is currently negotiating contracts with entities who do not want to do their own immunizations and Dr. Nancy Williams, Acting Director of Community Health Services, is actively seeking as many grant funds as possible.

Dr. Iser believes that the rates currently being negotiated with the City of North Las Vegas are very favorable and will save a significant amount of money after the lease at Valley View is up as well as into the long term.

In regard to reducing non-essential or non-mandated services, Chair Woodbury stated that in his mind reducing services would result in reducing staff, whether through layoff, furlough, out-sourcing of services or contracts and asked Dr. Iser to explain how his recommendations would impact the employees. Dr. Iser expressed that the district could match, not over-match required grant funds that would require losses in clinical programs in emergency preparedness, which would mean loss of personnel in some way or another. Dr. Iser has not yet completed the actuarial analysis on a 4/9 work schedule, which was a suggestion from the employee meeting, but feels it would save approximately ten percent of personnel costs, which may be enough to compensate for the short term.

Member Giunchigliani left the meeting at 11:26
Member Litman left the meeting at 11:26 and did not return
Member Giunchigliani returned at 11:27
Member Dobyne left the meeting at 11:28
Member Tarkanian left the meeting at 11:30 and did not return
Member Dobyne returned at 11:30

Chair Woodbury commended Dr. Iser for going to the employees to seek suggestions for cost reductions. Dr. Iser advised that there are many suggestions and they are in the process of being compiled for review and response.

Ms. Bradley advised that there is no longer a quorum of board members present and no direction could be given, informational only.

Dr. Iser informed the board that he will continue to have discussions with North Las Vegas and Clark County and will consider making an executive decision to cut the FY15 budget and have the division directors implement. Dr. Iser added that every city in the county has done what the district has not done, which is partially why the budget problem exists. Chair Woodbury asked Dr. Iser if the budget could be balanced under any scenario without cuts. Dr. Iser responded that the budget cannot be balanced unless the deficit is cut and a decrease in both 8010 and grant dollars is anticipated.

Chair Woodbury asked Dr. Iser if he intended to balance the budget in one year or three. Dr. Iser stated that if nothing else changes in regard to the assumptions, whether the deficit was cut in one year or three the district would be at the same place at the end of three years with decreased services unless additional funds are obtained. Initially, Dr. Iser recommended one year, but that did not give enough sensitivity and flexibility that three years would allow, however three years would cost more. Chair Woodbury asked if the budget could realistically be balanced in one year without it being devastating to the district. Dr. Iser stated that it could be done in one year and yes, it would be devastating to employees, the district and the services provided.

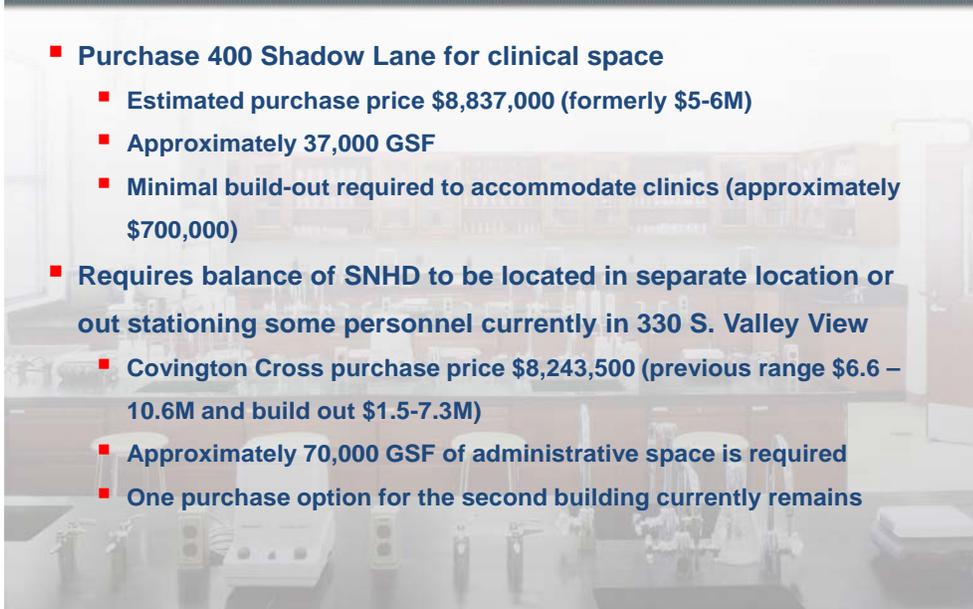
Building Update

Dr. Iser presented the facility options for purchase as follows (Attachment 2):

Option Three – 400 Shadow Lane & Administrative Building



- **Purchase 400 Shadow Lane for clinical space**
 - Estimated purchase price \$8,837,000 (formerly \$5-6M)
 - Approximately 37,000 GSF
 - Minimal build-out required to accommodate clinics (approximately \$700,000)
- **Requires balance of SNHD to be located in separate location or out stationing some personnel currently in 330 S. Valley View**
 - Covington Cross purchase price \$8,243,500 (previous range \$6.6 – 10.6M and build out \$1.5-7.3M)
 - Approximately 70,000 GSF of administrative space is required
 - One purchase option for the second building currently remains



Dr. Iser thinks that the minimal build out will be more than \$700,000 as the county's options include buying new cubicles and the district will buy used cubicles in good condition. Member Litman asked if the county had completed the appraisals and was informed that they were presented to the board a couple of months ago, and the district is now using the county's "best guesstimates" of what it would actually cost as the appraisals came in low, Shadow Lane appraised at \$5.5M, however in looking at buying another building at \$5.5M the build-out costs will be much greater.

Option Three – 400 Shadow Lane & Administrative Building



- **SNPHL remains in current location**
- **Occupancy of 400 Shadow Lane after closure**
- **Renovation of space required to house TB clinic**
- **Occupancy of second building 2nd Quarter 2015**
- **Overall project budget \$9.5M in 2013 dollars**



Option Four – 400 Shadow Lane & North Las Vegas City Hall



- Purchase 400 Shadow Lane for clinical space as previously outlined
- Do not purchase any other buildings at this time
- Requires balance of SNHD to be located at NLV City Hall (for Administration) or out stationed (Environmental Health) for staff currently in 330 S. Valley View
 - Lease discussions are underway
 - Lease would include two full floors and parts of 1-2 others (40,000 SF)
 - Build out less than \$1M
 - Joint use of City Council space for BOH
 - Cost at less than \$1M annually
 - Out station EH at Laughlin, Henderson, East LV

Where are we today....



- Acknowledge no solution is perfect....
- Conceptual agreement discussions between SNHD & County continue on outstanding issues
- Collaborative approach to final detail resolution
- Property appraisals are finalized and included in this presentation
- You will hear more, all decisions will come before the Board

Member Beers left at 11:48

Dr. Iser expressed that the North Las Vegas option is very financially beneficial to the district. Member Beers advised that if outpost space for Environmental Health is needed, the City of Las Vegas has some property near Buffalo and Cheyenne that may be beneficial. Dr. Iser stated that he has not started discussions yet and perhaps some

of the other entities would be willing to give the district some space in its city halls, such as Mesquite. Dr. Iser added that he will also recommend closing the North Las Vegas clinic if the district moved into the North Las Vegas City Hall and may recommend that it be closed anyway as it is not cost effective to remain there.

VII. REPORT/DISCUSSION/ACTION

1. **Public Records**: Receive presentation regarding public records.

Dr. Iser recommended that this item be postponed until the March meeting.

Member Giunchigliani left at 11:50

- VIII. 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 reported that he participated in an Affordable Care Act/Health Care roundtable addressing concerns by the insurance industry, health care providers, elected officials and others regarding the implementation of the Health Care Act and its uncertainties. Many are cautiously optimistic about the implementation and very upset and frustrated about the launching of the program to the point of exasperation. Chair Woodbury will be participating in future forums and will bring information back to the board as it is received.

IX. HEALTH OFFICER & STAFF REPORTS

- CHO Comments - Dr. Iser recommended that this item be postponed until the March meeting.
- Updates – Compliance with Audit Findings/Grant Time Recording - Dr. Iser stated that he has already shared this information with Member Beers as Chair of the Audit Committee and recommended that this item be postponed until the March meeting.
- Board of Health Retreat – Dr. Iser recommended the retreat be held after the February Board of Health meeting to discuss building issues, mandated services, and each of the district programs.
- TB Investigation Update – Dr. Iser stated that the district is in the midst of the second round of infant TB skin testing and no positives have been found as expected. If any are positive they may start to show in about 6 months.
- NYFC Outbreak Update – Dr. Linh Nguyen, Epidemiologist, stated that a Norovirus outbreak was detected at the Rio on November 29, 2013. The district was notified by fire and rescue that many youths had been transported to the local emergency room. It was found that 182 people met the case definition and it is suspected that the outbreak was spread due to person to person contact and contamination of the environment. The outbreak is now over and it is believed that ill people came to the

tournament and the Norovirus spread from there to other attendees. Dr. Iser added that no casino or hotel was blamed for this outbreak and all cooperated completely.

- Temporary Recycling Permits – Dr. Iser recommended that this item be postponed until the March meeting.
- Influenza Update – Dr. Iser explained that the death count due to influenza is now up to nine as opposed to three this time last year. Dr. Iser advised that it is definitely not too late to get an influenza vaccine however it takes about two weeks to be effective, so if after getting the vaccine, if one comes gets the flu, exposure occurred before the vaccine. Dr. Iser encouraged everyone to get an influenza vaccination.

X. INFORMATIONAL ITEMS

A. Chief Health Officer and Administration

1. Monthly Activity Report – November/December 2013

B. Community Health:

- A. Monthly Activity Report - November/December 2013

C. Environmental Health:

- A. Monthly Activity Report - November/December 2013

D. Clinics and Nursing:

- A. Monthly Activity Report - November/December 2013

- XI. 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.

Chair Woodbury asked if anyone else wished to speak during Public Comment and seeing no one closed the Public Comment portion of the meeting

XII. ADJOURNMENT

The Chair adjourned the meeting at 12:00 pm

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

/jw