



MINUTES

Southern Nevada District Board of Health Meeting May 23, 2019 – 8:30 a.m.

Southern Nevada Health District, 280 S. Decatur Boulevard, Las Vegas, NV 89107
Red Rock Trail Conference Room A and B

BOARD: Marilyn Kirkpatrick – Chair, Commissioner, Clark County
Scott Black – Vice Chair, Councilmember, City of North Las Vegas
(Present) Bob Coffin – Councilmember, City of Las
Michele Fiore – Councilmember, City of Las Vegas
Frank Nemec – At-Large Member, Physician
Scott Nielson – At-Large Member, Gaming
Tick Segerblom – Commissioner, Clark County
Brian Wursten – Secretary, Councilmember, City of Mesquite

(Absent): Nicole Brisson – Regulated Business/Industry
Rich Shuman – Councilmember, City of Boulder City
Dan Stewart – Councilmember, City of Henderson

ALSO PRESENT: None
(In Audience)

LEGAL COUNSEL: Heather Anderson-Fintak, Esq

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

STAFF: Ernest Blazzard, Cory Burgess, Michelle Cintron, Amy Hagan, John Hammond, Michael Johnson, Chad Kingsley, Fermin Leguen, Christopher Saxton, John Shannon, Jennifer Sizemore, Jacqueline Wells, Leo Vega,

I. CALL TO ORDER

Chair Kirkpatrick called the Southern Nevada District Board of Health meeting to order at 8:33 a.m.

II. PLEDGE OF ALLEGIANCE

III. RECOGNITIONS

Mee Kee Chong-Dao, Community Health Nurse Supervisor, was recognized as the Silver Syringe Outstanding Immunization Nurse award recipient for this year. Joann Rupiper, Chief Administrative Nurse, accepted the award on Mee Kee's behalf.

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

Lorraine Oliver, SEIU, approached the podium to speak on behalf of black mothers and babies. She was informed by Char Kirkpatrick that a meeting was already pending with Dr. Iser and the county as she understands that maternal health is a huge component and she is working in that direction to collaborate to do what is in the best interest of families. Ms. Oliver thanked Ms. Kirkpatrick and noted in a recent newspaper article, the Board indicated there was money to fund the program and no one asked for it. Ms. Oliver noted African Americans have been hurt for many years and this is just

another incidence. Ms. Oliver referred to a mother who recently lost a child that could have been saved by the Maternal Child Health program and she was saddened to hear that another baby was lost, however, she is glad to hear that there is talking behind the scenes. Ms. Oliver feels that she has not been given the respect of open communication. She is now in the HIV program around a lot of passionate employees, but still a very important activity has been taken from the community, in this case, the ability to take care of black mothers and babies. Ms. Oliver asked the Board to find funding for the Maternal Child Health program.

Brenda Marzan, President, SEIU, Local 1107, read a prepared statement for the record asking the Board to direct management to negotiate in good faith and fair proposals. ([Attachment 1](#))

Victoria Harding, SNHD/SEIU, noted she has fought hard over the years to keep services and is saddened by the loss of the Maternal Health program. Regarding negotiations, she reported dates are set for May 24, 28 and June 14. She noted June 14 will be the last possible time for bargaining as the District's attorney is on vacation for the first half of June. The union asked for an extension of the current contract but has received no response and management refuses to talk to them across the table about this issue. On the current trajectory, Ms. Harding does not believe the contract will settle by June 14 and this is the last possible Board meeting to make anything happen to change the trajectory of where this bargaining is going. So far, negotiations have not gone past the point of posturing, which is normally done in the beginning stages. Realistic proposals have not been made by management and what has been submitted has been vile and contrary to moving forward. Ms. Harding has been working with Amy Hagan, Human Resources Manager for over a year and they have determined what needs to be changed, however, no proposals of value have been submitted yet.

Jacque Raiche-Curl, a member of the supervisory bargaining unit, emphasized the main objective is to see that Dr. Iser and the management team are of the same value as the employees, as the Board recognized in March when they extended Dr. Iser's contract, providing a 2.5% raise that was retro-active to October 2017, as well as the granting of 260 additional vacation hours which amounted to approximately \$30,000. Ms. Raiche-Curl does not begrudge Dr. Iser as he works hard, but requests that the management team recognize the employees work hard too and have made a number of sacrifices. In Ms. Raiche-Curl's area, there is a tremendous amount of adjusted work schedules on what should have been paid overtime, but the employees have been working with the District to try and be fiscally responsible and are not pulling the hard line that they could. In return, the District has offered back across the table to the employees, a 1% COLA, which is essentially nothing due to the .06% PERS salary reduction. The other proposals have been to eliminate the earnings of comp time and holiday bank time. Ms. Raiche-Curl believes if it is reasonable to reinstate vacation time for the Chief Health Officer, it should be reasonable to compensate employees who are already adjusting and absorbing a great deal of additional work into their regular schedules with comp time if it cannot be fit in any other way. Ms. Raiche-Curl asked that the same consideration that is granted to management be granted to staff.

Francine Oakley, SNHD/SEIU, was compelled to speak to the Board to remind them that Dr. Iser, upon retirement, wanted to leave a legacy that had something positive with the employees and at this time employees re feeling more negative than positive. Morale is low, people are disappointed, and negotiations are not getting anywhere due to game-playing and politics. Although Ms. Oakley thought the directive to Dr. Iser was to turn over the Human Resources/Administrative side to someone else, so he could do what he does best, he has not. Ms. Oakley feels if these areas were managed by the individuals who were hired to manage them, the District would be managed in a more positive way, and his legacy could have a positive outcome at the end of his term.

Rosemary Ensign, a member of the Food Safety Training program, noted everyone appreciates respect in the workplace and over the last year, new Human Resources Manager has attempted to change the feel and morale in the District. The new Director of Administration, John, (Shannon) has made an incredible difference in the Food Safety Training program as the employees now feel that they matter and are a part of the District. Ms. Ensign feels that things are moving in the right

direction, but the problem is the employees are frustrated as the deadline exists and they are stuck in negotiations.

Regena Ellis, SEIU, thanked the SEIU members and employees for their support in coming together to negotiate a fair contract. She reported on April 30, 2019, a request for an extension of the collective bargaining agreement through the end of August was sent to District counsel to provide additional time to come to an agreement. There has been no response to this request. The supervisory unit has not had any bargaining sessions, they are due to start on May 24, giving them approximately one month to bargain an entire contract, as the current agreement ends June 30, 2019. Ms. Ellis questioned if it is reasonable to conclude if either unit can reach an agreement in such a short amount of time. Ms. Ellis read a petition signed by over 70% of the bargaining unit members and non-members which stated:

"We, the undersigned members of the Southern Nevada Health District, urge the Board of Health to instruct the Southern Nevada Health District management team to negotiate in good faith and settle a fair contract. We are proud, hard-working employees and dedicated to providing quality services to southern Nevada. We demand the following:

- Management team to bargain in good faith,
- A quarterly extension of our current collective bargaining agreement,
- Begin bargaining negotiations with the supervisory unit and
- Management to make themselves available to bargain full days on each contract in an effort to reach a full settlement.

Ms. Ellis submitted the signed petition to Chair Kirkpatrick and thanked the Board for their time.

Stacie Sasso, Executive Director, Health Services Coalition, read a prepared statement for the record regarding concerns related to the District's proposed Trauma Center Regulations ([Attachment 2](#))

Bethany Khan, Communications Director, Culinary Workers Union, Local 226, read a prepared statement for the record regarding concerns related to the District's proposed Trauma Center Regulations ([Attachment 3](#))

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

V. ADOPTION OF THE MAY 23, 2019 AGENDA (for possible action)

It was noted that Agenda Item VI.3., Petition #10-19 and VI.4., Petition #11-19, will be removed from the May 23, 2019 agenda.

A motion was made by Member Nielson seconded by Member Nemec and carried unanimously to approve the May 23, 2019 Agenda as amended.

VI. CONSENT AGENDA: Items for action to be considered by the Southern Nevada District Board of Health which may be enacted by one motion. Any item may be discussed separately per Board Member request before action. Any exceptions to the Consent Agenda must be stated prior to approval.

1. **APPROVE MINUTES/BOARD OF HEALTH MEETING:** April 25, 2019 (***for possible action***)
2. **PETITION #09-19: Approval of Agreement Between the Southern Nevada Health District and Eide Bailly LLP;** direct staff accordingly or take other action as deemed necessary (***for possible action***)

3. PETITION #10-19: Approval of the Renewal of Interlocal Agreement Between the Regional Transportation Commission of Southern Nevada and the Southern Nevada Health District; direct staff accordingly or take other action as deemed necessary (*for possible action*)
4. PETITION 11-19: Approval of Interlocal Service Agreement Between Southern Nevada Health District and Las Vegas Metropolitan Police Department; direct staff accordingly or take other action as deemed necessary (*for possible action*)
5. PETITION 12-19: Approval of Interlocal Agreement Amendments with Southern Nevada Health District and Clark County; direct staff accordingly or take other action as deemed necessary (*for possible action*)
6. PETITION 13-19: Approval of Intrastate Interlocal Contract Between the Department of Conservation and Natural Resources and Southern Nevada Health District; direct staff accordingly or take other action as deemed necessary (*for possible action*)

A motion was made by Member Segerblom seconded by Member Wursten and carried unanimously to approve the May 23, 2019 Consent Agenda as presented.

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

1. Consider/Accept Amendments to the District's Trauma Center Regulations; direct staff accordingly or take other action as deemed necessary (*for possible action*)

John Hammond, Emergency Medical Services and Trauma Center Manager and Chad Kingsley, Emergency Medical Services and Trauma Center Coordinator, reviewed the proposed changes to the District's regulations with the Board. Substantive changes were suggested by the Board members.

Bobette Bond, Culinary Health Fund, has concerns about the process, and has been opposed to the fifteen-minute window from the beginning. The current process is messing up numbers, impacting data, has bypassed existing data and polluting the numbers. These are all issues related to the tool that Board approved when culinary fund opposed that is not needed.

Chair Kirkpatrick recommended taking the regulations back to full public hearings with the substantive changes incorporated, discuss other options and bring back to Board.

A motion was made by Member Black seconded by Member Nielson and carried unanimously to integrated changes suggested by the Board, take the regulations back to public hearings and then bring back to the Board.

Chair Kirkpatrick anticipated loss of quorum and moved Closed Session, Item XII, out of order.

The Chair closed Open Session at 10:08 a.m. and moved to Closed Session.

XII.

CLOSED SESSION – Held Out of Order

Go into closed session, pursuant to NRS 241.015(3)(b)(2), to receive information from the Health District's Attorney, regarding potential or existing litigation involving a matter over which the Board has supervision, control, jurisdiction or advisory power, and to deliberate toward a decision on the matter and pursuant to NRS 288.220 for the purpose of conferring with Health District management regarding labor issues; and direct staff accordingly. (**For possible action**)

Open Session resumed at 10:56 a.m.

*Members Fiore left Closed Session at 10:23 a.m. and did not return
Members Nemec and Wursten left at the adjournment of Closed Session*

VIII. REPORT/DISCUSSION/ACTION (OUT OF ORDER)

1. **Receive Update From the May 7, 2019 Environmental Health Fee Committee Meeting and Provide Direction to the Committee and Health District Staff;** Committee Members: Chair – Scott Nielson (BOH), Nicole Brisson (BOH), Brian Wursten (BOH), Katherine Jacobi (Nevada Restaurant Association), Virginia Valentine (Nevada Resort Association), Chris Darling (A Track Out Solution), Norberto Madrigal (Lunas Construction), Erica Arthur (Las Vegas Living), Brooke Egan (Lennar); direct staff accordingly or take other action as deemed necessary (**for possible action**)

Member Nielson, Chair of the Environmental Health Fee Committee, reported the committee met on May 7, received additional information from staff and requested more specific information. Staff has agreed to provide additional information and the next meeting is scheduled for Wednesday, May 29 at 2:30 p.m.

There was no action taken on this item.

IX. BOARD REPORTS: The Southern Nevada District Board of Health members may identify and comment on Health District related issues. 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. (**Information Only**)

Member Sergerblom asked for discussion regarding the Healthy Start program to be agendized in June. After discussion, it was agreed that this item would be agendized in July.

X. HEALTH OFFICER & STAFF REPORTS

- Dr. Iser reported one case of West Nile Virus from an undetermined source.
- Influenza season is over. It was a relatively mild season with fewer hospitalizations than over the last couple of years.
- Dr. Iser reminded everyone to use sun protection and stay hydrated during the summer months.
- The State of the District address will be held on July 18.
- The funding mechanism for the public health improvement bill went forward, but only for cessation activities and not for public health generally. The raw milk bill failed.
- Negotiations are underway, the next meeting is on May 24, all day with both units
- The Community Health Assessment is in progress. The District is working with the state as they are in the process of gaining accreditation as well.

XI. INFORMATIONAL ITEMS

1. Chief Health Officer and Administration Monthly Activity Reports
2. Clinical Services Monthly Activity Reports
3. Community Health Monthly Activity Reports
4. Environmental Health Monthly Activity Reports

- XIII. 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.

Lorraine Oliver, reviewed the quarterly reports from year one and two from the Healthy Start Program, indicating several items the program met and or exceeded. The Chair asked for this document to be forwarded to the Board for closer review. ([Attachment 4](#)) Ms. Oliver noted the Clinical Services monthly report indicated the Nurse-Family Partnership program serves 176 active clients and of those, 47 are participating through the Maternal, Infant and Early Childhood Home Visiting (MIECHV) program, which she believes funds come through the maternal child health board. It is also reported that 212 infants were born into the Healthy Start program and 763 at risk participants were enrolled in this program. Ms. Oliver explained that in general, Healthy Start staff carried much larger caseloads at any time than the NFP program. She also provided an article from the Las Vegas Review-Journal dated May 10, 2019 that addressed the ending of the maternal health program. ([Attachment 5](#)) Ms. Oliver stated the employees have the right to contact the Board regarding their concerns but cautioned them regarding sharing this information because it could lead to repercussions. Ms. Oliver has been asked when she is going to retire and believes it is in retaliation of correspondence she sent to the Board regarding Dr. Iser's tenure. Ms. Oliver feels targeted and will discuss with Chair Kirkpatrick off line.

Victoria Harding, SNHD/SEIU, feels that it is important to ask for what is needed and get everyone involved and organize. She appreciates any assistance the Board can provide to settle the contract by the deadline.

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

XIV. ADJOURNMENT

The Chair adjourned the meeting at 11:12 a.m.

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

/jw