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*Mission: To protect and promote the health, the environment and the well-being of Clark County residents and visitors.*

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**MINUTES**

**CLARK COUNTY HEALTH DISTRICT  
DISTRICT BOARD OF HEALTH MEETING**

625 Shadow Lane  
Las Vegas, Nevada 89106  
Clemens Room

***Thursday, December 19, 2002 - 8:00 A.M.***

Chairman Crowley called the meeting of the District Board of Health to order at 8:05 a.m. and the Pledge of Allegiance was held. She noted that she had been provided with the Affidavits of Posting and Mailing of Agenda meeting notices, as required by Nevada's Open Meeting Law. The Affidavits will be incorporated into the Official Minutes.

Board Members

Present:

Susan Crowley	<i>Chairman</i> , Appointee, Henderson
Jim Christensen, MD	Physician Member At-Large
Andrea Anderson	Councilman, Boulder City
Sherry Colquitt, RN	Appointee, Las Vegas
Robert Eliason	Councilman North Las Vegas
Donna Fairchild	Councilwoman, Mesquite
Paul Henderson	Councilman, Mesquite
Chip Maxfield	Commissioner, Clark County
Gary Reese	Councilman, Las Vegas
Stephanie Smith	Councilwoman, North Las Vegas

Absent:

Erin Kenny	Commissioner, Clark County
Steven Kirk	Councilman, Henderson
Donalene Ravitch, RN	Appointee, Boulder City

Executive Secretary:

Donald S. Kwalick, MD, MPH

Legal Counsel:

Stephen Minagil, Esquire

Staff: Clare Schmutz; Karl Munninger; Sandi Schulz; Fran Courtney, RN; Jane Shunney, RN; Rory Chetelat; Angus MacEachern; Glenn Savage; Doug Joslin; Lorraine Forston; Rose Bell, PhD; Jeanne Palmer; Jennifer Sizemore; Peggy Hensley; Leo Vega; and Recording Secretaries Diana Lindquist and Montana Garcia

**ATTENDANCE:**

<u>NAME</u>	<u>REPRESENTING</u>
Michael Kaplan	Consolidated Resorts
Kenny Krumme	Pools by Grube
Josephine Regaul	Consolidated Resorts
Samantha Stadlander	Martin-Harris Construction
Leslie Long	City of North Las Vegas
Alan Gaddy	Republic Services of Southern Nevada
Thomas F. Kummer	Kummer Kaempfer Bonner & Renshaw
David L. Ruegge	City of Henderson
Tim Pangborn Jr.	Water FX
John Bohannon	Darling International
W.A. Souther	Darling International
Paul E. Larson	Lionel Sawyer & Collins; Soleil LLC
Bob English	Baker Commodities, Inc.
Vickie Hedderman	SEIU President

Vice-Chairman Reese explained that there was an accident on the freeway and that some of the Board Members were running a little late as they were caught up in traffic on I-15.

**A Moment of Silence** was held for Kirk Cammack, MD, Board of Health Physician Member 1962-1998 who passed away in December 2002

**OATH OF OFFICE: Councilwoman Andrea Anderson, Boulder City**

Stephen Minagil, Esquire, Legal Counsel, administered the oath of office to Councilwoman Andrea Anderson, the new representative from Boulder City, Nevada.

**RECOGNITION: Patricia Shutt, LPN, Gubernatorial Re-Appointment to the State Board of Nursing & Elected as President by the State Board Nursing for Calendar Year 2003 Term**

Fran Courtney, RN, Nursing and Clinics Director on behalf of staff and the Board Members recognized Patricia Shutt as the first LPN to be elected to the President position at the Nevada State Board of Nursing.

**I. CONSENT AGENDA**

These are matters considered to be routine by the 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.

*Member Colquitt moved for approval of the following Consent Agenda with the removal of **Item #5, Petition #55-02, Revised Personnel Code** until the January Board meeting. The motion was seconded by Member Smith and carried unanimously.*

- 1. Minutes/Board of Health Meeting:** 11/14/02
- 2. Approve Payroll/Overtime for Periods of:** 9/28/02 - 10/11/02; 10/12/02 – 10/25/02; 10/26/02 – 11/08/02 & 11/09/02 - 11/22/02.
- 3. Approve Accounts Payable Register:** **#845:** 10/23/02 - 10/30/02; **#846:** 10/31/02 - 11/06/02; **#847:** 11/07/02 - 11/13/02; **#848:** 11/14/02 - 11/20/02

4. **Petition #54-02** - Addition of \$15 Per Visit Immunization Administration Fee to the District's Fee Schedule
5. ~~**Petition #55-02** - Revised Personnel Code~~ (*Held for the January '03 Meeting*)
6. **Petition #56-02** - Redefinition of the Classification Specification for Community Health Worker (Navigator) to Remain on Schedule 12
7. **Petition #57-02** – Centers for Disease Control and Prevention HIV Prevention Service Awards for Fiscal Year 2003
8. **Public Hearing** Upon request of any individual any public hearing item shall be removed from this consent agenda and placed on the regular ***agenda for public hearing.***
  - a. **Variance Request:** to Permit the Construction of a Public Swimming Facility in Conflict with Nevada Administrative Code (NAC), Chapter 444, *Public Bathing Places, Public Spas* - Tahiti Resort Pool #1 (APN 163-25-502-002) - **Petitioner:** Soleil Las Vegas, LLC
  - b. **Variance Request:** to Permit the Construction of a Public Swimming Facility in Conflict with Nevada Administrative Code (NAC), Chapter 444, *Public Bathing Places, Public Spas* - Tahiti Resort Pool #2 (APN 163-25-502-002) - **Petitioner:** Soleil Las Vegas, LLC
  - c. **Variance Request:** to Permit the Construction of Public Swimming Facilities in Conflict with Nevada Administrative Code (NAC), Chapter 444, *Public Bathing Places, Public Spas* - Le Reve Casino Hotel VIP Villas Pools (APN 162-16-113-005) - **Petitioner:** Wynn Las Vegas, LLC
  - d. **Variance Request:** to Permit the Construction of Public Swimming Facilities in Conflict with Nevada Administrative Code (NAC), Chapter 444, *Public Bathing Places, Public Spas* - Le Reve Casino Hotel Fairway Villas Pools (APN 162-16-113-005) - **Petitioner:** Wynn Las Vegas, LLC

## **II. PUBLIC HEARING/ACTION**

1. **Memorandum #15-02 & ADDENDUM:** Darling International, Incorporated Application to Operate a Recycling Center at 4730 Vandenberg Drive, North Las Vegas, Nevada (***Held from November 14<sup>th</sup> Board Meeting***)

Vice-Chairman Reese opened the public hearing and turned the meeting over to Chairman Crowley. Chairman Crowley asked staff to proceed.

Clare Schmutz explained that the variance was a continuance from the November meeting for an application for a recycling center applied for by Darling International, Incorporated due to some potential legal issues.

Glenn Savage commented that Doug Joslin would be giving a summary updating the Board Members on what has happened with the application process for Darling International. Also, some options that Board Members might consider with the permit would be discussed. For example, looking at a permit which would incorporate recycling all undisputable recycles such as fat, grease and yellow oil. Also, reviewed will be the issue of the grease trap portion of the business which is an issue of recycling of large amount of water a necessary part for the community.

Doug Joslin stated that Darling International, Incorporated, (DII) had submitted an application for a permit to operate a recycling center. The application details the Darling operations and describes the processing of the materials accepted at the facility, which are yellow grease (the grease from deep fat fryers), fat and bone, and grease trap waste.

DII submitted an application on May 24, 2002. The application was deemed to be substantially complete on August 29<sup>th</sup> and a public workshop was held on October 24<sup>th</sup>. Discussions from the workshop resulted in the submission of written comments and additional changes to DII's application to reflect public concerns at the November Board meeting.

The Darling International hearing was continued at the November meeting when a concern was raised regarding legal issues surrounding the application. During this time Darling made additional clarifications to the application to further reflect the input received from the public. This information has been incorporated into the revised application. All interested parties were noticed that an updated application had been submitted and was invited to review the material.

The written comments received support Darling's recycling of yellow grease and fat and bone and the issuance of a permit for these materials. The remaining process, grease trap waste, has raised interesting issues. The processing of grease trap material within the operational definition of a recycling center depends on the Solid Waste Management Authority (SWMA) making the determination that the water, which represents 83% of the grease trap waste, is a recyclable. Additionally it requires a determination that the remaining 17% that is currently disposed of as solid waste by Republic Silver Services of Nevada (RSSN) represents a residual amount.

It is the position of DII that water is a recyclable as defined in the regulations and that the resultant waste is a residual amount. A review of the SWMA regulations governing recycling centers reveals that there is no explicit prohibition against defining water as a recyclable. The definition includes language that indicates that a recyclable is "determined by the solid waste management authority." In addition, the regulations allow the SWMA to determine what constitutes residual waste on a case-by-case basis.

The objections received regarding the grease trap processing raise questions concerning the applicability of the recycling center regulations to grease trap waste processing. Currently, the grease trap processing and subsequent discharge of the water to the sewer system (which has the added benefit of providing return flow credits to the water supply) is regulated under a Class I wastewater contribution permit issued by the City of North Las Vegas pursuant to Clean Water Act Regulations. This has been regulatory scheme for that process for the past two years.

He added that Darling representatives were in attendance and were eager to present information and to answer any questions relevant to their application. Also, representatives from RSSN and the City of North Las Vegas Environmental Services may have information relevant to these proceedings.

Member Eliason asked if staff knew the amount of water credits and what amount might go to the landfill.

Mr. Joslin explained that the current information that the applicant has provided is that as of September 2002 through grease trap processing have returned an excess 1.5 million gallons of water. An acre foot of water is approximately 376,000 gallons of water. The way the return flow credit system works a little bit more is allowed to be drawn compared to the amount that is put back in, so for this year it is approximately about 5 acre feet of water. In theory, with the

current operating capacity of the facility, they could potentially exceed over 12 million gallons of water given the 83% of water that they have historically shown over the past year.

Glenn Savage added based on discussions with Darling Representatives and concerned parties, it is indisputable that the 3 materials that are being recycled currently (yellow oil, fat and bone) are recyclable. Therefore, the Board Members could choose to permit those items. On the other hand, the City of North Las Vegas through their wastewater treatment program is already handling the issue of the grease trap and wastewater. So, the Board Members could decide to let the City of North Las Vegas continue regulating that part of the process and still issue a recycling permit.

Chairman Crowley asked what would be the effect of DII not receiving materials from the third parties at this point. Does that affect the grease trap or the other recyclables.

Mr. John Bohannon, vice-president of operations for DII, briefly explained that the Swift family in cooperation with the Darling family founded DII in Chicago, Illinois in 1982. The company has been providing recycling services for over 120 years. It is a publicly traded company that operates 37 facilities throughout the U.S., which collects and processes used cooking oil (yellow grease), animal by products and grease trap material. DII has been in the recycling business in the Las Vegas community since 1987 in a facility originally based in Henderson, which is now relocated in North Las Vegas. Currently DII services approximately 700 hotels, restaurant, casinos and supermarkets in the Las Vegas area. To date, the North Las Vegas facility has recycled approximately 500 tons of fat, bone and used cooking oil that is turned into a usable finished product. Thus far, in 2002, approximately 2 million gallons of grease trap materials have been processed. The facility employs 14 full-time and 1 part-time employee. He briefly reviewed their processing procedures. The yellow grease which DII produces is publicly traded as a commodity on the Chicago Board of Trade. Approximately 127 different products contain yellow grease, such as petroleum products, fuel oils, and animal feeds (which is primarily what is produced from the yellow grease at the North Las Vegas facility). The fat and bone scraps are collected and rendered. The two products that are produced out of the rendering of animal byproducts is tallow (used in making soaps), and meat and bone meal as protein supplements in animal feed.

He also explained the grease trap service that is provided to the local restaurants. DII removes the materials collected in the grease traps at the restaurant to ensure that it does not go into the sewer line. That material is taken back to the main facility, dewatered and the solid fraction is disposed. In 2001, approximately 1,268,000 gallons or 3.88 acre feet of water has been returned to the water system for use by the community. In 2002, approximately 1.57 million gallons of water has been discharged back to the City of North Las Vegas for reuse.

In 1999, the City of North Las Vegas, acknowledged that DII was a recycling facility and allowed construction. At that time, DII's commitment was to build a state-of-the-art facility. This has been accomplished. DII does all of its processing indoors. Also, a state-of-the-art scrubbing system has been installed. This prevents odors from emanating from the facility. DII has been inspected by all the City of North Las Vegas representatives and in compliance with the ordinances.

In terms of CCHD Environmental Health staff, the original application that was submitted was for a material recovery facility in 2000. However, during the processing of that application it was determined that the application fit the definition of a recycling facility.

In summary, all the operations performed at the NLV facility meet the definition of recycling. Also, the facility is constructed and permitted to comply with all city ordinances. Additionally, the facility provides a very valuable service to Clark County.

Brief discussion followed by the Board Members, Staff and DII representatives on of the characteristics of the grease trap including the percentages of water, grease and how it is handled at the facility.

Thomas F. Kummer of Kummer Kaempfer Bonner & Renshaw, on behalf of RSS indicated that there concerns had been addressed in a letter submitted to the Board and they had no problem with Staff's suggestion that the items having to do with the yellow grease, fat and bone are recyclable. The approach that a permit be issued by the Board for those items is appropriate. The concern that RSS has is with the definition of a recyclable as it relates the residual waste. He indicated that he supported Staff's recommendation for the recyclables, which would be to permit those items as a recycling center that are recyclable and the grease trap waste portion would be handled as it is currently by the City of North Las Vegas.

The Board Members and Staff briefly discussed the effect of eliminating the grease trap material/language from the recycling facility application hinder DII ability to continue their operation. Staff felt that there would be no hindrance to DII by removing the language on grease trap materials as the City of North Las Vegas is regulating the wastewater. Additionally, Staff is working collaboratively with the Sanitation District and the other entities to ensure what goes in the grease traps. Therefore, there is a regulatory system in place for the grease traps that will ensure protecting of public health and the environment.

Mr. Bohannon, representing DII, agreed that excluding the grease trap language from the application and allowing them to continue to work with the City of North Las Vegas would not compromise DII's position.

Chairman Crowley asked if anyone else wished to be heard on this matter. Since, there was no response, she closed the public hearing. Staffed reviewed the recommendations as follows that:

1. Conditional approval is granted and a temporary permit issued for yellow grease recycling and fat and bone recycling as described in the December 2, 2002 permit applications submitted by DII.
2. All references to grease trap waste processing in the December 2, 2002 application shall be disregarded.
3. An updated operations plan and report of design shall be submitted to the solid waste management authority within 90 days that removes any and all references to grease trap waste processing.
4. Failure of DII to submit an updated operations plan and report of design that is approved by Staff within 90 days will result revocation of the temporary permit. Revocation of the temporary permit will require DII to reapply for a permit to operate a recycling center in accordance with the regulations.
5. Operations must be consistent with the operations plan and report of design submitted December 2, 2002.

6. Operations must be at all times in compliance with the Solid Waste Management Authority Regulations Governing Recycling Centers and all other applicable regulations.

*Member Reese moved to approve the application with the conditions outlined by Staff. The motion was seconded by Member Smith and carried unanimously.*

Brief discussion ensued on the process to move from a temporary permit to permanent. A permit will be issued with a number that indicates a temporary status. The permit conditions include a provision to submit a new operations plan that removes the references to grease trap materials. Once the application is received and the clarified submission is placed in the record, the temporary status can then be changed to permanent.

### **III. REPORT/DISCUSSION/ACTION**

#### **1. Individual Sewage Disposal System Variances (*Member Requested Item: Reese, Smith and Maxfield*)**

Member Reese explained that during the August 22, 2002, regular monthly meeting of the District Board of Health (Board), he had requested that no ISDS variances from Section IV.4.(b) of the District's regulations Governing Individual Sewage Disposal Systems and Liquid Waste Management (ISDS) requiring connection/hookup to public sewer when it is available within four hundred (400) feet of the nearest property line and can be accessed by gravity flow line be accepted until further discussion and possible action by the Board. A follow-up discussion of ISDS variances was conducted with Members Reese, Smith, and Maxfield and since there was no solution determined, Member Smith suggested that the full Board review the matter.

Member Smith stated that Board grants variances when there is a hardship but as a Board of Health that hardship should not just be economic. There is very little area left in Clark County Urban area that is remote from sewer lines. Additionally, the City of Las Vegas Staff is recommending denial of many of the variance that the Board is overriding. As a health policy, the process needs to be reviewed so that the septic systems do not reach a saturation point in the community. The long term policy in approving these is not good for the Southern Nevada environment. She suggested that the Board determine or redefine the policy on hardship for the long term benefit of the Las Vegas Valley.

Member Maxfield remarked that typically when any Board hears variances or waivers, staff typically opposes the waiver because their job is to fulfill the written policy and the matter is then turned over to a Board to decide. This is what the City of Las Vegas Staff has done. In references to the variances before the Board of Health, Staff has laid out the issue very well whether it is a concern for health or economics with some recommendations. When these types of requests come before Clark County Sanitation District or Henderson, they do not typically send letters of opposition but leave it up to the Health District and the Board to determine. If the Health District determines that is an endangerment to health then the variance typically goes forward with a strong recommendation for denial. He suggested that the Board direct staff to continue doing the work they are doing and utilizing the most effective ways to make determinations.

Discussion continued by the Board and Staff. Ed Wojick reviewed with the Board Members the process of an individual applying for a variance. The criteria used by the Board in reaching a decision on an application for an ISDS variance is given in Section XVIII.4.(a) and (b) of the regulations as follows:

- a. In reaching a decision on an application, the Board shall consider the relative interests of first, the public; second, other property owners likely to be affected; third, the applicant; in that order.
- b. No variance shall be granted in the absence of a showing that:
  - (1) The variance would not endanger or tend to endanger human Health or safety.
  - (2) Compliance with the Regulation from which the variance is sought would produce serious hardship without equal or greater benefits to the public (emphasis added).
  - (3) The applicant shall comply with all other provisions of applicable Law and Regulations in the installation and maintenance of the individual sewage disposal system permits.

The serious hardship is usually limited to the relatively large dollar difference between the cost of a standard ISDS or an ISDS with nitrogen reduction and the cost of connection to public sewer. In most cases the difference is between \$10,000 and \$30,000. Staff does follow up with the monitoring of the systems once they have been approved to insure that the nitrate levels are being reduced and the groundwater is not being contaminated at a level of public health risk.

Brief discussion ensued by the Board and Staff on the trigger point on when an individual would be required to hook up as the present language in the District's regulations for the variances indicates that if they are within 400 feet of public sewer that individual will connect. Staff indicated that it would be the option of the individual Boards that govern the sewer utilities. It was suggested that each individual entity could perhaps propose mechanisms that would be available to extend the systems to the sewer. There is a fee schedule in place for a yearly review and monitoring of the nitrogen reduction systems. Additionally, there are approximately 7 sections of land within the Las Vegas Valley that are already in critical capacity, particularly in the northwest area.

Ed Wojcik commented that in order to mitigate the serious hardship impact, several alternatives were offered for consideration. First, the Health District staff can continue seeking the best scientific data available while providing recommended conditions to the Board approval that fulfill the abovementioned variance criteria. Second, the public sewer utility can give legal notice that all properties within four hundred (400) feet of gravity sewerage systems are required to connect while offering some form of financial assistance or incentive such as a Special Improvement District (SID). The SID might allow for reimbursement to the property developer or owner based on a percentage of the total cost of the sewer extension being reimbursed by future connection fees within some number of years after construction. Third, the Legislature could authorize an ISDS Grant Fund supported by annual fees for each septic system based on the number of gallons of tank capacity. The Fund could be administered by the Clean Water Coalition which includes the sewer agencies that operate the three (3) treatment plants previously mentioned or some similar body of public sewer utilities to provide some percentage of reimbursement for developer/owner of a single property within four hundred (400) feet of gravity connection to public sewer.

Also considered was a second type of ISDS variance. Section X.4. of the ISDS Regulations requires an ISDS to serve only one (1) single family dwelling or one (1) single building. This was adopted by the Board in 1984 to reduce the possibility of future separation of a permitted ISDS/septic system from the single family dwelling or building it serves. Only a small percentage of the variances since 1984 have been granted by the Board to allow more than one (1) single family dwelling or building to be served by a single septic system. In each case, the Health District recommended approval with the condition that the septic system be abandoned after the plumbing fixtures are removed when the "mother-in-law, grandfather, etc."



no longer requires the temporary dwelling or the dwelling(s) or temporary building(s) are removed or connected to public sewer.

This Regulation is more restrictive than the State of Nevada Administrative Code (NAC) 444 and may be amended by Board action. However, without controls in place, it would allow, for example, guest house(s) and main house and multiple commercial buildings to be subdivided through the parcel map and land division processes without the benefit of staff review.

In order to allow multiple dwelling and building connections and preclude the separation of single septic system from multiple dwellings or buildings, the following alternatives were offered for consideration: First, the staff continues to enforce the current Regulations and submit applications for variances with recommended conditions for Board approval that will fulfill the abovementioned Section XVIII.4.(a) and (b) criteria. Second, the Board may amend the ISDS Regulations to omit Section X.4. while requesting the Legislature to give the Health District the authority to review parcel maps to prevent possible separation of septic system from dwelling(s) or building(s). Currently, the staff reviews, without a fee, hundreds of parcel maps for compliance with ISDS Regulations which are voluntarily submitted by the City of Las Vegas and Clark County. Expanding this program will add to our impending budget shortfall. Therefore, the addition of a parcel map review fee should be considered whether the process remains voluntary or made mandatory.

The Board Members directed staff to:

1. Continue look at the environmental aspects of the variances and provide that information back to the Board.
  2. Provide an element of evaluation or look at the future of the area, i.e., whether it is completely rural or development encroaching on it, in order to do some predictive analysis when looking at the variances.
  3. Provide the Board with a report of the pros and cons of the dual septic systems at the February 2003 meeting in order to evaluate the effects of adding more than one system.
  4. To start working in conjunction with all the entities to look at interlocal or legislative changes that the Health District be allowed to review all parcel maps that are indicated that will be served by ISDS.
2. **Nominating Committee:** (Committee Chair Crowley, Members Maxfield and Colquitt) Report and Election of Board of Health Officers for Calendar Year 2003

Chairman Crowley reported that the committee met and recommended the following for Board of Health Officer for calendar year 2003:

*Chairman:* Gary Reese  
*Vice-Chairman:* Jim Christensen, MD  
*Secretary:* Chip Maxfield

*Member Smith moved to approve the recommended Members for Board of Health Officers for Year 2003. The motion was seconded by Member Fairchild and carried unanimously.*

#### **IV. CITIZEN PARTICIPATION**

Citizen participation is a period devoted to comments by the general public about matters relevant to the Board's jurisdiction. Items raised under this portion of the Agenda cannot be acted upon by the Board of Health until the notice provisions of Nevada's Open Meeting Law has been complied with. Therefore, no vote may be taken on a matter not listed on the posted agenda and any action on such items will have to be considered at a later meeting.

Chairman Crowley asked if any member of the public wished to be heard on subjects that are relevant to the Board's jurisdiction. There was no response.

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

Dr. Kwalick briefed the Board on current small pox issues. The District did get approval from the Centers of Disease Control and Prevention (CDC) on the State smallpox plan which includes Washoe Health Department and the Clark County Health District's plans on what should be done relative to a pre-event situation. At this time, staff is identifying those individuals in health care facilities and the Health District that would volunteer being vaccinated to take care of cases that may occur both in an investigative mode and a health care facility setting.

The CDC has been asked for approximately 1,000 doses of the smallpox vaccination, which should be available sometime in January 2003. The hospitals are all participating and trying to get volunteers at their level. There are a lot of contraindications to the vaccine and individuals would have to be screened in or out based on those. This is all to plan for an event if it occurs and thereby be able to control any case or cases that do occur in a timely fashion throughout the country. In the spring the second phase of individuals that might be vaccinated would be up to 10,000 people within Clark County, such as the emergency medical service providers, police, firemen and some of the quick care and ambulatory care facilities staff. The third phase would be voluntary immunization of the public at large which will not occur to the end of 2003 or early 2004 when there are enough doses available.

Presently, there are no cases of smallpox and there has not been a case since the late 70's. However, there is the risk that there may be some terrorist event that would have cases occur. One case any place in the world would be a terrorist event.

Brief discussion followed by the Board and Dr. Kwalick on whether or not those who have been vaccinated several years ago were still effective, the fiscal impact to the Health District, the risks associated with the vaccine as with anthrax and if Homeland Security is providing any grants for resources. Also, discussed was the plan for implementation for Mesquite and the outer areas of Clark County.

Dr. Kwalick indicated that individuals who had received the vaccine years ago are not considered to be effective but there perhaps may be some immunity. It is believed that the vaccine fades after 5 years. There have some studies on individuals that were revaccinated 30 years ago still do have some antibodies towards smallpox. However, it is unknown as what may happen if there were a case that occurred and those individuals came in contact. The theory is that they would get a mild case or no case at all as the bodies system would produce antibodies against the smallpox virus.

In terms of the fiscal impact, the District was asked to come up with data for the Association of State and Territorial Health Officials (ASTHO) on the impact of each of the phases, i.e., what is the fiscal impact as far as staff times, travel, equipment, supply, printing, educational materials, etc.,

which will be thousands of dollars as far as staff time. Staff will provide the data to the Board when it is completed.

The risk associated with the smallpox vaccination has more serious side effects than any vaccine that is currently known. This is a life virus and there are many things can occur. One or two people per million or estimated to die from the vaccine, which is why vaccination is voluntary at this point in time.

At present there are no specific mechanisms to draw down resources to have an immunization program. Perhaps part of the money that is in Homeland Security will be coming down to support the local entities and states throughout the country.

Mesquite and the outlying areas of Clark County will be included in phase II of the program as some of the first responders. The chances of something occur out in the rural areas is remote. However, all the various areas of the State have to be included and volunteers will be needed as various geographic areas who could respond if a case did occur.

## **VI. INFORMATIONAL ITEMS**

### ***Duly Noted***

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

1. Letter from City of Boulder City Appointing Councilwoman Andrea Anderson to the Board of Health
2. Announcement Appointment of Paul Henderson to the City of Mesquite City Council to Fill the Vacancy Created by the Recent Resignation of Crescent Hardy

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

1. Monthly Activity Report, Mid November 2002 - Mid December 2002
2. Financial Data - Revenues and Expenditures for Fund 705 (Operating), 706 (Capital Reserve), and 762 (Liability Reserve) for the Month of November 2002
3. Health Education Monthly Report, November 2002
4. Epidemiology Monthly Report, November 2002
5. Public Information Monthly Report, November 2002
6. Emergency Medical Services Medical Advisory Board Minutes, November 2002 & Annotated Agenda for November 2002
7. Clark County Department of Air Quality Management Monthly Activity Report, October and November 2002
8. Letter of Appreciation from Christmas in April Organization, November 12, 2002
9. Letter from the Department of Taxation Indicating No Violations on Reviewing the Audit Report, November 22, 2002

#### **C. Environmental Health:**

1. Monthly Activity Report, November 2002
2. Listing of Food Establishments in Plan Review for the Period of 11/01/02 to 11/30/02

#### **D. Nursing and Clinics:**

1. Monthly Activity Report, November 2002
2. Monthly Report of Tuberculosis Cases, November 2002

## **VII. ADJOURNMENT**

There being no further business to come before the Board, Chairman Crowley adjourned the meeting at 9:28 a.m.

## **SUBMITTED FOR BOARD APPROVAL**

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Donald S. Kwalick, MD, MPH, Chief Health Officer  
Executive Secretary

/mg