



MINUTES

SOUTHERN NEVADA DISTRICT BOARD OF HEALTH CHIEF HEALTH OFFICER SUCCESSION COMMITTEE MEETING

330 S Valley View Blvd
Las Vegas, Nevada 89106
Administrative Conference Room #1

Tuesday, March 12, 2013 – 1:00 P.M.

Chair Tim Jones called the meeting of the Chief Health Officer Succession Committee to order at 1:04 p.m. Annette L. Bradley, Esq., Legal Counsel, confirmed the meeting had been noticed in accordance with Nevada's Open Meeting Law and that a quorum was present.

Committee Members Present:

Tim Jones	Chair, At-Large Member, Regulated Business / Industry
Bob Beers (via phone)	Councilmember, City of Las Vegas
Frank Nemec, MD (via phone)	At-Large Member, Physician
Mary Beth Scow (via phone)	Commissioner, Clark County
Anita Wood	Councilmember, City of North Las Vegas
Rod Woodbury (via phone)	Councilmember, City of Boulder City

Committee Members Not Present:

Susan Crowley	At-Large Member, Environmental Specialist
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Other Board Members Present:

Kathleen Peterson	At-Large Member, Environmental Specialist
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Legal Counsel:

Annette L. Bradley, Esq.

Staff:

Bob Gunnoe	Human Resources Administrator
Kelly Brinkhus	Human Resources Supervisor
Jakki Wells	Recording Secretary

Public Attendance:

Norine Clark	SNHD
Lorraine Oliver	SNHD
Pamela Derby (via phone)	CPS Executive Recruiter

II. PUBLIC COMMENT

Public comment is a period devoted to comments by the general public on items listed on the Agenda. All comments are limited to five (5) minutes. Chair Jones asked if anyone wished to address the committee pertaining to items listed on the Agenda.

Norine Clark, SNHD, expressed support on behalf of the employees of the District for Dr. Coleman. Norine added that Dr. Coleman is a good candidate and a good fit for the District as CHO as he is approachable, caring and knowledgeable.

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

III. ADOPTION OF THE MARCH 12, 2013 AGENDA (for possible action)

Chair Jones called for a motion to adopt the agenda for the March 12, 2013 meeting agenda as presented.

A motion was made by Member Scow to adopt the March 12, 2013 Southern Nevada District Board of Health Chief Health Officer Succession Committee meeting agenda; seconded by Member Nemec and carried unanimously.

IV. REPORT / DISCUSSION / ACTION

A. Approve CHO Succession Committee Meeting Minutes – February 26, 2013 (for possible action)

A motion was made by Member Scow to adopt the February 26, 2013 Southern Nevada District Board of Health Chief Health Officer Succession Committee meeting minutes; seconded by Member Beers and carried unanimously.

B. Review CHO Recruitment activities to date and discuss further recruitment options (for possible action)

Pam Derby, Executive Recruiter for CPS, reported that she had interviewed two candidates. Before continuing, Ms. Derby asked if this meeting was in closed session and if any members of the public were present. Chair Jones confirmed that the meeting was not in closed session and that members of the public were present.

Ms. Derby reported that there are two qualified applicants, Dr. Tom Coleman is one and the other is not comfortable releasing his name and prefers to remain confidential.

The confidential applicant is a physician and works for a district that is larger than SNHD. He is seeking the position of CHO at SNHD because the District that currently employs him is facing a \$500M deficit, decreasing staff and is not progressing. The applicant hopes to be with a progressive, accomplishing, district and is comfortable with all aspects of public health. This candidate has done research on SNHD and is comfortable with what he has gathered and identifies the challenges as outreach, negotiation with industry and tourism. He is very well versed in strategic planning, chronic and preventative care, emergency services and grant development. This applicant has worked very closely with the EPA and FEMA and has working knowledge of all programs within SNHD. He current reports to the Board of Health and the Health Committee and works with a very disparate population that ranges from the very affluent

to socio-economically depressed. This applicant works with the media often and perceives his management style as open and approachable, not dictatorial, and likes to mentor.

Chair Jones asked Ms. Derby if she was able to conduct a similar interview with Dr. Coleman. Ms. Derby stated yes, she did.

Chair Jones asked Ms. Derby if both individuals met all of the requirements as we know them from the MD to the advanced degree. Ms. Derby confirmed that yes, they both meet all of the requirements and they both have served in management of large departments. Ms. Derby thinks that they may differ slightly as the unknown candidate has a slightly lower-key personality, but is very passionate about what he says and very goal driven, where Dr. Coleman seems to be very energetic.

In regard to the interview with Dr. Coleman, Ms. Derby noted that he has a good relationship with the union and mentioned that he understands that they support him. Dr. Coleman feels that he has been upfront with the union, not promising them anything, however if he is appointed the vitriolic relationship that existed previously will not exist under his watch. Dr. Coleman had four unions in Volusia (FL) but in the four years he was there he mentioned that he never met a union representative, indicating that they did not have an adversarial relationship at all. Dr. Coleman has been involved with grant development at SNHD; however his involvement has been from the top down rather than from the bottom up. This is one area that Dr. Coleman feels that he will be getting up to speed if appointed. He has done a huge amount of work in emergency services as he experienced the hurricane that put his District in full-tilt emergency mode in Florida. Dr. Coleman talked a lot about strategic planning, and where the District should be focusing their time and meeting long term goals. He feels that Dr. Middaugh is doing a good job of moving the District in the right direction and he is also working with everyone to help the District be more open and transparent. Dr. Coleman believes that he can provide the leadership needed to get the organization through this very stressful and fluid time. He discussed the significant health problems in the community, in general syphilis and stated that his career has been very serendipitous and he believes that he was brought to Las Vegas for a reason. Dr. Coleman believes that he can be the leader that is willing to cooperate with all of the staff to get the District where it needs to go in these challenging times. Dr. Coleman believes the shut-down of the building should have happened, but everything cannot be fixed once, so open dialogue is very important. He is very good at systems and processes and does not feel that the District has good policies and procedures and needs to be more assertive in getting them put into place. He believes that Human Resources and Finance should be vetted together and that he can put the District on the path to accreditation. Dr. Coleman wants to manage from a quality improvement perspective and believes that there is great staff and great people working with a lot of structural problems that can be turned around. Dr. Coleman knows that this is a very difficult job, but he wants the opportunity to make a substantial difference in public health. He would like to be in concert with the Board and thinks that it is possible that things were not as transparent as they should have been in the past, but Dr. Middaugh is setting that tone and he will continue to do that. Dr. Coleman thinks that being internally visible and building relationships with the employees is a large part of the job, but internally, there is the need to be a strategic planner. He talked about the financial viability of the District, that Nevada has the lowest per capita public health funding. Dr. Coleman would like to build epidemiological capacity and financial systems

within the District. He is very passionate about the District and feels that he can definitely do the job and would like an opportunity to keep the District moving in a forward direction.

Ms. Derby stated, in regard to ranking the candidates, it would need to be based on, if not facing the Nevada licensure issue, who the Board would feel comfortable with as far as a cultural fit. Both applicants are very competent administrators who have dealt with very large issues, are very well versed in public health and are both technically capable of doing the job.

Chair Jones stated that it appears that both candidates have met the high quality that was hoped for in the recruitment, although not many applications were received as anticipated. Ms. Derby confirmed the Chair's statement.

Ms. Derby stated that the licensure issue kept candidates out of the pool and the fact that few Districts are as large as Las Vegas. Ms. Derby added that both candidates are very top quality.

Chair Jones stated that the anticipated next step would be to make a decision as to accepting the two applications received and go forward to the full Board with presentation and allow the Board to take action as to how to go forward from there, including putting together a process for interviews.

Ms. Derby stated that she will work with Elaine Glaser on determining questions, getting in touch with candidates and putting together a packet for presentation to the Board.

The Chair asked Ms. Derby at what point the unnamed candidate would accept being named. Ms. Derby stated that she believes that the Nevada Closed Meeting Laws are the same as California and that the unnamed candidate can be interviewed in Closed Session and should he be appointed, the name would become public. Ms. Bradley advised that the Nevada Closed Session Law does not allow for applicant interviews in closed session. Ms. Bradley continued, stating that the Board members could meet with the individual candidates as long as there is no quorum, but once the information is provided to the full Board at a public meeting, that information must become public.

The Chair stated that as he understands it, Ms. Bradley is saying that individual Board members short of a quorum, do not constitute a meeting.

Ms. Derby stated that she will speak with the unnamed candidate to find out when he is comfortable with becoming public. Ms. Derby stated that she has done work in Reno in closed session, but it is possible that they may not have been following the letter of the law.

Member Scow stated that on the School Board the names had to be disclosed when they did the interviews.

Ms. Derby stated that in California, they are allowed to do everything in closed session, up until the appointment.

Ms. Bradley asked Member Scow if the interviews with the school district were with the full Board or less than a quorum. Member Scow stated that it was with a committee of the Board and it had to be open.

Ms. Bradley asked Member Scow if the interviews were with just two or three of the members together, not a quorum, under the open meeting law. Member Scow thinks that they could done the interviews in that fashion, but she does not think that they did.

(Member Wood joined the meeting at 1:27 p.m.)

Ms. Derby stated that she would have a conversation with the unnamed candidate to see if he would be willing to have his candidacy become public and be willing to interview at this stage.

Chair Jones asked if in the past, there were sub-committee interviews as opposed to the whole Board being present in the interview process. Bob Gunnoe stated that there have been sub-committee interviews.

Chair Jones Ms. Bradley if the CHO Sub-Committee is less than a quorum of the full board. Ms. Bradley state that yes, it is, however it is a designated committee, operating on behalf of the board, therefore, all meetings are public.

Chair Jones asked Ms. Derby to pursue the pleasure of both candidates if they are willing to now be public and carry on in the interview process. If one of the candidates is not, an interview process of less than a quorum could be created. Chair Jones asked if this could be reduced to a motion.

Member Scow recommended to make certain that with is line with the Open Meeting Laws as she does not want to appear to circumvent the law.

Ms. Bradley stated that is certainly not the intent or goal and she will be more than happy to take another look at the Open Meeting Law and statutes. It is not her recollection that this committee, having been appointed by the Board, can have a Closed Session and meet without Open Meeting Laws requirements. The Open Meeting Law does provide that if it is less than a quorum of members, it is not a meeting; however at some point the information is going to have to become public. Any candidate who is applying for public office needs to be aware of that and be willing to expose themselves to a certain extent. Ms. Bradley appreciates the sensitivity in regard to the applicant not wanting his current employer to know, however, once the information is provided to the Board for a public meeting, it must become public.

Member Scow expressed that her concern is perception as much as the law.

Ms. Bradley encouraged Ms. Derby to advise the candidate of the restrains as given the history of the District, there is a heightened interest in remaining transparent.

Ms. Derby stated that the reality is at some point references have to be done and since there are only two candidates at some point he would need to let his Board know. Ms. Derby will have a discussion with the candidate and email Ms. Bradley and Mr. Gunnoe and advise them of his appetite for disclosure.

Chair Jones stated that if both candidates are willing to continue the process and be known publicly, the sub-committee could present going on with a pool of two candidates at the next full Board meeting and carry on at the pleasure of the Board.

Member Beers asked if anyone has heard any feedback from Bryan Gresh on any legislation that would change the parameters of the requirements for the job. Ms. Bradley advised that she was not aware of anything. Member Wood shared that she has a meeting on 3/13/13 that may provide some insight on this subject, of which she will advise the Board.

Chair Jones stated that a motion that could be forwarded at this point would be to accept two candidates with the caveat that the sub-committee is waiting for both candidates to agree to be named publicly and if so, take those names to the full board for continuing the process.

Member Wood motioned per Chair Jones' recommendation; seconded by Member Nemec and carried unanimously.

Chair Jones stated that the sub-committee would wait for Ms. Derby to contact Ms. Bradley and Mr. Gunnoe to let them know the pleasure of both candidates and go forward at the next full Board of Health meeting.

(Ms. Derby left the meeting via phone at 1:37 p.m.)

With no other comments, Chair Jones moved to final comments. Ms. Bradley noted, for the record, that the committee again combined items B (Review CHO Recruitment activities to date and discuss further recruitment options **(for possible action)**) and C (Discuss and approve recommendation(s) regarding the CHO recruitment to the Southern Nevada District Board of Health on March 28, 2013; or take other action deemed appropriate **(for possible action)**). Ms. Bradley advised that these items will be combined on future CHO Succession Committee meeting agendas.

V. PUBLIC COMMENT

Public comment is 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. Chair Jones asked if anyone wished to address the committee.

Norine Clark noted that she is speaking as the public. Norine stated that she is upset that the anonymous applicant would not reveal himself and does not understand why, as the CHO position is a public job. Norine noted that in the past, a lot of thing went on behind closed doors and there were a lot of things that the public and employees did not know. The employees of the District do not want to return to that mode and that is why she is adamant about the appointment of Dr. Coleman as CHO. Norine stated that she knows that Dr. Coleman is working really hard with Dr. Middaugh and together they are implementing wonderful programs and changes to help the community. To bring someone in from the outside that is not known to the District is going to be really hard for morale and the employees will be working under suspicion again. Norine understands the committee's need for meetings that do not meet quorum; however she feels that these types of discussions could be miscommunicated or not communicated at all to the full Board and the

public. Norine is very upset that Ms. Derby did not take the time to interview Dr. Coleman up front and could not give any information to the Board at the last meeting. Norine hopes that Dr. Coleman is taken into consideration as CHO as he is already known to the employees. Norine does not feel that the employees will be trusting of a new person that appears to be deceptive as an applicant.

Chair Jones stated for clarification, that the committee has been trying to be open to all candidates and any candidate that will be moving forward will eventually have to declare who they are and no one will move through the process without being known to the Board and public.

Member Beers stated to Ms. Clark that the committee is hearing what she is saying, but the issue is there is the presence of a state law that automatically eliminates the field down to one and there is no discretion in that law. Member Beers continued, stating that the problem is the appearance that it is a foregone conclusion and that the committee's interest in expanding the field beyond one choice is in no way meant as a negative reflection on Dr. Coleman.

Hearing no one else, the Chair closed the Public Comment portion of the meeting.

VI. ADJOURNMENT

There being no further business to come before the Committee, a motion to adjourn was made by Member Woodbury; seconded by Member Nemeck. Chair Jones adjourned the meeting at 1:41 p.m.

Respectfully Submitted,

Timothy Jones, Chair

/jrw