



MINUTES

Southern Nevada District Board of Health Meeting June 22, 2017 – 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:
(Present)** Bob Beers – Chair – Councilmember, City of Las Vegas
Richard Cherchio – Councilmember, City of North Las Vegas
Douglas Dobyne – Secretary, Regulated Business/Industry
Chris Giunchigliani – Commissioner, Clark County
Marilyn Kirkpatrick – Commissioner, Clark County
Scott Nielson – At-Large Member, Gaming
Frank Nemeč – At-Large Member, Physician (arrived at 8:45 a.m.)
Lois Tarkanian – Councilmember, City of Las Vegas (arrived at 8:56 a.m.)
Rod Woodbury – Vice-Chair – Mayor, Boulder City (arrived at 8:45 a.m.)
Brian Wursten – Councilmember, City of Mesquite

(Absent): Dan Stewart – Councilmember, City of Henderson

**ALSO PRESENT:
(In Audience)** None

LEGAL COUNSEL: Annette Bradley, Legal Counsel

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

STAFF: Heather Anderson-Fintak, Cory Burgess, Andrew Glass, Fermin Leguen, Sharon McCoy-Huber, Verallynn Orewyler, Jacqueline Reszetar, George Ruiz, Jennifer Sizemore, Leo Vega, Jacqueline Wells

I. CALL TO ORDER

Chair Beers called the Southern Nevada District Board of Health meeting to order at 8:31 a.m.

II. PLEDGE OF ALLEGIANCE

III. RECOGNITIONS

The following Environmental Health Specialists received Deputy Health Officer Badges:

Adam Eddins
Joseph Franceschini
Daniel Isler
Korie Northam
Kevin Pontius
Ainsley Waters

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.

Rosemary Ensign, SNHD, stated she is a representative of the one-third of the employees mentioned in the September 2016 Board of Health meeting that have not received a Cost of Living Allowance (COLA) or step increase in the last seven years. Ms. Ensign noted several mid-level managers and supervisors have left the District this year and have not been replaced. In that same time frame, her job duties have increased, including job duties not in her description. She was told by her supervisor that the additional duties were "other duties as assigned" and she would be doing them. Ms. Ensign's pay has decreased over the last seven years due to Public Employment Retiree System (PERS) increases. As a bargaining team employee, it is her understanding is that Dr. Iser has received at least two Cost of Living Allowances while she has received none. They have been told that Dr. Iser will not approve a COLA for the employees, which she believes is in retaliation for the Union opposing his COLA at September's Board of Health meeting. Management has offered the employees a one percent base pay bonus for this year and the next, which will amount to approximately \$500 or around \$71 per each year that she has worked at the District. Concessions were made under the promise that when times are better and the District is operating in the black, the employees will be compensated. Times are better and projected to continue to rise. Ms. Ensign asked to Board to hear the voices of the employees and let them know that they are appreciated.

Michael Urban, Counsel, SEIU Local 1107 and Chief Negotiator on the current contract, asked the Board to give direction to the bargaining team for the District. The District used to have a two-step program for merit increases allowing for a five percent increase that was conceded when times were bad. The District employees have not had COLA since 2010. Only employees who have not topped out receive a 2.5% merit increase. In the same time period that SNHD has not received any COLAs, the County employees have received over 10.5% increases in COLA, restored merit increases to 4% and restored longevity payment increases. More importantly, when the merit increase for the District were decreased from two steps to one step, there was specific language in the contract stating when times get better the parties will consider restoring the two step process and this is not being considered in negotiations. At the same time, employees have not received an increase, cost to PERS has been adjusted at least twice, and inflation has increased over 12.4%. A cash bonus, while it may sound good, does not go PERS or next year. As this is a wage reopener, it is important to consider the fact that if times are better, it should be shared. A financial presentation was given to management with information received from the County, indicating a very large increase in revenue, which appears to continue over the next several years. He asked that direction is given to the bargaining team for the District to reward the employees, who are actually the reason why the District is successful.

Member Woodbury arrived at 8:45 a.m.

Member Nemeec arrived at 8:45 a.m.

Mark Bergtholdt, Environmental Health Supervisor, Acting Chief Stewart for the Supervisory Unit, read a prepared statement regarding current negotiations. ([Attachment 1](#))

Regena Ellis, SNHD, SEIU, noted there have been numerous bargaining sessions that have gone nowhere. Binding arbitration was requested but declined by the management team and dysfunction at the District has increased. The same depressing, punitive situation that is felt throughout the District is felt at the negotiation sessions. Members are not allowed to attend bargaining sessions by the management team and management has stated they would leave the room if the members did not leave. With other entities, to have people come and watch is not uncommon. This is a public health entity that is very unhealthy. The situation with bargaining is indicative of the situation at entire District. There is no confidence in the current management team and new levels of antagonism have been hit. In reviewing the monthly divisional reports, Ms. Ellis noted the activity between 2016 and 2017 have increased, especially in Environmental Health. Concessions were given at the last bargaining session to have no COLAs for seven years and reduce to two-step increases due to the economy. There is no longer a recession and management's perspective is to stay as-is or regress farther. Ms. Ellis asks for the Board's consideration to look at all aspects during discussions.

Jacque Raiche-Curl, Environmental Health Supervisor, noted one of the bigger challenges within the District is retention. As a trainer, it seems there is a constant flow of new people and there is a great deal of investment in training. A very high level of service is provided to the community and in order to do that, it takes a great deal of training and reinforcement of those employees. Currently, there is a horrible retention rate, even with new hires. Management has failed to recognize rewarding employees who have been with the District through challenging economic times by not adding the second step or COLA. The request for binding arbitration was denied and Ms. Raiche-Curl wonders why management is afraid to have a third party who is not vested one way or the other to look at this if the District is being true and honest with its' employees. Ms. Raiche-Curl asked the Board to consider this during discussions.

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

V. ADOPTION OF THE JUNE 22, 2017 AGENDA (for possible action)

Dr. Iser noted Item VII – Closed Session, will be held after Item VIII – Public Hearing/Action.

Member Giunchigliani asked that item VI.3, Petition #18-17 is removed from the Consent Agenda for discussion.

A motion was made by Member Dobyne seconded by Member Kirkpatrick and carried unanimously to approve the June 22, 2017 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: May 25, 2017 *(for possible action)*

2. PETITION #16-17: For possible action to approve Southern Nevada Geographic Information Interlocal Contract between Southern Nevada Health District and County of Clark, State of Nevada for five years at \$8,000 per year for basic GIS services, including spatial and tabular data, digital imagery and aerial datasets; direct staff accordingly or take other action as deemed necessary

A motion was made by Member Kirkpatrick seconded by Member Dobyne and carried unanimously to adopt the Consent Agenda as amended.

3. PETITION #18-17: For possible action to approve the Interlocal Contract C1800007, between the Southern Nevada Health District and the Clark County Department of Juvenile Justice Services to allow the Southern Nevada Public Health Laboratory to provide laboratory testing for sexually transmitted diseases as a fee-for service arrangement; direct staff accordingly or take other action as deemed necessary

Member Giunchigliani noted the term of the contract was not provided in the supporting documentation.

This item will be trailed until the termination date determined.

VIII. 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. **Variance Request to Operate a Public Bathing Place not in Compliance with the Nevada Administrative Code (NAC) 444.134, 901 Fremont Development Partners LP, dba Fremont and 9th Apartments, located at 901 East Fremont Street, Las Vegas, Nevada, 89101; [Assessor's Parcel Number (APN) 139-34-601-012] for Health Permit PR0120943, James Barger, for the Owner(s), 901 Fremont Development Partners LP.** The variance would allow the pool to be constructed with a higher percentage of the perimeter deck obstructed than the regulations allow. Staff is of the opinion that granting this variance will not likely pose an unreasonable danger to public health or safety, and recommends approval of the variance; direct staff accordingly or take other action as deemed necessary (***for possible action***)

Jeremy Harper, Environmental Health Supervisor, noted the petitioner was unable to attend the Board meeting at the last minute.

A motion by Member Giunchigliani seconded by Member Woodbury and unanimously carried to obey this item until the July 27, 2017 agenda.

Member Tarkanian arrived at 8:56 a.m.

Chair Beers closed Open Session at 9:00 a.m. and moved to Closed Session.

VII.

CLOSED SESSION – To Be Held Following the Public Hearings

Go into closed session, pursuant to NRS 288.220, to receive a report on the status of ongoing labor negotiations; and direct staff accordingly. (***For possible action***)

Chair Beers reconvened Open Session at 10:37 a.m. with Members Cherchio, Dobyne, Giunchigliani, Kirkpatrick, Nemece, Nielson, Tarkanian, Woodbury and Wursten seated.

IX.

REPORT/DISCUSSION/ACTION

1. **Receive and Discuss Feasibility of Establishing a Federally Qualified Health Center (FQHC) as part of Southern Nevada Health District. Proposed motion: "To support the furtherance of the District's mission to provide low cost accessible care to needy populations and to discuss with North Las Vegas and other jurisdictions as appropriate, the establishment of Federally Qualified Health Center within those jurisdictions. Request that a final concrete proposal be brought back to the Board of Health after further financial and logistical plans are made."**; direct staff accordingly or take other action as deemed necessary (***for possible action***)

Dr. Fermin Leguen, presented information related to Federally Qualified Health Centers (FQHC) Federal Requirements and Estimated Costs (**Attachment 2**)

Member Kirkpatrick left the meeting at 11:08 a.m. and returned at 11:14 a.m.

Member Nemece left the meeting at 11:18 a.m. and did not return

Member Tarkanian left the meeting at 11:27 a.m. and did not return

Dr. Leguen noted the health professional shortage areas referred to primary care services, which led to discussion regarding the difference between primary care and urgent care services. A presentation will be provided to the Board at a future meeting to clarify the difference between these services.

Dr. Iser noted this presentation is merely a proposal for the District to look at becoming a FQHC in an area in North Las Vegas where there are few to no providers, where there is a huge need and the access to care for people, even with Medicaid, is nonexistent. The District has been working with the City of North Las Vegas to accommodate its needs, as well as the needs of the underserved population.

Member Giunchigliani thinks, as a Board, it should get the North Las Vegas clinic back and there is no need to go to an FQHC in order to accomplish that. In addition, there is no funding to subsidize the start-up of an FQHC.

Dr. Iser added this presentation is the initial discussion, at the request of the Board, and if he is asked to give up on the idea he will be happy to do so. At the request of the Board, he was asked to provide information and anticipated costs related to becoming a FQHC, which he did so today. In order to continue, he would need Board buy in, then discussions with North Las Vegas elected officials and council to determine next steps. This proposal is to get permission to move forward with next steps.

Member Cherchio noted, as the representative of North Las Vegas, he had previously seen the presentation with Mr. Cass Palmer, Director of Neighborhood and Leisure Services, and is looking for something to enable the District to have a location, as there are no funds for facility costs. He is open to anything that makes sense for the residents of North Las Vegas in the underserved areas, as well as other areas in southern Nevada to get the proper medical needs, whether it is a clinic, FQHC or any other designation, as North Las Vegas has been too many years without representation.

Member Woodbury left the meeting at 11:35 a.m. and did not return

Dr. Leguen noted although the District is looking for the Board's approval to move ahead, that does not mean it can become an FQHC, as that requires a federal designation by the Health Resources and Services Administration (HRSA).

Chair Beers suggested that this item is abeyed until the next agenda.

Dr. Iser reported in the interim, as soon as the mobile unit is available, the plan is to place it in North Las Vegas and provide immunization services at a minimum. Member Cherchio stated he and Mr. Palmer had met with the District and reviewed this presentation a few weeks ago to get some idea of the proposal for medical services in North Las Vegas. After the presentation, it was agreed that the District does not have funds for a facility, so they were looking at possibly utilizing the mobile van at the YMCA on Centennial or relocate or allocate a double-wide from another location, to move behind the YMCA if agreed to by all. Member Cherchio does not want anyone to leave the room thinking that agreements have been made without full Board approval. Member Cherchio does not believe the inside of the YMCA can accommodate a clinic.

2. **Petition #19-17 and Resolution #01-17 – Approval of Augmentation to the Southern Nevada Health District Bond Reserve (Building) Fund Budget for the Fiscal Year Ending June 30, 2017 to Meet the Mandatory Financial Requirements of NRS 354.598005.** Augmentation of the 2016-2017 Budget by appropriating \$140,000 for use in the Bond Reserve (Building) Fund, thereby increasing its appropriations from \$225,000 to \$365,000; direct staff accordingly or take other action as deemed necessary (***for possible action***)

Sharon McCoy-Huber, Financial Services Manager, reported originally, the Bond Reserve (Building) Fund was budgeted at \$225,000 for this year, however due to expansion of the Southern Nevada Public Health Laboratory, actual expenditures were \$365,000, thereby requiring mandatory augmentation to the budget in the amount of \$140,000.

A motion was made by Member Kirkpatrick seconded by Member Dobyne and carried unanimously to Approve Augmentation to the Southern Nevada Health District Bond Reserve (Building) Fund Budget for the Fiscal Year Ending June 30, 2017 to Meet the Mandatory Financial Requirements of NRS 354.598005.

- X. **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.

Members Giunchigliani and Kirkpatrick thanked Chair Beers for his time served on the Board.

XI. **HEALTH OFFICER & STAFF REPORTS (Information Only)**

➤ **CHO Comments**

- Dr. Iser reported the Aedes Aegypti mosquito was discovered in Nevada about three weeks ago. An intensive search for the range of the mosquito has been done, followed by several different kinds of abatement to kill the larvae before they emerge as adults. New traps were set on June 20 and so far no additional mosquitoes have been found, although this does not mean they are not there. Jurisdictional meetings were held recently to update all entities. The Department of Emergency Management Mosquito Abatement meeting was held in Carson City on June 19, to update and prepare for monsoon season.

Member Giunchigliani left the meeting at noon and did not return

- Andy Glass, Director of Administration, reported after getting into the roof project, the bids, which are due on July 13, are expected to come in at around \$1.2 - \$1.3 million as opposed to the originally anticipated cost of \$585,000. Dr. Iser added the codes for the new roof were very different from what was initially told. Mr. Glass explained to bring the roof to code, one layer of the existing roof must be removed, slope must be added and more than double the drainage. There should be no impact on daily operations during construction.

XII. **INFORMATIONAL ITEMS**

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

- 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.

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

XIV. **ADJOURNMENT**

Chair Beers adjourned the meeting at 12:01 p.m.

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

DRAFT