



MINUTES

Southern Nevada District Board of Health Meeting June 27, 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 Vegas
Michele Fiore – Councilmember, City of Las Vegas (via teleconference)
Frank Nemecek – At-Large Member, Physician
Scott Nielson – At-Large Member, Gaming
Dan Stewart – Councilmember, City of Henderson
Brian Wursten – Secretary, Councilmember, City of Mesquite

(Absent): Nicole Brisson – Regulated Business/Industry
Tick Segerblom – Commissioner, Clark County
Rich Shuman – Councilmember, City of Boulder City

ALSO PRESENT: None
(In Audience)

LEGAL COUNSEL: Annette Bradley, Esq

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

STAFF: Ernest Blazzard, Cory Burgess, Michelle Cintron, Jason Frame, Amy Hagan, Michael Johnson, 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 8:35 a.m.

II. PLEDGE OF ALLEGIANCE

III. RECOGNITIONS

- **National Environmental Health Association (NEHA) 2019 Scholarship Award Winners**

Environmental Health Specialists Vincentiu Anghel, Meredith Garman and Kelsi Sullivan won scholarships to attend the 2019 NEHA Annual Education Conference. This scholarship, sponsored by Accela, covers conference registration and a one-year membership to NEHA, worth over \$800. Each applicant had to write an essay identifying public health challenges at SNHD with recommended solutions that could resolve the challenges over a 5-year period. Mr. Anghel's submission addressed financial challenges faced by the agency. Ms. Garman tackled technological challenges with inspection software, and Ms. Sullivan's essay discussed ways to use permitting to create a more equitable grading system for corporate and family-owned establishments.

- **Government Technology for "Technical Innovation" Award**

On May 30, 2019, Southern Nevada Health District received a Technology Innovation award in the Citizens category from Government Technology Magazine. This category recognizes special districts that have utilized technology to improve service delivery to citizens – for example, enhanced user experience, increased customer satisfaction, or accelerated access

to services. SNHD was awarded for its Food Handler Safety Training Card Testing System, which was developed to assess and test safe food handling practices of individuals applying for a Food Handler Safety Training Card, a requirement for everyone who works with food or beverages in Southern Nevada.

The testing system was the result of a collaboration between the Food Handler Safety Training Card program, Information Technology, Environmental Health, Office of Communications, Facilities, and Finance. This system was developed in-house, and approximately 11,000 tests per month have been administered. It is available in five District locations, in over 20 different languages, and has reduced customer fees by 50 percent.

Employees who played a major role in the design, development, and roll-out of the testing system were:

Food Handler Cards

Ray Chua

Finance

Monica Galaviz

Information Technology

Phillip Pilaes

Brian Spell

Hetal Luhar

Jason Frame

Environmental Health

Robert Urzi

Aminta Martinez-Hermosilla

Alexis Barajas

Jacque Raiche-Curl

Christine Sylvis

Larry Rogers

Office of Communications

Jennifer Sizemore

Facilities

Robert McMahan

Sean Beckham

Dr. Iser noted there were eight UNLV nursing students currently rotating through SNHD attending the meeting with their clinical instructors for this semester, JoAnn Rupiper, Chief Administrative Nurse and Sarah Lugo, Senior Community Health Nurse.

- 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.

Colby Powell, law enforcement officer and Vegas valley resident, expressed concern to the Board and District staff about the unintended consequences of the state's new trauma center designation process. Mr. Powell is concerned that the Regional Trauma Advisory Board is being stripped of its' missions and goals and hopes this is not the case. As the population has drastically increased over the last decade, the trauma system has remained idle. As a law enforcement officer, Mr. Powell responds to numerous accidents in the southern Nevada area and knows that seconds matter in life threatening circumstances. With just three trauma designated hospitals serving millions of people and visitors to the community, Mr. Powell hopes that this Board will continue to consider advancing trauma care access in the region, specifically in the areas that are more than a fifteen-minute ambulance ride to a proper trauma center.

Dawn Christensen, Nevada Resort Association, noted the Resort Association's President served on the Environmental Health Fee Committee, representing the resort industry alongside other stakeholders. The community spent considerable time reviewing the District's financial information to determine if there is a need for a fee increase and if so, what would be the most equitable way to implement. After many meetings, the committee made its' recommendations, however, the

association has serious concerns over the staff's counter-recommendations that were made available the day before. The biggest concerns are the flat fee for B downgrades, an automatic annual increase tied to CPI and how to pay for Vector Control. Given the time the interested stakeholders put into their recommendations, Ms. Christensen asked the Board to give the Fee Committee recommendations serious consideration over staff's counter-recommendations.

Stacie Sasso, Health Services Coalition, read a prepared statement for the record regarding AB317. ([Attachment 1](#))

Jacque Raiche-Curl, Environmental Health, thanked the Board for their support in helping to negotiate the supervisory contract. Also, as a private citizen, in regard to the Environmental Health Fee increase, Ms. Raiche-Curl reminded the Board that ultimately, the people that the EH Specialists serve are the citizens of the valley and it is important to work in tandem with industry partners to have the best end results. However, at the end of the day, while ensuring public health and the safety, it is the residents that they answer to. Sadly, when the public meetings occur, the voices of the residents go unheard.

Victoria Harding, SNHD/SEIU, thanked everyone who assisted with negotiations, noting that this contract was not the one that was wanted or needed, but was put forth to the members and ratified. Ms. Harding commented that this was the first time that a contract was ever put forth that was not a tentative agreement. The Union did not agree with management on what the final contract should be and there is still a lot of heartburn over it. Regarding SB241, Ms. Harding believes there is a lot of blame on it and there should not be, as she did not mind having the deadline to come to an agreement. It is a tool that was could be used to get greater efficiency at moving forward, it cannot be the scapegoat and it was used very efficiently against the union. Ms. Harding does not believe the Union would have come to an agreement with management regardless of how much time they were given as they cannot be bought out by a COLA and expect working conditions to be deplorable. There are a lot of things that need to move forward, Ms. Harding will continue to move forward and make a good working place for the employees.

Rosemary Ensign, a District employee who was also on the bargaining team, noted that although the bargaining table was torture and they felt pressured and backed into corner, she wanted to publicly acknowledge and thank the Board, John Shannon and Amy Hagan for their support.

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

V. ADOPTION OF THE JUNE 27, 2019 AGENDA (for possible action)

The Chair moved Closed Session (Item XII) to be heard after the Consent Agenda.

A motion was made by Member Stewart seconded by Member Nielson and carried unanimously to approve the June 27, 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: May 23, 2019 (for possible action)**
- 2. 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)**

3. **PETITION #14-19: Approval of Increase of Fees for Death Certificates Due to the Signing of Senate Bill 463, Effective July 1, 2019**; direct staff accordingly or take other action as deemed necessary (*for possible action*)
4. **PETITION #15-19: Approval of Agreement with Dr. Alireza Farabi to Provide Professional Services in the Ryan White/Sexual Health Clinic**; direct staff accordingly or take other action as deemed necessary (*for possible action*)

The Chair removed Item VI.3. Petition 14-19 from the Consent Agenda for discussion.

A motion was made by Member Wursten seconded by Member Black and carried unanimously to approve the June 27, 2019 Consent Agenda as amended.

Item VI.3. Petition #14-19

Susan Zannis, Vital Records Supervisor, explained in the 2019, 80th Legislative Session, Senate Bill 463, Sections 7 and 7.5 passed to increase the fees for the support of the Office of the County Coroner from \$1 to \$4. This bill authorizes the County Coroner to create: (1) a program to promote the mental health of the employees of the County Coroner and any person impacted as a result of providing services in his or her professional capacity in response to an incident involving mass casualties within the county; and (2) a program that provides bereavement services to members of the public. It is directed in NRS 440.715 and effective July 1, 2019. This change will increase the cost of death certificates to \$37.

A motion was made by Member Wursten seconded by Member Black and carried unanimously to approve VI.3. Petition 14-19 as presented.

The Chair recessed Open Session and moved to Closed Session at 9:02 a.m.

XII.

CLOSED SESSION – HEARD OUT OF ORDER

Go into closed session 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 9:31 a.m.

Member Fiore joined the meeting via teleconference at 9:31 a.m.

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. **PETITION #16-19: Approve and Authorize the Chief Health Officer to sign General and Supervisory Units Collective Bargaining Agreements (CBAs) both to be effective as of July 1, 2019, as follows:**
 - a. **2.5% Cost of Living Allowance (COLA) in FY 2020 and 2.25% COLA for FY 2021;**

- b. **1-Step increase in FY 2020 and a 2-Step Increase for FY 2021 for those Health District Employees Current and Active as of July 1, 2019 Who Have Not Yet Reached the Final 14th Step of the Salary Schedule; and**
- c. **Extend the Same COLA and Salary Changes to Non-Union Employees Not Covered by the SEIU General or Supervisory Collective Bargaining Agreements;**

direct staff accordingly or take other action as deemed necessary (*for possible action*)

Amy Hagan, Human Resources Director, outlined the highlights of the contract as:

- 2.5% COLA increase, 1-step in year one,
- 2.25% COLA, 2-step increase in year two,
- The addition of Christmas Eve as a paid holiday,
- Changes to comp-time carry over and pay out, and
- Elimination of holiday bank and longevity pay.

Regena Ellis, SEIU, recognized the support from the Board, noting the employees voted to accept the CBA. The agreement was approved by the members of SEIU and not settled with District administration. This is not to say there are not individuals from the administration group who did not work diligently to finalize the agreement. The union is in support of the petition, recommends approval by the Board and looks forward to improved relationships in the future. Ms. Ellis noted that although the Chief Health Officer has been directed to improve relationships, it has not happened.

A motion was made by Member Kirkpatrick seconded by Member Coffin and carried unanimously to approve and authorize the Chief Health Officer to sign General and Supervisory Collective Bargaining Agreements (CBAs) both to be effective as of July 1, 2019 as represented in item VII.1.a.b.c.

VIII. **REPORT / DISCUSSION / ACTION**

1. **Receive Update and Recommendations From the May 29, 2019 Environmental Health Fee Committee Meeting and from Health District Staff and Provide Direction to the Committee and/or Health District Staff, Including Public Workshops;** 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 (Ovation Properties), Brooke Egan (Lennar); direct staff accordingly or take other action as deemed necessary (*for possible action*)

Councilman Stewart left the meeting at 10:04 a.m. and did not return

Scott Nielson, Chair of the EH Fee Committee, reported the committee met five times and spent considerable time and energy gathering information in order to agree to recommendations. Mr. Nielson reported the committee believes that the people who use services should pay for them, however, they do not believe the EH fees should be used as a profit center to pay for things that are otherwise to generally benefit the public.

Dr. Iser explained that although the EH Fee Committee made its recommendations, staff did not agree with the committee on several items and would like the Board to consider staff's recommendations as well.

Mr. Nielson presented the EH Fee Committee recommendations. Christopher Saxton, Environmental Health Director, and Ernest Blazzard, Financial Services Manager, presented the staff recommendations:

- A. **EH Fee Recommendation** - Staff will provide the BOH with the correct accounting categorization for the three slides titled Additions/Modifications from the May 29, 2019 EH Fee Committee presentation, so the correct revenue stream is going to the correct accounts and the proposed fees will pay for the services being provided.

Staff agrees.

- B. **EH Fee Recommendation** - Staff will provide the BOH with a proposal for expedited services and fees for those services.

Staff agrees.

- C. **EH Fee Recommendation** - Staff will provide the BOH with a proposal allowing staff to work overtime with an appropriate fee schedule that will pay for all staff time and other costs associated with such overtime work.

Staff will continue to allow justified overtime, evaluate overtime efficiencies and agrees with this recommendation.

- D. **EH Fee Recommendation** - Vector Control will remain part of EH, but costs for the program will be paid from property taxes, not fees.

Staff recommends that Vector Control services and expenses remain in the EH budget.

The consensus of the Board is to agree with the recommendation of the EH Fee Committee.

- E. **EH Fee Recommendation** -The BOH support changing the State statutes to increase the tire tax and that the tire tax thereafter be tied to an annual increase in the cost of living.

Staff agrees.

- F. **EH Fee Recommendation** -The BOH does not adopt a cost of living increase for fees at this time.

Staff recommends that fees are annually adjusted to the Western Consumer Price Index, similar to Washoe County. (The WCPI includes 13 states in the Western region.)

The consensus of the Board is to agree with the recommendation of the EH Fee Committee.

- G. **EH Fee Recommendation** -The BOH require that policies and procedures be adopted so that the costs of performing services and the fees charged for services can be tracked accurately.

Staff will continue to improve processes for tracking revenue and expenses and agrees with this recommendation.

- H. **EH Fee Recommendation** - Staff will charge for re-inspections and increase fees for downgrades and closures. There will be no fees for B Downgrades due to repeat violations or 11-13 demerits. The following fees will be imposed or increased: \$400 for B Downgrades due to 14 -17 demerits, \$600 for B Downgrades due to 18-20 demerits, \$1,000 for C Downgrades, and \$1,200 for Closures.

Staff noted all re-inspections require staff resources. Staff agrees with the increases for C Downgrades and Closures; however, staff recommends a flat fee of \$580 for all B Downgrades for cost recovery.

The consensus of the Board is to accept the recommendation of the EH Fee Committee and include a punitive amount (to be determined) for C Downgrades and Closures, to be used for community education.

- I. **EH Fee Recommendation** - Staff will provide the BOH with recommendations concerning very specific and selective staffing increases that will help relieve the delays SNHD is experiencing in certain areas in order to improve services.

Staff agrees with prioritizing/phasing in additional staff and agrees with this recommendation.

- J. **EH Fee Recommendation** - Staff will research ways to track tires and other illegal dumping in a cost-effective manner to enhance revenue and thereafter advise the BOH on the findings of such research.

Staff will continue to look for ways to enhance revenue in a cost-effective manner and agrees with this recommendation.

A motion was made by Member Nielson seconded by Member Nemeč and unanimously carried to accept the recommendations of the Environmental Health Fee Committee, with the exception of increasing C Downgrades to \$1200 and Closures to \$1400 with the additional amount to be used for community education; and move to Public Workshops on these items.

- 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***)

Dr. Nemeč commended Dr. Iser on his recent interview on NPR.

- X. **HEALTH OFFICER & STAFF REPORTS (*Information Only*)**
 - CHO Comments

Dr. Iser reported that staff has been in contact with Tim Burch, Clark County Social Services, and hopes to bring back a well-formed proposal next month for the home visitation program.

- XI. **INFORMATIONAL ITEMS**
 1. 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.

Dr. Iser and the Board members thanked Member Coffin for his time served on the Board.

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

XIV. ADJOURNMENT

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

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

/jw