



MINUTES

**Southern Nevada District Board of Health
April 23, 2020 – 9:00 a.m.
Southern Nevada Health District, 280 S. Decatur Boulevard, Las Vegas, NV 89107
Meeting Conduct Via Webex Event**

**BOARD:
(Present)** Scott Black – Chair, Mayor Pro Tempore, City of North Las Vegas
James Adams – Council Member, City of Boulder City
Olivia Diaz – Council Member, City of Las Vegas
Marilyn Kirkpatrick – Vice Chair, Commissioner, Clark County
Brian Knudsen – Council Member, City of Las Vegas
Frank Nemeč – At-Large Member, Physician
Scott Nielson – At-Large Member, Gaming
Tick Segerblom – Commissioner, Clark County
Dan Stewart – Council Member, City of Henderson (*Joined 9:15 a.m.*)
Brian Wursten – Council Member, City of Mesquite

(Absent): Vacant – At-Large Member, Regulated Business/Industry

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

LEGAL COUNSEL: Annette Bradley, General Counsel

**EXECUTIVE
SECRETARY:** Fermin Leguen, MD, MPH, Acting Chief Health Officer

STAFF: Heather Anderson-Fintak, Ernest Blazzard, Michelle Cintron, Andrea Green, Amy Hagan, Michael Johnson, Joann Rupiper, Christopher Saxton, Jennifer Sizemore, Leo Vega

I. CALL TO ORDER/ ROLL CALL/ SCOTT BLACK, CHAIR

Chair Black called the Southern Nevada District Board of Health Emergency Meeting to order at 9:04 a.m. All Board Members joined the meeting by teleconference and the roll call was administered by Michelle Cintron, Executive Assistant.

II. PLEDGE OF ALLEGIANCE

III. FIRST 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.

Victoria Harding, SNHD/SEIU, inquired about the financial status and how the budget will impact operations and services given the current status of events.

Chair Black commented information will be presented on the status of the budget during the financial presentation.

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

IV. ADOPTION OF THE APRIL 23, 2020 MEETING AGENDA (for possible action)

Member Knudsen disclosed on agenda item V.4. Petition #39-20, Argentum Partners ran his campaign for election. He reported it had been ten months since any financial dealings and would not impact any decision.

A motion was made by Member Kirkpatrick seconded by Member Segerblom and carried unanimously to approve the April 23, 2020 Agenda as presented.

V. **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:** February 20, 2020 and March 31, 2020 *(for possible action)*
2. **PETITION #37-20: Approval of Interlocal Service Agreement between Clark County, Nevada on behalf of the Department of Family Services and the Southern Nevada Health District for Services Provided to Thrive by Zero to Three Prevention Services Program for the Period from February 3, 2020 to September 30, 2020;** direct staff accordingly or take other action as deemed necessary *(for possible action)*
3. **PETITION #38-20: Approval of Interlocal Service Agreement Between the Southern Nevada Health District and the Las Vegas Metropolitan Police Department to Collaborate on Training and Enhancement Related to Prearrest and Pre-trial diversion for Those with Substance Abuse and Those Vulnerable to Overdose;** direct staff accordingly or take other action as deemed necessary *(for possible action)*
4. **PETITION #39-20: Approval of the Second Amendment to the Contract Between the Southern Nevada Health District and Argentum Partners;** direct staff accordingly or take other action as deemed necessary *(for possible action)*
5. **PETITION #41-20: Approval of the Master Service Agreement Between the Southern Nevada Health District and iland Internet Solutions Corporation for cloud hosting for Disaster Recovery Purposes;** direct staff accordingly or take other action as deemed necessary *(for possible action)*
6. **PETITION #43-20: Approval of Professional Services Agreement C2000124 between the Southern Nevada Health District and Vector Media Holding Corporation for Advertising Services to Promote Awareness of the Southern Nevada Community Health Center;** direct staff accordingly or take other action as deemed necessary *(for possible action)*

A motion was made by Member Adams seconded by Member Nielson and carried unanimously to approve the April 23, 2020 Agenda as presented.

VI. **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 14 Aquatic Venues Not in Compliance with the Southern Nevada Health District Aquatic Facility Regulations Section 4-302; Las Vegas Racquet Ball**

Club, Inc. dba Las Vegas Athletic Clubs, located at: 2655 S Maryland Pkwy, Las Vegas, Nevada 89109 [Assessor's Parcel Number (APN) 162-10-502-010] for Health Permits PR0005690, PR0005691; 1195 Wellness Place, Henderson, Nevada 89011; [APN 161-34-310-007] for Health Permits PR0129670, PR0129671, 9065 S Eastern Ave., Las Vegas, Nevada 89123; [APN 177-23-514-003] for Health Permits PR0013334, PR0013335; 6050 N Decatur Blvd., N Las Vegas, Nevada 89031 [APN 124-30-204-008] for Health Permits PR0114134, PR0114135; 1725 N Rainbow Blvd, Las Vegas, Nevada 89108; [APN 138-22-812-001] for Health Permits PR0013329, PR0013330; 9615 W Flamingo Rd, Las Vegas, Nevada 89147; [APN 163-19-511-011] for Health Permits PR0005686, PR0005687; 5200 W Sahara Ave., Las Vegas, Nevada 89146; [APN 163-01-802-010] for Health Permits PR0005682, PR0005683; Daniel H. Stewart, for the Owner(s), Las Vegas Racquetball Club, Inc; direct staff accordingly or take other action as deemed necessary (*for possible action*)

Jeremy Harper, Environmental Health Supervisor, Aquatic Health Program, presented the variance request. The Las Vegas Athletic Club petitioned for a variance to operate 14 existing aquatic venues not in compliance with the Southern Nevada Health District (SNHD) Aquatic Facility Regulations Section 4-302.

Staff does not recommend the approval of a variance, however, if approved, these conditions will apply:

1. Petitioner agrees to adhere to all other applicable requirements of the Southern Nevada Health District Aquatic Facility Regulations, as well as new conditions proposed by LVAC;
2. Failure of the petitioner to prevent public health and safety issues, as determined by the health authority, will result in the voiding of this variance and suspension of all affected permits until they are either compliant with the Regulations or alternate risk mitigation strategies are approved by SNHD; and
3. The variance is non-transferable upon closing of any sale transaction involving the subject properties. New owners must apply in writing for continuation of any variance conditions.

The petitioners, Chad Smith and Dan Stewart Junior, were present by phone conference. Member Stewart disclosed his son, Daniel Stewart Jr., is a partner with the law firm representing this item; therefore, he would abstain from deliberation and voting.

There was discussion about the pools being more like pools operated by Homeowners Associations than pools open to the public. As such, Member Kirkpatrick requested an occupancy plan be submitted to the Aquatic Health Program, and it be reflected as part of the conditions for a variance.

Chair Black opened Public Comment.

Victoria Harding, SNHD and SEIU, remarked she had been personally impacted as the pool hours were decreased due to limitations of lifeguard staffing. She supported reverting back to extended hours without lifeguard staffing.

Seeing no further comments, the Chair closed this portion of the agenda.

A motion was made by Member Segerblom seconded by Member Kirkpatrick and carried by 8:1 vote to approve the variance request to operate 14 existing aquatic venues not in compliance with the Southern Nevada Health District Aquatic Facility Regulations Section 4-302 with the conditions presented.

*Nay vote: Member Adams
Abstention: Member Stewart*

2. **Variance Request for an Application to Construct a Septic System located at 4741 Aspen Ave., Mount Charleston, Nevada with the Following Provisions: 1) Allow Installation of a**

Septic System on an Undersized Lot; and 2) Allow Installation of a Septic System to serve a structure that sits on an adjacent lot; direct staff accordingly or take other action as deemed necessary *(for possible action)*

3. **Variance Request for an Application to Construct a Septic System Located at 2201 Via Spes Nostra Street, Mount Charleston, Nevada with the Following Provisions: 1) Allow Installation of a Septic System on an Undersized Lot; and 2) Allow a Reduced Property Line Setback; and 3) Waiver to a Design Standard Regarding Trench Separation;** direct staff accordingly or take other action as deemed necessary *(for possible action)*
4. **Variance Request for an Application to Construct a Septic System located at 4738 Knotty Pine Way, Mount Charleston, Nevada with the Following Provisions: 1) Allow installation of a septic system on an undersized lot; and 2) Allow a Reduced Property Line Setback; and 3) Waive a Design Standard Regarding Absorption Trench Separation;** direct staff accordingly or take other action as deemed necessary *(for possible action)*

Robert Fyda, Environmental Health Engineer/Supervisor, presented the three variance requests for an application to construct a septic system at the three separate locations in Mount Charleston, with the noted provisions. He noted staff recommends approval of each variance request.

Chair Black opened the public comment. Seeing no one, the Chair closed this portion of the agenda.

Each variance request was voted on separately by the Board.

A motion was made by Member Kirkpatrick seconded by Member Nielson and carried unanimously to approve the Variance Request to Construct a Septic system located at 4741 Aspen Ave., Mt. Charleston, Nevada with Provisions: 1) Allow Installation of a Septic System on an Undersized Lot; and 2) Allow Installation of a Septic System to Serve a Structure That Sits on an Adjacent Lot.

A motion was made by Member Kirkpatrick seconded by Member Nielson and carried unanimously to approve the Variance Request to Construct a Septic system located at 2201 Via Spes Nostra Street., Mt. Charleston, Nevada with Provisions: 1) Allow Installation of a Septic System on an Undersized Lot; and 2) Allow a Reduced Property Line Setback; and 3) Waiver to a Design Standard Regarding Trench Separation.

A motion was made by Member Nemecek seconded by Member Kirkpatrick and carried unanimously to approve the Variance Request to Construct a Septic system located at 4738 Knotty Pine Way, Mt. Charleston, Nevada with Provisions: 1) Allow Installation of a Septic System on an Undersized Lot; and 2) Allow a Reduced Property Line Setback; and 3) Waiver to a Design Standard Regarding Absorption Trench Separation..

VII. REPORT / DISCUSSION / ACTION

1. **Receive Report, Discuss and Approve Recommendations from April 20, 2020 Finance Committee Meeting;** direct staff accordingly or take other action as deemed necessary *(for possible action)*

Member Nielson reported the Finance Committee convened April 20, 2020 to consider the revised budget for FY2020-2021 budget. He added there was a recommendation to update the amount reflected in the budget to \$2.9M for the cost of the alternate care facility. Ernest Blazzard, Chief Financial Officer, presented the updated slide for the Bond Reserve Fund which reflects the revised total as requested by the Finance Committee.

There was a discussion regarding the twelve positions for Environmental Health and obtaining reimbursement for the first year from COVID-19 response funding. Member Kirkpatrick requested a monthly budget update going forward to track projections. Member Knudsen inquired about the workload of Environmental Health inspectors. It was stated a conservative budget is important moving forward.

A motion was made by Chair Black seconded by Member Nielson and carried unanimously to accept the recommendations from the Finance Committee to approve the budget for FY2020-2021 to the County, and request staff to provide an agenda item to for a financial snapshot on revenue and expenditures and staffing levels to meet the demand of the unseen future.

2. Receive Report, Discuss and Approve Community Health Center Scope of Services, Discounted Fee Program, and Corresponding Fee Schedule; direct staff accordingly or take other action as deemed necessary *(for possible action)*

Alfred McGugin, FQHC Operations Officer, presented the Community Health Center Scope of Services, Discounted Fee Program and Corresponding Fee Schedule.

Member Knudsen inquired about the impact to the budget due to the COVID-19 response. Mr. McGugin noted there has been a decrease in patient participation. He reported HRSA released supplemental funding to all health centers across the United States. Efforts are being focused to develop telehealth medicine and emergency scope services in order to be proactive in mitigating the impact to the budget. Member Knudsen requested regular updates to the Board on impacts to the budget.

A motion was made by Member Knudsen seconded by Member Adams and carried unanimously to approve the Community Health Center scope of services, discounted fee program and corresponding fee schedule.

VIII. BOARD REPORTS: The Southern Nevada District Board of Health members may identify and comment on Health District related issues. Comments made by individual Board members during this portion of the agenda will not be acted upon by the Southern Nevada District Board of Health unless that subject is on the agenda and scheduled for action. *(Information Only)*

Member Kirkpatrick thanked the Health District staff for making sure the southern part of Nevada in

Member Segerblom exits 11:40 a.m.

Member Knudsen reported he is working with Member Diaz and Dr. Leguen to assist non-essential businesses in Las Vegas to prepare for re-opening.

IX. HEALTH OFFICER & STAFF REPORTS (Information Only)

- Dr. Leguen thanked the Board and staff for their hard work throughout this challenging time.
- At-Large Member positions for the Board of Health and Public Health Advisory Board have terms expiring June 30, 2020.
- Henderson Immunization services from Touro University and Health Cards services from Henderson City Hall are being relocated to a central location in Henderson.
- Michael Johnson, Director of Community Health, provided an update on the response to COVID-19. He reported the first drive through pod is scheduled for North Las Vegas followed by the City of Las Vegas. The broad testing may yield more cases.
- Chris Saxton, Director of Environmental Health, presented on the guidelines for reopening for various regulated industries. It was noted the guidelines could be customized for other businesses.

- Alfred McGugin, FQHC Operations Officer, provided an update on the alternate care facility. Two buildings are scheduled to be on site, one on the north side and the other on the south side of the main facility. There will be a hybrid approach for staffing with the bulk of staff coming from the Health District. The facilities will treat infectious patients released from the hospital who are unable to return to their homes in Clark County.

X. 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
5. FQHC Monthly Activity Report

- XI. SECOND 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. Comments will be limited to five (5) minutes per speaker. 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, announced she works in Health Cards and had been transitioned to telephone customer services in response to COVID-19. She was seeking information as to when testing would be available to the general public, noting that there is panic among the incoming phone calls. She applauded the investigators for doing a great job and expressed overwhelm with the amount of calls being received. She requested the staff be provided with better communication so they can better serve the public with appropriate information, which will help lessen the panic.

Michelle Cintron, Executive Assistant, read incoming comments posted to the Webex chat from Planki Thompson in which he expressed not all individuals want to vaccinate children in order to go to daycare. He stated place a ban on vaccines. He also inquired if it is safe for the homeless to sleep in the Cashman Center parking lot, followed by a comment why does Las Vegas not have enough money.

Chair Black thanked everyone for their participation.

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

XIII. ADJOURNMENT

The Chair adjourned the meeting at 11:43 a.m.

Fermin Leguen, MD, MPH
Acting Chief Health Officer/Executive Secretary

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