

WASHOE COUNTY DISTRICT BOARD OF HEALTH MEETING
JUNE 23, 2011

PRESENT: Mr. Matt Smith, Chairman; Commissioner Kitty Jung; Vice Chair; George Furman, MD; Councilman Dan Gustin; Denis Humphreys, OD; Councilwoman Julia Ratti (arrived at 1:15pm)

ABSENT: None

STAFF: Dr. Joseph Iser; District Health Officer; Eileen Coulombe, Administrative Health Services Officer; Bob Sack, Director, Environmental Health Services; Kevin Dick, Director, Air Quality Management; Steve Kutz, Acting Director, Community and Clinical Health Services; Patsy Buxton, Fiscal Compliance Officer; Lori Cooke, Fiscal Compliance Officer; Jeanne Rucker, Environmental Health Specialist Supervisor; Tony Macaluso, Environmental Health Specialist Supervisor; Stacey Akurosawa, EMS Coordinator; Chris Ralph, Environmental Engineer; Noel Bonderson, Air Quality Specialist Supervisor; Yann Ling-Barnes, Environmental Engineer; Steve Fisher, Department Computer Application Specialist; Curtis Splan, Department Computer Application Specialist; Jim English, Senior Environmental Health Specialist; Laurie Griffey, Administrative Assistant; Peg Caldwell, RN; Amber English, Environmental Health Specialist; Krista Hunt, Environmental Health Specialist; Dennis Cerfoglio, Senior Air Quality Specialist; Phil Ulibarri, Public Information Officer; Gerry Gaige, Air Quality Specialist; Rebecca Gonzales, Public Health Nurse II; Wes Rubio, Environmental Health Specialist; Bev Bayan, WIC Program Manager; Janet Smith, Recording Secretary; and Leslie Admirand, Deputy District Attorney

At 1:10pm, Chairman Smith called the Washoe County District Board of Health meeting to order, followed by the Pledge of Allegiance, led by Councilman Dan Gustin, member of the District Board of Health.

ROLL CALL

Roll call was taken and a full quorum of the Board noted.

PUBLIC COMMENT

There was no public comment presented.

WASHOE COUNTY DISTRICT BOARD OF HEALTH MEETING

June 23, 2011

Page 2

APPROVAL/DELETIONS – AGENDA – JUNE 23, 2011

Chairman Smith advised Item 6.D. Dr. Amy Khan's recognition will be continued to the July 28, 2011 meeting; that 7.D. Donation 1. Recommended Approval of Donation of Equipment (Travel IR) to Sparks Fire Department with a Current Market Value Estimated at \$17,500, will be withdrawn from consideration; and Item 13. Public Hearing - Washoe County District Board of Health Regulations Governing Public Bathing Places and Public Spas will be continued to the Board's July 28, 2011 meeting.

MOTION: Mr. Gustin moved, seconded by Dr. Humphreys, that the agenda of the District Board of Health June 23, 2011 meeting be approved as amended. Motion carried unanimously.

APPROVAL/ADDITIONS/CORRECTIONS – MINUTES – MAY 26, 2011

Chairman Smith called for any additions or corrections to the minutes of the May 26, 2011 District Board of Health meeting.

MOTION: Dr. Humphreys moved, seconded by Ms. Jung, that the minutes of the District Board of Health May 26, 2011 meeting be approved as received. Motion carried unanimously.

RECOGNITIONS

Chairman Smith and Dr. Joseph Iser, District Health Officer, presented Certificates of Recognition to Ms. Yann Ling-Barnes for 10 Years-of-Service; and Mr. Gerry Gaige for 10 Years-of-Service.

Dr. Iser introduced Ms. Rebecca Gonzales, Public Health Nurse, advising that Ms. Gonzales received Certificates of Recognition for completion of the Essentials of High Performing Teams and Essentials of Personal Effectiveness in the County's Excellence in Public Service training.

Chairman Smith presented a Proclamation to Mr. Jim Gubbels, Vice President of REMSA, in recognition of REMSA (retroactively), for National EMS Week, which was the week of May 15th. Dr. Iser read the Resolution in full into the record (a copy of which was placed on file for the record).

Dr. Iser stated, while serving as the Health Officer in neighboring Nevada County, California, he became very familiar with the quality of the REMSA system, when "a fire broke started between the

WASHOE COUNTY DISTRICT BOARD OF HEALTH MEETING

June 23, 2011

Page 3

Dr. Iser stated, while serving as the Health Officer in neighboring Nevada County, California, he became very familiar with the quality of the REMSA system, when "a fire broke started between the Summit and Truckee. Stated, he contacted Dr. Anderson to request assistance for evacuating patients; that Dr. Anderson responded saying 'REMSA would be happy to assist as would the Washoe County Health District'; that he appreciated knowing there was a an agency right next door willing to step-up and assist Nevada County; and he would thank REMSA for being available."

**MOTION: Ms. Jung moved, seconded by Mr. Gustin, that the Proclamation in recognition of REMSA for National EMS Week – the week of May 15th, be retroactively approved and adopted.
Motion carried unanimously.**

Chairman Smith stated Dr. Khan's recognition will be continued to the Board's July 28, 2011 meeting.

Mr. Bob Sack, Director, Environmental Health Services

Introduced Mr. Doug Coulter, PE, Senior Registered Engineer, presented a Certificate of Recognition to Mr. Coulter advising "Doug is retiring after 30.5 years with the Health District"; that "Doug has served both as an engineer and for half his career as the supervising engineer of the Health District. Through all of his years of service, Doug has remained very dedicated; that he would personally thank Doug for his years of service."

Chairman Smith and Dr. Iser presented a Certificate of Recognition to Mr. Chris Ralph in honor of his retirement from the Health District after 26.5 years.

Chairman Smith and Dr. Iser presented a certificate of Recognition to Mr. Duane Sikorski in honor of his retirement from the Health District after eight (8) years.

CONSENT AGENDA – AIR QUALITY MANAGEMENT CASE – GREAT BASIN READY MIX, INC.
– UNAPPEALED NOTICE OF VIOLATION

Staff advised that **Citation No. 4835, Case No. 1063** was issued to **GREAT BASIN READY MIX, INC.**, on May 5, 2011, for the operation of a Portable Coneco Concrete Plant without the required Permit to Construct and without a proper Permit to Operate, in violation of Section 030.000 (Source Permitting and Operation), of the Washoe County District Board of Health Regulations Governing Air Quality Management. Staff advised Great Basin Ready Mix, Inc., was advised of the right to

appeal; however, no appeal has been filed. Staff recommends Citation No. 4835, Case No. 1063 (Great Basin Ready Mix, Inc.), be **upheld** and a fine in the amount of **\$1,000** be levied as a **negotiated settlement** for a **major violation**.

MOTION: Ms. Ratti moved, seconded by Ms. Jung, that Citation No. 4835, Case No. 1063 (Great Basin Ready Mix, Inc.), be upheld and a fine in the amount of **\$1,000** be levied as a **negotiated settlement** for a **major violation**.
Motion carried unanimously.

CONSENT AGENDA – BUDGET AMENDMENTS/INTERLOCAL AGREEMENTS

The Board was advised Staff recommends the **retroactive approval** of the **District Board of Health Chairman's acceptance of Amendment #1 Subgrant Award** from the **Nevada Department of Health and Human Services, Health Division**, increasing the **total funding** amount from **\$98,819** to **\$292,556** in support of the **Immunization Program, IO 10028**, for the period of January 1, 2011 to December 31, 2011.

The Board was advised Staff recommends **ratification** of the **Interlocal Agreement** between the **Washoe County Health District** and **Washoe County** through its **Department of Juvenile Services** to provide consultative and clinical support services for the period upon ratification through June 30, 2012, unless extended by the mutual agreement of the Parties, with automatic renewal for two (2) successive one-year periods for a total of three (3) years on the same terms unless either party provides written notification of nonrenewal at least sixty (60) days prior to June 30 of each year.

The Board was advised Staff recommends **ratification** of the **Interlocal Agreement** between **Washoe County Health District** and the **Board of Regents of the Nevada System of Higher Education** to provide educational opportunities for **Orvis School of Nursing** students to engage in practical application of classroom instruction in a public health agency environment for the period upon approval of the Board of Regents and the Washoe County District Board of Health through June 30, 2012, unless extended by the mutual agreement of the Parties, with automatic renewal for two (2) successive one-year periods for a total of three (3) years on the same terms unless either party provides written notification of nonrenewal at least sixty (60) days prior to June 30 of each year.

The Board was advised Staff recommends **ratification** of the **Interlocal Agreement** between the **Washoe County Health District** and the **University of Nevada School of Medicine Integrated Clinical Services, Inc.**, and the **University of School of Medicine Multispecialty Group**

Practice North, Inc. dba MEDSchool Associates North (MSAN), to provide a faculty physician to serve as a consultant on **pediatric Tuberculosis (TB) cases** in the **total amount of \$2,000 per year** for the period of July 1, 2011 through June 30, 2012, unless extended by the mutual agreement of the Parties, with automatic renewal for two (2) successive one-year periods for a total of three (3) years on the same terms unless either party provides written notification of nonrenewal at least sixty (60) days prior to June 30 of each year.

The Board was advised Staff recommends **ratification** of the **Interlocal Agreement** between the **Washoe County Health District** and the **Washoe County School District** to provide student educational experiences as part of career exploration in public health related professions for the period upon **approval** of the **Washoe County District Board of Health** and the **Washoe County School District** through June 30, 2012, unless extended by the mutual agreement of the Parties; with automatic renewal for two (2) successive one-year periods for a total of three (3) years on the same terms unless either party provides written notification of nonrenewal at least sixty (60) days prior to June 30 of each year.

The Board was advised Staff recommends **ratification** of the **Interlocal Agreement** between the **Washoe County Health District** and the **University of Nevada School of Medicine Integrated Clinical Services, Inc.**, and the **University of Nevada School of Medicine Multispecialty Group Practice North, Inc.**, in the **total amount of \$2,700 per year** to provide laboratory direction services for the period of July 1, 2011 through June 30, 2012, unless extended by the mutual agreement of the Parties; with automatic renewal for two (2) successive one-year periods for a total of three (3) years on the same terms unless either party provides written notification of nonrenewal at least sixty (60) days prior to June 30 of each year.

The Board was advised Staff recommends **ratification** of the **Interlocal Agreement** between the **Washoe County Health District** and the **Board of Regents of the Nevada System of Higher Education on Behalf of the University of Nevada School of Medicine** to provide community and clinical public health opportunities for School of Medicine residents during their preceptorship experience for the period upon approval of all parties through June 30, 2012, unless extended by the mutual agreement of the Parties; with automatic renewal for two (2) successive one-year periods for a total of three (3) years on the same terms unless either party provides written notification of nonrenewal at least sixty (60) days prior to June 30 of each year.

The Board was advised Staff recommends **ratification** of **Interlocal Agreement** between the **Washoe County Health District** and the **University of Nevada School of Medicine Integrated Clinical Services, Inc.**, and the **University of Nevada School of Medicine Multi-Specialty Group Practice North, Inc.**, (**MSAN**) in the **total amount not to exceed \$11,300 annually** in

support of male sterilization procedures for the period of July 1, 2011, unless extended by the mutual agreement of the Parties; with automatic renewal for two (2) successive one-year periods for a total of three (3) years on the same terms unless either party provides written notification of nonrenewal at least sixty (60) days prior to June 30 of each year.

MOTION: Ms. Ratti moved, seconded by Ms. Jung, that the retroactive approval of District Board of Health Chairman acceptance of Amendment #1 to Subgrant Award; and the Interlocal Agreements be approved as presented and the Chairman authorized to execute on behalf of the Board where applicable

CONSENT AGENDA – BUDGET AMENDMENTS/INTERLOCAL AGREEMENTS

The Board was advised Staff recommends **ratification** of the **Interlocal Agreement** between the **Washoe County Health District** and the **Board of Regents of the Nevada System of Higher Education** to provide educational opportunities for the **School of Community Health Sciences students** to engage in practical application of classroom instruction in a public health agency environment for the period upon approval of the Board of Regents and the Washoe County District Board of Health through June 30, 2012, unless extended by the mutual agreement of the Parties; with automatic renewal for two (2) successive one-year periods for a total of three (3) years on the same terms unless either party provides written notification of nonrenewal at least sixty (60) days prior to June 30 of each year.

In response to Mr. Gustin

Regarding "if the opportunities for the students to engage in practical application of classroom instruction, is an internship", Mr. Steve Kutz, RN, Nursing Supervisor, Community and Clinical Health Services (CCHS) Division, advised, "these individuals are student interns from the School of Community Health Sciences and the Orvis School of Nursing. These students serve as interns in the CCHS Division, observing in the Clinics, accompanying Staff on home visits, completing projects in the various programs, etc. The internship is for the semester, approximately twelve (12) out of the sixteen (16) weeks; that it is a requirement of the class to receive the credits."

MOTION: Mr. Gustin moved, seconded by Ms. Ratti, that the Interlocal Agreement between the Washoe County Health District and the Board of Regents of the Nevada System of Higher Education to provide educational opportunities for School of Community Health Sciences students to engage in the practical application of classroom instruction in a public health agency environment for the period upon approval of the Board of Regents and the Washoe County District Board of Health through June 30, 2012, unless extended by the mutual agreement of the Parties; with

automatic renewal for two (2) successive one-year periods for a total of three (3) years on the same terms unless either party provides written notification of nonrenewal at least sixty (60) days prior to June 30 of each year; and the Chairman be authorized to execute on behalf of the Board. Motion carried unanimously.

CONSENT AGENDA - DONATION

Chairman Humphreys advised that the donation of equipment was withdrawn from consideration.

CONSENT AGENDA – UTILIZATION OF FUNDS – WASHOE COUNTY HEALTH DISTRICT/ENVIRONMENTAL OVERSIGHT ACCOUNT

The Board was advised Staff recommends **approval** for the **utilization of funds** from the **Washoe County Health District/Environmental Oversight Account** to purchase the following: 1) HazMat ID 3 Year Partnership Program with 360 Upgrade in the amount of \$15,000 from Smiths Detection; and 2) Responder RCI Partnership Package in the amount of \$40,000 from Smiths Detection; **authorizing the Administrative Health Services Officer to issue payment from the Environmental Oversight Account in the total amount not to exceed \$55,000.**

MOTION: Ms. Ratti moved, seconded by Ms. Jung, that the utilization of funds from the Washoe County Health District/Environmental Oversight Account to purchase the following: 1) HazMat ID 3 Year Partnership Program with 360 Upgrade in the amount of \$15,000 from Smiths Detection and; 2) Responder RCI Partnership Package in the amount of \$40,000 from Smiths Detection be approved; authorizing the Administrative Health Services Officer to issue payment from the Environmental Oversight Account in a total amount not to exceed \$55,000. Motion carried unanimously.

REGIONAL EMERGENCY MEDICAL SERVICES AUTHORITY

A. Review and Acceptance of the Operations and Financial Report – May 2011

Mr. Jim Gubbels, Vice President, REMSA

Advised the Board members have been provided with a copy of the May 2011 Operations and Financial Report; that the overall emergency response times for life-threatening calls in May 2011

WASHOE COUNTY DISTRICT BOARD OF HEALTH MEETING

June 23, 2011

Page 8

was 91% and 97% for non-life threatening calls; that within the eight (8) minute zone it was 91%; within the fifteen (15) minute zone it was 100%; and within the twenty (20) minute zone it was 100%. The overall average bill for air ambulance services for May was \$5,723, with a year-to-date average of \$7,044. The overall average bill for ground ambulance services for May was \$905, with a year-to-date average of \$974.

Mr. Gustin

Stated, in reviewing the monthly Report this month, he noted "an inordinate amount of negative comments; that he knows REMSA takes these comments seriously"; however, he would question the process for addressing these negative comments.

In response to Mr. Gustin

Mr. Gubbels

Advised, within the monthly Report every individual comment "is recorded as written; that every negative comment or complaint is followed-through the process of being recorded, assigned to a Field Supervisor to contact the patient/or calling party, and then the field staff on the call." Advised, "he personally goes through each and every negative comment or complaint with the Vice President of Operations and his Administrative Assistant once a month." Stated the customers "who will write a comment are either very, very happy with the service or very upset; that the customers 'in-between' don't always respond." Advised, in regard to patients complaining of about "IV sticks, those complaints are forwarded to the Clinical Coordinator, who will completely review the complaint. The more IVs an individual starts the more chances there will be an infiltration will occur." In comparison of REMSA transporting approximately 3,000 patients in a month and the percentage of patients who receive IVs the number of complaints is very minimal. Advised, REMSA "tracks the success rate of the individual paramedics and the individual EMT-Intermediate, which is reported on a quarterly basis; therefore, the individual Paramedic or EMT-Intermediate is aware of how many times he/she was successful in the first or second attempts in inserting an IV. Each Paramedic or EMT-Intermediate has two (2) attempts to insert an IV, and then the partner attempts the insert."

Mr. Gustin

Requested Mr. Gubbels provide a follow-up report on the comments from the May 2011 Report.

Mr. Gubbels

Stated, REMSA recently completed the Kings Accreditation for the air ambulance component; that a recommendation of the review was for REMSA to prepare a summary of these events; that REMSA has done this. Stated, he will present a review of the summary next month, which will provide an overview for the Board regarding "how many complimented the service; how many had clinical concerns, how many had transportation concerns, etc." He would assure the Board REMSA "follows-up with each and every negative comment, concern or complaint; that he is personally involved in the process."

In response to Ms. Ratti

Regarding how often the report is presented, Mr. Gubbels stated "it is a pie-chart done on a quarterly basis."

Ms. Ratti

Stated she would prefer "it be institutionalized and provided it quarterly to the Board."

**MOTION: Mr. Gustin moved, seconded by Dr. Humphreys, that the Operations and Financial Report for the month of May 2011 be accepted as presented.
Motion carried unanimously.**

B. Update of REMSA's Community Activities Since May 2011

Mr. Gubbels

Stated, he was advised by Mrs. Smith that a Board member had requested a brief presentation on REMSA's *Cribs for Kids Project*; that there was an article in the Reno Gazette Journal regarding this project. Advised the Project coordinator is Ms. Melisa Crowell, who is currently attending an EMS Conference for Children; that he will have Ms. Crowell present the Program to the Board. Advised, to-date REMSA "has taught approximately 250 providers in this Project; that Ms. Crowell will give the presentation and then answer questions the Board members may have."

Advised CPR (cardio-pulmonary resuscitation) Week was "last month; that REMSA's educational division, under the direction of Mr. Jay W. Hodges, hosted a first ever sidewalk CPR [training] event. This was a unique event in which Mr. Hodges "teamed-up with seven (7) different businesses, including Scheels; that Mr. Hodges and a team member placed two (2) mannequins down in the front of the store and then approached individuals, asking 'this individual is down and

requires CPR, will you help them?" Advised in the seven (7) different locations, "500 people received instruction on hands-only CPR; that Mr. Hodges and his team member deserve kudos for this event, which was advertised in the newspaper several times."

The Board thanked Mr. Gubbels for the update.

REVIEW – ACCEPTANCE – MONTHLY PUBLIC HEALTH FUND REVENUE AND EXPENDITURE REPORT – MAY 2011

Ms. Eileen Coulombe, Administrative Health Services Officer

Advised the Board members have been provided with a copy of the Health Fund Revenue and Expenditure Report for the month of May 2011, advising the Board's approval of expenditures from the Environmental Oversight Account will be noted in next month's Report. Ms. Coulombe reviewed the Report in detail advising Staff recommends the Board accept the Report as presented.

MOTION: Dr. Humphreys, seconded by Ms. Jung, that the District Health Department's Revenue and Expenditure Report for May 2011 be accepted as presented.

Motion carried unanimously.

UPDATE – FISCAL YEAR 12 – POSSIBLE DIRECTION TO STAFF

Dr. Iser

Advised, prior to his arrival, Chairman Smith met with representatives of Management Partners to discuss the preliminary recommendation which would be presented to the County's Organizational Effectiveness Committee (OEC). Advised, one (1) of the preliminary proposals of the Management Partners was for the Health District "to be joined together with Social Services and others; and a second proposal was to move the Environmental Health Division in with Community Development Department." Advised, he met with Mr. Mark Olson, of Management Partners, on Monday, June 13, 2011, to discuss the unique circumstances of health districts and "why a number of those proposals would not benefit either the public or the finances of Washoe County." Stated, transferring Environmental Health Services to a community development agency "would not protect the public's health in all of the aspects in which Environmental Health is involved." Advised, there was another meeting with representatives of Management Partners, which he was unable to attend; that Management Partners provided a Power Point presentation of the Fundamental Services Review, delineating "the background and the next steps in the process." Advised the Board members have been provided with a spreadsheet of the "*Opportunity Identification and*

WASHOE COUNTY DISTRICT BOARD OF HEALTH MEETING

June 23, 2011

Page 11

Development" (a copy of which was placed on file for the record), delineating "the opportunities for collaboration, consolidation and working together. There are a number of these proposals, which link to health; that he has discussed a number of these with Mr. Olson." Stated, he is not yet prepared to present a "recommendation to the Board on the recommendations of the proposal"; that Staff has several additional meetings with Management Partners to discuss a variety of these proposals. Stated, Staff will be discussing these issues specific to "how the proposals might affect the Health District; and affect the public's health." Staff will be meeting with representatives of Management Partners to discuss clinical issues and vector-control issues.

As the Board has been advised, the County has requested "10% budget reductions from all County Departments"; that Ms. Coulombe will present the update.

Advised, "the team that represents Washoe County departments in permitting, inspection, and enforcement functions continues to meet to discuss options for internal service-sharing, which is separate from the OEC proposals." This discussion is specific to "jointly locating front desks to collaborate in other areas; that Mr. Sack and Mr. Dick, as Division Directors will continue to attend these meetings." Stating, there "is the potential for improving communication, customer service and sharing technology, but not necessarily the integration of functions as this point in time." Advised, he "experienced similar processes in Yolo County and to a lesser extent in Nevada County regarding sharing functions; that he will meet with Mr. Sack and Mr. Dick as they continue through these meetings."

Advised, the State and local health authorities will continue to discuss and review information from the Nevada State Health Division, regarding the provision of public health services to the rural counties in Nevada. There was a brief discussion of this issue during a recent Public Health Emergency Preparedness (PHEP) telephone conference, specific to "expanding within the northern rural counties to provide some public health services." Advised, Staff will continue to meet with Nevada State Health Division leadership "after the Health District's own assessment is completed."

Ms. Coulombe

Advised, as Dr. Iser stated, the Board members have been provided with a copy of the June 22, 2011, "*Fundamental Services Review Washoe County, Nevada, OEC Work Session*" (a copy of which was placed on file for the record), delineating various recommendations for the County. Stating, "some of these ideas may be viable, others may not; that these are a starting place." Stated, she advised the Board last month regarding discussions she had had with Mr. Darin Conforti, Washoe County Budget Manager; that Mr. Conforti indicated Ms. Simon was "amenable to the [Health Districts] request that the 10% reduction be from the General Fund Transfer of \$8

WASHOE COUNTY DISTRICT BOARD OF HEALTH MEETING

June 23, 2011

Page 12

million." Advised, the most recent budget documents of May 10th, continued to list the Health District "at the \$1.1 million, with the adjustment being made off of the total expenditures; that Staff will have follow-up discussions with Finance." Advised the Division Director's Leadership Team will be meeting Monday, June 27th, to discuss the budget issues; that "the County has extended the due date for submission of the plans; that rather than being due July 1st, the plans will be due July 29th". Staff will have the opportunity to present the final budget to the Board during the July 28, 2011 meeting, at which time the Board members can provide input to Staff.

Advised the Board member have been provided with a copy of the "FY 12 Adopted Budget" Project Accounting Sheets; that "this is what is currently adopted; however, it does not reflect any of the reductions in the plans"; that she would recommend the Board members insert this document into the Budget Book. Stated, should the Board members have any questions, concerns, or suggestions those can be emailed to Dr. Iser and Staff will attempt to respond to those and incorporate any comments into the presentation to the Board for the July meeting.

Stated, the budget process "is still fluctuating; that the County recently made the determination to consider "voluntary separation incentives"; that nothing definitive has been decided; that currently the County is "asking if employees are interested." Advised, the "incentives do not apply unless the employees' bargaining unit agrees to the concession"; that those interested can complete the necessary paperwork; however, it would only be a 'placeholder' for the process. Advised any voluntary separation incentives would be considered "department by department."

Ms. Ratti

Stated, she "appreciates Staff is communicating the public health issues to the representatives of Management Partners; that the difference between the Health District and the other County Departments is the governance structure. She would question if "that is being pointed-out to Management Partners."

In response to Ms. Ratti

Dr. Iser stated, he did advise Mr. Olson of the difference in the governance structure for the Health District.

Ms. Ratti

Stated, "as a member of the District Board of Health, she feels uninformed regarding some of the proposals"; and is not in a position to provide comment. Stated, she is aware in these "economic times the inclination is to point-out all the reasons why something won't work; however, it is necessary to reviews the things that could work."

In response to Ms. Ratti

Dr. Iser stated, the proposals in the *Fundamental Services Review* are the recommendations of Management Partners, and not of Health District Staff. Stated, Management Partners did interview Ms. Brown, as the Interim Health Officer and the Division Directors as a component of the review. Stated, he is confident Mr. Dick's and Mr. Sack's comments and recommendations "were similar to his" regarding these proposals. Stated, "he was fairly strong in presenting his description of the public health functions in environmental health as opposed to the very small component of the permitting aspect of environmental health." Advised, Mr. Olson "seemed to understand and indicated he, too, was surprised by some of these recommendations"; however, that "was prior to the presentation of the final spreadsheet provided to the Board." Stated, he "doesn't know from where these recommendations are coming"; that the transfer of these functions would result in a transfer of the funding and the personnel; therefore, this would not necessarily be a cost savings for the County. Stated, this document may be a starting point in the discussions; that Staff meets with Management Partners on June 29, 2011, to further discuss the proposals.

Ms. Ratti

Reiterated, she doesn't have enough information to discuss the proposals; however, she would suggest achieving "an appropriate balance" of continuing to protect the public health with consideration of the proposals.

Ms. Coulombe

Advised, Management Partners disseminated a survey tool to all Washoe County employees with the ability to provide input directly to them. Advising, Staff's practice is present items to and request direction from the Board regarding any issues of this type; that Staff will ensure the Board has the information necessary to present recommendations to Staff. Stated, the proposals "are not the Health District's recommendations; that Staff has not yet submitted a 10% plan to the County."

Ms. Ratti

Stated, in regard to the *Fundamental Services Review Washoe County*, there is the perception of "viewing the Health District as a County function, when it is actually a tri-jurisdictional function." Stated, her level of concern is "did [Management Partners] meet with any staff members of the Cities to discuss 'what is a tri-jurisdictional' partnership and function?" Stated, she would question if it is possible to ensure this occurs prior to implementing the proposals.

In response to Ms. Ratti

Ms. Jung

Advised, the *Fundamental Services Review* process was "a very rigorous research project, which Management Partners was delegated with conducting" providing the agency's "breadth and length of experience in best practices." Advised, "every employee wanting to participate was surveyed; that representatives spent time with every Commissioner; and representatives from every Department; that she will acknowledge "some of the recommendations were from the departments."

Advised, in regard to the Health District being tri-jurisdictional, Management Partners received "all of the information specific to the District Board of Health with files and folders to see how it overlays." Stated, she "will remind [Management Partners] of the tri-jurisdictional aspect of the Health District." Stated, "it would be important for Ms. Coulombe to advise [Management Partners] of how much the Cities of Reno and Sparks contribute financially to the Health District in comparison with Washoe County in the General Fund transfer; that it is not an equal partnership." Advised, the County did not consult either the City of Sparks or the City of Reno, "and probably should have, as the Cities are involved in the funding; that Ms. Ratti's comment is a point well taken." Stated, she would suggest at next month's meeting Staff provide a "side-by-side comparison of what the funding levels are between the Cities and the County and how those are computed."

Chairman Smith

Stated, Management Partners conducted "a detailed survey; that the relocation of services has been discussed previously, and "it just doesn't work"; that it will be necessary to review the recommendations of Management Partners. Advised, Dr. Iser and Staff will review the proposals and present recommendations back to the Board.

Ms. Coulombe

Advised, when the *Fundamental Review of Washoe County* was presented on June 22nd, it was with the understanding "this remains an open comment period, with Management Partners soliciting comments and input."

Ms. Ratti

Stated, she acknowledges Ms. Jung's comments the funding of the Health District "is an unequal financial partnership; however, it is an equal governance partnership; that it is important to keep that piece in mind." Stated, the Health District is not the same type of agency as "building departments, as each entity has its own building department; that there are discussions throughout the region specific to consolidation of or shared services." Stated, she is not in opposition to "any one proposal, it is necessary to achieve the best answer with the most complete information." Stated, she is aware "it has been a very robust process and very high quality"; however, as she stated, it is necessary "it be understood the Health District is different." Stated, she concurs "it is a good process"; however, her concern is the potential of creating problems is greater with the implementation of some of the recommendations without having had the input from the Cities. Stated, discussion among the entities could ensure the recommendations aren't implemented or denied "due to the process as opposed to the quality of the proposal."

Dr. Iser

Stated, he noted "in California the counties are divesting programs and projects, which the counties believe the cities should be doing"; that in having a tri-jurisdictional health district there is the opportunity to review Washoe County and the District as a whole to address environmental issues. Advised, "in Yolo County last year some functions were devolved back to the Cities or requested the cities contract with the County to provide those services. Environmental health is one program in which it would be difficult for a city to be able to provide a number of the functions environmental health does." Stated, as a "District it is necessary to consider all of Washoe County as a whole."

MOTION: Mr. Gustin moved, seconded by Ms. Jung, that the Fiscal Year 12 Budget update be accepted as presented.
Motion carried unanimously.

PUBLIC HEARING – WASHOE COUNTY DISTRICT BOARD OF HEALTH REGULATIONS
GOVERNING SOLID WASTE MANAGEMENT

1:00 p.m: This being the time set in a Notice of Public Hearing, heretofore published in the *Reno Gazette Journal* on May 20, 23, and June 1, 2011, to consider the proposed amendments to the Washoe County District Board of Health Regulations Governing Solid Waste Management.

A. Presentation and Discussion of Additions, Amendments, and Deletions to the Washoe County District Board of Health Regulations Governing Solid Waste Management

B. Section 020.010 (Adoption, Addition or Amendment of Regulations); Section 020.030 (Petitions to Appeal); Section 020.040 (Variances); Section 020.095 (Application for Variance); Section 020.100 (Variance Hearing); Section 020.105 (Variance: Action by the District Board of Health); Section 020.110 (Decision by District Board of Health); Section 020.115 (Compliance with Variance); Section 020.120 (Notice of Violation); Section 020.125 (Citation); Section 020.130 (Contents of Citation); Section 020.135 (Signature on Citation); Section 020.150 (Failure to Comply); Section 020.160 (Penalties); Section 020.165 (Severability); Section 030.005 (Solid Waste Management Systems – Approval by Health Authority); Section 030.016 (Load Screening of Waste); Section 030.020 (Placement of Solid Waste in Surface or Groundwater Prohibited); Section 030.035 (Placement of Solid Waste in Seasonal Watercourse); Section 030.041 (Establishment of Salvage Yard – Health Authority Approval Required); Section 030.045 (Treatment of Solid Waste Requires Permit to Operate); Section 030.050 (Treatment of Solid Waste Requires an Approved Operations Plan); Section 030.057 (Asbestos Disposal – Waste Release Permit Required); Section 030.090 (Open Burning); Section 030.102 (Tanks and Drums); Section 030.105 (Waste Vehicle Tires); Section 030.110 (Waste Oils); Section 030.115 (Street/Parking Lot Sweepings); Section 030.120 (Liquid Waste/Biosolids/Sludge/Special Wastes); Section 030.137 (Requirements for Disposal of Sludge and Untreated Sewage); Section 030.145 (Pesticide Containers); Section 030.150 (Dead Animals); Section 030.156 (Manure); Section 030.157 (Manure as a Soil Amendment); Section 030.158 (Manure Used in Composting); Section 030.159 (Manure Prohibited as Fill Material); Section 030.160 (Dog/ Cat Feces Prohibited as Fertilizer); Section 030.175 (Special Events); Section 030.184 (Waste Release Permit); Section 030.185 (Waste Release Permit Required for Waste Generated in Washoe County); Section 030.230 (Waste Release Permit for Land Disposal Only); Section 040.032 (Storage Time for Solid Waste in Remote Communities); Section 040.115 (Construction and Demolition Waste); Section 040.165 (Biohazardous Wastes); Section 040.170 (Salvage Yard Wastes); Section 050.015 (Responsibilities of Transporter of Solid Waste); Section 050.090 (Time Frame for Removal of Solid Waste); Section 050.125 (Waste as Property of Person Generating It); Section 050.130 (Waste as Property of Waste Collector); Section 050.145 (Illegal Dumping); Section 050.150 (Criminal and Civil Penalties for Illegal Dumping)

Ms. Jeanne Rucker, Environment Health Specialist Supervisor

Advised the Board members have been provided with a copy of the proposed additions, amendments, and deletions to the Washoe County District Board of Health Regulations Governing Solid Waste Management. Stated the proposed regulatory amendments included a "definition of garbage"; however, consideration of the noted definition has been withdrawn at this time. Advised, on May 11th Staff conducted two (2) public workshops for the discussion of the proposed Regulations; that three (3) individuals representing the primary stakeholders "for the definition of garbage" were in attendance.

Advised Section 020 (Modification of Regulations), includes variance and appeal procedures, etc. Advised, at the time the Solid Waste Regulations were adopted and implemented there were provisions for a Solid Waste Management Hearing and Advisory Board; that the Hearing Board no longer exists. Advised the previous language within Section 020 for appeals and the variance procedure "was very convoluted and difficult to understand; therefore, the language has been clarified." Advised language has been incorporated within this Section to "ensure the civil and criminal penalties afforded for illegal dumping and other solid waste violations, as delineated in Nevada Revised Statute 444 are included within the Regulations.

Advised Section 030 (Solid Waste Management Systems) has been amended and reorganized to include language specific to the ability to "permit salvage yards, which is a requirement within NRS; also included is the definition of special wastes specific to what the permitting requirements and disposal limitations are. Advised, as the Board has previously approved and adopted the Section of the Regulations specific to "waste tires" Subsection of 030.105 (Waste Vehicle Tires), this Subsection has been deleted.

Advised, Section 040 (Solid Waste Storage); that the Regulations are being amended "to allow for additional storage time of solid waste in remote communities with the provision there is no public health hazard." Stated, Section 040 further delineates time limitations as to the period of time construction and demolition debris can be stored; and how salvage yards are operated.

Advised, Section 050 (Waste Collection and Transport) has been reorganized for more cohesiveness; that "time frames for specific waste streams have been eliminated due to being out-of-date". Stated, there are provisions for allowing for "extensions of storing solid waste for valid reasons (i.e., the removal of horse manure once every seven (7) days during inclement weather).

WASHOE COUNTY DISTRICT BOARD OF HEALTH MEETING

June 23, 2011

Page 18

Advised, the proposed Regulations include provisions for civil and criminal penalties as outlined in NRS 444 for illegal dumping of solid waste. Advised, there is no fiscal impact for adoption of the Regulations; that the provisions delineated in the proposed Regulations are current policies to which Staff adheres. Advised, adoption of the Regulations will not require any reorganization of Staff to enforce these amendments. Advised, Staff recommends the Board approve and adopt the proposed additions and amendments to the Regulations as presented.

In response to Ms. Jung

Regarding an email she had received from a constituent who had attempted to attend a workshop session, Ms. Rucker stated, "she had received the same email; that the meeting was held at the Health Department building, and was in reference to the Solid Waste Management Plan not the Regulations being considered today. The individual indicated the front gates were closed; however, the gates were open; that Staff conducted three (3) workshops specific to the Solid Waste Management Plan, and the workshop in question "is the only one in which no one attended." Stated, the "Security Guard made sure the gates were open; that the front door was unlocked; that there were signs posted as to the location; that she suspects this individual attempted to come in [on 9th Street] at the main gates for the County complex not understanding the location of the Health Department building."

Ms. Jung

Stated, the individual in question does support the proposed Regulations; that she would question when Staff anticipates "having a definition for garbage."

In response to Ms. Jung

Ms. Rucker advised, "the definition, as Staff will be proposing, will be presented to the Board members in August." Advised, it will be "a much simpler definition than previously proposed; that Staff will conduct public workshops, and will again notify the primary stakeholders of those workshops.

Ms. Jung

Stated, she would commend Ms. Rucker "on an excellent job on the proposed Regulations, as she is aware this has been a very contentious issue." Stated, she believes "there will be a fiscal impact as reforming the Regulations is a giant step in creating jobs with the development of alternatives to the disposal of and reuse of solid waste rather than the disposal of all of it in a landfill." Stated,

WASHOE COUNTY DISTRICT BOARD OF HEALTH MEETING

June 23, 2011

Page 19

these alternatives "will contribute to the quality of life in the community and speaks to the values of the citizens in reducing, reusing, and recycling of any solid waste. This will open-up a new cottage industry for Nevada, and Washoe County is the first County in Nevada to do this."

In response to Ms. Jung

Ms. Rucker

Stated, Washoe County "is the first County in Nevada to implement these types of Regulations"; that Staff has been working in conjunction with legal counsel to finalize the proposed amendments, which will be presented to the Board in August.

Ms. Ratti

Stated, she "would commend Staff, as she too, has been receiving great feedback on Staff's efforts; that she would thank Staff for continuing to move forward on such a contentious issue." Stated, she has concerns regarding withdrawing the "definition of garbage and postponing it until August; as she has been contacted by a small business owner who has been threatened with legal action for diverting compost." Stated, this individual's "legal bills are increasing while awaiting a definition of garbage and who owns the waste stream; that each day this is delayed she is concerned."

Ms. Rucker

Stated, she understands the problem; however, "Staff is constrained as to legal notification requirements"; therefore, there was not ample time to advertise by the July Board of Health meeting. Stated, Staff has received inquiries regarding "food as solid waste, where it should go and where it can't go; that it is the interpretation of Staff "food is listed as a recyclable material; and therefore, can be hauled as a recyclable material and taken for composting."

In response to Ms. Ratti

Regarding food being recycled, Ms. Rucker stated it is the consensus of Staff that food is not considered "part of the waste stream if it is being recycled."

In response to Mr. Gustin

Regarding being advised "by the two (2) premier agencies involved that there was agreement as to the definition of garbage", Ms. Rucker stated, during the discussions with the stakeholders it was

the opinion of Staff that there was a "consensus as to the definition of garbage and trash, which is why it was included in the proposed Regulations." Stated, during the public hearing in August, Staff will "present the Health District's definition of garbage as delineated in the Regulations; that should the Board approve and adopt the Health District's definition, Staff will recommend the Cities amend the City Ordinances to indict the newly adopted definition of garbage." Advised, the current definitions of garbage within the City Ordinances and the Washoe County Ordinance, "are, on what the Franchise Agreements, in-part, are based. Advised, Staff will be requesting the definitions within the Ordinances are revised, "understanding there may be business impacts to that." Stated, it is the consensus of Staff, the definition of garbage being proposed has no negative impact on any one (1) existing business operations." Stated, there is the potential of the revised definition "may help support some of the proposals to facilitate better reuse of the waste streams."

In response to Mr. Gustin regarding a definition of "trash", Ms. Rucker stated, without having a copy of the Regulations with her, "there may be an existing definition for trash, rubbish, recyclable materials; that the list of definitions is quite extensive."

Mr. Gustin

Stated, he believes the "contention between the two (2) companies is 'what is residential garbage and what is commercial trash."

In response to Mr. Gustin

Ms. Rucker

Advised, there is "commercial garbage just as there is residential garbage; that in terms of solid waste management there is no distinction between residential and commercial garbage, nor is there a distinction between commercial solid waste and residential solid waste." Stated, "the long-time established agreements within the community separated-out garbage as a waste stream for which the Cities could enter into exclusive franchises, without initially referencing all of the other wastes which exist. Further, the agreements weren't specific as to commercial, industrial or residential; that the Health District has those defined within the Regulations." Stated, "the arguments being presented at the City Council meetings are probably more specific to the revenues generated by the waste streams rather than what is in them."

Mr. Gustin

Stated, while revenue is an issue, it is important there is not the perception Reno, Sparks or Washoe County do not support recycling due to "companies being unable to define what business

models should be. There was an example pilot project by the existing provider in Reno", which was very successful; that it demonstrated when the community knows what to do it can be done.

Ms. Rucker

Reiterated the stakeholders will be notified of the public hearing to discuss the proposed amendments; however, Staff "will not be changing the direction it has taken regarding the proposed regulatory amendments.

In response to Dr. Humphreys

Regarding changes in the Regulations requiring any changes in monitoring and enforcement by Staff, Ms. Rucker advised it will not require any additional monitoring or enforcement actions by Staff. Stated, the adoption of the proposed revisions "should make monitoring and enforcement easier for Staff to utilize and interpret the Regulations; that the proposed revisions delete archaic language, which was no longer applicable; and included language to ensure the District was in compliance with NRS.

C. Recommendation to Approve and Adopt Additions, Amendment and Deletions to the Washoe County District Board of Health Regulations Governing Solid Waste Management

Ms. Rucker

Recommended the Board approve and adopt the proposed additions, amendments and deletions to the Washoe County District Board of Health Regulations Governing Solid Waste Management as outlined, with the withdrawal of the proposed definition of "garbage".

Chairman Smith declared the Public Hearing Open and called upon anyone wishing to speak either in favor of or in opposition to the proposed revisions to the Solid Waste Management Regulations. There being no one wishing to speak the Public Hearing was closed.

MOTION: Mr. Gustin moved, seconded by Ms. Ratti, that the additions, amendments, and deletions to the Washoe County District Board of Health Regulations Governing Solid Waste Management, be approved and adopted as outlined, acknowledging the withdrawal of the definition of "garbage".
Motion carried unanimously.

Chairman Smith and Mr. Gustin commended Ms. Rucker and Staff on an excellent job in developing the amendments to the Solid Waste Management Regulations.

PUBLIC HEARING – WASHOE COUNTY DISTRICT BOARD OF HEALTH REGULATIONS
GOVERNING PUBLIC BATHING PLACES AND PUBLIC SPAS

1:00 p.m.: This being the time set in a Notice of Public Hearing, heretofore published in the *Reno Gazette Journal* on May 20, 23, and June 1, 2011, to consider the proposed amendments to the Washoe County District Board of Health Regulations Governing Public Bathing Places and Public Spas.

Chairman Smith declared the Public Hearing open and called upon anyone wishing to speak either in favor of or in opposition to the proposed additions to the Public Bathing Places and Public Spa Regulations.

Mr. Richard Marneck, advised he is an National Swimming Pool Foundation (NSPF) Certified Instructor; that the NSPF fully supports the proposed additions to the Regulations. Stated, he "is very impressed with Mr. Coulter and Staff developing the proposed Regulations; that the Regulations will ensure "fewer people get hurt."

Mr. Bob Sack, Director, Environmental Health Services

Advised, Staff recommends the Public Hearing be continued to next month's meeting.

Ms. Ratti

Thanked Mr. Marneck for attending and "caring enough to present comments."

MOTION: Ms. Ratti moved, seconded by Mr. Gustin, that the Public Hearing to consider the proposed additions to the Washoe County District Board of Health Regulations Governing Public Bathing Places and Public Spas be continued to the Board's July 28, 2011 meeting.
Motion carried unanimously.

PUBLIC HEARING – WASHOE COUNTY DISTRICT BOARD OF HEALTH REGULATIONS
GOVERNING AIR QUALITY MANAGEMENT

1:00 p.m.: This being the time set in a Notice of Public Hearing, heretofore published in the *Reno Gazette Journal* on May 23, June 2, and June 20, 2011, to consider the proposed amendments to the Washoe County District Board of Health Regulations Governing Air Quality Management.

A. Revisions to Section 030.905 (Sources Requiring Part 70 Permits); and Section 010.1303 (Definitions – Regulated Air Pollutant)

Mr. Chris Ralph, Environmental Engineer, Air Quality Management

Advised, the Board members have been provided with a copy of the proposed revisions to the District Board of Health Regulations Governing Air Quality Management. Advised, the topic of “regulating greenhouse gases has been long and controversial; that in 2007 the Supreme Court ruled made the determination that greenhouse gases, including Carbon Dioxide (CO₂) were a pollutant to be regulated by the US Environmental Protection Agency (EPA). Advised, in May 2010, EPA promulgated Regulations to address greenhouse gas emissions identified as the “Tailoring Rule”; that the Rule addresses large facilities emitting greenhouse gases, and required facilities to obtain air permit that demonstrate compliance with the best technologies to minimize GHG emissions.

Advised, as the “permitting authority for air pollution sources the Air Quality Management District is required to adopt the Federal Tailoring Rule. Stated, should the Board not approve and adopt the proposed Regulations, any large greenhouse emission source would be subject to the requirements of these Regulations. Stated, should the Board not adopt the proposed amendments, the Health District would not be the permitting authority for a large greenhouse emission source; that the application and permitting review would be conducted by Region IX in San Francisco. Advised, the permitting process by Region IX could result in “a delay of two (2) to three (3) years”; that it is the goal of the Air Quality Management Staff to work with local businesses; that the permitting process by the Air Quality Management Staff does not require as much time.

Mr. Kevin Dick, Director, Air Quality Management

Advised, in his Staff Report he indicated “it would be very unlikely the Air Quality Management District will encounter a source that would require a Greenhouse Gas (GHG) Permit in the near future.” Stated currently there are not any sources subject to this permitting due “to the trigger that would require a permit.”

Advised, Staff met with an engineering firm and a consultant for a proposed internet server park to be located north of the I-80 corridor (north of the Tracy Plant), which would include a 300 megawatt gas turbine. Advised during the initial discussion it was the consensus it would not be necessary to obtain a Title V GHG Permit to Operate, as it was the intent to submit the application for the Permit to Operate prior to the July effective date of EPA's Regulations. Advised, in the interim Staff has been advised EPA's determination of the effective date, is the "facility would "have had to have broken ground"; that this is not feasible for this project. Advised, Staff has been in contact with the environmental consulting firm working on this project and permit; and has provided the firm with the necessary information regarding the requirements. Stated, the Best Available Control Technology (BACT) requirements for these permits to-date, are energy efficient; that as this project will have a "modern gas turbine that is energy efficient", the company is considering "energy efficiency in the design of the server park." Stated, further the company has proposed a location in which it "could tie-in renewable energy generation"; that the proposed company is prepared to submit "a good permit application for this project." Stated, the company "would much prefer to be working with the Health District's Air Quality Management Division than US EPA" to process this application. Stated, the company will be subject to the permit requirement regardless of whether the District Board of Health approves and adopts the proposed revisions or not; that the company will be required to apply for a Title V Permit.

Advised, it will be necessary to provide information to the Board specific to the permitting fee structure for Title V Greenhouse Gas emissions, as he did not believe it would be appropriate to utilize the same fee structure for Title V GHG Permits as is utilized for other major emission source permits. Stated, EPA's "Tailoring Rule" has increased the permitting thresholds "so much higher" for the greenhouse gas emissions, as it is "so different from other types of pollutants."

B. Recommendation for Approval and Adoption of the Revisions to the Washoe County Regulations Governing Air Quality Management

Mr. Ralph

Advised, Staff recommends the Board approve and adopt the proposed revisions to the Regulations as required by the 40 Code of Federal Regulations (CFRs); and the 70 CFRs is specific to large Title V Sources identified in the Clean Air Act, which stipulates permitted sources must "comply with the Federal Law."

Chairman Smith declared the Public Hearing open and called upon anyone wishing to speak either in favor of or in opposition to the proposed revisions to the Air Quality Management Regulations. There being no one wishing to speak, the Public Hearing was closed. *

MOTION: Ms. Ratti moved, seconded by Ms. Jung, that the revisions to the Washoe

**District Board of Health Regulations Governing Air Quality Management,
be approved and adopted as presented.
Motion carried unanimously.**

ACCEPTANCE – FINAL REPORT – WASHOE COUNTY HEALTH DISTRICT – 2011
LEGISLATIVE BILL TRACKING

Dr. Iser

Advised the Board members have been provided with a copy of the Washoe County Health District's Final Report for the 2011 Legislative Session (a copy of which was placed on file for the record). Advised, in his Health Officer's Report, he did reference Mr. Sack attending the hearings specific to AB 571, which lessened the restrictions of the Nevada Clean Indoor Air Act (NCIAA) regarding smoking restrictions in food establishments. Advised AB 571 did pass; that subsequently he "made many telephone calls to the Governor's office" to recommend the Bill not be signed into Law; however, none of his calls were returned. Stated, Mr. Sack did advise him today that the Governor did sign the Bill.

Advised, Staff will be reviewing SB 471, which is the Bill "specific to the push-downs to local health authorities on various functions", to determine the impact to the affected Health District Programs.

In response to Ms. Ratti

Regarding the status of the NCIAA "and moving forward", Mr. Sack advised the concern is "due to the unique language of the new provisions" there is the possibility regardless of "any decision Staff makes in enforcing the new provisions, as it relates to smoking in the specific restaurants, the Health District could be legally wrong regardless of which decision Staff makes." Staff is conferring with Ms. Admirand regarding this issue; that legal counsel will possibly be requesting "asking a series of questions from the Attorney General's office for clarification as to the Health District's legal position. There was ambiguity in the existing law; that the revised Law may allow smoking in other areas of restaurants; however, it not clear on what those areas may be; that the amendments are more ambiguous." In regard to collaborating with the other Health Districts, Mr. Sack advised he has been conferring with Southern Nevada and the State; that Southern Nevada is also having the Bill reviewed by its legal counsel; that is not aware of what action Southern Nevada may pursue. Stated, in requesting direction from the Attorney General's Office, "any direction from the Attorney General will apply statewide; that it will be necessary to complete this process prior to determining what can be done." Stated, as, the Board is aware, neither the Staff nor the District Board of Health can sponsor legislation; and each of the legal jurisdictions have a limited number

of Bills which can be proposed. Stated, "this was a very contentious issue with a split vote among the Legislators; that the Legislators may not want to address this issue again; however, at some point it will have to be addressed." In response to Ms. Ratti regarding a Coalition to address this, Mr. Sack advised there is a coalition; however, the Coalition's perspective is different from the Health District's; that although the goal of both agencies is a reduction in the use of tobacco products, the Health District "is charged with the enforcement of State Law in regard to smoking restrictions and prohibitions." Advised, Staff "has to be able to perform the duties of the District in a defensible manner; and take any legal enforcement action; however this is currently it is not understood what that is."

In response to Mr. Gustin

Regarding lessening the smoking restrictions while reducing funding for smoking cessation programs, Mr. Sack advised the funding for smoking cessation programs has been steadily decreasing the past couple of years, prior to the lessening of the restrictions. Stated, as the Board was advised, "AB 571 was introduced during the last two (2) weeks of the Session; that Staff did not have the opportunity to provide meaningful input towards this Bill."

MOTION: Ms. Ratti moved, seconded by Dr. Humphreys, that the June (and final) 2011 Legislative Tracking Report be accepted as presented.
Motion carried unanimously.

PRESENTATION – RECOMMENDATION – APPROVAL – WASHOE COUNTY HEALTH DISTRICT'S APPLICATION – VOLUNTARY RETAIL FOOD REGULATORY PROGRAM STANDARDS GRANT OPPORTUNITY

Mr. Tony Macaluso, Environmental Health Specialist Supervisor

Advised he is a Supervisor in the Health District's Food Program, advising the Food and Drug Administration (FDA) Retail Food Program has received funding for distribution to jurisdictions participating in the Voluntary National Retail Food Regulatory Program Standards; that the Health District is a participant enrolled in the National Retail Food Program Standards since 2004. Advised, 'there are nine (9) Standards, which are the basis for "the foundation of the Continuous Improvement Program for the District's Food Program."

Stated, as he noted, FDA has funding available for the continuous improvement within the Standards Program; that to be awarded the funding the FDA "is seeking proposals with a deliverable." Advised, Staff proposed to initiate a self-assessment, which will indicate how Staff is currently performing; that Staff conducted an initial self-assessment in 2006 when the

Department began participating in the Standards Program; that "it is time for another self-assessment." Advised, the self-assessment will include the identification of *Nevada Revised Statute* (NRS) 439 (General Powers of the Health Authority), and NRS 446.

Advised, the fundamentals of the ten (10) public health essentials addressed by this application would be: #1 Monitor health status to identify community health problems; #2 Diagnose and investigate health problems; #3 Inform and education; #6 Enforce laws and regulations; #8 assure a competent health workforce; that these correlate with the nine (9) Standards, which Staff will utilize to improve the Health District's Food Program "under FDA, specific to the regulations; training of Staff; Epi investigations; consistency with Hazard Analysis Critical Care Points (HACCP) based program; consistency with enforcement; public outreach; self-assessment; and budgetary issues." It is the consensus Staff will "meet the criteria of the ten (1) public health essentials."

Advised, in regard to "does the Health District need this", the Health District is mandated to conduct inspections of food service establishments. Advised, the direction of the District Board of Health "was to seek funding and resource development opportunities; that this grant opportunity will assist Staff in completing the self-assessment. The completion of the self-assessment will assist Staff in the development of a competent public health workforce allowing for the collaboration of community groups and constituents.

Advised, specific to addressing "a public health need", the Centers for Disease Control and Prevention (CDC) estimates foodborne outbreaks result in approximately 76 million illnesses; 325,000 hospitalizations; and 5,000 deaths in the United States annually.

Stated, should the Health District not receive the grant funding, the self-assessment "will be completed; however, not in a timely manner; that, further, the District will lose future FDA funding opportunities." Stated, Staff has conferred with the FDA Regional Representative, and was advised "due to the Food Safety Modernization Act Congress will be providing additional funding" to agencies demonstrating improvements in the food safety programs "to become more risk-based" in prevention.

Advised, to assist in achieving the "deliverables" the Health District would hire an intermittent hourly employee; that working with community partners to achieve the goals is not applicable.

WASHOE COUNTY DISTRICT BOARD OF HEALTH MEETING

June 23, 2011

Page 28

Advised, the funding from the FDA is \$2,500, with no matching funds required; no operating nor equipment expenditures; no sub-contract(s) with outside agencies; that the District would be reimbursed for the intermittent hourly Environmental Health Specialist position.

Advised, the Administrative Health Services Officer, has reviewed and concurs with the proposed grant application; that the application is completed and should assist the Health District "to get a foot in the door."

Advised, "success will be measured through the completion of the self-assessment; that a Report will be provided to the Board of Health upon completion." Advised, the Report will list the successes since the previous self-assessment; the improvements necessary; and the completion of a final Report.

Advised, the application must be submitted by July 15, 2011; that the FDA will notify the District by August 5, 2011, should the application be approved; and the initiative will be completed by July 2012.

Mr. Gustin stated, "the importance of food safety has been discussed by the Board for a number of years; that the [Health District] has a great Program and he would support the submission of the grant application to maximize the Program."

Dr. Humphreys

Stated, as a component of his orientation he accompanied Mr. Macaluso on some inspections; that it revealed to him the importance of the Program; that any assistance Staff can obtain to improve the Program further he would support.

Dr. Iser

Stated, as a former employee of the FDA he fully supported the proposal when presented to him by Mr. Sack.

Ms. Coulombe

Advised, Mr. Macaluso did an excellent job in preparing the proposal for the grant application.

MOTION: Mr. Gustin moved, seconded by Ms. Jung, that Staff be directed to

**proceed with the application to the Voluntary National Retail Food Regulatory Program Standards Grant Opportunity, as outlined.
Motion carried unanimously.**

APPROVAL – EXPENDITURES – TRAVEL FUNDS – MS. JUNG – DISTRICT BOARD OF HEALTH REPRESENTATIVE TO THE NATIONAL ASSOCIATION OF LOCAL BOARDS OF HEALTH (NALBOH) CONFERENCE – COEUR D'ALENE, IDAHO – SEPTEMBER 7 – 9, 2011

Chairman Smith

Advised, last month the Board approved Ms. Jung attending the National Association of Local Boards of Health (NALBOH) as the Washoe County District Board of Health representative; that it is necessary to approve her travel and registration expenditures.

**MOTION: Dr. Humphreys moved, seconded by Ms. Gustin, that the expenditures associated with Ms. Jung's attendance at the National Association of the Local Board's of Health (NALBOH) Conference in Coeur d'Alene, Idaho, September 7 – 9, 2011, as the Washoe County District Board of Health representative be approved.
Motion carried unanimously.**

DISCUSSION – POSSIBLE APPOINTMENT – AT-LARGE PHYSICIAN MEMBER APPOINTED BY THE DISTRICT BOARD OF HEALTH -- COMPLETING THE UNEXPIRED TERM OF DR. AMY KHAN – JULY 2011 – DECEMBER 31, 2014

Chairman Smith

Advised, the Board members have been provided with copies of the letters of intent, and the education and professional experience of the following three (3) candidates for the completion of the unexpired term of Dr. Amy Khan: 1) Dr. George Hess; Dr. Troy Ross; and Dr. John Cassani. Advised, the physician appointment is the At-Large member position and is the appointee of the District Board of Health. Stated, it had been the determination of the Board to have Dr. Furman and Dr. Humphreys confer with each of the candidates to review duties, responsibilities and commitment of being a member of the Board of Health.

Dr. Humphreys

Stated, he conferred with the applicants, and the Board has "three (3) solid candidates from which to choose; that it would be very difficult to state one candidate stood out from the other(s)." Stated, all three (3) candidates have a good understanding of the role of serving on the Board of Health and the benefit to the public, including the responsibilities and commitment.

Advised, Dr. George Hess is a retired physician who is very involved in the community, including the Inter-Hospital Coordinating Council (IHCC); that Dr. Hess did receive the endorsement of the Washoe County Medical Society.

Advised, Dr. Troy Ross graduated from Reno High School and the University of Reno Medical School; and retired in 2009 from the US Army Medical Corp, relocating back to Reno. Advised, currently Dr. Ross is working for Concentra; that Dr. Ross does have a Masters in Public Health. Stated, "Dr. Ross does have a great interest in public health, and will be getting into private practice after the first of 2012." Stated, in the discussion, Dr. Ross, who remains in the Army National Guard, advised he is being deployed to Iraq for a period of three (3) months from the end of July returning in November.

Advised, Dr. John Cassani has an active family practice in the community; that he has had the opportunity "to work professionally with Dr. Cassani; that Dr. Cassani has also been involved in emergency medical services care; and participated in the IHCC. Dr. Cassani has a lot of business and budgetary experience."

Advised, the Board "has three (3) stellar candidates to consider."

Dr. Furman

Stated, he conferred with the candidates and Dr. Humphreys has "summarized it very well, and he concurs with everything Dr. Humphreys stated; that the Board has three (3) very good candidates."

Ms. Jung

Stated she would nominate retired Dr. George Hess as the Board's At-Large appointee; that Dr. Hess has had an extensive career in the community; and has been very active in the community. Stated, although the Board had stipulated the physician appointed "would not have to be a member

of the Washoe County Medical Society (WCMS)", she is aware Dr. Hess is very active in the WCMS.

Mr. Gustin

Stated, in reviewing the applications, he, too, would concur with the comments presented by Dr. Humphreys and Dr. Furman regarding the excellent quality of the candidates. Stated, he would support the consideration of Dr. Cassani, as Dr. Cassani "operates a private business in the community; that he is impressed with Dr. Cassani's volunteerism. Stated, he regrets Dr. Ross is being deployed and would not be returning until November resulting in a number of missed meetings. Stated, due to the quality of the candidates he will support any candidate chosen by the Board.

MOTION: Ms. Jung moved, seconded by Dr. Furman, that Dr. George Hess be appointed to the Washoe County District Board of Health as the At-Large physician member, to complete the unexpired term of Dr. Amy Khan, serving from July 2011 through December 31, 2014.
Motion carried unanimously.

STAFF REPORTS AND PROGRAM UPDATES

A. Director, Epidemiology and Public Health Preparedness

Dr. Randall Todd, Director, Epidemiology and Public Health Preparedness, presented his monthly Division Director's Report, a copy of which was placed on file for the record.

Dr. Todd

Advised, as the Board members may be aware there has been an outbreak of E-coli, primarily in Germany; that in reviewing today's update he noted there have been five (1) confirmed and one (1) suspect case in the United States; that of the confirmed individuals in the US the majority of had traveled to the affected area. Advised, an unconfirmed fatal case occurred in Arizona; that Staff has disseminated an Epi newsletter regarding the subject to advise physicians to be aware of the symptoms and to order the appropriate clinical testing should a patient exhibit symptoms.

In response to Ms. Jung

Regarding "protecting yourself by not eating sprouts", Dr. Todd stated that E-coli can have a variety of sources, including rare ground beef; that the difference for a "rare steak is the meat is cooked

enough on the outside it should kill any bacteria which might be present." Advised the problems occur "when the meat is ground 'what was on the outside is now on the inside', and if the inside of the meat is undercooked viable organisms may not have been killed resulting in illness." Stated, previously E-coli was associated with ground meat; however, there have been recent outbreaks associated with vegetables and sprouts, etc. Stated, it has not yet been determined how the sprouts from "one farm in Germany became contaminated; that the sprouts have been removed from the markets in Europe and cases are beginning to decrease." Stated, "proper washing of vegetables is always helpful."

Dr. Iser

Stated he was with the FDA during the E-coli outbreak associated with spinach, which was pre-washed for "eating out of the bag"; that it had been the recommendation "it did not have to be washed to prevent cross-contamination." Stated, he recommends purchasing whole leaf lettuce and spinach and washing the leaves; that he would also recommend washing any fruit or vegetable in which the peel would be eaten.

Dr. Todd

Stated, he concurs with Dr. Iser regarding washing all fruit and vegetables; that he would further recommend washing any vegetable or fruit which "will be cut into, as there is the possibility of introducing contamination into the interior."

B. Director – Community and Clinical Health Services

Mr. Steve Kutz, Public Health Nursing Supervisor, presented Ms. Brown's monthly Division Director's Report, a copy of which was placed on file for the record.

C. Director – Environmental Health Services

Mr. Bob Sack, Director, Environmental Health Services, presented his monthly Division Director's Report, a copy of which was placed on file for the record.

D. Director – Air Quality Management

Mr. Kevin Dick, Director, Air Quality Management, presented his monthly Division Director's Report, a copy of which was placed on file for the record.

Mr. Dick

Advised, "through May 2011, the Air Quality Management Division has accepted forty-three (43) new Authority to Construct applications, which exceeds the 2010 total number of forty (40); that hopefully this is an indicator of some increased economic activity." Stated, "unfortunately there continues to be much fewer construction applications for Dust Control Permits compared to previous years.

E. Administrative Health Services Officer

Ms. Eileen Coulombe, Administrative Health Services Officer, presented her monthly Administrative Health Services Officer Report, a copy of which was placed on file for the record.

Ms. Coulombe

Advised, in her Administrative Health Services Officer Report, she will be providing periodic updates specific to Technology Services and the various projects on which Mr. Fisher and Mr. Splan are working.

Stated, Dr. Furman had previously requested having the Food Inspection Reports and score on the Health District website; that Mr. Fisher is working with the IT Division to achieve this goal.

F. District Health Officer

Dr. Joseph Iser, District Health Officer, presented his monthly District Health Officer's Report, a copy of which was placed on file for the record.

Dr. Iser

Stated, as the Board "is already aware, the Division Directors, and other Health District Staff are of the highest of quality; that he has received nothing but support from Staff; that he would thank the Board members for being given the opportunity to serve as the District Health Officer for the next many years."

BOARD COMMENT

In response to Dr. Furman

Regarding writing thank you letters to the three (3) candidates for the District Board of Health physician position, Mrs. Smith advised that she will do that "as part of the Board's after-action letters."

Mr. Gustin

Stated, he too, would commend Staff regarding "their level of cooperation", advising last Friday he received a late afternoon telephone call from a local casino regarding the Health Department closing a pool at the facility and requesting his assistance to get it re-opened. Stated, he is now aware the closure was due to the casino not adhering to the direction of Staff; that Ms. Coulombe and Ms. Rucker are to be commended for working with the operators of the casino "to get the pool re-opened and operating within twenty-four (24) hours." Stated, Staff "took the extra time to determine what could be done and how to go about getting it down; that everyone who assisted is to be commended." Stated, he has conferred with the representatives of the casino, who became aware "it was an error of the employees and not the Health District." Stated, he is aware "Staff has enough to do and yet he received an email after 5:00pm on Friday advising him the problem was being resolved; that, again, Staff is to be commended for these efforts."

Ms. Ratti

Introduced "Evan, a student who is interning with her to learn about local government; that he will be organizing a community clean-up in Sparks as part of his internship."

WASHOE COUNTY DISTRICT BOARD OF HEALTH MEETING

June 23, 2011

Page 35

There being no further business to come before the Board, the meeting was adjourned at 3:05pm.



JOSEPH P. ISER, MD, DrPH, MSc
DISTRICT HEALTH OFFICER/SECRETARY



JANET SMITH, CPS
RECORDER