

WASHOE COUNTY DISTRICT BOARD OF HEALTH
June 24, 2010

PRESENT: Denis Humphreys, OD, Chairman; George Furman, MD; Councilman Dan Gustin;
Amy Khan, MD; Commissioner Kitty Jung; and Councilwoman Julia Ratti

ABSENT: Mr. Matt Smith

STAFF: Dr. Mary Anderson, District Health Officer; Eileen Coulombe, Administrative Health Services Officer; Bob Sack, Director, Environmental Health Services; Andrew Goodrich, Director, Air Quality Management Services; Dr. Randall Todd, Director, Epidemiology and Public Health Preparedness; Mary-Ann Brown, Director, Community and Clinical Health Services; Jeanne Rucker, Environmental Health Specialist Supervisor; Noel Bonderson, Air Quality Supervisor; Steve Fisher, Department Computer Application Specialist; Curtis Splan, Department Computer Application Specialist; Cindy Hawks, Office Support Specialist; Scott Monsen, Vector-Borne Disease Program Coordinator; Allan Tobey, Air Pollution Control Specialist; Suzanne Dugger, Air Quality Specialist; Jim English, Senior Environmental Health Specialist; Stacy Hardie, RN, Public Health Nursing Supervisor; Debra Barone, Health Care Systems Liaison; Craig Petersen, Air Quality Specialist; Julie Hunter, Air Quality Specialist; Lori Mendoza, Air Quality Specialist; Janet Smith, Recording Secretary; and Leslie Admirand, Deputy District Attorney

At 1:07 pm, Chairman Humphreys called the Washoe County District Board of Health meeting to order, followed by the Pledge of Allegiance led by Councilman Dan Gustin, District Board of Health member.

ROLL CALL

Roll call was taken and a quorum noted. Mrs. Janet Smith, Recording Secretary, advised that Mr. Smith is excused.

PUBLIC COMMENT

Ms. Sally Weichert, resident of Galena Forest Estates

Requested the status of the REMSA Franchise Agreement.

WASHOE COUNTY DISTRICT BOARD OF HEALTH MEETING

June 24, 2010

Page 2

Mr. Bob Ackerman, resident of Galena Forest Estates

"At his age response time is near and dear to his heart; that he is a strong advocate for having the fire districts being able to attend and transport the patient; that this is nothing against REMSA per se." The area being serviced "relying on a single source is a poor choice." He is "disappointed that, as the Board goes through the agenda" the public does not have the opportunity to present comments to certain agenda items.

Ms. Leslie Admirand, Deputy District Attorney

In response to Mr. Ackerman, advised that the Board does allow comment on items listed on the agenda; that public comment cards are available to "fill out, listing the item number, to allow for public comment on any item" before the Board.

Chairman Humphreys

Advised the audience that anyone, "who would like to present a public comment, may complete a public comment card listing the item number and they will be heard by the Board."

Ms. Ronnie Solaro

Requested an update on the market study and bid process for ambulance services.

In response to Chairman Humphreys

Regarding responding to the public comments, Ms. Admirand advised that "should the Board want to address these questions these issues can be agendaized for a future meeting, as these items are not listed on today's agenda."

APPROVAL/DELETIONS – AGENDA – JUNE 24, 2010

Chairman Humphreys

Item 7.A.1.a. – Air Quality Management Cases – Mertiage Homes of Nevada will be considered separately; that item 7.D. Approval of Subgrant Amendment #1 – Nevada State Health Division,

WASHOE COUNTY DISTRICT BOARD OF HEALTH MEETING

June 24, 2010

Page 3

Bureau of Child, Family and Community Wellness – Maternal Child Health (MCH) Pregnancy Connection Grant Program has been withdrawn.

Upon completion of the meeting there is an Open House at the newly relocated Air Quality Management Division offices.

Dr. Furman

Requested item 7.C.1. Ratification of Interlocal Agreement - Washoe County Health District and the University of Nevada School of Medicine Integrated Clinical Services, Inc., and the University of School of Medicine Multi-Specialty Group Practice North, Inc., in a total amount not to exceed \$11,300, Pertaining to Male Sterilization be considered separately.

**MOTION: Mr. Gustin moved, seconded by Ms. Ratti, that the agenda for the District Board of Health June 24, 2010 meeting be approved as amended.
Motion carried unanimously.**

APPROVAL/ADDITIONS/CORRECTIONS – MINUTES – MAY 27, 2010

Chairman Humphreys

The minutes of May 27, 2010, have been presented in a different format; that he would request the Board members comments regarding this new format.

It was the consensus of the Board to retain the new format.

Chairman Humphreys called for any additions, deletions or corrections to the minutes of the May 27, 2010 meeting.

Dr. Furman stated that he would abstain from the vote.

**MOTION: Dr. Khan moved, seconded by Ms. Ratti, that the minutes of the District Board of Health May 27, 2010 meeting be approved as received.
Motion carried with Dr. Furman abstaining.**

RECOGNITIONS

Mr. Andrew Goodrich, Director, Air Quality Management

Introduced Mr. Allan Tobey, the new Air Quality Specialist in the Monitoring Program; that Mr. Tobey "fills a position which has been vacant for more than two (2) years."

Chairman Humphreys and Dr. Mary Anderson, District Health Officer, presented a Certificate of Recognition to Ms. Cindy Hawks for 10 Years-of-Service.

CONSENT AGENDA – AIR QUALITY CASE – MERITAGE HOMES OF NEVADA – UNAPPEALED NOTICE OF VIOLATION

Staff advised that **Citation No. 4961, Case No. 1053** was issued to **MERITAGE HOMES OF NEVADA** on April 27, 2010, for failure to renew an expired Dust Control Permit D08002 and failure to control fugitive dust emissions on the Breckenridge job site at the corner of Eaglecrest and Grand Summit Drive, in violation of Section 040.030 (Dust Control) of the Washoe County District Board of Health Regulations Governing Air Quality Management. Staff advised that Mr. Manny Silva, Meritage Homes of Nevada, was advised of the right of appeal; however, no appeal was filed; that Staff recommends Citation No. 4961, Case No. 1053 be **upheld** and a fine in the amount of **\$750** be levied.

Mr. Noel Bonderson, Air Quality Specialist

"This case is typical of problems occurring due to foreclosed properties"; that Staff attempted to work with the representatives of Meritage Homes regarding renewal of the required Dust Control Permit and to have the area re-palliatized. Numerous complaints have been received regarding blowing dust emissions from this site; therefore, Ms. Suzanne Dugger, Air Quality Specialist issued a Notice of Violation, which was forwarded by return receipt certified mail to Mr. Manny Silva of Meritage Homes of Nevada with an appeal form. The appeal form delineates various reasons for appealing a Notice of Violation, including the opportunity to appeal a Notice of Violation based upon "no longer owning the property"; that no appeal was received within the allowed period of time. Mr. Silva contacted him (Mr. Bonderson) on Monday of this week and indicated he would email documentation demonstrating that Meritage Homes of Nevada no longer owned the property in question when the violation occurred; however, no documentation has been received, and he did attempt to contact Mr. Silva regarding that documentation.

The Dust Control Plan indicates the Air Quality Management is to be advised as to any change of ownership of property requiring a Dust Control Permit; that AQM received "no notification from Meritage either prior to or after the issuance of the Notice of Violation; therefore, the documentation of record lists Meritage Homes of Nevada as the current owner of the subject property.

To ensure due process he did request that Mr. Silva submit the documentation that Meritage Homes of Nevada "no longer owns the property" and that it would be presented to the District Board for consideration; however, no documentation has been received.

Documentation was submitted that Meritage Homes of Nevada was properly notified and is still considered the owner of record; that Staff recommends the Notice of Violation be upheld and a fine in the amount of \$750 be levied against Meritage Homes of Nevada.

In response to Mr. Gustin

Regarding a representative of Meritage Homes being present, Mr. Bonderson stated that he attempted to contact Mr. Silva "again this morning" regarding the Notice of Violation being considered by the Board of Health today.

In response to Ms. Ratti

Regarding future complaints against this property, Mr. Bonderson advised that Ryder Homes has indicated "the company will be purchasing this property"; however, until such time as Ryder Homes becomes the owner of record or Meritage Homes provides documentation "it is not the owner of record", Staff will continue to respond to complaints and "take enforcement action when appropriate and will continue to cite Meritage Homes as the owner of record.

MOTION: Mr. Gustin moved, seconded by Ms. Jung, that Citation No. 4961, Case No. 1053 (Meritage Homes of Nevada), be upheld and a fine in the amount of \$750 be levied.

Motion carried unanimously.

CONSENT AGENDA – UNAPPEALED NOTICE OF VIOLATION

Staff advised that **Citation No. 4960, Case No. 1054** was issued to **UNR OWNERS LLC** on April 14, 2010, for for failure to renew the expired Dust Control Permits AO8036 and BO8012 for properties located on Military Road, Stead Boulevard and Echo Avenue, in violation of Section

040.030 (Dust Control) of the Washoe County District Board of Health Regulations Governing Air Quality Management. Staff advised that UNR Owners LLC was advised of the right to appeal; however, no appeal was filed; that Staff recommends Citation No. 4960, Case No. 1054 be upheld and a fine in the amount of \$250 be levied.

MOTION: Ms. Jung moved, seconded by Dr. Khan, that Citation No. 4960, Case No. 1054 (UNR Owners LLC), be upheld and a fine in the amount of \$250 be levied.

Motion carried unanimously.

CONSENT AGENDA – BUDGET AMENDMENTS/INTERLOCAL AGREEMENT

The Board was advised that 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 Multi-Specialty Group Practice North, Inc.**, in a **total amount not to exceed \$11,300** pertaining to **male sterilization procedures** for the period of July 1, 2010 through June 30, 2011.

Dr. Furman

This is a component of the Family Planning Program, which has been prioritized “to be transferred to the private sector”; that there are other agencies “interested in assuming this program; that it will save the County money.” These other agencies “work efficiently and will continue to do that; that these agencies can apply to provide these services” and those agencies “want to do that.”

The period of the proposed Interlocal Agreement is from July 1, 2010 through June 30, 2011; however, the Agreement “can be terminated by either party with a thirty (30) day notice.”

Ms. Mary-Ann Brown, Director, Community and Clinical Health Services

This Agreement is a with the University of Nevada School of Medicine Multi-Specialty Group to provide essential family planning services, specifically for additional vasectomy procedures through supplemental Title X funding, which was accepted by the Board of Health at a previous meeting.

In response to Chairman Humphreys

Regarding the time period of this Agreement "being contiguous with the time frame of the other grant", Ms. Brown advised that it is contiguous with the other grant.

Mr. Gustin

Questioned Dr. Furman's recommendation is to "not approve this Agreement or to approve it and then provide thirty (30) days notice of termination when another agency has an RFP prepared and is willing to assume the grant."

In response to Mr. Gustin

Dr. Furman stated that he would be "willing to approve this Agreement today"; however, his concern is future financial reductions to the funding for the Health District; that he has supported transitioning the Family Planning Program to other agencies, "which operate quite effectively and have indicated to him that they would like to assume control of this Program." These agencies are willing to apply for the \$700,000 in funding to provide these services; that these agencies "are already providing these services and could do so more effectively than CCHS." He is willing to approve this Agreement today; however, these services "can be done in a different way and [the Health District] should be prepared to terminate."

Mr. Gustin

His concern was "how this structurally would be achieved, and would the Health District be involved in the transition."

In response to Mr. Gustin

Ms. Brown advised that the five (5) year competitive grant cycle ends in 2012, at which time the District Board would make the determination as to direct Staff to reapply for the grant funding or not. Chairman Humphreys and Dr. Anderson have indicated the discussion regarding the Health District submitting an application for the next five (5) year competitive grant will occur at the District Board's Strategic Planning Session in October. Should the Board determine the Health District will not be applying for next competitive grant cycle; that it would then be the decision of other agencies within the community to apply.

In response to Mr. Gustin

Regarding the termination of the contract, Dr. Furman advised that the Agreement can be terminated at any time with thirty (30) days notification. The Board previously discussed the transition of Family Planning Services to other organizations during the "last grant cycle" that "CCHS now proposes to continue the grant through 2012."

Ms. Brown

She reiterated that this Interlocal Agreement being considered was approved previously by the Board of Health; that this is supplemental funding to the current five (5) year grant cycle.

Ms. Jung

"It is her understanding that there was an analysis of the abilities of other providers to assume the Title X funding and it was determined other providers would be ineligible due to being unable to provide free services to those clients who would be unable to pay, which is a primary contingent of Title X." The other issue discussed was the other providers "didn't have the structural ability to provide these services."

In response to Ms. Jung

Ms. Brown advised that there was considerable discussion, including an opinion from legal counsel, with a subsequent analysis performed regarding "two (2) aspects of the Program, including 'at what point would [the Health District] no longer provide Family Planning Title X Services' and 'what is the capacity within the community to successfully apply for the grant in a competitive process'." Staff will continue to dialogue with the community partners as to "what would be appropriate in terms of providing Title X services; that Title X is a very complex grant and a difficult grant to manage. Should the Board's direction be 'to not apply' the WCHD's Clinic would close and hopefully a provider in the community would be successful in that grant application process and would establish a Title X Family Planning Program."

Ms. Jung

Her concern is "if this isn't managed with the proper analytics and be realistic about this" it is possible "this region would no longer be receiving Title X funding, which would be devastating; therefore, she would request the Board be mindful of that; as that is a priority when considering Title X Family Planning and any potential to transfer it to the private or non-profit sector." It is

essential the Program "does not become at risk for losing complete funding from Federal Title X for family planning/reproduction within the community."

Ms. Brown

At the Board's direction, Staff did implement improvement measures to reduce the general funding to 10% (excluding revenue generated) for the Family Planning Program. Reiterated that Chairman Humphreys and Dr. Anderson have indicated the renewal or decision not to renew the Title X grant at the end of the grant cycle will be discussed at the Strategic Planning Retreat in October.

Ms. Ratti

This issue was discussed "in-depth, with the Board receiving quite an amount of information about it"; that the District "did dramatically reduce the amount of matching funds to the minimum absolutely necessary for providing services to the community." She supports that decision "as it was made in the context of the overall budget process"; therefore, "this decision has been made; that the Health District isn't providing a direct service; that it is subcontracted to another agency to provide this service; that it has been determined this entity is capable of doing so in an efficient manner." She recommends "moving forward and supporting this Interlocal Agreement." She would support a more in-depth discussion at the Strategic Planning Retreat regarding "the appropriateness of [the Health District] continuing to provide Title X; however, for this Agreement this decision has already been made."

Dr. Furman

Renown Medical Center has the capacity and the personnel to provide this Program; that "it fits right into their Program; that Planned Parenthood has the capability; that a number of Planned Parenthood programs provide the Title family planning services. In consulting with Region IX he has been advised that "Region IX cannot promise that one of these organizations would be awarded the funding, as it would be necessary for agencies to apply and Region IX to determine which agency would receive the funding." He is not concerned that Washoe County would lose Title X family planning funding should the Health District not apply for that grant.

Chairman Humphreys

This issue has been previously discussed in-depth; that, as noted in today's discussion, this item will be discussed during the Board's Strategic Planning Retreat; that the Agreement being considered today is "a small component of the overall grant application within the Title X funds."

MOTION: Ms. Ratti moved, seconded by Mr. Gustin, that the Interlocal Agreement between 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., in a total amount not to exceed \$11,300 pertaining to male sterilization procedures for the period of July 1, 2010 through June 30, 2011, be approved and the Chairman authorized to execute on behalf of the Board. Motion carried unanimously.

CONSENT AGENDA – BUDGET AMENDMENT/INTERLOCAL AGREEMENT

The Board was advised Staff recommends **retroactive approval** of the **Washoe County District Health Officer's acceptance** of the **Subgrant Amendment #1** from the **Nevada Department of Health and Human Services, Health Division** for the period of January 1, 2010 to December 31, 2010, in the amount of **\$249,654** in support of the **Immunization Program (IO 10028)**, for the total calendar year of 2010 funding of **\$344,183**.

MOTION: Ms. Jung moved, seconded by Dr. Khan, that the retroactive approval of the District Health Officer's acceptance of the Subgrant Amendment #1 from the Nevada Department of Health and Human Services, Health Division, for the period of January 1, 2010 to December 31, 2010 in the amount of \$249,654 for the total Calendar Year 2010 funding of \$344,183, be approved as presented. Motion carried unanimously.

REGIONAL EMERGENCY MEDICAL SERVICES AUTHORITY

A. Review and Acceptance of the Operations and Financial Report – May 2010

Mr. Jim Gubbels, Vice President of REMSA

The Board members were provided with a copy of the May 2010 Operations and Financial Report; that the emergency response time for life-threatening calls in May was 94% and 97% for non-life threatening calls. The monthly average bill for air ambulance service for May was \$5,493, with a year-to-date average of \$6,432. The monthly average bill for ground ambulance service for May was \$890, with a year-to-date average of \$929.

MOTION: Ms. Ratti moved, seconded by Mr. Gustin, that the REMSA Operations and Financial Report for the month of May 2010 be accepted as presented.

Motion carried unanimously.

B. Update – REMSA's Community Activities Since May 2010

Mr. Gubbels

The April 30, 2010 edition of the *Reno Gazette Journal, Local Life* section, featured an article about Ms. Jessica Bauer, Emergency Medical Technician (EMT), who, while on her way to work, encountered a car fire. Ms. Bauer "contacted dispatch, put on her Nomex (fireproof) jacket and assisted the individual from his vehicle safely; that she remained with the patient until a unit arrived to transport him to the hospital."

Channel 2 News presented a feature on Ms. Ginger Oliveira, Paramedic/Certified Emergency Medical Dispatcher, who assisted a family, "on the phone", in the delivery of their baby; that Ms. Oliveira had the opportunity to later meet the parents and the new baby.

Mr. Bob Ackerman

During an emergency with his wife the first agency on scene was the Sierra Fire Protection District, which "saved his wife who was flat lining"; that REMSA then arrived and transported his wife. "Response time is critical and in their area lives have been lost because of a delayed response time." He is "not disparaging REMSA; however, he would request the Board consider that there should be more than one (1) agency capable of transporting patients to the proper medical care; that Sierra Fire Protection District firemen are trained medical technicians." He lives in a "somewhat remote area on the hillside and [Sierra Fire Protection District] is in a position to respond much quicker and get to the patient"; that "they should be able to carry them into a facility where there is proper care." Reiterated that he would "request [the Board of Health] consider that on the next agenda for discussion and invite the people in from the fire department to speak"; that North Lake Tahoe is a good model as it has the ability to transport.

REVIEW – ACCEPTANCE – MONTHLY PUBLIC HEALTH FUND REVENUE & EXPENDITURE REPORT – MAY 2010

Ms. Eileen Coulombe, Administrative Health Services Officer

The Board members have been provided with a copy of the Health Fund Revenue and Expenditure Report for the month of May 2010. Reviewed the Report in detail, advising that Staff recommends the Board accept the Report as presented.

MOTION: Mr. Gustin moved, seconded by Dr. Furman, that the District Health Department's Revenue and Expenditure Report for May 2010 be accepted as presented.
Motion carried unanimously.

UPDATE – FISCAL YEAR 2011 BUDGET

Ms. Coulombe

There are no new updates on the FY 2011 Budget at this time.

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

1:00pm: This being the time set in a Notice of Public Hearing, heretofore published in the *Reno Gazette Journal* on May 17, 19 and 22, 2010, to consider the amendments and additions to the Washoe County District Board of Health Regulations Governing Solid Waste Management.

- A. Presentation and Discussion of Amendments to Section 010.065 (Commercial Solid Waste Defined); and Section 010.280 (Industrial Waste Defined);
- B. Presentation and Discussion of the Addition of Section 010.150 (Diversion Defined); Section 010.350 (Materials Recovery Facility Defined); Section 020.477 (Recyclable Material Defined); Section 010.482 (Recycling Facility Defined); Section 010.484 (Residential Waste Defined); Section 010.486 (Refuse Defined); Sections 062.110—062.200 (Materials Recovery Facilities and Recycling Facilities)

Ms. Jeanne Rucker, Environmental Health Specialist Supervisor

At the Board's direction, Staff prepared draft Regulations specific to Materials Recovery Facilities (MRF) and recycling facilities. In September 2009, a private investment group presented a proposal to the City of Reno regarding a MRF. It was determined by City of Reno staff that a

mandate diversion must be approved by the Washoe County Health District; therefore, the City of Reno "took no action regarding the proposal." A working group was developed with representatives of Reno, Sparks and Washoe County, to discuss the potential. This issue was discussed by the District Board of Health at the October 2009 Strategic Planning Retreat, with direction to Staff "to expeditiously prepare proposed Regulations and a mandate for increasing the recycling percentage for presentation to the Board for consideration."

In December the first draft was prepared and distributed to the stakeholders; that the first draft included provisions "mandating a certain volume of waste be directed to the MRF upon availability"; however, legal counsel determined the Health District does not have "that authority." A second draft was prepared based upon direction from legal counsel and the substantive comments received from Waste Management of Nevada and 433, LLC. The second draft was disseminated and two (2) public workshops conducted; that the workshops were conducted March 23 and 25, 2010, with sixteen (16) people attending, with Staff answering questions and receiving both written and verbal comments regarding the proposed Regulations.

After the public workshops only substantive revision to the proposed Regulations was the deletion of the "resource recovery facility" term, as it was determined the definition of this type of facility did not substantially differ from a MRF, therefore, it was considered redundant. Additionally, the initial proposal to require diversion of 75% of the solid waste within five (5) years of the effective date of the Regulations was reduced to 35%. The initial recommendation of 75% was based on the proposal by the Governor; however, no legislative bill was approved implementing that percentage; that it was the consensus of those attending the workshops that a 35% mandate was an achievable rate within five (5) years.

The final draft of the proposed Regulations was developed and distributed to the stakeholders and other interested parties on May 14, 2010. The Business Impact Statement is included in the Board members' packet. The only financial impact to the Health District would be the Staff time required to permit a new or modified Materials Recovery Facility or Recycling Facility.

In response to Chairman Humphreys

Regarding "an assigned fee for a permit paying for Staff time", Ms. Rucker stated that established fees do not always "cover the cost of Staff's time"; that she would refer questions regarding "how the fees are derived to Ms. Coulombe and her Staff." Currently the fee is \$268, "which may cover Staff time; however, it would depend upon the scope of the facility as proposed."

In response to Ms. Ratti

Regarding enforcement measures necessary to achieve the 35% diversion rate of solid waste materials, Ms. Rucker advised that Washoe County currently has achieved a recycling rate of approximately 30%; therefore, there is a consensus the 35% is achievable without enforcement efforts. There will be additional goals established for the long-term (post five years), which may require considering the necessity of implementing possible enforcement measures. There is the potential it would be the equivalent of the Health District having to "sue" the Cities of Sparks and Reno, and Washoe County for failure to comply with the diversion rate, as it is the Cities and the County, and not the Health District, which enter into the agreement as to how the waste stream is managed.

Ms. Leslie Admirand, Deputy District Attorney

Stated that "that is an option being reviewed"; that for clarification "the original draft Regulations had a provision that stipulated, once the MRF was constructed, the governmental agencies would be required to adopt an ordinance to divert a certain amount of trash." She advised Staff that the "District Board of Health does not have the authority to mandate any other governmental entity to enact an ordinance." There is a "provision within the proposed Regulations which requires a 35% diversion, which is what can be required within the parameters of the District Board of Health's authority."

In response to Ms. Jung

Regarding the responsibility for mandating the MRF diversion, Ms. Admirand advised that it would be the responsibility of the governing entities; that it is anticipated "this is what will occur."

Regarding the current diversion rate being achieved, Ms. Rucker stated that the current diversion rate in Washoe County is approximately 32%; that should the Legislature require a rate greater than 35%, Staff would present that amended rate to the Board of Health for approval and adoption. Ms. Rucker advised that the State has jurisdiction through the Legislature; that should the Legislature increase the existing 25% goal rate to a higher percentage Staff would have to develop a Plan to achieve that percentage. The Health District monitors the diversion/recycling rate through the companies which are mandated to report recycling rates; that there are a number of other sources from which the Health District obtains data; however, those sources are not mandated to report to the Health District, which "is how Staff determined the 32% rate." Staff will be developing a long-term Solid Waste Management Plan, which will be presented to the Board.

Ms. Jung

She would recommend provisions within the Plan for continuous improvement through "graduated efforts" for the community to achieve.

In response to Ms. Jung

Ms. Rucker advised the intent of the Solid Waste Management Plan is to continually achieve improvements through new technologies. Staff is in the process of researching the development of this Plan; therefore, she would anticipate it will be next year before the Plan is completed for presentation to the Board; that Staff will conduct workshops and request input from "a broader number" of stakeholders in this process. The process of waiting for the 'feedback/input' from the interested parties "is what takes time."

In response to Ms. Ratti

Regarding the entities having the authority to mandate a 35% diversion rate, Ms. Rucker advised that the Health District mandates the diversion rate; however, the District cannot mandate "how" the 35% diversion rate is achieved or to "where" the materials are diverted. There are many diversion points; that with the advent of new technologies Staff anticipates the enterprise will result in the development of additional diversion locations. The 32% diversion rate currently achieved in Washoe County exceeds the State's existing goal of 25% and has exceeded the rates achieved in any other County in the State.

C. Recommendation to Approve and Adopt the Amendments and Additions to the Washoe County District Board of Health Governing Solid Waste Management

Ms. Rucker

Staff recommends the Board approve and adopt the proposed amendments and additions to the Washoe County District Board of Health Regulations Governing Solid Waste Management.

Chairman Humphreys

Declared the Public Hearing open and called upon anyone wishing to speak either in favor of or in opposition to the proposed amendments and additions to the Washoe County District Board of Health Regulations Governing Solid Waste Management.

Mr. John Berkich, Assistant County Manager

He is speaking in support of the proposed Regulations; that Staff is to be commended for an excellent job in developing the amendments and additions; that the County has "worked continuously with Staff on these." The definitions presented "add a lot to this entire issue and are state-of-the-art." His interest is the funding for these facilities, as the definitions address "the future of where [the entities] would like to go with this." The definition of recyclable materials (Section 020.477) provides for methods in which materials can be processed and returned to the economic mainstream in the form of raw materials or other products including the generation of energy, which is a really important and timely topic." The proposed Regulations "are very forward thinking; that the definitions provide for flexibility, as these will change as technology moves forward." There are new technologies and "things being done in other countries that could be done here." The staffs of Reno and Sparks are working with the University of Nevada Reno on an economic feasibility study regarding the three (3) options for recycling facilities, including a waste to energy component; that the study also has an economic development component. When the study becomes available representatives "will work with Staff on that, and will make the findings of the study available." There are two (2) "overarching goals of this study: 1) what is the smallest carbon footprint for the types of processes to be developed to move the community forward; that these have to be implemented on a regional basis; and 2) how it can be achieved at the lowest possible costs." There is a current recycling fee of \$1.25 which is charged per household; that the challenge to the UNR study is what can be accomplished "within that existing revenue stream." He is encouraged by the preliminary portions of the study; that the possibility of funding approximately \$72 million in federally subsidized "recovery zone bonds" is being investigated, which is for supporting a private enterprise that will develop a Materials Recycling Facility (MRF) and a waste to energy facility.

Chairman Humphreys

There being no one else wishing to speak either in favor of or in opposition to the proposed amendments and additions to the Washoe County District Board of Health Regulations Governing Solid Waste Management, the Public Hearing was closed.

Ms. Ratti

She thanked Mr. Berkich for the update and "for being a leader in the efforts in bringing the jurisdictions together to discuss how recycling will be moved forward." It is important to her that the Board of Health "connects with what is occurring"; that she would commend Ms. Rucker in her efforts in preparing the draft Regulations and being aware and involved with what is occurring. She is anxious to review the results of these efforts. She understands the concept of "remaining within the existing revenue from the \$1.25 fee; however, she is confident there are people within the community who would be willing to pay "a little more to achieve the level of diversion increase."

She would encourage that these options be pursued "even if the cost is slightly more or within the realm of possibility" as there is a lot of momentum within the community to implement these types of measures.

Mr. Gustin

He would reiterate Ms. Ratii's comments regarding the efforts of Mr. Berkich and Ms. Rucker "in what they have done." Further, he concurs with Ms. Jung that "an increase from a 32% rate to 35% is not a quantum leap"; therefore, he would question "what incentives could be implemented to increase that rate." When a "pilot study was conducted by Waste Management in Northwest Reno and people realized what was occurring the numbers went through the roof"; that this is an awareness campaign as other aspects of public health are – advising the public as to what is available. This campaign will be tremendously successful once these efforts are implemented, "as there is enthusiastic interest from multiple parties to move forward, which is what is necessary to accomplish these goals." He fully supports the efforts presented by Ms. Rucker and "it is necessary to move forward now."

Ms. Jung

She would commend Ms. Rucker, as she is the Board member who indicated these efforts had to be expedited; that she realizes "this put Ms. Rucker and her Staff under a lot of pressure, and she would thank Staff for that."

Dr. Mary Anderson, District Health Officer

She has received inquiries from Commissioner Breternitz regarding developing regulations specific to bear-proof trash receptacles; that she would request Ms. Jung "communicate to Mr. Breternitz" that the Board's direction to Staff regarding amendments to the Solid Waste Management Regulations took precedence "over his request."

MOTION: Ms. Jung moved, seconded by Mr. Gustin, that the amendments and additions to the Washoe County District Board of Health Regulations Governing Solid Waste Management, be approved and adopted as presented.

Motion carried unanimously.

PRESENTATION – AIR QUALITY UPDATE

Mr. Andrew Goodrich, Director, Air Quality Management

There are five (5) focus aspects of activity within the Air Quality Management Division; that these include the following: 1) Permitting/Engineering of those sources which are categorized air pollutants; 2) Compliance/Enforcement for “those who do not adhere to the requirements of the Regulations; 3) Outreach Education, which is a critical component in teaching the community about “making the right choices in their lifestyle; 4) Air Quality Planning, which is to ensure that construction or modification of new and existing sources complies the requirements of the US Environmental Protection Agency (EPA; and 5) Ambient Air Quality Monitoring, which “is the foundation for everything the AQM Division does; that it provides Staff with the information necessary to make decisions for the community.” Staff will be presenting 2009 Ambient Air Monitoring Networking Plan; and the Washoe County 2009 Air Quality Trends Report; that these Reports have been posted on the Air Quality Management website and the browser; that copies are available for review upon request. Air Quality Management Monitoring Staff will be presenting these Reports; that “this is a first class monitoring network, and he would place it against any other network in the nation.” Ms. Julie Hunter and Mr. Craig Pederson will present an overview of the Ambient Air Monitoring Sites “and the future changes for this network, which gathers the data submitted to US EPA; that Ms. Lauri Mendoza will be presenting a summary of the 2009 Trends Report, which is the data collected from the monitoring sites. Staff is recommending the Board approve and adopt both Reports.

Ms. Julie Hunter, Air Quality Specialist II

She displayed a map depicting the air quality monitoring stations; that there are four (4) stations located within the McCarran Boulevard loop; that one (1) is located immediately adjacent to the loop on the NV Energy property; one (1) north in Lemmon Valley; one (1) south on Toll Road; and one (1) in Incline Village. The next photograph is the exterior of the “Reno3 Monitoring Station”; that this is the largest monitoring station of the network and is located in downtown Reno; that this station is designation as a “SLAM site”, which is a “State and Local Air Quality Monitoring Station.” The parameters measured are meteorology, which are the wind speed (WS), wind direction (WD) and the temperature; that the Particulate Matter (PM) measured is the 2.5 speciation; that the speciation sampler measures 65 different elements and is one (1) out of fifty-four (54) instruments in the speciation trans network. This station also measures PM_{2.5} Carbon and “runs PM_{2.5} and PM₁₀ continuous and manual samplers; that all manual filters are replaced every three (3) days; that all the instrumentation on the roof is maintained on a routine basis.” Staff conducts five (5) weekly checks on all of the continuous samplers, with monthly verifications and quarterly audits on all the instruments on the roof. The next photograph is the inside of the Reno3 Monitoring Station; that the parameters measured inside are Carbon Monoxide; Ozone; Nitrogen Dioxide and Shelter Temperature; that these are monitored on a daily basis at all of the sites. The diagnostics on all of

the instruments are checked weekly; that bi-weekly calibration checks are performed and quarterly audits on all of the gaseous instruments. US EPA Region IX will conduct site visits to audit all of the AQM's instruments.

The next photograph is the AQMD Laboratory, which is located with the AQMD offices; that the laboratory is maintained at a "specific relative humidity and a temperature." The job duties within the Laboratory include pre and post weighing of the filters; filter equilibration; filter preparation; filter QC checks; concentration calculations; and maintenance of equipment."

Mr. Craig Petersen, Senior Air Quality Specialist

He will be reviewing "the significant changes which will be occurring within the monitoring network." The Reno3 Monitoring Station, to which Ms. Hunter referred, has been "chosen to be designated as an NCore (National Core multi-pollutant monitoring station) site. NCore is a component of the "nationwide program designed by EPA to capture nationwide trends in air quality"; that Reno3 is one of sixty (60) urban NCore stations in the nation. Most States have one (1) or two (2) NCore station designations; that Nevada has two (2) due to the geographical differences between Washoe County and Clark County. Urban NCore stations are located adjacent to the largest populations; that urban NCore sites "will cover a total population of approximately 158 million people nationwide; that Staff is proud to be part of that." There will be twenty (20) rural stations, which are noted by the "blue dots on the map, which are between the urban site locations." Urban NCore objectives are: timely reporting of data to the public; emission strategy development; assessing effectiveness of emission reductions and trends; the support of science, health and ecosystem assessments; and compliance with NAAQS (National Ambient Air Quality Standards). The urban NCore network is anticipated to be on-line by January 1, 2011." The parameters measured by NCore are the meteorology, which is wind speed, wind direction, temperature, relative humidity, barometric pressure, precipitation, and solar radiation; that the site will continue to monitor for Ozone; that the AQMD will replace the Carbon Monoxide (CO) and Nitrogen Oxide (NOx) samplers with trace level instruments, which will include the addition of an NOy convertor that measures "reactive Oxides of Nitrogen"; that a trace level sulfur dioxide analyzer. Trace levels of these pollutants have been determined to be "precursor gases in the formation of other pollutants of concern, such as Ozone, PM_{2.5}; that typically the instruments currently in operation will measure to part(s) per million ranges; that the newer trace analyzers will measure to lower part(s) per billion ranges." The AQMD will continue to operate the speciation and trans-network samplers, the PM_{2.5} and PM₁₀ samplers; that the PM coarse parameter will be added, which is PM₁₀ and minus PM_{2.5}; that this will be conducted by both continuous and manual sampling.

The last photograph depicts a "typical winter time inversion above downtown Reno on December 9, 2009, taken by the National Weather Service"; that the photograph depicts the pollutants for which

the AQMD measures. The AQMD's responsibility is to monitor "high quantities of high quality data for the sake of the community and the sake of public health."

In response to Dr. Furman

Regarding the Desert Research Institute's (DRI) three (3) monitoring stations for precipitation temperatures which are "outside of McCarran", Mr. Petersen stated that the AQMD and DRI "can access each other's meteorological data"; that as a component "of the NCore station EPA is requiring the District to have its own precipitation barometric pressure monitor located at the site. The DRI information "could be useful in comparison studies and in establishing weather trends."

Dr. Khan

Commended Staff on the presentations; that she has had the opportunity to tour one (1) of these stations; that if other Board members have not done so, she would encourage them to contact Staff and schedule a tour; that it is very informative and she appreciates the efforts required to maintain these stations. The disaster in the Gulf has resulted in methane gas which formed above the oil and is a product of combustion; that she would question if the AQMD does sentinel testing for gasses.

In response to Dr. Khan

Mr. Petersen stated that EPA requires measure six (6) criteria pollutants: Carbon Monoxide (CO); Ozone (O₃); Nitrogen Dioxide (NO₂); Sulfur Dioxide (SO₂); Particulate Matter (PM) and Lead (Pb); that the NCore site will not be Lead; that there has been "some discussion" regarding measuring ammonia (NH₃) gasses. There haven't been any discussions regarding for methane.

Dr. Khan

She "was wondering if there had been any contemplation for any type of periodic testing for gasses such as methane; that "if you don't look you will never know if it is there; that it certainly has health implications."

Ms. Lauri Mendoza, Air Quality Specialist II

She will be presenting the 2009 Washoe County Air Quality Trends Report (a copy of which was placed on file for the record); that this Report summarizes the data collected between 2000 and

2009; that the purpose of the Report is to summarize the data collected from the Air Quality monitoring sites in Washoe County. The Air Quality Management Division (AQMD) is mandated by both Federal and State Law to monitor and collect ambient air quality data for pollutants that are deemed harmful by the US EPA. The pollutants required to be monitored, and the data mandated to be reported to EPA, are Carbon Monoxide (CO); Ozone (O₃); Nitrogen Dioxide (NO₂); and Particulate Matter (PM₁₀ and PM_{2.5}).

The Clean Air Act mandates the EPA establish the National Ambient Air Quality Standards (NAAQS) for pollutants deemed to be harmful to public health and the environment; that the first Table outlines the Standards for those pollutants. She reviewed the Table in detail, advising that there is the "averaging time; the Primary Standard; and Secondary Standard" for each pollutant. Staff previously monitored for Lead (Pb) emissions; however, it was determined in the late '80s early 90s not to be significant problem in the County; that Staff "can somewhat track lead emissions, as every permitted source in Washoe County is required to submit an emissions report to the AQMD at the end of the year. She reviewed Washoe County's current "attainment/non-attainment status" for each of the pollutants based upon the averages within the geographic areas. Presented the Table of the 2009 Ambient Air Quality Index (AQI) Report for Washoe County for each month, noting the number of days within the "Good, Moderate, Unhealthy for Sensitive Groups; Unhealthy; Very Unhealthy; and Hazardous"; that in December 2009, there were two (2) incidences in which the ambient air quality reached the "unhealthful range." Washoe County had good ambient air quality for the vast majority of 2009; that on December 9, 2009, which was the coldest day of the year, with 19 degrees Fahrenheit being the recorded high and 6 degrees Fahrenheit being the recorded low, resulting in the beginning of a serious inversion episode. A strong low-pressure system had resulted in a heavy snowfall to the area, followed immediately by cold air settling into the region with the cold temperatures producing strong inversions high pollution levels; that December 9, 2009 "was the start of several inversion episodes." The Air Quality Index (AQI) reached 100 necessitating an Emergency Episode Plan being activated; that the highest PM_{2.5} concentrations for the year were recorded resulting in three (3) exceedances of the 24-hour PM_{2.5} NAAQS.

In response to Dr. Anderson

Regarding the acronym PM, Ms. Mendoza advised that PM is Particulate Matter; that PM₁₀ is Particulate Matter less than 10 microns in diameter; that PM_{2.5} is Particulate Matter which is 2.5 microns or less in diameter.

Ms. Mendoza

The last slide depicts the Air Quality for the District by "Year and Classification" from 2000 through 2009; that beginning in 2003 the District experienced fewer moderate days and an increased number of good days; that this can be attributed to "overall favorable weather conditions; advances in new technology; and the Programs implemented and monitored by the Air Quality Management Division. The Programs have been implemented for several sources from motor vehicles, residential woodstoves/residential wood combustion devices, federal tailpipe emission standards; oxygenated fuels; gasoline dispensing vapor recovery systems, road sanding, etc.

In 2008 during the California wildfires resulting in Washoe County experiencing eleven (11) days within the unhealthful range and nine (9) within the "very unhealthy range"; that the cold weather and inversions in 2009 resulted in eight (8) days in the "unhealthy range" and two (2) in the "very unhealthy range."

Chairman thanked Staff for the reports.

**MOTION: Mr. Gustin moved, seconded by Dr. Khan, that the Washoe County Air Quality Management Division 2009 Ambient Air Monitoring Network Plan; and the Washoe County 2009 Air Quality Trends Report be accepted and adopted as presented.
Motion carried unanimously.**

DISTRICT BOARD OF HEALTH MEMBER – ATTEND NATIONAL ASSOCIATION OF LOCAL BOARDS OF HEALTH (NALBOH) 2010 CONFERENCE – APPROVAL OF EXPENDITURES OF TRAVEL FUNDS FOR SAID MEMBERS

Chairman Humphreys

The National Association of Local Boards of Health 2010 Annual Conference is scheduled for August 5 – 7, 2010, in Omaha, Nebraska; that Dr. Furman has indicated he is willing to attend on behalf of the Board; that it is necessary to approve this selection and the associated travel expenditures for this Conference.

**MOTION: Mr. Gustin moved, seconded by Ms. Jung, that Dr. Furman be appointed as the Washoe County District Board of Health representative to attend the 2010 NALBOH Conference, between August 5 – 7, 2010, in Omaha, Nebraska; that payment of the expenditures associated with the attendance at the Conference be approved.
Motion carried unanimously.**

RECOMMENDATION – ADJUST SALARY -- AMOUNT OF THE INSURANCE CONTRIBUTION –
DISTRICT HEALTH OFFICER

Chairman Humphreys

In accordance with the County's determination to reduce the salaries of the members of the Board of County Commissioners and other Department heads, Dr. Anderson, as the District Health Officer, has submitted a request to adjust both her salary and the amount of her insurance contribution as determined by the County. Pursuant to Section 4. Salary, Subsection B. and D. of the District Health Officer's Employment Agreement, any adjustments to the District Health Officer's salary must be approved by the District Board of Health. He "really respect Dr. Anderson's request to be consistent with the County's determination for all other Department heads and the overall intent of what needs to be accomplished.

Mr. Gustin

He "appreciates Dr. Anderson's hard work, as he knows so does Staff and the Board members; that he would question if she has had a raise since becoming the District Health Officer."

Dr. Anderson

In response to Mr. Gustin, Dr. Anderson advised that she received a raise after her first year as the District Health Officer; however, she voluntarily declined the offer of a salary increase the following two (2) years; that she has only received the one (1) salary increase.

Mr. Gustin

He also appreciates Dr. Anderson's efforts.

MOTION: Ms. Jung moved, seconded by Mr. Gustin, that pursuant to Section 4, Subsections B. and D. of the Employment Agreement, Dr. Anderson's salary and insurance contributions be adjusted in accordance with the County's determination of the necessary adjustments for all County Department heads.

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.

B. Director – Community and Clinical Health Services

Ms. Mary-Ann Brown, Director, Community and Clinical Health Services, presented her monthly Division Director's Report, a copy of which was placed on file for the record.

Ms. Brown

Pursuant to Ms. Jung's question last month regarding teen pregnancy rates specific to Washoe County, she has provided the Board with that information; that Washoe County is "slightly lower than Nevada's overall pregnancy rates for teens (15 – 19 years of age). Southern Nevada's rate for 2008 was 64.1 as compared to Washoe County's rate of 58.0; that in the last three (3) years Southern Nevada has achieved a limited decrease of 70 teen births in every 1,000 births to 64.1; that Washoe County has "remained relatively flat."

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.

Mr. Sack

The Board members have been provided with an attachment regarding the "Vector-Borne Disease Prevention Program Funding and Service Levels", Attachment A (a copy of which was placed on file for the record).

He would commend Staff for the response to the complaints regarding rotting meat in a Butcher Boy freezer located behind the store located on Rock Boulevard in Sparks; that he would thank

legal counsel for her assistance in resolving the proper disposal of the meat and the subsequent clean-up by Staff. The estimated cost for Staff's response is approximately \$4,500.

In response to Ms. Jung

Regarding "charging the responsible party for these costs", Mr. Sack advised Ms. Admirand is currently reviewing Bankruptcy Law, as the Butcher Boy is in bankruptcy; that it is the intent of the Health District to charge and collect the costs associated with the response. This is the "first time that the Health District has done this; that it was in response to a new Law adopted during the last Legislature."

Dr. Anderson

She, too, would commend Staff's management of the response, including "the odors, the sights and the public media's interest in the event"; and to Ms. Admirand "for assisting Staff in working through this" endeavor; that through her assistance Staff was able to obtain the keys to the freezer "before the incident went on any longer than it already had." Staff and Ms. Admirand "all acted very professionally and again, she really appreciates that effort."

D. Director – Air Quality Management

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

Mr. Goodrich

Reminded those present that the Air Quality Management Division will be hosting an "open house" of the new AQMD offices, which are again located at the County complex.

E. Administrative Health Officer

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

Ms. Coulombe

As with the H1N1 outbreak response being cross-divisional the Community Wide Hospital Hazmat Evacuation Drill "*Operation Smooth Move*" was a community-wide exercise that included participation from multiple counties and two (2) neighboring states. She would commend Ms. Laurie Griffey and Ms. Debra Barone, Health Department Staff for their efforts in this exercise; that Staff was involved in the planning of this exercise since October 2009 and had been a goal of the IHCC (Inter-Hospital Coordinating Council) for more than two (2) years. In the future the new Emergency Medical Systems Coordinator will assume the responsibilities of participating in the planning and training of these events; that these exercises provide "a wonderful opportunity to refresh people on the emergency plans; that she appreciates the efforts of Staff in these events."

F. District Health Officer

Dr. Mary Anderson, District Health Officer, presented her monthly Health Officer's Report, a copy of which was placed on file.

Dr. Anderson

During the State Board of Health meeting on June 18, 2010, the Nevada Clean Indoor Air Act was discussed and that there will be additional workshops required as a result of the deliberations of the State Board of Health specific to implementing "Regulations which can be accepted by the various parties involved.

BOARD COMMENT

Chairman Humphreys

The first meeting of the District Board of Health Ambulance Service Committee was conducted yesterday; that there will be a follow-up report at next month's meeting; that this update will be agendaized for next month. Issues presented today by the public may be addressed during this follow-up report, including the REMSA Market Study and the status of the REMSA Franchise. The role of the District Board of Health is "to ensure the residents of the County receive the best support of the Health District; that the District Board of Health is responsible for reviewing policies to ensure that." The Board of Health "does have some oversight responsibilities in regard to REMSA and the Ambulance Study Committee is reviewing those to ensure compliance and fulfilling those obligations. Some issues, which the public may consider by the public (i.e.,

WASHOE COUNTY DISTRICT BOARD OF HEALTH MEETING

June 24, 2010

Page 27

emergency transport, emergency medical services, etc.) may be outside the realm of the Board of Health; that should it be determined it is necessary for other entities to participate in discussions it would be the directive of the Board to request those entities participate in discussions. The Board does keep the public's health in mind."

The Board of County Commissioners' final deliberation on the Diamonte Fire Services Study will be agendaized for next month.

Ms. Jung

The agenda items she is requesting "do not have to be expedited"; that she would request an update "on sharps in the waste stream, including any policy specific to this issue and any possible sanctions" for violations." A Staff report on the feasibility of a County compost program; that she is willing to assist in the process. The Golden Valley Property Owners Association has recently received approval from the Board of Washoe County Commissioners to conduct a pilot project for a community composting project.

Mr. Gustin

He would commend Councilwoman Ratti's efforts in organizing the publicity efforts to promote "Bike to Work Week", as those efforts are always important.

Chairman Humphreys

He reminded the Board members of the scheduled joint meeting with the Board of County Commissioners and the District Board of Health on Tuesday, July 13, 2010, beginning at 9:00 am, in the County Commissioners' Caucus Room.

He reminded those present of the Air Quality Management Division's "open house" of the new offices immediately after the meeting.

WASHOE COUNTY DISTRICT BOARD OF HEALTH MEETING

June 24, 2010

Page 28

There being no further business to come before the Board the meeting was adjourned at 2:50 pm.

Mary A. Anderson, Acting DHO

MARY A. ANDERSON, MD. MPH, FACPM
DISTRICT HEALTH OFFICER, SECRETARY

Janet Smith

JANET SMITH
RECORDER

for