

Washoe County



Health District

## Washoe County District Board of Health Meeting Minutes February 28, 2013

**PRESENT:** Mr. Matt Smith, Chairman, Commissioner Jung, Vice Chair, Dr. George Hess, Dr. George Furman, Dr. Humphreys, and Councilwoman Zadra

**ABSENT:** Councilwoman Ratti

**STAFF:**

Kevin Dick, Acting District Health Officer, Division Director, Air Quality Management  
 Eileen Stickney, Administrative Health Services Officer, Administrative Health Services  
 Robert Sack, Division Director, Environmental Health Services  
 Charlene Albee, Branch Enforcement Chief, AQM  
 Lori Cooke, Fiscal Compliance Officer, AHS  
 Phil Ulibarri, Public Information Officer, AHS  
 Leslie Admirand, Deputy District Attorney  
 Erin Dixon, Public Health Educator  
 Nicole Mertz, Public Health Nurse II  
 Janet Smith, Administrative Secretary  
 Peggy F. O'Neill, Recording Secretary

Steve Kutz, Division Director, Community and Clinical Health Services  
 Randall Todd, DrPH, Division Director, Epidemiology and Public Health Preparedness  
 Daniel Inouye, Air Quality Supervisor, AQM  
 Patsy Buxton, Fiscal Compliance Officer, AHS  
 Steve Fisher, Department Computer Application Specialist, AQM  
 Peg Caldwell, Registered Nurse I, EPHP  
 Diane Freedman, Public Health Nurse  
 Christina Conti, Public Health Emergency Response Coordinator  
 Katy Hill, Office Assistant II  
 Tony Macaluso, Environmental Health Specialist Supervisor  
 Paula Valentin, Administrative Assistant I

TIME/ITEM	SUBJECT/AGENDA	DISCUSSION	ACTION
1:04 pm 1, 2	Meeting Called to Order, Pledge of Allegiance and Roll Call	Chairman Smith called the meeting to order, followed by the Pledge of Allegiance led by Commissioner Jung. Roll call was taken and a quorum noted.	
3.	Public Comment	Chairman Smith stated prior to Public Comment that Agenda Item No. 12 will be pulled from this agenda. Dr. Hess requested that Chairman Smith not pull the item from the agenda. Ms. Admirand confirmed that it is within the Chairman's discretion to pull an item.  Pete Allen, President of Environmental Services, LLC, stated that he teaches Food Safety and Foodborne Illness Prevention in Washoe County and has	

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		<p>done so for the past 23 years. He is in attendance to speak in opposition to the proposed fee increase for instructors. He stated that the last time he came to oppose a fee increase it was a proposed \$700 increase, and the DBOH agreed with the instructors that we were doing our part in the community.</p> <p><b>Dr. Hess</b> questioned Mr. Allen about what the particular fee is and where it is referred to in the schedule.</p> <p>Mr. Allen further stated that there is no other jurisdiction in the state of Nevada or as far as he knows in the state of California that has any such fee for private contractor instructors. Instructors are constantly fighting a cycle of increasing fees here at the Health District. The State of Nevada charges no fees and is happy to have us in the field teaching so that they do not have to provide this service. Mr. Allen directed to the DBOH to the handouts he provided, a copy of which was placed on file for the record.</p> <p><b>Dr. Hess</b> stated that if he is looking at the correct fee, it is only \$44; it went from \$27 to \$44.</p> <p>Mr. Allen stated that it increased from \$225 to \$271, even though the DBOH had in the past recommended a possible decrease in the fee.</p> <p><b>Chairman Smith</b> stated that the Board will take that into consideration.</p> <p>Mr. Alan Cook, Assistant Executive Chef at John Ascuaga's Nugget. He has been instructing Food Service Sanitation for about 20 years. We as instructors provide a service for Washoe County. We are working as subcontractors. We do not operate without the approval of Washoe County. We have permits from the County to operate. Why are we continuously charged fees to do the job they don't want to do. According to their figures, for them to teach a class, it costs over \$860. We incur expenses to teach a class. We are not subsidized by the Washoe County Health District. Why are we charged by the Health District when we generate revenue for the District? For every person that we certify, there is a minimum of \$32 that goes into the coffers of the Washoe County Health District. In the last two months, he has certified 25 people. According to the Health District's figures, we certify about 825 people per year. That is a significant amount of money.</p> <p><b>Dr. Hess</b> questioned staff if the fee is only charged every five years, and it was confirmed, the fee is essentially \$54 per year.</p>	

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		<p>Michael Streczyn, Harrah's of Reno, questioned how many permits are they required to have. Staff will respond to Mr. Streczyn as soon as practicable.</p> <p>Peter Rathmann withdrew his Public Comment Card.</p> <p>Fred Turnier, Community Development Coordinator for the City of Reno, read a letter from the City Manager of Reno to the DBOH into the record. The letter was placed on file for the record. The City of Reno is requesting that Health District staff and City of Reno Staff work together on this issue.</p> <p><b>Dr. Hess</b> asked Mr. Turnier which particular fees they are concerned about, and Mr. Turnier replied that it would be the entire section related to Environmental Health Services, but specifically the City charges a fee for Master Plan Amendments, changing a designation from Professional Office to Industrial, and there is no development associated with that it is just a land use change. We charge \$205 for the Health District. So from an applicability standpoint, how does that action of the City impact the action of the Health District? There may be a simple answer for that but at this point we have questions regarding that process. We want to be able to communicate the reasoning behind it to our customers.</p> <p><b>Chairman Smith</b> closed the public comment.</p>	
4.	<p><b>Approval/Deletions – Agenda – February 28, 2013</b></p> <p><b>Chairman Smith</b> stated that he would like to pull Item No. 12 from the agenda.</p>	<p><b>Chairman Smith</b> called for any deletions to the Agenda of the February 28, 2013 DBOH Meeting.</p>	<p>Dr. Humphreys moved, seconded by Councilwoman Zadra (with a note), that the February 28, 2013, Agenda be approved as modified.</p> <p><u>Note:</u> <b>Councilwoman Zadra</b> stated that we need extensive public outreach on this matter. She wants to know the impacts of these fees. She would like distinction and clarity on how the multipliers were determined. She would like a full explanation of how that is determined.</p>

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5.	Approval/Additions/Deletions to the Minutes of the January 24, 2013 Regular Meeting	Chairman Smith called for any additions or corrections to the minutes of the January 24, 2013 Regular Meeting.	<p><u>Ayes:</u> Smith, Humphreys, Zadra, Jung, and Furman</p> <p><u>Opposed:</u> Hess</p> <p><b><u>MOTION PASSED</u></b></p>
6.	Recognitions	<p>Mr. Dick and Chairman Smith made the following recognitions:</p> <ul style="list-style-type: none"> <li>A. Introduction of new employee(s) – Genine Wright, AQM - Air Quality Specialist I</li> <li>B. Promotions – None.</li> <li>C. Years of Service – Diane A. Freedman – CCHS – 20 years</li> <li>D. Recognitions – <ul style="list-style-type: none"> <li>(1) Certificate of appreciation to the Washoe County Health District from the United States War Dog Association for the support and generosity of your staff – presented to Janet Smith</li> <li>(2) Medical Interpreter Certification – Maria Magana</li> </ul> </li> <li>E. Retirements – Katie Hill, CCHS – 22.5 years</li> </ul>	<p><b><u>MOTION CARRIED</u></b></p>
7.	Proclamations	None.	
8.	Consent Agenda	<p><b><u>A. Air Quality Management Cases:</u></b></p> <ol style="list-style-type: none"> <li>1. Unappealed Citations to the Air Pollution Control Hearing Board: <ol style="list-style-type: none"> <li>a. Jackson Food Store #134 - Case No. 1110, Unappealed Citation No. 5234 – Staff reported Citation No. 5234, was issued to Jackson Food Store on December 13, 2013, for failure to complete the required repairs to the Phase II vapor</li> </ol> </li> </ol>	

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		<p>recovery equipment within the specified timeframe, which is a major violation of Section 030.2175 of the Washoe County DBOH Regulations Governing Air Quality Management. Staff recommends the citation be <b>upheld</b> and a fine in the amount of <b>\$1,500.00</b> be levied as a <b>negotiated fine</b>.</p> <ol style="list-style-type: none"> <li>2. Recommendation to Uphold Citation Appealed to the Air Pollution Control Hearing Board: None.</li> <li>3. Recommendation for Variance: None.</li> </ol> <p><b>B. <u>Sewage, Wastewater &amp; Sanitation Cases:</u> None.</b></p> <p><b>C. <u>Budget Amendments / Interlocal Agreements:</u></b></p> <ol style="list-style-type: none"> <li>1. Staff recommends approval of Notice of Subgrant Award (continuation award) from the Nevada Department of Health and Human Services, Health Division, Sexually Transmitted Disease (STD) Prevention and Control Program, for the period January 1, 2013 through December 31, 2013 in the amount of \$119,023 in support of the STD Program, IO 10014; and authorize the Chairman of the Board to sign;</li> <li>2. Staff recommends approval of Grant Agreement #A-00905413-0 (continuation agreement) from the U.S. Environmental Protection Agency (EPA) for partial funding in the amount of \$524,508 for the period 10/1/12 through 9/30/13 for the Air Quality Management, EPA Air Pollution Control Program, IO 10019.</li> <li>3. Staff recommends approval of Notice of Subgrant Award (continuation award) from the Nevada Department of Health and Human Services, Health Division for the period January 1, 2013 through December 31, 2013 in the amount of \$99,223, for the Immunization Program Grant (IOs 10028 &amp; 10029), and authorize the Chairman of the Board to sign.</li> <li>4. Staff recommends ratification of Interlocal Agreement between the Washoe County Health District (WCHD) and the Board of Regents of the Nevada System of Higher Education on Behalf of the University of Nevada Cooperative Extension to utilize WCHD facilities for the "All 4 Kids@: Resiliency in the Obesogenic Environment: research</li> </ol>	<p><b>ACTION ITEMS:</b> (1) Letter to Jackson Food Store regarding fines and due dates; and (2) Letter to Ron Anderson regarding re-appointment to SWS Control Hearing Board.</p>

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9.	<p><b>Air Pollution Control Hearing Board Cases Appealed to the District Board of Health.</b></p>	<p>project for the period upon approval by all parties through June 30, 2013, unless extended by the mutual agreement of the Parties; in no event shall this agreement extend beyond June 30, 2018; and if approved, authorize the Chairman to execute.</p> <p>5. Staff recommends approval of donation of one 50 gallon tank with boom to the Churchill County Mosquito Vector and Weed Control District with a current market value estimated at \$200.</p> <p>D. Staff recommends re-appointment of Ronald Anderson, P. E., to the Sewage, Wastewater and Sanitation (SWS) Control Hearing Board.</p> <p>There were no cases heard this month.</p>	<p><b>Councilwoman Zadra</b> moved, seconded by <b>Commissioner Jung</b>, that the Consent Agenda be approved as presented in a single motion.</p> <p><b><u>MOTION CARRIED</u></b></p>
10.	<p><b><u>Regional Emergency Medical Services Authority:</u></b></p> <p>A. Review and Acceptance of the Operations and Financial Reports for January, 2013; and</p> <p>B. Update of REMSA's Community Activities Since January, 2013</p>	<p>Mr. Jim Gubbels, Vice President of REMSA, reported that the DBOH members have been provided with a copies of the January 2013 Operations and Financial Reports; overall emergency response times for Priority One compliance was at 92%; in the 8-minute zone, it was 96%; for the 15-minute zone, it was 94%; for the 20-minute zone it was 93%. For Priority Two compliance it was 96%. Advised the overall average bill for air ambulance service to date is \$7,550, and overall average bill for ground ambulance services to date is \$1,026.</p> <p><b>Commissioner Jung</b> questioned Mr. Gubbels about the financial disclosures she had asked for at the February 11, 2013 joint meeting. Mr. Gubbels stated that he will address those issues under the Community Activities portion of the report.</p> <p>Mr. Gubbels presented REMSA's community service activities since December, 2012.</p> <p>Mr. Gubbels stated that in response to Commissioner Jung's question at the February 11, 2013 meeting about the asset to liability ratio, he has researched that issue, and currently REMSA is at 2.3% assets to 1% liability.</p>	<p><b>Commissioner Jung</b> moved, seconded by <b>Councilwoman Zadra</b>, to accept the REMSA Operations and Financial Report for January 2013 as presented.</p> <p><b><u>MOTION CARRIED</u></b></p>

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	<p>C. Presentation regarding REMSA's Healthcare Innovation Grant</p>	<p><b>Commissioner Jung</b> clarified that she actually asked what REMSA's debt payments in dollars are each month. She believes that is information the DBOH needs on a regular basis due to the structure of the Franchise Agreement since the DBOH would be successor in interest of all of REMSAs debt. For that reason she would like a clear statement and representation of that debt amount in the monthly operations report.</p> <p>Mr. Gubbels stated that those assets are worth \$33 Million. REMSA's liabilities are worth \$14 Million. Those dollars change on the budget sheet each month, but is reflective of that 2.3% to 1% asset to liability ratio.</p> <p><b>Commissioner Jung</b> again clarified that her question is what is the monthly debt service, along with REMSAs assets and liabilities? Commissioner Jung requested that amount be reflected in the operations report each month going forward.</p> <p>Ms. Brenda Staffan, Innovation Grant Project Director, presented to the Board of Health on REMSA's Healthcare Innovation Grant, a copy of which presentation was placed on file for the record.</p> <p><b>Commissioner Jung</b> questioned Ms. Staffan about how many applicants there were from Nevada, and Ms. Staffan responded that she does not know. She only knows there were 3,000 nationwide. There was at least one awarded in each state. <b>Commissioner Jung</b> asked Ms. Staffan to find out that information and bring it back to the DBOH. <b>Commissioner Jung</b> questioned Ms. Staffan about the requirement that REMSA transport only to hospital emergency departments and Ms. Staffan stated that that is due to current Medicare reimbursement policy.</p> <p><b>Dr. Hess</b> questioned what mode of transportation will be used to transport patients to other facilities under the grant, and Ms. Staffan stated that is part of the grant's objectives to explore.</p>	
11.	<p><b>Inter-Hospital Coordinating Council ("IHCC") Presentation Regarding Accomplishments</b></p>	<p>Dr. Randall Todd, Division Director of Epidemiology and Public Health Preparedness, gave explanations of the Division and funding mechanisms for Public Health Preparedness, and then introduced Ms. Christina Conti who presented on in Inter-Hospital Coordination Council's accomplishments, a copy of which was placed on file for the record.</p>	

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12.	<b>PUBLIC HEARING: Proposed approval and adoption of revisions to the Health Department Fee Schedule.</b>	Chairman Smith pulled this item from the agenda.	
13.	<b>Presentation and Adoption of the Washoe County Health District Refund Policy.  Board Comment</b>	Lori Cooke, Fiscal Compliance Officer, presented the proposed Washoe County Health District Refund Policy, a copy of which was placed on file for the record.  <b>Commissioner Jung</b> requested an example of how this policy would be applied across all of the Division, and Ms. Cooke provided same.  <b>Dr. Hess</b> questioned if credits could be carried forward, and Ms. Cooke stated yes.	Dr. Humphreys moved, seconded by Dr. Hess, to approve the Refund Policy, as presented.  <b><u>MOTION CARRIED</u></b>
14.	<b>Review and Acceptance of the Monthly Public Health Fund Revenue and Expenditure Report for January, 2013.  Board Comment</b>	Eileen Stickney, Administrative Health Services Officer, presented the Monthly Public Health Fund Revenue and Expenditure Report for January 2013, stating that Staff recommends the Board accept the report.  <b>Dr. Humphreys</b> questioned Ms. Stickney about GL No. 460523, and Ms. Stickney stated she would research that bring that back to the Board.  Mr. Sack suggested that the variance may be due to the high turnover in restaurants, which tends to higher numbers of permits.  <b>Dr. Humphreys</b> questioned Ms. Stickney about the Worker's Compensation and Unemployment categories, and Ms. Stickney responded that those items are billed by finance and by the end of the fiscal year they will balance out. They are based on our actual FTEs.	Commissioner Jung moved, seconded by Councilwoman Zadra, to accept the Health Fund Revenue and Expenditure Report for January, 2013.  <b><u>MOTION CARRIED</u></b>
15.	<b>Discussion and Possible Direction to Staff Regarding FY 14 Health Fund Budget</b>	Eileen Stickney, Administrative Health Services Officer, stated that there is nothing new to report at this time, but that that Health Fund Budget meeting is scheduled for next week, March 7 at 1:00 pm. In light of today's fee item being pulled, there might be some revisions which will be given to you at that meeting.	



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16.	<p><b><u>PUBLIC HEARING: Proposed Approval and Adoption of the Revisions to "The Washoe County Portion of the Nevada State Implementation Plan for the 2008 Ozone NAAQS: Demonstration of Adequacy."</u></b></p>	<p>Good afternoon Mr. Chairman and members of the Board, for the record Daniel Inouye with AQM</p> <p>The EPA establishes health-based National Ambient Air Quality Standards for 6 criteria pollutants including Ozone.</p> <p>When these standards are revised, Section 110(a)(2) of the Clean Air Act requires air quality agencies to develop plans demonstrating the ability to implement, maintain, and enforce the standard. The Ozone standard was most recently revised in 2008.</p> <p>This Infrastructure State Implementation Plan, or I-SIP, is a summary of air quality regulations and programs demonstrating the Health District's ability to meet these Clean Air Act requirements.</p> <p>Staff is recommending adoption of this I-SIP Demonstration of Adequacy and forwarding it to EPA through the Nevada Division of Environmental Protection as a revision to the Washoe County portion of the Nevada Ozone State Implementation Plan.</p>	<p>Dr. Humphreys moved, seconded by Dr. Hess, to adopt the Revisions to the Washoe County Portion of the Nevada State Implementation Plan for the 2008 Ozone NAAQS: Demonstration of Adequacy, as presented.</p> <p><b><u>MOTION CARRIED</u></b></p>
17.	<p><b><u>Presentation of Air Quality Management Division Accomplishments and Strategic Plan.</u></b></p>	<p>Kevin Dick, Division Director, Air Quality Management Division, presented the Division's Strategic Plan and its accomplishments, a copy of which was placed on file for the record.</p> <p><b>Dr. Humphreys</b> questioned Mr. Dick about the new monitoring site and how the data is being integrated and reviewed.</p>	
18.	<p><b><u>Review and Acceptance of the 2013 Legislative Activity Report.</u></b></p>	<p>Kevin Dick, Division Director, Acting Health Officer, presented the District's 2013 Legislative Activity Report and made comments regarding the Smog Check legislation which has been introduced by the Dept. of Transportation.</p> <p><b>Dr. Hess</b> questioned Mr. Dick about the proposed fee structure and its implications.</p>	<p><b>Councilwoman Zadra</b> moved, seconded by <b>Dr. Humphreys</b>, to accept the 2013 Legislative Activity Report, as presented.</p> <p><b><u>MOTION CARRIED</u></b></p>
19.	<p><b><u>Staff Reports and Program Updates</u></b></p> <p>A. <u>Director – Epidemiology and Public Health Preparedness</u></p>	<p>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.</p>	

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	B. <u>Director – Community and Clinical Health Services</u>	Mr. Steve Kutz, Director, Community and Clinical Health Services, presented his monthly Division Director's Report, a copy of which was placed on file for the record.	
	C. <u>Director – Environmental Health Services</u>	Mr. Robert Sack, Director, Environmental Health Services, presented his monthly Division Director's Report, a copy of which was placed on file for the record.	
	D. <u>Director – Air Quality Management</u>	<p>Mr. Kevin Dick, Division Director, Air Quality Management, presented the monthly Division Director's Report, a copy of which was placed on file for the record.</p> <p>Mr. Dick made a correction on page 4 of his report, "Asbestos Assessments and Asbestos Demo and Removal" should reflect an Annual Total of 1,138 rather than 160 as presented.</p> <p>Mr. Dick also reported on unknown effects of federal sequester. <b>Dr. Hess</b> asked for an update as soon as the impacts are known.</p>	
	E. <u>Administrative Health Services Officer</u>	<p>The Administrative Health Services Officer's Reports for this month were addressed in other agenda items.</p> <p>Ms. Stickney acknowledged Mr. Spian and Mr. Fisher and their efforts in supporting the Health District.</p>	
	F. <u>District Health Officer</u>	Dr. Iser, District Health Officer, presented the monthly District Health Officer Report, a copy of which was placed on file for the record.	
20.	<b>Board Comment – Limited to Announcements or Issues for Future Agendas</b>	<p><b>Councilwoman Zadra</b> stated that she was unaware of next week's Budget Meeting and has a conflict on that date.</p> <p><b>Chairman Smith</b> announced that the next regular meeting of the District Board of Health on March 28, 2013, will be held in the Board of County Commissioner's Chambers.</p> <p><b>Commissioner Jung</b> stated her displeasure with portions of the Board packets still not being printed double-sided; <b>Commissioner Jung</b> expressed her displeasure in the length of the minutes, which for the last meeting were 24 pages. <b>Commissioner Jung</b> also expressed her displeasure with the</p>	

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		format of the Agenda; she had addressed this issue with Dr. Iser previously, and the format has been changed, but it is still not to her liking. <b>Commissioner Jung</b> requested that the member's names be bolded in the minutes.  <b>Dr. Humphreys</b> questioned when the fee issue would be addressed, and <b>Chairman Smith</b> stated that it would be addressed next week.	
21.	Emergency Items		
22.	Public Comment	No public comment was presented.	
23.	Motion to Adjourn	There being no further business to come before the Board, the meeting was adjourned.	<b>Dr. Humphreys</b> moved, seconded by <b>Commissioner Jung</b> , that the meeting be adjourned.  <b>MOTION CARRIED</b> The meeting was adjourned at 2:45 p.m.

*Joseph P. Iser*

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

*Peggy F. O'Neill*

PEGGY F. O'NEILL,  
RECORDING SECRETARY