

## **Washoe County District Board of Health Meeting Minutes**

### **Members**

Kitty Jung, Chair  
Julia Ratti, Vice Chair  
Oscar Delgado  
Dr. George Hess  
David Silverman  
Dr. John Novak  
Michael D. Brown

**Thursday, September 22, 2016  
1:30 p.m.**

**Washoe County Administration Complex  
Commission Chambers, Building A  
1001 East Ninth Street  
Reno, NV**

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### **1. Roll Call and Determination of Quorum**

Chair Jung called the meeting to order at 1:03 p.m.

The following members and staff were present:

Members present: Kitty Jung, Chair  
Julia Ratti, Vice Chair (arrived at 1:33 p.m.)  
Mike Brown  
Dr. George Hess (arrived at 1:37 p.m.)  
Dr. John Novak  
Oscar Delgado  
David Silverman

Members absent: None

#### **Ms. Spinola verified a quorum was present.**

Staff present: Kevin Dick, District Health Officer, ODHO  
Leslie Admirand, Deputy District Attorney  
Steve Kutz, Director, CCHS  
Charlene Albee, Director, AQM  
James English, Acting Director, EHS  
Christina Conti, Acting Director, EPHP  
Dawn Spinola, Administrative Secretary/Recording Secretary, ODHO

### **2. Pledge of Allegiance**

**Ms. Albee led the pledge to the flag.**

### **3. Public Comment**

**Chair Jung opened the public comment period.**

John Muran stated he was opposed to the destruction of Hillside Cemetery. He stated he had relatives buried there, and that they had purchased the physical property where they rested. He asked the Board to rescind the permit to disinter the bodies.

Ramona Richards stated she had six family members buried at Hillside Cemetery and that she had retained legal counsel to represent her in the matter. She requested the disinterment permit be revoked or the item be placed on an agenda so that it could be properly noticed. She opined the situation required further study and stated the plots were privately owned.

Frances Tryon stated she was speaking in support of the families of Hillside Cemetery. She requested the permit be rescinded so that they would have more time to gather information and determine their course of action.

Neil Brooks stated he was speaking regarding Hillside Cemetery, and had also retained counsel. He opined there had been legal issues that had not been considered during the issuance of the permit to disinter. He stated he held a copy of the deed that was issued to a relative. He requested the permit be pulled.

Michon Eben, of the Reno-Sparks Indian Colony, noted she was there to discuss the permit issued to Hillside Cemetery. She stated disinterment was disrespectful and unforgivable. The movement of the remains was against Native American's Creator spiritual laws. She requested the permit be revoked so that the Nation had an opportunity to comment.

Scott Nebesky noted that upon review of the permit, he had not located any information that indicated that the Health District had required air quality or erosion control permits for the actual disturbance of earth. He opined the permit should be pulled until all of the environmental impacts had been considered.

**Chair Jung closed the public comment period.**

#### **4. Approval of Agenda**

September 22, 2016

**Mr. Silverman moved to approve the agenda for the September 22, 2016, District Board of Health regular meeting. Mr. Delgado seconded the motion which was approved five in favor and none against.**

#### **5. \*Recognitions**

##### A. New Hires

- i. Melanie Flores, Program Coordinator, hired 8/29/16 – ODHO

Mr. Dick requested Ms. Flores stand and be recognized. He reviewed her background and experience and welcomed her.

##### B. Departures

- i. Melissa Peek Bullock, Epidemiologist, 11 years, hired 7/18/2005, departed 8/27/2016 – EPHP

Ms. Peek Bullock was not in attendance.

#### **6. Consent Items**

Matters which the District Board of Health may consider in one motion. Any exceptions to the Consent Agenda must be stated prior to approval.

##### A. Budget Amendments/Interlocal Agreements

- i. Accept a Subgrant Award from the State of Nevada Department of Health and Human Services' Division of Public & Behavioral Health effective October 1, 2016 through September 30, 2017 for [\$23,000.00] with no County match required, to support the assessment and development of a Health District Workforce Development Plan, and authorize the District Health Officer to execute the Subgrant Award.

Staff Representative: Nancy Kerns-Cummins

B. Recommendation to Uphold Citations Not Appealed to the Air Pollution Control Hearing Board

Staff Representative: Charlene Albee

- i. Rees's Enterprises - Case No. 1188, Citation No. 5536
- ii. Safeguard Restoration Inc. – Case No. 1189, Citation No. 5577
- iii. Sierra Nevada Construction – Case No. 1190, Citation No. 5538
- iv. Aspen Earthworks – Case No. 1191, Citation No. 5579

C. Acknowledge receipt of the Health District Fund Financial Review for August, Fiscal Year 2017

Staff Representative: Anna Heenan

D. Approval of Draft Minutes  
August 25, 2016

**Dr. Novak moved to accept the Consent Agenda as presented. Vice Chair Ratti seconded the motion which was approved unanimously.**

**7. Regional Emergency Medical Services Authority**

Presented by Dean Dow

A. Review and Acceptance of the Compliance Report for August 2016

Mr. Dow noted an increase in survey responses and explained that the age of the respondents will be included in future survey reports, if the responders provide that information.

Mr. Dow referred to a question on the survey that refers to satisfaction with service upon entrance to the medical facility, which experiences percentage variances. The language of the question will be addressed and modified to clarify that it refers specifically to REMSA staff. Mr. Dow stated he would provide a progress report on the issue.

**Mr. Brown moved to accept the Compliance Report. Vice Chair Ratti seconded the motion which was approved unanimously.**

\*B. Operations Update for August 2016

Mr. Dow offered to answer any questions.

Chair Jung thanked him for taking the time to come to the meeting.

**8. Discussion of Process and Presentation of Evaluation Forms for the District Health Officer's Annual Review and Possible Direction to Staff to conduct the evaluation.**

Presented by Kitty Jung

Chair Jung presented the item. She summarized it was up to the Board to determine if they were satisfied with the proposed list of evaluators. The name of the Acting Reno City Manager was updated.

Chair Jung asked the Board if they were satisfied with the list of questions to be asked. She opined Mr. Dick was the first District Health Officer who had functioned as an Administrator, and that has made all the difference for the Health District. She noted the review could be delayed by another month if the Board members would prefer to have more time to make the decision.

Vice Chair Ratti opined it was a good process and noted she was pleased to see that it included inter-governmental relations. She stated she would be comfortable utilizing the process

and supporting information as proposed. Dr. Novak said that he would be also.

**Vice Chair Ratti moved to approve. Dr Novak seconded the motion which was approved unanimously.**

**9. \*Staff Reports and Program Updates**

- A. Air Quality Management, Charlene Albee, Director  
Program Update, Divisional Update, Program Reports

Ms. Albee noted the discussion regarding the lack of environmental permits in place for Hillside Cemetery. She explained it was customary for projects to go completely through the planning phase and get all issues resolved prior to obtaining an air quality permit.

- B. Community and Clinical Health Services, Steve Kutz, Director  
Program Report – Fetal Infant Mortality Review Program; Divisional Update – Medicaid and Marketplace Exchange Enrollment, Data & Metrics; Program Reports

Mr. Kutz stated he had nothing further to add but was available to answer questions.

- C. Environmental Health Services, Bob Sack, Director  
EHS Division and Program Updates - Food, Land Development, Vector-Borne Disease, Waste Management and EHS Inspections / Permits / Plan Review

Mr. English stated he had nothing further to add but was available to answer questions.

- D. Epidemiology and Public Health Preparedness, Dr. Randall Todd, Director  
Program Updates for Communicable Disease, Public Health Preparedness, and Emergency Medical Services.

Ms. Conti stated she had nothing further to add.

- E. Office of the District Health Officer, Kevin Dick, District Health Officer  
District Health Officer Report – Prescription Drug Abuse, Regional License/Permit Program, Hillside Cemetery, Regional EMS Oversight, Legislature, Quality Improvement, Truckee Meadows Healthy Communities (TMHC), Community Health Improvement Plan, Other Events and Activities and Health District Media Contacts

Mr. Dick thanked the Board for adjusting the schedule of the meeting to accommodate the County safety drill.

Mr. Dick thanked Dr. Hess for attending the prescription drug abuse summit with him. He explained they had learned that the prescription drug abuse epidemic was very complex. Breakout groups were designed to receive recommendations from the audience for the Governor and his cabinet members to consider. The presentations are posted on the Governor's website and he anticipated a summary of the discussion and recommendations would be available there shortly.

Mr. Dick noted he had discussed the local public health role with the Nevada Health Authorities, and they had envisioned coordinating affected entities and conducting education and outreach. Dr. Hess opined the problem was predominantly driven by prescribers and health care staff, and opined the Health District could serve as a valuable education resource for the community. Additionally, he pointed out that the District and the hospitals collected a substantial amount of valuable data that could be reviewed for other aspects of the drug abuse challenge that was not currently being studied.

Chair Jung thanked Dr. Hess and Mr. Dick for representing the District.

Mr. Dick stated the new go-live date for the regional license and permit program was October 31. The oversight committee had made the determination to not extend it beyond that. Staff has expressed that they feel that date is achievable, particularly since it will be preceded by a three-day weekend which will allow the data sufficient time to transfer from the existing system. Staff will come in on Sunday, October 30, to test the conversion.

Mr. Dick stated he had provided a one-year extension for the Hillside Cemetery permit in accordance with Nevada Revised Statute 451.045. The permit had been issued based on assessment and the conclusion that the disinterment did not pose a public health threat to the community. The permit does not absolve the cemetery from any other responsibilities under the law. Mr. Dick recognized that there are a number of religious, spiritual, personal, cultural and historical issues involved with the situation. He explained his role was as the public health authority, complying with what the Statute requires.

Vice Chair Ratti stated she had a clear understanding of what the Health District's scope is regarding the cemetery, which is to protect the public health. She asked who the permit was issued to. Mr. Dick answered that it was issued to Sierra Memorial Gardens. Deputy District Attorney (DDA) Admirand noted they would be considered to be the cemetery authority.

Vice Chair Ratti opined this was a unique situation in which the families owned title to their plot. She asked if the permit had been issued to the correct entity, asking if they were eligible for a permit for activity on land they do not own. DDA Admirand stated she did not believe that had been reviewed.

Mr. Dick reiterated the permit had been issued to the cemetery authority based on the application provided. The law allows cemetery authorities to disinter. He stated there had not been a legal analysis of the parcels involved. Vice Chair Ratti opined that now that the Board and staff had been made aware that the plots were individually owned, the permit should be reviewed again with that in mind. Chair Jung asked DDA Admirand to look into it and report back to the Board.

Vice Chair Ratti opined the Reno-Sparks Indian Colony representative had brought up interesting questions regarding sovereign nations having different legal privileges, to include federal laws. She asked if that aspect had been reviewed. DDA Admirand stated the question had not been raised. Vice Chair Ratti asked that be looked at as well.

Chair Jung requested the legal opinion of the answers to those questions be sent to the Board in a report. An item on an agenda was not necessary.

#### **10. \*Board Comment**

Vice Chair Ratti announced that she had submitted her name as an applicant to be appointed to fill the Senate seat vacated by the passing of Debbie Smith. On September 27<sup>th</sup>, the Board of County Commissioners will appoint an applicant to fill the vacancy. The Governor may call for a special session to confirm the appointment. If and when that occurs and Ms. Ratti is confirmed, it will be necessary for her to resign from both the Sparks City Council and the District Board of Health the day before she takes the Oath of Office.

Dr. Hess requested the draft minutes be listed as the first item under Consent.

Mr. Silverman wished Vice Chair Ratti good luck.

#### **11. \*Public Comment**

Kathy Brandhorst discussed challenges faced by uninsured persons.

## 12. Adjournment

Chair Jung adjourned the meeting at 2:16 p.m.

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Respectfully submitted,



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Kevin Dick, District Health Officer  
Secretary to the District Board of Health



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Dawn Spinola, Administrative Secretary  
Recording Secretary

Approved by Board in session on October 27, 2016.