

MINUTES OF THE CENTRAL NEVADA HEALTH DISTRICT

155 N. Taylor St., Fallon, NV 89406
May 30, 2023

Call to Order:

The special meeting of the Central Nevada Health District was called to order at 1:30 PM on May 30, 2023.

PRESENT:

Ken Tedford, Chairman
Shannon Ernst, Member
Jim Barbee, Member
Larry Rackley, Member
Dr. Justin Heath, Member
Tyson McBride, Member
Bob Erickson, Member
Caleb Cage, Interim Transition Manager
Jeff Weed, Civil Deputy District Attorney
Dr. Tedd McDonald, Interim Health Officer
Brittany Burton, Office Specialist
Daren Winkelman
Desiree Reeves
Veronica Brandenburg

Cassie Hall, Vice-Chair

ABSENT:

Pledge of Allegiance:

The Pledge of Allegiance was recited by the board and public.

Roll Call:

Roll Call was completed for all present Board Members.

Public Comment:

Chairman Tedford asked if there was any public comment, Caleb Cage for the record, I would like to introduce Desiree Reeves, she goes by Dezi from Central Nevada Health District. She joined us last week and this is her first week doing Community Health for the District and has already hit the ground running. I would just like to welcome her to the team.

Verification of the Posting of the Agenda:

It was verified by Brittany Burton, Office Specialist, that the agenda for this meeting was posted on the 23rd day of May 2023, between the hours of 8:00 AM and 9:00 PM at all of the locations listed on the Agenda, in accordance with NRS 241.

Consideration and possible action re: Approval of Agenda as submitted or revised:
Member Bob Erickson made a motion to approve the Agenda. Member Larry Rackley seconded the motion, which carried by unanimous vote.

Appointments:

A- Consideration and possible action re: Adoption of Resolution 9-2023, a resolution adopting regulations governing invasive body decoration establishments within the Central Nevada Health District.

District Attorney Jeff Weed made the presentation outlined above.

Jeff Weed for the record, on this first agenda item, I'm going to take a little bit of time to explain the process that we are going through but it will apply to all of the regulations and resolution presented before the board today. NRS 439.410 governs among other things the process for adopting regulations by Central Nevada Health District, we talked about this at previous Board Meetings. One of the things that it requires is a 30 days' notice. On April 28, 2023, a notice was posted regarding today's hearing, informing the public what will be done, the location, that they may appear here at the open meeting and offer up any information or comment that they may have pertaining to the regulations that are going to be adopted. Subsection 6 of that statute talks about how there needs to be an oral public hearing and that the public can show up and comment or prior to they can submit information regarding any of these regulations as part of the 30-day posting, we referenced the District Attorney's Office to where people could come and get a copy of the regulations. To my knowledge we did not have anyone come and request them and they have been available, as we have been working on them and drafting them. Regarding Item 7A, this Resolution 9-2023, I know for some reason it came out 9-23 on the agenda the 23 is just the year. But the full version of it is Resolution 9-2023. This is a regulation governing invasive body decoration establishments. These are places like tattoo parlors, body piercing, any form of skin, tissue, cartilage, etc. type of alteration. These have been provided to the Board and there is a lot of information in each of these regulations. So I don't know how beneficial it would be for me to go through each and every regulation. So I will present it to the Board, the request for a motion today to adopt 9-2023, and if that is what the Board does I can answer any questions about the regulation, what will happen is they become effective upon passage from the State Board of Health which is scheduled for June 2 which is this Friday. Within the resolutions we have written them to be effective July 1, 2023, when things go into full force with the Health District. Chairman Tedford asked if there was any public comment. Tyson McBride for the record from Pershing County, is it the State Board of Health that had originally regulated this for all counties? Jeff Weed stated yes to his understanding, but if anyone else has any other information, he would turn it over to Caleb Cage. Tyson McBride for the record, so essentially we will just be taking that responsibility from the State Board of Health? And monitoring the invasive body decoration establishments in our county? Jeff Weed for the record, yes that is correct and these regulations were primarily adopted from Washoe County Health District, and adopted and modified to Central Nevada Health District, there are provisions in each of them that waivers can be done by the Health Board or other entities. So as time goes on and if we see

issues that arise these can be modified or waived. Chairman Ken Tedford asked if there were any questions from the Board or Public, there was none.

FISCAL IMPACT: N/A

EXPLANATION OF IMPACT: N/A

FUNDING SOURCE: N/A

ACTION REQUESTED: Adopt

Member Bob Erickson made a motion to approve Adoption of Resolution 9-2023, a resolution adopting regulations governing invasive body decoration establishments within the Central Nevada Health District. Member Larry Rackley seconded the motion, which carried by unanimous vote.

B- Consideration and possible action re: Adoption of Resolution 10-2023, a resolution adopting regulations governing mobile home and recreational vehicle parks within the Central Nevada Health District.

District Attorney Jeff Weed made the presentation outlined above.

Jeff Weed for the record, Resolution 10-2023 governing mobile home and recreational vehicle parks, this covers things like construction, operation permits, water supplies, sewage disposal, sanitary stations, animal control and many other things. Again these were adopted from Washoe County regulations and modified to be for Central Nevada Health District. I will present them for adoption today and am open for any questions. Chairman asked for any public comment or questions from the Board. Member Tyson McBride from Pershing County for the record, another question with this, in one of the sections under the operating permits mentions that the inspection of the mobile home recreational vehicle home park shall be done once a year or more if deemed necessary by the Health Authority. And I see that the Health Authority is an officer or agent of the Central Nevada Health District Board, who is going to be the Health Authority? Are we going to hire somebody to perform these annual inspections of these homes? Caleb Cage for the record, Board member McBride, these regulations will be approved by and enforced by July 1, when the Central Nevada Health District is open and fully operational on July 1. We will have an Environmental Health Team, that will be responsible for conducting these inspections and providing updates to the Board. We have made an offer, and the offer has been accepted for a Health Manager and is looking to build that team as well. Tyson McBride for the record, and the current Authority, is that, I assume someone from the State Board of Health and would that mean that they would move that position, or that part of their job over there? Caleb Cage for the record, so this goes back to your previous question as well, so I will try to clarify better. The division of Public and Behavioral Health at the State is the enforcement for the State Board of Health much like the Central Nevada Health District Board is the regulatory body, the approval body, approves the regulations, and then DPBH the Division of Public and Behavioral Health provides the enforcement coordination and education requirements that are required in the State Board of Health regulation so at the local level, the State Board of Health currently until July 1, sorry actually Division of Public and Behavioral Health until July 1, provides resources,

coordination and support for all aspects of Public Health for 11 counties of Nevada. You have Southern Nevada Health District, Washoe County Health District, and then 4 counties that are under what is referred to the quad counties Carson, Storey, Douglas, Lyon. With the new Health District, the remaining 11 counties will go down to 7. It'll be the 4 counties and the City making up the Health District minus the original 11, so the 7 rural counties remaining outside of CNHD will still be administered by the Public and Behavioral Health. Within the CNHD, we are taking over those responsibilities and to my knowledge we are not forcing a reduction in staffing at DPBH they are just going to have more staff serve the 7 remaining counties. Tyson McBride for the record, then we would like you said later on after July 1 we would be establishing a team that would be continuing on these regulations that have been performed on in the past? Caleb Cage for the record, that is correct Board Member McBride they are well underway in hiring that team right now. Tyson McBride for the record, I have no intention of voting no for this and the other one, if we as a Board decide to not vote for this, would that just put this section back to the State Board of Health and they would continue on regulating, if we voted no? Caleb Cage for the record, I want to defer to the Attorney here on this but I would like to provide a response, the State Board of Health has approved the establishment of Central Nevada Health District, the Interim Finance Committee has approved no longer requiring the assessment to the 4 counties and the City making this up. I think we could probably rely on the State Regulations that would require more meetings to get there, but to my knowledge we do not have the option of not having CNHD defined regulations post July 1 going forward because of the legal arrangement of the Central Nevada Health District. Chairman Ken Tedford for the record, I'm not sure you would be allowed to cherry pick what you want to do, you're either in or out. Or other than you might be able to establish an MOU, that you would need to reimburse for. I'm not sure, Caleb at what level you could tell them what you want and don't want to do when you establish your own Health District. Caleb Cage for the record, I agree Mr. Chairman. Jeff Weed for the record, I believe you both summed it up, we've created the Health District and we've said that we are going to do these things and in doing so we've abolished our local Health Boards and we've created a system to provide these services and we would be hard pressed to tell the State that we would do some things but not the others. Like the Chairman said through an MOU or interlocal agreement of some kind we could fenangle something if they were willing, but that would be difficult so if the Board were not to pass these regulations I think what would most likely happen is we would have to start the regulation process over, re-post, modify them, and have another 30 day gap of services, or at least regulation of services. Member McBride for the record, thank you I appreciate that. Chairman Ken Tedford asked if there were any questions from the Board or Public, there was none.

FISCAL IMPACT: N/A

EXPLANATION OF IMPACT: N/A

FUNDING SOURCE: N/A

ACTION REQUESTED: Adopt

Member Bob Erickson made a motion to approve Adoption of Resolution 10-2023, a resolution adopting regulations governing mobile home and recreational vehicle parks within the Central Nevada Health District. Member Jim Barbee seconded the motion, which carried by unanimous vote.

C- Consideration and possible action re: Adoption of Resolution 11-2023, a resolution adopting regulations governing public swimming pools and spas within the Central Nevada Health District.

District Attorney Jeff Weed made the presentation outlined above.

Jeff Weed for the record, regarding resolution 11-2023 governing public swimming pools and spas, you probably notice that this one is shorter than some of the others and that being NRS 439.410 allows for the adoption of regulations, it has that word may, we may adopt regulations, there are a number of regulations that are outlined and complete in many ways in the Nevada Administrative Code and Nevada Revised Statutes and this is one of those where NAC and NRS 444 cover a lot of the regulations as we were looking into regulations and the adoption of different regulations. Washoe had this public swimming pool and spa operating certification program to provide additional oversight and uniform training and certification for management and oversight of public pools and spas this regulation has kind of the generic recognition of the Nevada Administrative code and the regulations that are there and then it has the certification program. If there are specific questions, I'm happy to answer those. But that's generally what this regulations is governing, and we just request an adoption of Resolution 11-2023. Chairman Ken Tedford asked if there were any questions from the Board or Public, there was none.

FISCAL IMPACT: N/A

EXPLANATION OF IMPACT: N/A

FUNDING SOURCE: N/A

ACTION REQUESTED: Adopt

Member Bob Erickson made a motion to approve Adoption of Resolution 11-2023, a resolution adopting regulations governing public swimming pools and spas within the Central Nevada Health District. Member Larry Rackley seconded the motion, which carried by unanimous vote.

D- Consideration and possible action re: Adoption of Resolution 12-2023, a resolution adopting regulations governing food establishments within the Central Nevada Health District.

District Attorney Jeff Weed made the presentation outlined above.

Jeff Weed for the record, Resolution 12-2023 might be the most lengthy of the regulations that this Board and Health District will oversee regarding food establishments. One of the things and it is on another agenda item and I will get into more at that time is the creation of a Food Protection Hearing and Advisory Board that considers variance requests and appeals for compliance. Again there is an agenda item that we will talk more specifically about that. But again this one is extensive, every community has a number of food establishments and they are significantly connected to and impact the health and safety of the members of the Health District and so the request is for the adoption of the Resolution 12-2023 for regulation governing food

establishments. I'm happy to answer any questions. Chairman Ken Tedford asked if there were any questions from the Board or Public, there was none.

FISCAL IMPACT: N/A

EXPLANATION OF IMPACT: N/A

FUNDING SOURCE: N/A

ACTION REQUESTED: Adopt

Member Bob Erickson made a motion to approve Adoption of Resolution 12-2023, a resolution adopting regulations governing food establishments within the Central Nevada Health District. Member Justin Heath seconded the motion, which carried by unanimous vote.

E- Consideration and possible action re: Adoption of Resolution 13-2023, a resolution adopting regulations governing the sanitation and safety of public accommodation facilities within the Central Nevada Health District.

District Attorney Jeff Weed made the presentation outlined above.

Jeff Weed for the record, resolution 13-2023 regulation governing the sanitation and safety of public accommodation facilities governs specifically hotels, casinos, resorts, hotels, motels, bed and breakfasts etc. This one is a significantly lengthy regulation, I'm happy to answer any questions but at this time the request is to adopt this resolution 13-2023. Chairman Ken Tedford asked if there were any questions from the Board or Public, there was none.

FISCAL IMPACT: N/A

EXPLANATION OF IMPACT: N/A

FUNDING SOURCE: N/A

ACTION REQUESTED: Adopt

Member Bob Erickson made a motion to approve Adoption of Resolution 13-2023, a resolution adopting regulations governing the sanitation and safety of public accommodation facilities within the Central Nevada Health District. Member Jim Barbee seconded the motion, which carried by unanimous vote.

F- Consideration and possible action re: Adoption of Resolution 14-2023, a resolution adopting regulations governing infectious and communicable diseases within the Central Nevada Health District.

District Attorney Jeff Weed made the presentation outlined above.

Jeff Weed for the record, this resolution does two things. One it recognizes the comprehensive

nature of the regulations NRS 441A and NAC 441A, one of those by statutes the state has created and adopted regulations that the Central Nevada Health District can follow. Included in those are things like brothels as well, there was a lot of discussions when we were preparing these whether or not we would have specific regulations governing brothels and things of that nature but those are included in the section such as this NAC 441A is comprehensive in that. There is one provision 411A.160 which requires and regulation for an appeal procedure. This regulation we created it to mirror in some ways some of the other regulations in the appeal processes that exist, so this has the recognition of the comprehensive nature and the appeal process for those who wish to appeal the health authority. The request is to adopt 14-2023 and I'm happy to answer and questions. Chairman Ken Tedford asked if there were any questions from the Board or Public, there was none.

FISCAL IMPACT: N/A

EXPLANATION OF IMPACT: N/A

FUNDING SOURCE: N/A

ACTION REQUESTED: Adopt

Member Bob Erickson made a motion to approve Adoption of Resolution 14-2023, a resolution adopting regulations governing infectious and communicable diseases within the Central Nevada Health District. Member Larry Rackley seconded the motion, which carried by unanimous vote.

G- Consideration and possible action re: Adoption of Resolution 15-2023, a resolution adopting regulations governing maternal and child health and family planning within the Central Nevada Health District.

District Attorney Jeff Weed made the presentation outlined above.

Jeff Weed from the District Attorney's Office, resolution 15-2023 adopts resolution governing maternal and child health and family planning, similar to our infectious and communicable diseases this is a topic where NRS and NAC are comprehensive in the regulation of them so there are no additional regulations at this time that the Central Nevada Health District needs to adopt. But kind of bookmark this in our records and when people are looking for things we created this resolution to recognize that and recognize the comprehensive nature of those regulations that already exist at the state level, but will be utilized here at a local level. There is a request that resolution 15-2023 be adopted at this time. Chairman Ken Tedford asked if there were any questions from the Board or Public, there was none. After motion passed Jeff Weed for the record, Mr. Chair I would like to offer up a piece of information, and it would be that per statute these regulations are to be kept with the County Clerk in each County in which this board has jurisdiction. So these regulations can be found there, and are required to be kept there.

FISCAL IMPACT: N/A

EXPLANATION OF IMPACT: N/A

FUNDING SOURCE: N/A

ACTION REQUESTED: Adopt

Member Larry Rackley made a motion to approve Adoption of Resolution 15-2023, a resolution adopting regulations governing maternal and child health and family planning within the Central Nevada Health District. Member Bob Erickson seconded the motion, which carried by unanimous vote.

H- Consideration and possible action re: Adoption of Resolution 16-2023, a resolution adopting additional environmental health services fees within the Central Nevada Health District.

District Attorney Jeff Weed made the presentation outlined above.

Jeff Weed, thank you Mr. Chair and members of the Board previously this Board adopted resolution 7-2023 where-in Environmental Health Services and Community Health Nursing fees were established and those were adopted from the State level. Those fees did not include these fees that are before the court which are to be adopted in Resolution 16-2023. The Board has received a copy of the additional fees, there are not many of them. These were pulled from the Washoe County Health District fees. We have adopted significantly similar regulations. These were included in the regulations that these fees would be created and these fees are specifically pulled from Washoe's fees which is where they have come from. Previously the fees came with a 10 percent administrative fee per Resolution 7-2023. That is not requested for these fees, as they appear to be a little higher than the state fees so these fees would not have the additional 10 percent administrative fee attached to them. That is what is before the Board at this time there is a request that 16-2023 be adopted. Chairman Ken Tedford asked if there were any questions from the Board or Public, there was none.

FISCAL IMPACT: Unknown

EXPLANATION OF IMPACT: Unknown

FUNDING SOURCE: Unknown

ACTION REQUESTED: Adopt

Member Bob Erickson made a motion to approve Adoption of Resolution 16-2023, a resolution adopting additional environmental health services fees within the Central Nevada Health District. Member Larry Rackley seconded the motion, which carried by unanimous vote.

I- Consideration and possible action re: Process and procedure for selecting and appointing members of the Food Protection Hearing and Advisory Board, including the application process to become a member of the Food Protection Hearing and Advisory Board.

District Attorney Jeff Weed made the presentation outlined above.

Jeff Weed, thank you Mr. Chair and members of the Board Resolution 12-2023, which was just adopted by this Board at this meeting today regulations governing food establishments. Created a Food Protection Hearing and Advisory Board. The Advisory Board considers variances, and variance requests or appeals to compliance action taken by the Health Authority. Per the regulations, there are 7 members of the Advisory Board appointed by the District Board of Health, 2 of which must be representatives from the local food industry, within the Central Nevada Health District. Unless there are insufficient applicants, then those two vacancies can be filled by other individuals. 3 members of the Advisory Board are appointed for a one year term, 3 for a 2 year term, and 1 for a 3 year term. Then they can continue on, so we don't have vacancies at the same time each year, and have to re-do the whole Board. Members of the Advisory Board may be removed for cause upon majority vote of the total membership of the District Board of Health. The Advisory Board meets each month if there are any pending hearings. The Advisory Board makes findings and recommendations, which is transmitted to the District Board of Health to make a final decision. The District needs to advertise for members of the Advisory Board which will need to be appointed by the District Board of Health. Included in the agenda packet is a proposed Advisory or Governing Board Application. So before the Board today, is just a request and approval on how the Board would like the Health District to proceed in advertising and selecting these members. Obviously its anticipated that they'll be from all the jurisdictions within the Central Nevada Health District. So that is before the Board today for discussion and action. Chairman asked for discussion and direction. Jeff Weed for the record, there is no special or magical procedure. We just want to make sure that we are proceeding the way the Board would want us to proceed the regulations don't specify that it has to be done a certain way, just that certain individuals from the food industry have to be represented if available. We're not asking for a magical formula just, how the Board would like us to proceed on that. Larry Rackley for the record, but it does look like we're moving in the right direction? Jeff Weed for the record, yes, we're moving in the right direction there's the proposed application before the Board. I believe Shannon Ernst and her office kind of helped in preparing that in just some stuff that Churchill County had and so if there are any comments on that or if there is an approval of that or if you would just like to direct the administrator to go forward with selecting a Board and give them authority to do that and then bring them the names before this Board for approval, it just has to end here at the end of the day. Chairman Ken Tedford, I think that the application is fine it just needs to be spread out amongst the three counties, unfortunately Eureka isn't in here, but it needs to be spread out amongst the three counties and that 7-member Board. I think Caleb can go ahead and do it. At least that's what I think you should add. Jeff Weed, ok so I don't know if we need any action today Caleb can just go forward with that, then bring the final names for Board approval. Chairman Tedford, so they just need to be from all those Counties, a mixture of that 7-member Board.

FISCAL IMPACT: None, other than employee time and resources. Members of the Advisory Board are not paid.

EXPLANATION OF IMPACT: N/A

FUNDING SOURCE: N/A

ACTION REQUESTED: None, information only

J- Consideration and possible action re: Ratification of the Interim Administrator's support of Senate Bill No. 118 at the May 20, 2023, Senate meeting.

District Attorney Jeff Weed made the presentation outlined above.

Jeff Weed, I can lay the foundation and if Caleb has anything additional to add, this is Jeff Weed for the record. So Senate Bill 118 among others things there has been things tossed into it regarding financing and things of that nature one thing that it does is something that this Board has been wanting it to do as the Chair has mentioned, Eureka is not a member of the District and is not adjacent to any members of the District but Senate Bill 118 it removes that language that they need to be adjacent and so without that being done Eureka would not be able to join as a member. There are some things that we are looking into that could possibly be done regarding some agreements and services provided by the District. So that Bill has not passed yet. There are still some things going on. On May 20 there was a hearing, that Caleb called in on as a Central Nevada Health District Administrator and offered support of the Bill and some information regarding that. It was kind of a last minute thing that Caleb was to do that, so typically those are things that a Board must approve if there is a Bill that authority rests with the Board. So there is just a request today to ratify his support of Senate Bill No. 118 at the May 20, 2023 Senate Meeting, that is what is before the Board today. Caleb Cage, thank you Mr. Chair and members of the Board I would just like to add that I spoke in support specifically section 7 and 8 which spoke to the adjacent issue in Senate Bill 118, provided very brief remarks and am happy to provide an overview on that, but it was short and what we have spoken a lot about. Happy to answer and questions or concerns. For the record Larry Rackley, did it look like there was any opposition to that Bill? Caleb Cage for the record, the opposition comes from the fiscal note that is associated with it, in my opinion there is about a fifteen million dollar fiscal note associated with it for other activities that are outside of that funding Public Health at the State level. If you asked me that is where the majority of the opposition is. You know how are we funding this? Is it a sustainable resource? Those sorts of things. No opposition to my awareness and I have been in several of these hearings. Larry Rackley, no opposition other than looking closer at the funding part of it? Caleb Cage, yes sir. Larry Rackley, and this week of course with the legislatures, they will be looking at the funding. Caleb Cage, yes sir. Shannon Ernst, Mr. Chair I just wanted to add, this is a huge piece, this is what moves us forward and this is the whole goal of what Central Nevada Health District is. I would ask and want to provide authorization for Caleb if this comes up again to provide additional testimony so that this is on the record. Because this is a huge thing and that came up two days before it was being heard so to come back to the board for approval I think we all stand for support for this to pass. Chairman Ken Tedford, yes I think you need the authority to talk again without worrying what our thought is if it comes up this week. Shannon's right you need to be able to speak freely on behalf of not only Eureka County but of the Public Health. So I think that if you need to have that direction from us, I know it's just posted here to ratify your discussion on May 20 but. Jeff Weed, if I may I know it's posted as a ratification but I think in more doing so that it is more than implied that the Board is in support of that. So ratifying I think its done. Chairman Tedford, I think you can get there with today's action. Bob Erickson for the record, I had a question about the fiscal note Caleb, which entity provided it and what was the nature of it? Caleb Cage, I will let you know momentarily, I can look that up. So the Department of Health and Human Services provided a

zero fiscal note that and local government, so I may have misspoken that it was a fiscal note but a fiscal impact. Yeah local government fiscal notes are going to be zero, so the fiscal impacts to the general fund of the State Budget there were some concerns about taxation, and some other things so this would come from legislative fiscal. Apologies for using the wrong terminology. Bob Erickson, thank you. Denise Ferguson for the record, I was actually on that call and it was indicated that it was probably going to come out of the general funds, if this got funded. Chairman Ken Tedford asked if there were any questions from the Board or Public, there was none.

FISCAL IMPACT: None

EXPLANATION OF IMPACT:

FUNDING SOURCE:

ACTION REQUESTED: Accept

Member Jim Barbee made a motion to approve Ratification of the Interim Administrator's support of Senate Bill No. 118 at the May 20, 2023, Senate meeting. Member Justin Heath seconded the motion, which carried by unanimous vote.

Consideration of Future Agenda Items:

No Future Agenda Items

Consider and schedule future meeting date and location:

The next regular meeting will be held June 8, 2023 at 1:30 in Churchill County. Special meeting will be held June 29, 2023 at 1:30.

Public Comment:

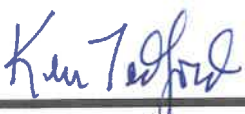
No Public Comment

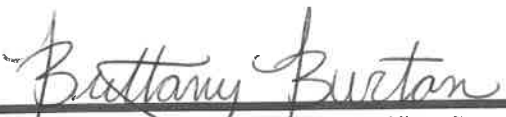
Adjournment:

The meeting was adjourned at 2:17 p.m.

Affidavit of Posting:

Approved: _____


Ken Tedford, Chairman


Brittany Burton, Office Specialist