

FOOD PROTECTION HEARING ADVISORY BOARD (FPHAB) MEETING MINUTES

Members

Matthew Chaump
Lanaii Elkins
Jay Rathmann
Christopher Romm
Christopher Thompson
Rose Wolterbeek
J.P. Pinocchio

**Tuesday, December 3, 2024
1:00 p.m.**

**Washoe County Building B
Health District South Conference Room
1001 East Ninth Street
Reno, NV**

1. *Roll Call and Determination of Quorum

Chair, Michael Chaump called the meeting to order at 1:00 p.m.

The following members and staff were present:

Members present: Michael Chaump (Acting Chair)

Lanaii Elkins
Jay Rathmann
Christopher Romm
Christopher Thompson
Rose Wolterbeek
J.P. Pinocchio

Staff present:

Amber English
Jessie Latchaw
Kristen deBraga
Narcy Perez-Zapata
Mike White
Dania Reid

Mr. White verified a quorum was present.

Public Present: Evan Carsman (Appellant)

2. *Pledge of Allegiance

Jay Rathmann led the pledge to the flag.

3. *Public Comment

Chair Chaump opened the Public Comment period. Having no public comment Chair Chaump closed the public comment period.

4. Approval of Agenda

Mr. Pinocchio moved to approve the agenda of the December 3, 2024, Food Protection Hearing Advisory Board regular meeting. Mr. Romm seconded the motion, which was approved unanimously.

5. Approval of Draft Minutes – June 6th, 2024

Ms. Wolterbeek moved to approve the minutes of the June 06, 2024, Food Protection, Hearing Advisory Board regular meeting. Mr. Thompson seconded the motion, which was approved unanimously.

Public Hearing to consider the Staff's Recommendation for Approval of Variance Case #2-24FP Diamond Peak Ski-Main Lodge BBQ Outdoor Food Establishment (H19-0053FOOD) Application for Variance to Sections 200.005 (Outdoor food establishment, applicable requirements), 060.205 (Food equipment, certification and classification) and 070.020 (Plumbing system) of the regulations of the Washoe County District Board of Health Governing Food Establishments.

Staff Representative: Jessie Latchaw

Ms. Latchaw, Environmental Health Specialist for Northern Nevada Public Health, presented the case for approving the variance for Diamond Peak Ski Lodge, located at 1210 Ski Way, Incline Village, Nevada. She began by providing a detailed description of why the variance was requested for the Main Lodge BBQ Outdoor Food Establishment hand washing sink.

Ms. Latchaw explained that the regulations require operators to submit an operational checklist and a plot plan outlining how they will maintain hygiene standards.

The regulations do not permit the use of a portable handwashing sink for outdoor food establishments, however the board noted that the general expectation is to ensure accessibility to handwashing facilities to mitigate public health risks.

Evan Carsman, the Executive Chef at Diamond Peak, provided detailed information about their current setup. He shared that the outdoor barbecue operates using a 24-gallon portable handwashing unit, which meets operational needs during their busy weekend and holiday hours. The portable unit has not resulted in any compliance issues or complaints to date. Mr. Carsman also highlighted a forward-looking plan to incorporate a permanent, plumbed handwashing sink as part of a larger capital improvement project, demonstrating Diamond Peak's commitment to enhancing facilities.

Board members raised questions about the adequacy of the current inspection frequency. Diamond Peak is categorized as a risk level two facility, requiring annual inspections. However, concerns were voiced about whether this frequency is sufficient for an operation reliant on a temporary handwashing setup. Several board members suggested that additional measures might be necessary to ensure consistent compliance and safeguard public health.

The discussion also explored the variance approval process and the importance of alternative compliance measures. The board acknowledged that while variances allow for flexibility, they should not compromise public health standards. Staff clarified that the variance approval process is contingent on demonstrating equivalent or superior hygiene standards through alternative measures.

Chair Chaump clarified the board's role, explaining that they could recommend upholding, modifying, or rescinding Northern Nevada Public Health's decision to approve the variance.

Dania Reid, the Deputy District Attorney, provided further clarification on what the motion would be and that is to approve the variance conditions items 1 – 4 of the staff report. With the additional requirement that the applicant work with Northern Nevada Public Health to establish a date by which the applicant will put in a permanent sink.

Chair Chaump requested a motion to approve the variance as provided by the Deputy District Attorney.

Mr. Pinocchio moved to approve the variance request items 1 – 4 of the staff report. With the additional requirement that the applicant work with Northern Nevada Public Health to establish a date by which the applicant will put in a permanent sink. Mr. Rathmann seconded the motion, which was approved unanimously.

7. *Board Comment

Chair Chaump opened the Board Comment period. Having no Board Comment, Chair Chaump closed the Board Comment period.

8. Public Comment

Chair Chaump opened the Public Comment period. Having no Public Comment, Chair Chaump closed the Public Comment period.

9. Adjournment

At 1:34 p.m. the meeting was adjourned By Chair Chaump.

Possible Changes to Agenda Order and Timing. Items on the agenda may be taken out of order, combined with other items, withdrawn from the agenda, moved to the agenda of another later meeting; moved to or from the Consent section, or they may be voted on in a block. Items with a specific time designation will not be heard prior to the stated time but may be heard later. Items listed in the Consent section of the agenda are voted on as a block and will not be read or considered separately unless withdrawn from the Consent agenda.

Special Accommodations. The Food Protection Hearing and Advisory Board Meetings are accessible to the disabled. Disabled members of the public who require special accommodations or assistance at the meeting are requested to notify in writing at the Northern Nevada Health 1001 E. 9th St, Reno, NV 89512, or by calling 775.328.2434 opt 8, 24 hours prior to the meeting.

Public Comment.

During the “Public Comment” items, anyone may speak pertaining to any matter either on or off the agenda, to include items to be heard on consent. For the remainder of the agenda, public comment will only be heard during items that are not marked with an asterisk (*). Any public comment for hearing items will be heard before action is taken on the item and must be about the specific item being considered by the Board. In order to speak during any public comment, each speaker must fill out a “Request to Speak” form and/or submit comments for the record to the Recording Secretary. Public comment for individual agenda items is limited to as follows: three minutes for individual speakers.

Response to Public Comment. The Food Protection Hearing and Advisory Board can deliberate or take action only if a matter has been listed on an agenda properly posted prior to the meeting. During the public comment period, speakers may address matters listed or not listed on the published agenda. The Open Meeting Law does not expressly prohibit responses to public comments by the Food Protection Hearing and Advisory Board. However, responses from the Board members to unlisted public comment topics could become deliberation on a matter without notice to the public. On the advice of legal counsel and to ensure the public has notice of all matters the Food Protection Hearing and Advisory Board will consider, Board members may choose not to respond to public comments, except to correct factual inaccuracies, ask for Northern Nevada Public Health Staff action or to ask that a matter be listed on a future agenda. The Food Protection Hearing and Advisory Board may do this either during the public comment item or during the following item: “Board Comments – Limited to Announcement or Issues for future Agendas.”

Posting of Agenda; Location of Website. Pursuant to NRS 241.020, Notice of this meeting was posted at the following locations:

Northern Nevada Public Health, 1001 E. 9th St., Reno, NV
Reno City Hall, 1 E. 1st St., Reno, NV
Sparks City Hall, 431 Prater Way, Sparks,
NV Washoe County Administration Building, 1001 E. 9th St, Reno, NV
Downtown Reno Library, 301 S. Center St., Reno, NV
Northern Nevada Public Health Website: www.nnph.org
State of Nevada Website: <https://notice.nv.gov>

How to Get Copies of Agenda and Support Materials. Supporting materials are available to the public at Northern Nevada Public Health located at 1001 E. 9th Street, in Reno, Nevada. You can contact the Environmental Health front desk for requests for supporting materials. The office at Northern Nevada Public Health may be reached by telephone at 775-328-2434 Opt 8 or by email at healthes@nnph.org. Supporting materials are also available at the Northern Nevada Public Health Website www.nnph.org pursuant to the requirements of NRS 241.020