

**MARICOPA COUNTY BOARD OF HEALTH MEETING MINUTES**

**Monday, January 27, 2020 at 3:00 PM**

**301 W. Jefferson Street, 10<sup>th</sup> Floor, Phoenix, Arizona 85003**

**Board of Supervisors Conference Room**

President Robert MacMillan called the meeting to order at 3:01 p.m.

**ROLL CALL:**

**Members Present:**

Andrew Rascon - via phone  
Debra Baldauff  
Don Cassano  
Kristen Acton – via phone  
Paul Dr. Stander  
Robert MacMillan  
Scott Celley  
Supervisor Bill Gates

**Members Absent:**

Don Hughes  
Nedra Halley

Ex-Officio: Marcy Flanagan

**CALL TO THE PUBLIC:**

Vice President Robert MacMillan announced for anyone wishing to speak on any action items. Speakers will be called after the item is heard. Vice President MacMillan asked if there were any speakers present at today's meeting. Ms. Sampler responded that she had not received any speaker slips.

**DISCUSSION/ACTION ITEMS:**

- 1. Approval of Minutes: Vice President MacMillan asked for a motion to approve the minutes from the BOH Meeting held on October 28, 2019. One correction was noted from the October meeting that President Hughes called the meeting to order, not Vice President MacMillan. Motion was made by Dr. Stander to approve the BOH minutes as presented. Motion was seconded by Mr. Celley and all were in favor. The motion passed unanimously.**

- 2. Environmental Health Services Finance Report**

**Gus Martinez**

**Fund 100 - (County General Fund)**

FUND 100 is reporting **revenues 48% over** the YTD budget and **expenditures are 3% under** due to expenditures.

**Revenues**

FUND 100 is funded by the County General Fund subsidy. Environmental Services collects enforcement revenue from non-permitted activities. The fines are associated with violations of the Health Code by persons and organizations not subject to obtaining a permit. The Fund is approximately **\$116,000 over revenue**, these are attributed to the increase in Transportation fees that were adopted in August which are not a part of the FY20 budget, budget was submitted in January 2019, those went into effect after

the budget was approved. Fund revenue through Period 6 close are reporting at \$244,123 which is **48% or \$116,697 over** YTD budget.

### **Expenditures**

Environmental General Fund is reporting **3% or \$132,562** under YTD budget through Period 6 close. The amount is primary attributed to a positive variance in supplies and services costs of **\$106,111**, and a positive variance of **\$26,451** in personnel. People were hired to fill prior vacancies, not expected to see that continue. The **\$106,000** is due to the chemical purchases typically purchased in December, usually do not purchase them in January.

### **Fund 290 – (Environmental Tire Fund)**

FUND 290 are reporting **at 7% over** YTD budget and **expenditures 4% over** the YTD budget through Period 6 close FY20.

### **Revenues**

FUND 290 is funded by the State of Arizona through the tire disposal tax. Monies are collected when you purchase a tire and pay a tire dispose tax, those funds go to the State and are disbursed to the County based on several shared vehicles to Maricopa County. These are also based on last years' numbers from the State.

### **Expenditures**

The Environmental Tire Fund are reporting **expenditures 4% or \$111,753 over** YTD budget through Period 6 close. Amounts are primarily attributed to grinding tires, and a negative variance in supplies and services costs of **\$134k**. Although we have received those monies, additional monies will be requested in the expenditure line, so the plan is to ask the Board for an appropriation to Fund 290 for grinding fees of tires.

### **Fund 505 – (County Grant Fund)**

FUND 505 are reporting **revenues 70% under** YTD budget and the **expenditures are 76% under** the YTD budget through Period 6 close FY20.

### **Revenues**

Fund 505 is granted \$67,198 from the Food and Drug Administration Department of Health and Human Services. The grant serves in assessing foodborne illness risk factors in Maricopa County and to provide food operations with educational strategies to provide education to reduce the occurrence of foodborne illness risk factors. Money was spent from the grant has already been requested, current expenses up though Period 6, so the revenues and expenses will be balanced by Period 7.

Foodborne illness factors were targeted towards the growth of all the new restaurants in the valley and are we more likely to have a violation in a new place that has not had the experience on how to operate yet, or in a place that some of us have visited for a long time that appear to have institutional difficulties with sanitation. Maricopa County previously had not used a letter grade system for restaurants, but we do now, however, Maricopa County restaurants are not *required* to display the letter grade system, it's voluntary to do so.

Maricopa has had really good results from the training provided, which is being offered as a Toolbox to other counties and States. The tool will be shared at the National conference annually and all the tools that came out of the grant are open for review by others to use in their own counties.

## Expenditures

The Environmental Services Grant Fund are reporting **expenditures 76% or \$14,541 under** YTD budget through Period 6 close FY20.

### Fund 506 (Environmental Fee Fund)

Fund 506 is reporting **revenues 70% under** the YTD budget and **expenditures 76% under** the YTD budget through Period 6 close FY20.

## Revenues

FUND 506 is funded by permit fee and fine revenue, which is collected for fee permits activities, plan review activities, both in water, waste and in food. Reporting **\$11,268,623 or 12% over** YTD budget for Fund 506. Still seeing an increase in number of restaurants coming in and opening particularly by the strength of freeway that was completed near the 202. Each Restaurants must participate in a planner review which provides revenue. Once they pass the plan review, they'll continue to generate revenue resulting in **\$746K** above budgeted revenue. Food permits will increase revenues in the amount of **\$526K**, in recurring expenditure fees.

## Expenditures

Reporting at **2% or \$170,606 under** YTD budget, these are supplies and services that just missed the timing. The supplies and services expenditures are **\$169K under** budget which are lower than expected through Period 6 close.

FY20 services and supplies will be purchased in the second half of the current year, so the department doesn't expect this trend to continue. Several new restaurants along the new 202 are coming and are also seen on the 10 going down to Pecos so the County continues to grow, and these restaurants continue to move in.

### 3. Public Health Finance Report

Scot Pitcairn

#### Fund 100 – (General Fund)

General fund through the December 2019 period, or 50% of the fiscal year, Public Health has spent about 46.6% of the General Fund authorized budget, with a year-to-date positive variance, budget to actual expenditures is substantial at \$803,273. Total budget includes \$1,693,222 for the Hepatitis A outbreak response which shows a \$71,925, positive variance is at \$731,348 YTD. Current vacancies numbers are higher-than-usual, supplies are a positive variance of \$75,172 YTD and services hold a positive variance of \$178,052.

The department's "Hep A" response is estimated to continue through February, and we anticipate that most of the nearly \$1.7 million appropriation for this response will be expended. Contract temps' expenses are still running at over \$30,000 a week for the response.

Recently began charging indirect costs from the grants and fee fund accounts, allocating our General Fund administrative costs to the indirect cost pools, using budget object codes 8740 and 8750. The debits and credits for the codes are shown in a separate section/subtotal under the Services section of the Finance report. Funds were originally budgeted in the Personal Services, Supplies and Services. The first two columns were for the prior month, changes can be found at the mid-point of page two of the general fund section and at the bottom of page three under "indirect Expenditure. Indirect funds charged each month based on the actual expenditures from the prior month, charged against the grants currently at 19.2% rate for most of the grants and the fee fund is at a rate of 14.1% this year. The

variance of the month against Personal Services is \$227,098, vacancy savings are still trending up, the next several months will detail what happens, the vacancy or salary savings is the primary drive of the positive variance so far this year.

Expect three one-time purchases coming up this year for the Lab and TB clinic that will offset some of the positive variance. Recruiting begins with contract temps, or Acro temps. Positions are getting filled; therefore, the salary savings will decrease as far as rates. We'll replace our kill at the lab and refer it to an expert at the lab to help our deficiencies in the future.

#### **Fund 265 – (Special Revenue Fund)**

Special Revenue Fund (Fee Funds) monies spent were 38.6% of expenditure budget as of end of the second quarter. Actual expenditures are under budget by \$1,089,545 or 22.6%. The budget consists of \$8,010,963 in operating funds and almost \$1.7 million in non-recurring funds, to which much of the non-recurring funds were set aside for contingencies, such as \$625,000 for the Office of Vital Registration's move of its East Valley location to the Southeast County Complex in Mesa. The office currently at Greenfield and Main in Mesa, will closed-down and offices are being moved to a complex near the 60 and Mesa Drive in Mesa. A large portion of the fee fund balance will be used to purchase a building after the lease expires in 2023. Current space at 4041 N. Central office building has three floors, adding another several thousand square feet to use for the Opioid grant and the Ryan White grant, which will be a part of the budget beginning March 2020.

#### **Personnel Expenditures**

The Fee Fund expenditures are \$149,511, or 6.3% under budget YTD. Supplies expenditures are \$98,205 under budget or, 12.6%. Services expenditures for the department are under budget by \$764,994 or 54.7%. The amount includes, \$250,002 in unspent budget for the new OVR Southeast office. Much of the unspent services funding is in the non-recurring budgets for the Refugee program and the mandated programs of STD and TB, as well as for the healthcare policy initiatives.

Fee revenues YTD are exceeding budget by \$97,260 or 2.4%, and are exceeding expenditures by \$360,878, the fund is structurally balanced. Fees for the Community Health Assessments for Hospitals are \$22,498 below budget YTD, expected to catch up to the budgeted amounts by fiscal year-end. Third party collections for the immunization fee fund are coming in ahead of budget (14.9% over) and are 28.1% in excess of expenses YTD, this too is structurally balanced.

#### **Fund 532 – (Grant Fund)**

The first quarter, Grant Fund expenditures fund, where are \$1,770,062, or 9.5% under budget Year-to-date. Revenues to date are \$5,713,989 below budget or 30.3% below budget. All grants bring in enough revenue to match our expenditures before they can be closed out, with one exception last year when a grantor failed to pay \$70k that was owed to us. Several grants were recently lost, but we are gaining two larger grants. The CDC has a direct federal grant for the Opioid Overdose Data to Action in the amount of \$2.68 million. The grant will allow for 14 staff to be hired, expenses and activities are ramping up to meet the deliverables. The purpose of the grant is to gather high quality, comprehensive and more timely data on overdose morbidity, that data will be used to inform prevention.

We are also gaining the Ryan White HIV/AIDS- related federal grants with awards exceeding \$14 million. This program had been operating on its own and has been merged into our department this year. Organizationally the program has been moved under MCDPH already, but the budget will not be rolled into D860, our department, until March 1, and April 1, the start dates of the Part A and Part B grants respectively.

**4. Environmental Services - Fee Waiver Applications – 20 fee waivers**

**Darcy Kober  
Ken Conklin**

The Environmental Services Department staff reviewed twenty (20) fee waiver applications that are being presented to the Board of Health as an agenda item for approval/denial. During the application process, all listed permitted operations appear to meet criteria set forth in the Maricopa County Environmental Health Code Chapter I, Regulation 5, except for three applicants; P9- Laveen Education Foundation, P11- Boys and Girls Club of Metropolitan Phoenix and P13- Heritage Square Foundation.

The Laveen Education Foundation did not operate to provide relief solely to the poor distressed or under-privileged as well as they were unable to reply that 100% of the recipients met the health Code, stated earlier. The Boys and Girls Club stated that only 52% of our memberships live at or below federal poverty level, while 82% qualify for free or reduced lunches, only 59% of members live in households headed by a single parent/guardian.

The Heritage Square Foundation, dba The Bungalow at Heritage Square, noted they didn't have any specific program that fit the demographics outlined. The Board has the authority to grant fee waivers and the final decision making on these actions, a procedural change was noted at a departmental level of screening. Review of the October 28<sup>th</sup> Board of Health (BOH) meeting was revisited to outline the procedure spoken of. A discussion concerning the Substantive Policy Statements (SPS) language identifying the word "solely", which is interpreted as 100% of the proceeds. The Board opened the meeting to the public and heard the concerns of the Boys and Girls representatives, the clubs' mission was discussed pertaining to the demographics they serve.

**Motion to approve all fee waiver application except P9 Laveen Education Foundation, P11 Boys and Girls Club of Metropolitan Phoenix and P13 Heritage Square Foundation, dba The Bungalow at Heritage Square. Motion was made by Dr. Stander, seconded by Ms. Baldauff and Mr. Celley recused himself from the vote because he is a direct advisory on two of the three applications mentioned. All were in favor. The motion passed unanimously, with one person sustaining.**

**Motion was made by Ms. Balduff to approve the fee waiver application for P11 Boys and Girls Club of Metropolitan Phoenix, seconded by Dr. Stander. All were in favor. The motion passed unanimously.**

**Motion was made by Dr. Stander to approve the remaining two applications for P9 Laveen Education Foundation and P13 Heritage Square Foundation, dba The Bungalow at Heritage Square, a second motion was not made.**

A motion was not made to deny the fee applications for both P9 Laveen Education Foundation and P13 The Heritage Square Foundation, dba The Bungalow at Heritage Square.

**Motion was made by Ms. Baldauff to request more information from P9 Laveen Education Foundation and P13 Heritage Square Foundation, dba The Bungalow at Heritage, seconded by Mr. Gates. All were in favor, except one. The motion carried.**

The Board of Health made a recommendation to the Environmental Services Dept. to contact both the P9 Laveen Education Foundation and the P13 The Heritage Square Foundation that were not approved for the fee waiver and encourage someone to appear at the next Board meeting to provide additional information for the Board to reconsider. Additional recommendations were made by Dr. Stander to add as an agenda item discussion surrounding the language and or the word “solely”.

## **Discussion Items**

### **5. Public Health Report**

**Marcy Flanagan**

- I. Human Resources
- II. Communication
- III. Infrastructure
- IV. Strategic Planning
- V. Programs
- VI. Disease Update
- VII. Future Topics

Marcy Flanagan gave the Director Updates.

### **Arizona First case of Novel Coronavirus**

- China reporting nearly 3,000 cases and with at least 80 deaths to date
- CDC announced we are up to 5 cases in the U.S. and 4 of those were negative
- Illinois, California (2 cases) Washington and Arizona

First positive case is in the ASU Community – person return from vacation, spent one day in Wuhan and was tested later. Individual is being quarantined for a 14-day period. Public Health is working around the clock working with the State, CDC, airport authorities and others. The message to the public has been if you are sick, stay home and work with your providers. Immune compromised people are those that have the most to be worried about this. [Maricopa.gov/coronavirus](http://Maricopa.gov/coronavirus) has been set up for the public to announce information. CDC is sending about three of their staff members to help. At present the State will take the lead on the cases and the County will do the boot work on the ground.

### **Hepatitis A Outbreak**

- 324 confirmed cases
- 85% presented with risk factors
- 83% have been hospitalized

Note: We are in week 8 of this outbreak, if no other outbreaks occur, we can declare the outbreak over, which is a huge accomplishment. Maricopa has been commended by the CDC and Nationally on how the county handled this Outbreak.

### **Vaccination in jails**

- Support of the Board of Supervisor's was a huge help
- Game changer was getting that support
- Correction health team and nurses provided vaccines to inmates.

Note: The goal is to do a pilot to continue having a nurse in the jails intake area to apply vaccines and bill Access and be reimbursed, that will bring in enough revenue to afford to continue and provide staff housed in the jails to continue this work. Overall, this work has improved the health of the offenders.

### **Mumps Outbreak Summary**

- Began at the end of August
- 15 positive cases in the county
- Preventable diseases if you get vaccines

Note: this outbreak has been all over the map, in most cases it's about 1-2 cases. Vaccines rates are exhibiting low rates, hoping to get this one to decline. Much less contagious than measles and flu.

### **Opioids Summary**

Grants requested to look at co-morbid factors, many times people who are on opioids or have drugs addictions, also have mental health or are drug addicts, we are working with facilities for people who need treatment and refer them for services.

### **Vacancy Savings**

Reviewing all positions in our department and how they are being funded, some positions are on hold to ensure that we are optimizing all our grant funds that come into the department, before we utilize our general funds. We have a history of individuals that are working a 100% on a grant but are only charging 90% of their time to that grant and then 10% to our general fund. We are not having them go back and charge 100% to the grant and review where the need is in the department to fill positions.

Some positions are difficult to fill, the example was used with hiring an Epidemiologist, the change has occurred in our younger workforce and how they view careers these days, most likely, they spend about a year gaining experience and are off to something larger than Public Health. Minimum wage plays a big factor in personnel, the greatest challenged is using an employee satisfaction survey, we've used a focus group and pay is just not number one reason that people leave their jobs, it's how they feel worthwhile and that they are making a difference. Wage was another factor, more of the growth in opportunities is the larger factor why people leave and pursue other careers. The fact that the Board approved high raises last year was well received.

### **School Report Summary**

School reports came out late, so we did not have time to present and will have someone to present at the next meeting. If we have anything received before It's asked to send the report beforehand.

**Announcements and Current Events - none**

**President/Board Members**

### **Adjournment**

There being no further business, motion to adjourn the meeting was made by Mr. Celley, seconded by Mr. Cassano and the motion passed unanimously. The meeting was adjourned at 4:43 p.m.