

**MARICOPA COUNTY BOARD OF HEALTH  
MEETING MINUTES**

**Monday, April 25, 2022, at 3:00 PM**

**In Person & Virtual Meeting**

President MacMillan called the meeting to order at 3:00 p.m.

**ROLL CALL:**

**Members Present:**

Chairman Bill Gates

Debra Baldauff

Don Cassano

Matthew Farber

Paul Stander

Paula Banahan

Robert MacMillan

Scott Celley

**Members Absent:** Kristen Acton

Ex-Officio: Marcy Flanagan

**1. CALL TO ORDER**

**President MacMillan**

**A. Roll Call**

**B. Call to the Public**

President MacMillan called the meeting to order at 3:06 pm; the public was advised on how to use the chat box to comment. There being no speaker requests, all were informed that they would have the opportunity to type questions using the chat box, which will be acknowledged during and or after the meeting accordingly. A welcome was extended to the Boards newest member Dr. Matthew Farber; each current member and others provided their introductions and expertise.

**DISCUSSION/ACTION ITEMS:**

**2. Approval of Minutes**

**President MacMillan**

President MacMillan asked for a motion to approve the minutes from the Board of Health (BOH) meeting held on January 24, 2022. Mr. Cassano made a motion to approve the BOH minutes as presented. Ms. Baldauff seconded the motion. The motion passed unanimously.

**3. Public Health Finance**

**Scot Pitcairn**

**A. 3<sup>rd</sup> Quarter FY 22 Updates**

**B. Make a recommendation to the Board of Supervisors to approve the Public Health FY23 budget request as recommended by the Maricopa County Budget Office**

Mr. Pitcairn provided the Board with Public Health's Quarter 3 FY22 update. The department is asking for the Boards recommendation to the Board of Supervisors to approve the FY23 budget as recommended by the MC Budget Office. A memo was provided outlining the updates and summarizing each fund listed.

- **Fund 100 – General Fund**

- Through the 3<sup>rd</sup> Quarter FY22, as of March 31<sup>st</sup>, or 75% of the fiscal year, the fund expended 64.5% of the FY22 General Fund budget.
- YTD positive variance of \$2,114,185, up from \$1,991,667 after the 2<sup>nd</sup> Quarter

The sizeable positive variance/underspending was due to three primary factors 1) The department received a \$3.1 million general fund budget increase and 30 additional positions for FY 22 and beyond; 2) Aside from the new positions, there is still a higher than normal vacancy rate in the General Fund; and 3) a number of General Fund employees are still spending a large percentage of their time on COVID-related activities, and that time/pay is being reallocated to the American Rescue Plan Act (ARPA) funding that the County received last year. Programs with the largest positive variance (under budget) YTD are Epidemiology, under by \$1.22 million, and Immunization/Community Wellness by \$436,804. The Epi program's underspending is approximately evenly split between vacancy savings and COVID/ARPA reallocations. Public Health is recruiting to fill positions in several of the large COVID-related grants. As the County receives ARPA funds, they are allocated to different programs, but it's not encumbered until there's a purpose for the funds. When and if the need to use the funds arises, the County will be allowed to use those remaining funds for the same purposes. When the department was allocated the funds, it was during the large response to the pandemic; there were a lot of testing and various activities throughout the County; as the pandemic started to wane, and the purposes were no longer needed, the department pulled back responses in areas where the money was allocated, instead of unnecessarily spending funds that were not needed or waste funds. Mr. Pitcairn will provide additional information about the ARPA fund later in his report with Fund 296 – State & Local recovery Funds/American Rescue Plan Act (ARPA).

The Public Health Finance report outlines fund 100 in greater detail.

- **Fund 265 – Special Revenue Fund**

Public health has expended 71.2% of the Fee Fund budget through the first three-quarters of the fiscal year. In a review of only the operating budget (excluding the non-recurring/fund balance budget), spending is over budget year-to-date by (\$94,719). The overage is mostly the result of large purchases of flu vaccines in the few months of the fiscal year. Public health requested an increase in their fee fund expenditure budget to accommodate the spending overage, which was approved by the Board of Supervisors. Revenues to date exceed expenses by \$866,852, so the Fee Fund account is more than structurally balanced.

- The Community Health Assessment fee fund account revenues are back to a level that supports the expenses for that program
- The Office of Vital Registration program account is structurally balanced revenue to expenditures.
- The immunization program fee fund spending is over budget YTD due to the high level of flu vaccine purchases earlier in the year.
- Revenues to date from AHCCCS and insurance collections exceed expenditures by \$36,502; the account is structurally balanced. Almost \$1.6 million of revenue was associated with the COVID effort that was transferred to the CARES Act fund in late February.
- The TB Fee Fund account is not structurally balanced, expenses exceed budget YTD by \$18,044, or 29.3%, and they exceed revenues by \$26,867.
- For the Refugee fee fund, only \$29,096 of AHCCCS 3rd party collections have been posted through the 3rd quarter and are short of expenses by \$140,511, but the refugee caseload for medical screenings has increased this calendar year substantially compared to last year. Mr. Pitcairn noted that collections could lag several months behind the date of the medical screenings.

- The STD Control fee collections are structurally balanced; the \$20 fee is \$52,178, or 12.6% ahead of budget year-to-date. Expenses are \$41,035, or 9.8% over budget YTD, but revenues exceed expenses by \$4,513.

There were no questions asked about Fund 265.

- **Fund 293 – Justice Reinvestment Fund**

The Justice Reinvestment Fund is a new funding source from the state marijuana tax per A.R.S. 36-2863. Late last fiscal year, Public Health received \$0.8 million, and to date this year, an additional \$1.3 million has been deposited to public health. The total current balance is just under \$2.1 million. Plans for spending the funds are at a preliminary stage, and expenditures are not expected to post until early FY23. Marcy will work with the staff to decide which of the programs could benefit from the funds deposited. No additional questions were asked.

- **Fund 296 – State & Local Recovery Funds/American Rescue Plan Act (ARPA)**

Through March, the department’s ARPA spending is \$37.0 million, allocated across 14 different projects. Revenues to date approximately match expenditures, which is the result of the revenue budget being adjusted by the Budget and Finance Office as needed. The first “tranche,” or allotment, of funding, is coming to a close over the next couple of months, but a new, second tranche is expected by the end of May. A share of the current funding is to support the finance and rent/infrastructure needs of the rest of the COVID-related grants the department received, while other major “buckets” of funding include.

- Funding for the COVID isolation housing (hotel)
- Technology needs for epidemiology and public health (including immunization)
- PPE supplies and storage for supplies
- Purchasing additional regional public health facilities in Goodyear and Mesa to expand Public Health services in the County.

Other County departments are also receiving ARPA funding, with the largest being Human Services. The ARPA funding has an end date of December 31, 2024, but the spend-down of the financing for encumbered projects may extend up to two years beyond that date. There were no questions posed for Fund 296.

- **Fund 532 - Grant Fund**

Through the 3rd quarter, the Fund 532 Grant Fund revenues are \$67.1 million, or 66.1%, below budget, and expenditures are \$10.9 million, or 22.7%, under budget YTD. The substantial variances are due to the addition of \$140 million of COVID-related grant funding (in addition to the ARPA funding), over a third of which is budgeted this year. Public health had some delays in receiving the COVID grant reimbursements from the State Department of Health Services (ADHS). \$23 million was expensed for one of their larger grants. The department is awaiting reimbursement from the state, and the state has assured that there will be a reimbursement soon. Spending for the COVID grants and recruitment for staff is still “ramping up.” There are some additional delays in getting contracts finalized from ADHS. (One \$27 million grant for K-12 COVID assistance for the schools set to expire in May was just extended for a year.) The COVID-related grants are either direct federal, or federal funds passed through the State and fell into three major categories: 1) Epidemiology and Disease Investigations; 2) Immunization; and 3) Health Equity and Disparities.

The market adjustments and merit pay increases for County employees are welcome for most employees, but they have put several of our non-COVID grants, such as the WIC program, in a very tight budget situation. Holding positions vacant and, in some cases laying off, staff can be the result. Many grants are flat-funded for

the 3 to 5-year contract cycles, and a few, such as the WIC program, receive cuts in funding. There were no questions asked about Fund 532.

As a part of the annual statutory requirement, the action for this item is to ask the Board of Health to make a recommendation to the Board of Supervisors to approve the Public Health FY23 budget request as recommended by the MC Budget Office. The reason why it's done in April is because of the requirement for the board to approve the budget; otherwise, the Board would be recommending to the Board of Supervisors what has already occurred.

- Fund 100 - General Fund - the recommended budget is just over \$18 million (1 million increase or just under 6%)
- Fund 265 – Public Health Fee Fund – the operating or recurring budget is up \$1.4 plus million, or 90.1%, and the non-recurring budget is flat at \$687,000
- Fund 293 – Justice Reinvestment Fund – the budget office recommends \$1.8 million, and the department has a balance of just over \$2 million
- Fund 296 – State & Local Recovery Funds/American Rescue Plan Act (ARPA)

The ARPA funding shows an increase and then a huge reduction for the next year. This was due to more of a timing issue and when the “buckets” of funding were originally set up in the budget. For FY23, the department is trying to estimate what they need to spend. The \$43 million is non-binding, and the two amounts presented total \$123 million. It's expected that by the time the Board of Supervisors acts on the budget recommendation, there will be another deposit for the fund.

- Fund 532 – Grant Fund – has a reduction of \$3 million from FY22 to FY23 recommended. There was a \$2.5-million-dollar COVID-related grant that has now been completed, which was a part of the reduction. Non-recurring is mostly COVID-related (refer to column 1 under fund 532 summary report). Mr. Pitcairn reminded the Board that the \$27 million grant for K-12 COVID assistance for the schools was set to expire in May 2022 but has been extended another year.

Notes of the increases and decreases were mentioned on the last page of Mr. Pitcairn’s summary report attached to the agenda memo.

<b>Notes on Increases and Decreases</b>		<b>Variance \$</b>
<b>Fund 100 - General Fund</b>	o Select positions Market Range adjustments	\$ 355,897
	o Pay for Performance adjustments	\$ 463,902
	o Telecom charges adjustment	\$ 193,161
	o Risk Management charges adjustment	\$ 20,521
	o Retirement Contributions adjustment	\$ (26,643)
	<b>Total Fund 100 Variances</b>	<b>\$ 1,006,838</b>
<b>Fund 265 - Special Revenue (Fee) Fund</b>	o Adjustments to Vital Reg'n, STD Control & Immunization	\$ 1,493,255
	o Retirement contributions adjustment	\$ (7,972)
	<b>Total Fund 265 Variances</b>	<b>\$ 1,485,283</b>
<b>Fund 293 - Justice Reinvestment Fund</b>	o Estimated spending need from share of SB 1847 funding	\$ 1,800,000
<b>Fund 296 - Coronavirus Fiscal Recovery (A)</b>	o ARPA Funding budget adjustment	\$ 43,060,888
<b>Fund 532 - Grant Fund</b>	<u>Operating/Recurring Funding</u>	
	o Net change in grant funding	\$ (3,134,023)
	o Retirement Contributions adjustment	\$ (49,762)
	Subtotal	\$ (3,183,785)
	<u>Non-Recurring</u>	
	o Net adjustments to Grant Carryover funding	\$ -
	o COVID-related grants - net funding	\$ 52,535,963
	<b>Total Fund 532 Variances</b>	<b>\$ 49,352,178</b>

As new grant opportunities are made available, the department reviews what services they can limit to add to other services; for example, if the department is looking at a new infrastructure grant that’s a lot of money, they look to see what other services are provided and then write those into other grants when possible. The department has estimated what pay increases will be, and they do not foresee having to terminate any employees as a result.

**President MacMillan asked if anyone wanted to make a recommendation to the Board of Supervisors to approve the Public Health FY23 budget request as recommended by the MC Budget Office. A recommendation was made by Mr. Celley, and Mr. Cassano seconded the recommendation. All were in favor of the recommendation.**

*(memo and report summary attached to meeting agenda)*

#### 4. Environmental Services Finance

Ryan Hautzinger

##### A. 3<sup>rd</sup> Quarter FY 22 Updates

##### B. Make a recommendation to the Board of Supervisors to approve the Public Health FY23 budget request as recommended by the Maricopa County Budget Office

Mr. Hautzinger provided the Board with the Environmental Services Quarter 3 FY22 update. The department is asking for the Board's recommendation to the Board of Supervisors to approve the Environmental Services FY23 Budget as recommended by the MC Budget Office. A memo was provided outlining the updates and summarizing each fund listed.

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

FUND 100 is reporting revenues 37% (\$131,492) over the year to date (YTD) budget and expenditures 4% (\$354,105) under the YTD budget through Period 9 close FY22. Fund 100 expenditures are on track to end the fiscal year at a budget as several large expenses are planned in the last three months of the year. The amounts include the cost for increased chemicals in preparation for the upcoming mosquito season and final greenways grinding events that will happen, along with some transportation repairs.

- **FUND 290 (Environmental Tire Fund)**

FUND 290 is reporting revenues of 14% (\$625,319) over the YTD budget and expenditures 9% (\$379,301) under the YTD budget through Period 9 close FY22. This fiscal year, Tire Fund revenues have exceeded budget with higher revenues distributed from the State of Arizona through the tire disposal tax, which is a little.

- **FUND 506 (Environmental Fee Fund)**

FUND 506 is reporting revenues 9% (\$1,430,268) over the YTD budget and expenditures 5% (\$895,205) under the YTD budget through Period 9 close FY22. Environmental Services Fee Fund revenue has experienced growth similar to trends the department was experiencing pre-pandemic. This revenue growth is expressed in the department's FY23 Fee Fund Above Base request.

#### **Request to approve FY23 Budget Request**

##### **Fund 100 (County General Fund)**

Operating Revenue Budget Requested \$521,000 (\$50,000 Above Baseline)

Operating Expenditure Budget Requested \$12,690,247 (\$275,500 Above Baseline)

Operating Expenditure Budget Requested \$80,000 (\$6,500 Above FOGO Baseline)

The department budgeted for FOGO expenditures totaling \$80,000, including six (6) electric fogger replacements at a rate of \$13,333 per fogger. An additional fogger was added to the Above Baseline request to return to the pre-pandemic fogger inventory. The department submitted a Fund 100 above baseline expenditure request in order to cover increases in Vector chemicals, PCR testing, off-duty police services, pest control contract services, and increases in Waste Resource green waste disposal costs. The department is trying to broaden the PCR testing; Environmental Services sprays throughout the County; although the West Niles Virus is a Public Health area, public health coordinates a lot with Environmental Services and collaborates for a rise in cases or testing.

- **FUND 290 (Environmental Tire Fund)**

Operating Revenue Budget Requested \$5,825,000 (Baseline), and the Operating Expenditure Budget Requested \$5,825,000 (Baseline). Environmental Services has submitted a non-recurring request in the Tire Fund totaling \$850,000 that will cover the increased recycling cost of tires received at the County tire recycling facility. When tires are recycled, the monies go to the state and the state then quarterly disburses it to the County.

- **FUND 506 (Environmental Fee Fund)**

Operating Revenue Budget Requested \$23,642,287 (\$1,670,121 Above Baseline) and the Operating Expenditure Budget Requested \$23,642,287 (\$1,638,824 Above Baseline). Due to increased permit activity in the Environmental Health food permit and Water and Waste Subdivision/Onsite plan review programs throughout 2020, 2021, and 2022, the department increased its Fee Fund FY23 revenue request. In preparation for a permitting database replacement RFP, as well as numerous market rate increases, the department increased its Fee Fund FY23 Expenditure Request. There were no questions on the finance update for Environmental Services.

Environmental Services has submitted a non-recurring request in the Fee Fund totaling \$2,625,819, which includes:

- A Contracting Specialist in the amount of \$200K
- Environmental Services portion of ITC's technology contracted services (SepTech) in the amount of \$70K.
- Electronic signature and other technology product implementations in the amount of \$100K.
- Overtime for personnel working delegation deadlines in the amount of \$125K
- Computer replacements/upgrades and other technology supply purchases in the amount of \$150K.
- Replacement vehicles in the amount of \$300K.
- Paint, carpeting, and other maintenance at two regional offices in the amount of \$50K.
- Non-Recurring RFP costs for the permitting database replacement in the amount of \$1.7M.

The department's FY23 budget request allows for continued implementation of Environmental Services' programs consistent with the goals specified in the department's strategic plan. It was noted that the Stakeholder process does not assume that the Board previously approved the recommendation for the budget.

**President MacMillan asked if anyone wanted to make a recommendation to the Board of Supervisors to approve the Environmental Services FY23 budget request as recommended by the MC Budget Office. A recommendation was made by Ms. Banahan, and Ms. Baldauff seconded the recommendation. All were in favor of the recommendation.**

*(memo and report summary attached to meeting agenda)*

**5. Environmental Services – Enhanced Regulatory Outreach Program (EROP) Case ES-2022-001**

Maricopa County Transfer Station Green Waste Fees

Request for Board approval to proceed according to the EROP Standard Process

Ms. Caballero discussed the steps of the Active Regulatory Process, which are provided in her presentation slides.

1. County Manager Briefing -
2. Stakeholder Workshop – April 6, 2022
3. First Board of Health Meeting to Initiate Regulatory Change – April 25, 2022
4. Additional Stakeholder Workshop –June/July 2022 (Tentative)
5. BOH Meeting to Make Recommendation to BOS –July 25, 2022 (Tentative)
6. BOS Votes to Approve Agenda Hearing Date– August 17, 2022 (Tentative)
7. BOS Public Hearing – October 19, 2022 (Tentative)
8. BOS Adopts Case – October 19, 2022 (Tentative)

Five comments/responses in opposition were previously distributed to the Board for review. The text of the comments showed that many people were opposed to the changes that the department was making to the transfer stations, mostly on the schedule changes; a couple was in opposition to the increase, but mostly for the schedule. If the Board approves the EROP process case ES-2002-001: Maricopa County (MC) Transfer Station Green Waste Fees, the next step would be an additional stakeholder workshop as a part of the process sometime in June or July 2022. The department projects completion by October 2022.

The presentation displayed a map of 10 closed landfills which are overseen by the Waste Recycling Division and managed by Mr. Brian Kehoe. The transfer station locations were viewed, noting that six (6) of the closed landfills have a transfer station that is identified with the red circle. MC is mandated by A.R.S. 49-741 to accept solid waste. One of the County’s mandates is to provide waste services for residential waste that is generated in unincorporated Maricopa County.



The service accepts household trash, green waste, appliances and large items (furniture), recyclables, and tires, amongst other items. The Green Waste Program process and history were shared. In most years, they collect approximately 5400 tons of green waste. It was hoped that the department would be able to continue this service, but they reached capacity and are not able to continue the service. It's projected that 7,000 tons are expected in 2022, so they reached capacity much faster than expected. Options were evaluated for the citizens of Maricopa County; the process prevents illegal dumping and provides the citizens of Maricopa County a way to maintain their properties that limits fire danger by allowing them to remove that dry material from their properties. After weighing various options, the department is looking at changing the frequency/schedule of the collection; this option would increase costs but allow the department to continue to provide a valuable service with minimal impact on customers yet allow continued service to the community. This service is similar to what's provided by a lot of municipalities when they provide bulk trash service and different intervals. The process of using a third party to dispose of the waste was had. Maricopa doesn't manage any open landfills, and the waste would need to be taken off-site. Quarterly green waste disposal costs and increases in staff, maintenance, fuel costs, and decreased grinding costs total increase of \$150k. Ms. Caballero referred the Board to the below slide discussing the proposed fee changes.




## Proposed Fee Changes

Transfer Station Fee Types	FY 21 Rate	New Rate
T & B Garbage - Single Bag 30 gal max	\$ 2.00	\$ 2.00
T & B Garbage - Passenger car/ Station Wagon	\$ 6.00	\$ 6.00
T & B Garbage - Vans/ Sport Utility Vehicles	\$ 9.00	\$ 9.00
T & B Garbage - All Pickup Trucks & Trailers	\$ 12.00	\$ 12.00
Green Waste - Passenger Car/ Station Wagon	\$ 4.00	\$ 4.00
Green Waste - Vans/ Sports Utility Vehicles	\$ 6.00	\$ 6.00
Green Waste - All Pickup Trucks	\$ 12.00	\$ 26.75
Green Waste - All Trailers	\$ 12.00	\$ 40.00
Other Materials - Appliances	\$ 8.00	\$ 8.00
Other Materials - Large Items	\$ 8.00	\$ 8.00
Other Materials - CRT	\$ 21.00	\$ 21.00
Recyclables - Tires	\$ -	\$ -
Recyclables - ALL TYPES	\$ -	\$ -

**Several transfer station fees were adjusted in 2019, phased in over 2019 and 2020, but did not include green waste fees.**

Comparing Service Fees to transfer stations showed the average price per ton was \$40.66. Apart from the EROP case, the Board was briefed on other changes in summary:

- The bulk green waste collection and grinding program will be discontinued, eff. July 1, 2022
- The quarterly collection begins in September 2022
- Bagged/bundled green waste accepted year-round
- Alternative disposal options
- Other fees remain unchanged
- Recycle select items at no-cost
- Enhanced illegal dumping monitoring

If individuals need to recycle items in between the cycle, there are other transfer stations available in most areas. Green waste was identified as palms, plants, trees, etc. Unincorporated areas are offered the use of recycling their plastics, cans, and other recycling items. Approximately 55 percent of the Cave Creek community would be affected by the change. Currently, the transfer stations do not have scales; it would cost hundreds of thousands of dollars to install scales. The department is still coming in under the average per ton cost compared to others. The department is looking to change the truck rate to \$26.75 from \$12.00, and the trailers would be \$40.00 versus \$12.00. The department is asking for the Board of health to approve the process of the EROP standard change. A public caller responded with awareness of his complaint about the purposes of making the Board mindful of the issues that could arise as a result of the services changing, his main concern was the magnitude of the increase, offering some suggestions and noting that his belief is that this action will discourage people from collecting and getting rid of greenways and promote illegal dumping. The suggestions were noted. Mr. Celley clarified that the Board's action was to approve the Environmental Services EROP process for the purposes of regulatory change and the next step for the department is to allow for public comment as a part of the process outlined previously.

**President MacMillan asked if there was a motion to approve the EROP process for the purposes of regulatory change. A motion was made by Mr. Celley and seconded by Ms. Banahan. All were in favor, and the motion carried.**

**6. Fee Waiver Applications – Twenty-Seven (27) permit fee waiver approval requests     Robert Stratman  
Fee Waiver Application Summary Sheet and Fee Waiver Staff Report**

The department received 27 Permit Fee Waiver applications, and staff determined that all met the criteria outlined in the Environmental Health Code. The criteria - an operator of a charitable non-profit establishment which operates predominantly for the poor distressed, or underprivileged that may apply to the Board of Health for the waiver of a permit. A waiver may be granted only if the operator maintains a current 501 (c)3 tax-exempt status and demonstrates that the payment of the said fee will cause a financial hardship. In addition, a waiver of fees associated with administering and the issuance of food employee certificates may be granted to an operator of an establishment who maintains a current 501 (c)3 and must demonstrate to the Board of health that said payment would cause financial hardship. The department is asking for the Board's approval of the 27 fee waiver applications. Summary sheets labeled P1 through P25 and C1 through C2. There were no questions or comments made for the report.

*(memo and report summary attached to meeting agenda)*

**President MacMillan asked if there was a motion to approve the 27 fee waiver applications presented as P1 through P25 and C1-C2. A motion was made by Mr. Celley and seconded by Ms. Banahan. All were in favor, and the motion carried.**

## 7. Air Quality Department

Greg Verkamp  
Kimberly Butler

### **Make a recommendation to the Board of Supervisors to approve the proposed revisions to the following rule:**

AQ-2021-002 - Rule 270 (Performance Tests)

Rule 270 establishes performance testing requirements for owners and operators of sources that are required to conduct performance tests. The rule was last revised in 1993. In this rulemaking, the MCAQD is proposing revisions to update, clarify, and enhance the rule.

The department is requesting the Board make a recommendation to the Board of Supervisors to approve the proposed revisions to Rule 270, which is the Performance Test rule. The rule establishes performance testing requirements for owners and operators of sources that are required to conduct performance tests. Rule 270 was last revised in 1993; therefore, it was in need of a makeover to update, clarify and enhance the rule.

#### **Overview of the EROP process**

- September 8, 2021 - the department held their first stakeholder workshop
- October 25, 2021 - the Board of Health approved the initiation of the rulemaking
- In February 2022, the department held their second stakeholder workshop
- In March 2022, the department posted a notice of proposed rulemaking (close to the final rule) that allows for the public to review and comment on the rule

Today, Air Quality is asking the Board of health to make a recommendation to the Board of Supervisors to approve the proposed revisions to AQ-2021-002 - Rule 270 (Performance Tests). The department received five written comments from stakeholders, and one stakeholder indicated they were in favor of the proposed revisions, while the other four did not comment in favor or oppose. The department replied to all five comments, and the comments and responses were included in the report to the Board of health. The Air Quality department made several revisions to the rule based on the stakeholder comments, which were included in the Board of Health Report that, if approved, will be presented to the Board of Supervisors for adoption.

A discussion was had regarding two of the comments made by both APS and ASU on section 405.1 to better understand the County's position of not changing the non-title V submittal deadline from 30 days to 45 days. The department explained that the big reason was their timeline of meeting EPA submittal deadlines, and they wanted to limit the number of them. They give 45 days because they have between 90-and 180 days to report back to the EPA. It was further explained that for the department's staffing levels, they want to make sure they control which ones go to 45 days and which ones don't. The rule allows the director discretion to take those more complicated, non-title V sources and give them 45 days. In any situation, companies can get it written directly into their permit and work with the engineer instead of having to ask each year; the department works on these on a case-by-case basis. The department wanted to keep facilities with less complicated tests to the 30-day reporting timeline. The performance tests are simpler, and the lab results come back quicker. The more complicated ones the engineers are prepared for, and they know which ones will take longer, so they work closely with those companies. Many performance tests are simple tests and don't need more than 30 days; if they get 45 days, they're just going to push it. For example, the department communicated with ASU, and for years, ASU has had 45 days written into their permit; that isn't going to change at this point; one reason provided is that ASU has complicated performance tests.

The penalty for not meeting the deadline is a violation of the Air Quality Regulations, which would be a county violation; it is not federally enforceable. The State Implementation Plan (SIP) is part of the Air Quality rules; once they go into the SIP, they become federally enforceable. This is a local rule, and Rule 270 would not go through this process; once the Board approves it, the department is done. The local rule allows the permit manager to use discretion when providing an extension. Meetings were held with APS and SRP last fall; the department has communicated with all companies that submit comments. There haven't been any official complaints protesting the rule. The department is confident that if the Board approves the recommendation to the Board of Supervisors, they're not going to hear complaints during the public hearing process. The Air Quality Department posted a notice of proposed rulemaking in March. Only one comment was received after the notice was posted, and it came from a consultant; the department followed up and made a small change, which the consultant appreciated. **President MacMillan asked if anyone wanted to make a recommendation to the Board of Supervisors to approve the proposed revisions to AQ 2021-002 Rule 270. Mr. Celly and made a recommendation, seconded by Mr. Cassano. The recommendation passed. There was one Nye by Mr. Macmillan.**

### Discussion Items

8. Public Health Report
  - I. Human Resources
  - II. Communications
  - III. Infrastructure
  - IV. Strategic Planning
  - V. Programs
  - VI. Disease Update
  - VII. Future Topic

**Marcy Flanagan**  
Dr. Rebecca Sunenshine  
Jana Lafreniere  
Aaron Gettel  
Tianna Baker

### Strategic Planning

Ms. Flanagan introduced Jana LaFreniere, Manager of Office and Improvement at public health. Ms. LaFreniere provided the board with an overview of MCDPH opportunities, challenges, and growth. The presentation slides allowed all to see the path of growth, the need to respond to the pandemic, how the department has had to re-evaluate how they operate in various areas, recruit, train staff, budget allocations, grant management, etc. In addition to the pandemic, 2021 was not an accreditation year, so their efforts to pursue accreditation without interruption were interrupted. After making the necessary adjustments to the program, the department maintained accreditation and got back on track. FY21, the leadership team met and reviewed their strategic plan and evaluated the department's performance to comply with accreditation. The department met with Director Flanagan, discussed her vision for public health, and began planning. Slalom Consulting Firm was hired to help the department create a new strategic plan. It would take 3-5 years to complete based on the changes outlined. The components are to include:

- A new mission and vision
- Definition of departmental values and which public health is
- Review behaviors that support those, evaluation of our current org structure
- Some operational plans for the program and office level help the department align those with the new mission and vision values.

The department received feedback from staff, some data, and retention surveys. Six focus groups were had, generating great responses from a survey with a 40% return and response rate. The department's goal is to review trends and best practices for what high-performing companies have as a strategy. They're like ultimate goal strategy strategic priorities back internally so that they can align with what is being seen at great companies. Slalom helped lay out a roadmap with four phases, including reflect, re-imagine, refine, and reconnect. The first phase reflects where they focused on evaluating the current state. Slalom presented the themes and provided feedback that identified, as a leadership team, the strengths, challenges, and opportunities that the department is based on in preparation for being able to create this new vision. The department begins phase two to re-imagine the work. An outline was provided in the presentation to provide the program plans and operational plans at each level. Ms. Flanagan admits that over the last 22 years that she's worked in public health, there's been some struggle within public health, referred to as Cyborg funding, especially at the federal level. A push is coming even from a national level for the federal government to recognize how they can manage braided funding that allows all to work easier. The bigger picture is how to align the programs and how they function so that they can stay true to how they are funded. Certain populations, such as mothers with young children and how immunization is important and to provide the needed education, potentially with WIC. Recognizing how public health can bring together and recognize the programs that would work in the community to enhance how they're delivered.

Once the process has been completed, Ms. LaFreniere will be invited back to present the department's new vision and updates.

### **Heat Update**

Dr. Sunenshine delivered the heat update for Maricopa County. Aaron Gettle, Senior Epidemiologist, and Tianna Baker from our Epi department helped gather the heat-related deaths and illnesses to present today. The information presented will go public today; there has been an unfortunate trend and rise in the heat-related deaths in Maricopa County.

Dr. Sunenshine began informing the board that the department has strategies in place to prevent the trend the department is seeing. Mr. Gettle started the program from scratch. Maricopa County is one of the leaders in our surveillance system for heat-related morbidity and mortality. In 2005 Maricopa County had one of the hottest years ever. Temperatures reached 116 degrees, which back then was extremely hot when the minimum temps were 90 degrees for many consecutive days. As the temps rose to triple digits and then cool in the evenings, the County saw 35 deaths occurring over nine consecutive days, which was alarming, and prompted the team to invite the CDC out, which prompted the health surveillance system to do so start. In 2005 the Heat Release Network was formed with the MC Association of Governments and Municipalities, non-profits, and Faith Communities, and they all partnered together. Information was presented in a PowerPoint presentation which is attached to the agenda for review.

- Heat Relief Network (HRN)
- The goal is to provide vulnerable people with resources to help prevent heat-related deaths
- Cooling Centers/Heat Refuge Stations
- Water Collection Sites and Distribution Sites

Meetings are routinely held every year where multiple public education campaigns gather. Campaigns such as don't leave kids in the car and don't leave pets in the car were really advertised. Phoenix started, take a hike, do it right, making sure that there was good signage on every pathway for people to see, encouraging people to take enough water. [Phoenix Hike Right!](#) The County started seeing a decrease with all of the measures in place. There were 339 heat-associated deaths reported in 2021, a 5% increase from 2020 and a 70% increase from 2019. Most of those deaths occurred in June, July, and August, which is almost always the case, over 80% occur

around that time. 2020 was the hottest year that coincided with the pandemic. And then, the piece that we are really focused on right now is the percent of overall heat deaths that occurred on heat warning days was 52%.

The department has a lot of work to do on heat warnings.

- Men over age 50 and women over age 75 are at the highest risk
- Women tend to die more often indoors than men do (elderly females are living alone)

This year, 2021, 42% of our deaths are among individuals experiencing homelessness, and the year prior, in 2020, it was 53%, being the highest. The team learned that 35% of indoor deaths occur in manufactured homes, and when you compare that, manufactured homes actually only make up 5% of Maricopa County's housing, that's disproportionate. The homes, for whatever reason, don't tend to have the same ability to stay cool. They often don't have air conditioning, or they'll have units that don't function as well. And so, this is the population that the team has really been working with to bring additional resources to help them keep their home school, their air conditions, and repair, etc. 60% of deaths involve drug or alcohol use. The first cooling center evaluation was in 2014; it was discovered that a need to increase evening and weekend hours was beneficial. Signs were not as visible as they had hoped, so that was increased to over 100 now. In 2015 the Community Assessment for Public HEALTH Emergency Response (CASPER) was formed. Discussion concerning households that suffered from the high cost of electricity was a barrier. More than half of the people were unaware of utility assistance programs, and this led the department to target the need to educate people on the programs offered. The climate change and public health learning Collaborative for urban health departments provided a grant, or it was sponsored by the Public Health Institute in 2016 and 2017. They were able to link the homebound population to cooling systems resources so that they could educate people on how to improve the energy efficiency of their homes. They also included classes for people who live in mobile homes on how to fix their air conditioning, and it's believed that they partnered with a major business to help supply AC units.

The Maricopa County Coalition on Climate Change and Public Health then formed from this a more informal workgroup into a formal coalition in 2017. The community department educated its health workers regarding heat and health so that these individuals who lived in the community could share the information with their counterparts. Lastly, they performed a survey of 142 South Phoenix residents; one highlight shown was that 2 of the 3 reported severe energy burden, that severe energy burden is when you spend more than 11% of your household income on utilities.

- Workgroup focused on decreasing energy burden in South Phoenix
  - Partnering with Arizona Housing
  - Funding available for weatherization
  - The labor shortage is a challenge
  - A survey representing the whole County

The workgroup is focused on decreasing the energy burden in South Phoenix. Partnering with Arizona Housing, they have identified some funding for weatherization labor. The shortage is a challenge in every sector. But they're working together to combine these fixes for the less energy-efficient homes and put them together with the resources. The department is planning to do a repeat survey representing the entire County. Maricopa County's role is to work with several groups and shelters; Phoenix Rescue Mission MAG is a part of this coalition. Public health is piecing it together with grant work, and the hope is when they do their strategic planning, they will be able to create a more formal structure. Comments concerning funds that would allow for more funding towards programs like Habitat for Humanity would be ideal. Ms. Flanagan spoke about the Human Services department and how they have a lot of initiatives that they're doing, one of the public health's goals is to have something in their department that allows for all the partners to come together so that the resources are centralized, and the individuals know about all available programs. A big part is education and making sure that the information gets out to the public; as far as the ARPA funds, and returning funds, there are some restrictions on that grant and its usage. Ms. Lee Ann Bohn, Maricopa County's Assistant Manager, can attend a future meeting and further discuss where Maricopa County best used the ARPA funds, how much is available, and any

restrictions surrounding the grant. This would allow the board to ask any additional questions they may have. A portion of the ARPA funds have gone to the Human Services Department and the workforce development; in these fields, it's known that a lot of areas lack trained professionals or people in the workforce market. There just isn't enough staff available everywhere, and it is feeling the heat. It's nice to have programs available to help develop these things. Before the funds were available, Ms. Bohn was already scraping up dollars where possible. So, it's exciting that the funds are now available, affording opportunities to get some real work done in this area. Maricopa County is considered the model for many states that are experiencing an increase in their overall temperature and have reached out to our County for guidance. A lot of attention lately from the media asking how our surveillance around heat. Because the County works closely with their Medical Examiner's office, it allows for better knowledge of what's happening in the County to be able to identify and make it a priority in the department. The department is excited about the future opportunities as they continue to grow and expand, allowing for more of these kinds of urban heat issues that affect the community. Maricopa County is being looked at nationally as to what's being done in America. Ms. Flanagan offered to update the board at a future meeting as they make progress and update the board on some of the new initiatives.

The board questioned how the department could calculate the percentage of the increase in heat-related deaths, meaning that the deaths were due to drugs. The partnership that public health has with the Medical Examiner's office provides the data which allows the team to include that in their numbers. Primarily it's just heat-related deaths. Public health includes both the heat-caused and heat-associated deaths if they can't be sure that it was mainly the heat-associated death, whereas if they are sure that it was the heat cause of death. The medical examiner has their definitions. The numbers are broken up by associated and cause in the Medical Examiner's office. Comments that the National Institute of Drug Abuse has a similar chart described. If the department normalized a chart for no drugs, how would that show in numbers? This could allow public health to focus its funding and efforts more on either one area. This is an option that the department could review. Public health can undoubtedly look at it as drugs are causing people to die in the sun, then maybe put more efforts toward stopping the drug abuse. You fall on lots of efforts targeted toward substance use and opioid use, and one of the things that they are looking at is if there are campuses that focus on individuals who have a substance addiction. So, for instance, Phoenix Rescue Mission, so one of the things we're looking at is trying to really support those shelters that also offer substance use and addiction services. It's known that populations of individuals experiencing homelessness overlap so much with individuals addicted to a substance.

Maricopa Association of Governments (MAG) website [azMAG](#) offers additional information about the cooling centers. MAG keeps track of studies and the number of individuals experiencing homelessness; however, the information Public Health presented today on heat-related illness that's done in partnership with MAG is led by public health, and geographic could possibly be added in the future.

### **Covid-19 Update**

Ms. Flanagan provided the board with an update on the pandemic, adding that the County's case count has decreased significantly. Last week the County had an average daily case reported of 260, as the low Epi curve makes the count the lowest number seen since the beginning of the pandemic.

The board expressed their appreciation to all departments that presented at the meeting and the fine work that is happening.

- Fully vaccinated case rate is at 33.5 per 100,000
- Unvaccinated case rate increased to 63.6 per 100,000

The CDC came up with a new transmission community level spread and provided the public recommendations that people can go back to their normal daily lives or continue to mask up. High and medium transmission vulnerable people should continue to wear their masks, especially in high volume settings. Maricopa County is currently at a low transmission spread; the percent of positivity for last week

was at 4%, indicating that the County is downward. Maricopa County sees the most significant numbers of the BA.2 Variant spread, although public health has not seen increases globally. The positive numbers of people who received their vaccinations allow Maricopa County to get through the community immunity and protect everyone from the BA.2 surge. Public health continues the case investigations, working with the school districts when outbreaks and the long-term care facilities. Areas, where there are many concentrated people in small proximity and outbreaks can make an outbreak investigation. The department continues to work with the groups on infection control and mitigation efforts, where they are currently concentrating. The vast majority of those who are doing their testing with the Apple test does not get reported to public health, however people can reach out and refer them to the department, and that's just for all to keep in mind that the numbers reported are being taken with a grain of salt knowing this information, allows for the possibility of a lot more cases, the percent of positivity could be higher or lower based on the lack of reporting.

When will there be a national sort of declaration that COVID is endemic and not a pandemic? It's unknown. However, that will be for a while nationally; the CDC is not there yet. There's still a lot of discussion swirling about what that looks like and what that means. Even as low as they are, the numbers public health has seen are still significantly higher than what's seen in the flu season for flu cases reported. They know COVID looks very different; it is much more severe than flu outcomes. Public health is looking at recovery and rebuilding and recovering from the pandemic. A lot of the work being done throughout the department is being integrated into just the department's daily work monitoring COVID. Like the flu, COVID will be one thing that continues to get watched to become predictable, hopefully. As soon as resumes and people start to go on summer vacations, it's expected to see a pattern. As things become more predictable, the key is that public health now knows how this works, and it's expected to see activity during flu season. As those trends happen, all can expect to see messages from public health nationally recommending masking up in public settings. It's a known fact that wearing masks helped when looking at the flu season along, and it was almost a non-existent flu season. Lastly, the past couple of years has been much lower than previous years. A lot of that had to do with the math and to have to do with people being cautious, handwashing and staying home when they're sick. So, it's hoped that all of that continues and really helps the County get through this pandemic but also has less severe flu seasons than we've seen in the past with outcomes.

The board can expect to receive more COVID updates at each meeting, and at some point in the future, the Maricopa County Board of Supervisors can officially declare COVID to be over at the recommendation of public health and that we are no longer in a public health emergency anymore or that we are in a state where our hospitals are worried that they don't have staffing or beds available or that we are in a much better point with case rates seen in our community and our transition level. Public health supported the board in ending the public health declaration, but that does not have anything to do with being in a global pandemic, noting that we are still in a pandemic.

Wastewater surveillance is believed to have been started with ASU early on, and that continues at a national level. Wastewater surveillance has increased its efforts. It is seen as a useful tool to indicate what is circulating when public health is not getting the report of testing. The labs only do sampling to do sequencing, and the CDC continues to do a percent of sampling.

Remarks were made referring back to last quarters report on STDs, noting that Maricopa County has some of the highest rates of STDs. Currently, all STD services are housed in the downtown Phoenix clinic. Public health is excited about regionalizing some of its clinical services offered and is purchasing a few properties in Mesa, Good Year, and the North Phoenix area. The department continues to raise awareness about its programs to know the programs available throughout the County. The department partners with others to increase programs and allow for feasible travel to its clinics. Maricopa County Public Health Reserve Corps recently won multiple awards, celebrating their outstanding work.

**Announcements and Current Events**

*None*

**President/  
Board Members**

**Adjournment**

**President MacMillan**

There being no further business, Dr. Baldauff made a motion to adjourn the meeting, seconded by Mr. Celley. The motion passed unanimously. The meeting was adjourned at 5:35 p.m.