

**MARICOPA COUNTY BOARD OF HEALTH  
MEETING MINUTES**

**Monday, October 24, 2022, at 3:00 PM**

**In Person & Virtual Meeting**

President MacMillan called the meeting to order at 3:06 p.m.

**ROLL CALL:**

**Members Present:**

Debra Baldauff  
Don Cassano  
Paul Stander  
Paula Banahan  
Robert MacMillan  
Scott Celley  
Supervisor Bill Gates

**Members Absent:** Kristen Acton

Ex-Officio: Marcy Flanagan

**1. CALL TO ORDER**

**President MacMillan**

- A. Roll Call**
- B. Call to the Public**

Addressing the public, President MacMillan advised all how to use the chat box to comment or add any questions for the agenda items. Ms. Sampler informed all that there were no requests known to speak at this time; all were told that they would have the opportunity to type questions using the chat box, which will be acknowledged during and or after the meeting accordingly.

**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 July 25, 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 Update – Fiscal Year 2023 Quarter 1 Budget Status Report**

**Scot Pitcairn**

Mr. Pitcairn provided an update for the Public Health FY23 Quarter 1 Budget Status Report for the funds listed below. A memo was provided outlining the updates for the below listed funds.

- **Fund 100 – General Fund**

The report was read from the memo provided in the agenda, which outlines fund 100 in greater detail. A brief discussion was had relating to just one person filling not just one but two or three part-time positions and combining positions, which is currently being done with the dental sealant program. Some of those positions are

hard to find, so public health is starting to explore it more often in those hard to fill positions, especially when you talk about medical nurses, physicians, and providers.

- **Fund 265 –Public Health Fee Fund**

The report was read from the memo provided in the agenda, which outlines fund 265 in greater detail. There were no questions asked about Fund 265.

- **Fund 293 – Justice Reinvestment Fund**

The report was read from the memo provided in the agenda. This funding source is from the state marijuana tax per A.R.S 36-2863. The memo outlines fund 293 in greater detail. There were no questions asked about Fund 293.

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

Fund 296 report was provided from the memo attached to the agenda. The memo outlines fund 296 in greater detail. There were no questions asked about Fund 296.

- **Fund 297- Opioid Settlement Fund**

Ms. Flanagan briefly reported on monies received from the Opioid Settlement Fund earlier in the meeting. Mr. Pitcairn advised the board of how the fund was set up. Refer to the PHS Finance memo, which outlines Fund 297 in greater detail. There were no questions asked about Fund 297.

- **Fund 532 - Grant Fund**

Fund 532 was summarized to the board, noting that the department received about \$2.1 million more today from the COVID/ELC grant. Concerns were addressed about the delays in payments from the State. There were no additional questions relating to Fund 532. Refer to the memo attached to the agenda, which outlines fund 532 in greater detail. There were no additional questions asked about Fund 532.

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

#### **4. Environmental Services– Fiscal Year 2023 Quarter 1 Budget Status Report Sylvie Donaldson**

Ms. Donaldson provided the Board with the Environmental Services Quarter 1 FY23 update. A memo was provided outlining the updates and summarizing each fund listed.

- **Fund 100 - County General Fund**

Fund 100 report was read from the memo provided in the agenda, which outlines fund 100 in greater detail. Increased transit fees are not reflected in the report just yet.

- **Fund 290 – Environmental Tire Fund**

Fund 532 was summarized to the board from the memo provided in the agenda. Greater detail can be read in that memo.

- **Fund 506 – Environmental Fee Fund**

The report for fund 506 was read from the memo provided in the agenda. Comments were made about the inflation of materials, such as the cost of rocks. There is also an increase in the cost of fleets and equipment. No additional questions were had about Fund 506.

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

**5. Fee Waiver Applications – 15 permit fee waiver approval requests  
Fee Waiver Application Summary Sheet and Fee Waiver Staff Report**

**Robert Stratman**

The department received 15 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, waiver of fees associated with administering and the issuance of food employee certificate may be granted to an operator of an establishment who maintains a current 501 (c)3, and the sponsoring school 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 15 fee waiver applications on the summary sheet as P1-P12 and C1-C3.

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

**President MacMillan asked if there was a motion to approve the 15 fee waiver applications presented as P1 through P12 and C1-C3. A motion was made by Mr. Celley to approve P1 through P12 and C1-C3 fee waiver applications and seconded by Dr. Farber. All were in favor, and the motion carried.**

**6. Air Quality Department**

**Greg Verkamp  
Kimberly Butler**

Mr. Verkamp and Ms. Butler presented three rulemakings to the board for approval of the expedited process rulemaking. The rulemakings will not make new compliance requirements for sources; they're not expected to have a major impact on sources that the department is regulating, which is why they are presenting them for expedited process rulemaking. Notices and Reports for each were previously distributed to the board for their review. Each rulemaking requires its own action to be acted on by the members of the board.

**AQ-2022-002 - Rule 245 (Continuous Source Emission Monitoring)**

The Maricopa County Air Quality Department (MCAQD) is proposing to revise Rule 245 to address rule approvability issues identified by the U.S. Environmental Protection Agency and to replace State Implementation Plan Rule 41 (Monitoring) with the revised rule.

Revisions also include the removal of continuous source emission monitoring requirements for fossil fuel-fired steam generators because these requirements are addressed in Rule 322 (Power Plant Operations). Rule 245 is applicable to four source types; three are not in the county. The revision is to remove the regulation of boilers. The applicability of this rule to the boiler is at the power plants, which are regulated under a different rule. Therefore, the revised rule will only be applicable to three source types, which do not exist in Maricopa County. The rule is on the books because the Clean Air Act

requires that you have continuous emissions monitoring for these source types in your state implementation plan at the federal level, revisions also address EPA concerns. A Stakeholder Workshop was held in September, and stakeholders were allowed time to submit comments.

**President MacMillan asked if anyone wanted to approve expedited process rulemaking for AQ-2022-002 - Rule 245. Dr. Farber made a motion to approve the expedited rulemaking process, and Mr. Celley seconded the motion. All were in favor of the motion.**

#### AQ-2022-005 - Rule 311 (Particulate Matter from Process Industries)

The purpose of Rule 311 is to limit the discharge of particulate matter into the atmosphere by establishing emission rates based on process weight. It was initially adopted on July 13, 1988, and the most current version was adopted in 2003. MCAQD is proposing to rescind Rule 311 because it is an obsolete rule. Any sources currently in or planning to locate in Maricopa County with particulate matter emissions are or will be regulated under other existing particulate matter rules. The department is looking to rescind the entire rule.

**President MacMillan asked if anyone wanted to approve expedited process rulemaking for AQ-2022-005 - Rule 311. Ms. Banahan made a motion to approve the expedited rulemaking process, and Mr. Cassano seconded the motion. All were in favor of the motion.**

#### AQ-2022-007

##### Appendix B (Standard Permit Application Form and Filing Instructions)

MCAQD is proposing to revise Appendix B by removing the filing instructions and standard permit application form from the appendix. The revision will include the addition of a statement providing the website link to the MCAQD webpage, which includes all current Title V permit application forms and instructions. These revisions will make it easier for the application form and instructions to be updated in the future without having to go through the rulemaking process. President MacMillan shared some comments for the department to consider relating to the application.

**President MacMillan asked if anyone wanted to approve expedited process rulemaking for AQ-2022-007 – Appendix B. Mr. Celley made a motion to approve the expedited rulemaking process, and Dr. Farber seconded the motion. All were in favor of the motion.**

## **7. Maricopa County Medical Society**

**John McElligott**

John McElligott is the Executive Director of the Maricopa County Medical Society. Mr. McElligott presented the board with an overview of his background and outlined the Medical Society's history. The Medical Society is the oldest Medical Association in the State of Arizona, dating back to 1892 in Frontier Medicine, incorporated in 1935. Their focus is on the future of trying to create medicine and carving out what the future of medicine will look like for health care on the ballot. Their mission is to promote excellence in the quality of care and the health of the community while representing members by acting as a strong, collective physician voice. Their main audience is physicians practicing physicians.

The board is comprised of practicing docs for a wide range of medical specialties. They have all sorts of employment settings, ethnic and racial backgrounds, as well as social and political perspectives. But where they come together is how they want to drive forward on improving healthcare, improving the business climate for

people who are in private practice, or those who are employed physicians and hospital systems, increasingly, so that patient care will continue to improve. There are currently 13,000 physicians practicing in the valley, which is rapidly growing.

The Medical Society partners with the county health department by gathering information that often comes from other staff, and the county's health departments push that out to physicians. Relevant data is shared by the Medical Society. In the last couple of years, the logistics team was a huge help, all of the PPE that the county provided or that came from the HHS to the county and then out to the medical study was a godsend. A lot of physicians reported back that it helped them to keep their doors open. Gratitude was expressed!

The Medical Society routinely gets updates on infectious diseases and communicable outbreaks from physicians about what's relevant to their colleagues. Information was published via emails or live updates from the Medical Society's board of physicians. A few documents received were sent out to the Pulse Car Wash and wash cars to raise money and let the community know that their physicians want to help the community. Additional information was had about community screenings led by a group called the Endocrine Society, a national organization. Other activities were shared on behalf of the Medical Society.

The society publishes a quarterly magazine that was passed around during the meeting. Mr. McElligott thanked the board for their time to present.

## **Discussion Items**

### **8. Public Health Report**

**Marcy Flanagan**

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

Ms. Flanagan provided the board with the COVID-19 case updates for Maricopa County.

### **COVID-19 Update**

- Maricopa County case count 1.4 million (as of last week)
- Daily cases reported around 450 reported per day
- Majority of the county's isolates are still matching the BA5 variant
- Sub variant of BA5 have been reported in the news as BQ.1 BQ1.1, currently Maricopa County is not testing for those variants or the State, it's expected to start showing up.
- More than 188,000 (7%) residents in the county have received their COVID booster shots
- The County continues to receive calls from individuals interested in getting their booster vaccine, which is recommended
- Hospital's admissions have decreased slightly as of last week
- Home testing kits are not reported to the county, therefore they are excluded from the case counts
- Much like the flu, the county does more of a surveillance with COVID, which is why they look at the hospitalization admissions which is why they look at the percent positivity for those that are done in a lab for the numbers that are reported.

- The county is expecting an increase over the coming months, as well as an increase in the flu season this year
- The city of Tempe is the only one's testing water and waste surveillance, however they continue to report those numbers and those go into the county's community transmission level.

The county approached ASU in hopes to expand some of conversation in the early stages, to make certain once the information received detects a level, the county and act on it.

### **Monkeypox**

- As of Oct. 19, the county has confirmed 430 probable cases
- 203 of those cases were hospitalized
- Zero deaths have been associated
- Six people are under investigation
- 7,328 vaccines have been administered
- Four vendors are on board to provide the vaccine at their clinics
- Vaccines were offered at a recent Pride event
- The county continues to target the most outbreak for the at-risk populations

### **Measles outbreak**

October 23, the county celebrated their second incubation period, or 42 days, without any new cases, officially closing out that outbreak in the county, with only 5 cases. The outbreak was linked to the Sudan Ebola virus, unfortunately that strain has no vaccines or therapeutics that have been approved for prevention or treatment its reported as having 64 cases and 14 are currently active and 25 of those people have recovered, however another 25 are deceased. The county continues to work with the World Health Organization (WHO) and the CDC. Originally early on, when the outbreak was going on in Uganda, individuals that were returning from Uganda were being diverted to just five airports in the US. They've now expanded. They're allowed to come into any airport, but local public health authorities are notified when that happens. Maricopa County is responsible for monitoring for 21 days, those individuals that returned from those countries, and giving them a risk assessment, and monitoring them daily for any no symptoms they start to develop. Unfortunately, in Arizona, there are no hospitals that do any screening or treatment for Ebola. The closest is Cedar Sinai in Los Angeles. And so, they have to co-ordinate traveled for anyone that's being monitored the source to develop symptoms, to send them to that hospital for no treatment, or even a risk assessment, beyond what the county is able to do.

Right now, they have nine individuals being monitored that have returned. Luckily, all of them are low risk, although today the county was notified of two folks that are returning that were health care providers helping with this outbreak, so, there'll be at a higher risk level than we've been seeing, but the team will monitor them for the 21-day period, making sure they don't develop any symptoms.

### **Opioid Settlement**

Ms. Flanagan briefly reported that the county is receiving payment for 18 years. These are the opioid settlement payments that are related to the distributor settlement agreement. Public Health is responsible for distributing the funds out to the other cities and towns within the county that choose to take their distribution. These counties have the option to keep their distribution at Maricopa County, and the county will do the work in those communities. Ms. Flanagan is presenting to cities and towns this week to inform them of the plan. The Public Health team has been invited to a future meeting to present to the board. An initial payment of 2.4 million was received and the second payment was just over 2.3 million although the amounts are subject to change. For the life of the agreement, the state of Arizona received about \$374 million, a little over 50% will go to local governments, the other portion is kept at the state level.

## **Hospitalizations and Diseases**

Information was provided relating to hospitalizations rates and childhood diseases. Ms. Flanagan advised the board that yes, there have been an increase in respiratory illnesses, more common in children lately, the county is seeing higher rates of the spectrum from whooping cough to other respiratory illnesses increases, often having to do with lower vaccine rates. Arizona has some of the lowest vaccine rates for no vaccine preventable diseases, especially in school aged children, so that's a contributing factor. The county has also seen increases in illnesses and respiratory. Relating to the flu season, the fact that the county was masked up contributed to a reduction in the numbers reported. So, there is conversations happening at public health at the national level, about how it would be appropriate to encourage, especially in schools, to consider encouraging kids to wear masks, continue to sanitize hands and wash hands often. The data has shown that it has reduced the spread. A brief conversation regarding the Piolo outbreak was had mentioning that Arizona has loose requirements about getting children vaccinated.

## **Announcements and Current Events**

**President/  
Board Members**

Ms. Banahan proposed discussing students and medical staff testing positive for Marijuana. Counsel advised that this topic was not on the agenda for discussion. Ms. Banahan will email Ms. Sampler with her question for consideration of a future meeting topic to be added to the agenda.

## **Adjournment**

**President MacMillan**

There being no further business, Ms. Banahan made a motion to adjourn the meeting and Mr. Celley seconded the motion. The motion passed unanimously. The meeting was adjourned at 4:37 p.m.