

MARICOPA COUNTY BOARD OF HEALTH
Meeting Minutes
Administration Building
301 W. Jefferson Street, 10th Floor
Board of Supervisors Conference Room
Phoenix, Arizona 85003
January 26, 2009

Mr. Cassano called the meeting to order officially at 3:12 pm with a quorum present.

ROLL CALL:

Members Present:

Don Cassano
Susanne Cook, RN, PhD
James Giangobbe, M.D.
Zuhdi Jasser, M.D.*
Brian F. Spicker*
Mike Snitz
Jim Vandeventer
Pam Wight

Members Excused:

Audrey Adamic
Michael Kearns
Maricopa County Supervisor Andrew Kunasek, District 3

Ex-Officio: Bob England, M.D.

(* Denotes members arriving after Roll Call)

CALL TO THE PUBLIC:

Ms. Adamic advised that if anyone from the public is present at the meeting today who would like an opportunity to speak, a Speaker Request Form is available and must be filled out prior to addressing the Board of Health. The Board of Health cannot discuss or take any action on any topics presented during the Call to the Public unless they are on the agenda.

DISCUSSION/ACTION ITEMS:

- 1. Approval of the November 24, 2008, 2008 BOH Minutes:** **-Mr. Cassano**
A correction to the minutes was made by Mr. Snitz saying that the discussion of the board of health retreat was left off of the minutes. Mr. Vandeventer made the motion to accept the minutes with the correction. Dr. Giangobbe seconded the motion. The motion passed with a 6 to 0 vote.

- 2. Pool Abatement Assessment Appeal:** **-Ms. Ballengee**
Property Owner Appeal of Nuisance Abatement Assessment
Maricopa County Health code Chapter I, Regulation 14. Cause #: 254307
Property Owner: Ioan Radu Property Address: 14838 N. 60th Avenue, Glendale, AZ 85306

Ms. Amanda Ballengee, Environmental Enforcement Specialist with Maricopa County Environmental Services gave a brief presentation on the background of the green pools enforcement before presenting the case against property owner Ioan Radu.

On June 14, 2008, Ms. Ballengee was dispatched to the property 14838 N. 60th Avenue to investigate a complaint of a green pool. Ms. Ballengee knocked on the door but received no response. On July 7, 2008, Maricopa County Environmental Services Departments mailed a certified letter to Ioan and Irinca radu, requiring property owners to contact Maricopa County Vector Control to arrange an inspection to determine if mosquitoes were breeding at the property. The letter was returned by the post office marked unclaimed, unable to forward.

On July 18, 2008, Inspector Kara Cox returned to the property to check on the condition of the pool. She received no answer at the door. Inspector Cox gained permission from a neighbor to use their yard where she was able to observe the pool to contain 275 square feet of black, stagnant water that is or is likely breeding mosquitoes. A phone call placed to the complainant indicated there had been no change to the pool since the complaint was phoned in on May 22, 2008. Inspector Cox took 2 pictures then left the property. On July 28, 2008, a search warrant was obtained from Judge Don Calendar, Justice of the Peace Pro-tempore, South Mountain Justice Court. This warrant was issued to gain entry to inspect and treat the black and stagnant pool that is breeding or likely to breed mosquitoes. On July 30, 2008, was executed at the property by Inspector Kara Cox and Officer Unvericht of Glendale Police Department. They knocked on the door but received no response. They entered the property over the south wall where Inspector Cox observed the pool to contain approximately 250 square feet of green, stagnant that was breeding mosquitoes. Inspector Cox treated the pool with Agnique, a larvacide, and Altosid XR to prevent future breeding. The copy of the warrant, return of search warrant, pesticide application record and material safety data sheets for Agnique and Altosid XR at the property. On October 1, 2008, the notice and claim assessment statement was prepared and signed by Maricopa County Environmental Services Department Director John Power. The document was hand delivered to the subject property. A written request for an appeal hearing was received from the homeowner, Mr. Ioan Radu on October 17, 2008.

Property Owner Radu responded by saying that he has a second house. He doesn't live there but just goes there some times. He never received anything on the 14th of June. When the cops came over and put yellow tape on the house is when he found a letter to call. He called her. He said that he has a lot of kids and when he goes there he puts water in the pool for the kids. His filter is broken and can't afford to pay for that. I went there almost every week and put the water in and I have a manual pump and I pump the water out. When I found the letter and I called Inspector Cox the first day and left a message and then I called her cell phone. He explained to Inspector Cox that he put the water in and pumps the water out. The water was very clean but had a few leaves in it from the wind or something. I don't know what else to tell you. That is why I write the appeal because I put the water in the pool and I pump the water out.

Ms. Ballengee responded saying that a door order was left and that we did additionally make the effort to send a certified letter to the listed mailed address from the assessor's office. We feel that our department made every effort to ensure that contact was made to the property owner.

The Board opened up with questions for both Ms. Ballengee and Mr. Radu.

Mr. Radu was asked what the greatest length of time was that the pool had water in it. Mr. Radu responded no more than 2-3 days

Ms. Ballengee was asked if she saw any signs of mosquitoes on the days they were out there and if they would treat the pool if there were no signs of mosquitoes? Ms. Ballengee responded that Inspector Cox was the one who treated the pools and she has inspected many pools and that the pool would not have been treated if there were no mosquitoes

Ms. Ballengee was asked if there is any definite test that there are larvae in there other than taking a sample. Ms. Ballengee responded saying that it is simply by identification. The larvae are very visible to the naked eye.

Ms. Ballengee was asked how long it would take for clear water to become stagnant or turn green. Mosquitoes can breed in stagnant water within 4 to 5 days.

When was the initial complaint? The initial complaint came from neighbors on May 22, 2008

Dr. Giangobbe made the motion to sustain the assessment statement as is. Mr. Snitz seconded the motion. The motion passed with a 7 to 0 vote.

3. Proposed Fee Increases to Vital Registration Fees/Products -Ms. Castaneda-Martinez

We are proposing a fee increase be presented to the Board of Supervisors. The last time our fees were increased was imposed by the state back in 2002. Our population has increased dramatically along with the expenses and our ability to increase these fees has been changed by the state and has become prudent for us to look at and do at this time. The list of fee increases that we are proposing is outlined in the attached document. Changes within the state vital system have increased the work load. In order for us to keep up with that work load, we would need to increase our fees so that we can hire additional people to service the public. At this point, we are falling behind because we do not have the money to pay the personnel.

How do these fees compare with other counties of the same size? Actually, we are at the low end. There are only 2 jurisdictions that charge less than we currently do. 37 charge more than us and those who are in the same bracket as us are also looking to increase their fees in order to be able to provide better service.

What is the difference between the proposal we talked about last meeting and what is brought forth today? We also talked about an expedited fee? As the research has shown, we are on the lower end of the fees and in order for us to maintain our service to the public we would need to increase the fees or at least come from being on the lower end of that. There is already an expedited fee that is done through an outside vendor.

Dr. Giangobbe made the motion to approve that the proposed fee increases to vital registration be recommended to the Board of Supervisors. Ms. Wight seconded the motion. The motion passed with an 8 to 0 vote.

4. Fee Waivers -Ms. Minichiello

Ms. Minichiello presented 10 fee waivers for approval - Olive Branch Senior Center, Swift Kids Branch, Mary's Place ADHC, House of Refuge Sunnyslope, Booker T. Washington Child Dev. Center, Vineyard Community Church, The Celeb Center Maryvale Charity Dining, Tempe Christian Resource Center, Andre House, Civitan House.

The first fee waiver is for the Olive Branch Senior Center with Banner Health that the Board had questions last week about regarding Banner Health's 501©3 and non-profit status. Lisa Davis and Ivy Wixson are here to answer any of the Board's questions regarding the Banner Health 501© status.

Is Banner Health a for-profit foundation? Banner Health is a 501©3 as well the Banner Health foundation. Banner Health is not a for-profit foundation.

Mr. Spicker made the motion to approve recommendations 2-10 fee waivers. Mr. Vandeventer seconded the motion. The motion passed with an 8 to 0 vote.

Mr. Vandeventer made the motion to accept the first recommendation for the Olive Branch Senior Center. Dr. Giangobbe seconded. The motion passed with a 7 to 0 vote.

5. Fee Schedule for the Keeping Children Healthy Training Classes -Ms. Leach

This is not an increase of a fee. During a recent audit of the fees that we collect in public health we found that this fee has been collected for about 5-6 years and never went before the board of supervisors. This is not a fee for the public. This is a fee that we charge the department of economic security to train their personnel who in turn go out and train child care centers throughout the state with childhood nutrition. This fee is established by DES and they pay the fee to us. With this explanation, do we need a public hearing on this? According to the county attorney we do not need to have a public hearing on this.

PRESENTATIONS

1. 2008 Vector Update

-Mr. Townsend

John Townsend did a presentation on the vector control staff. A PowerPoint presentation was presented and paper copies were given to board members. Mr. Townsend discussed what the staff investigates as it relates to citizen complaints. These complaints include mosquitoes, flies, non-native rodents and bees. The Vector Control Division inspected over 19,000 mosquito breeding sites and treated over 13,000 of these sites for active mosquito breeding. The division monitored mosquito breeding sites at the 101-202 interchange located on the Salt River Pima – Maricopa Indian Community. There were 9,117 green pool complaints and of those 1,638 were referred to legal. There was a 50% increase of green pool complaints from 2007 to 2008.

With budget reductions at stake, the vector control division's ability to enforce ARS 36-601 and 36-602a and to fulfill our mission of reducing citizen exposure to vector borne diseases will be negatively affected. Possible reductions in larviciding, adulticiding and surveillance will put the residents of Maricopa County at greater risk for exposure to vector borne diseases. Workload indicators continue to grow each year for the Vector Control Division.

DISCUSSION ITEMS

1. Public Health Report

-Dr. England

Dr. Bob England presented the following matters to the Board.

Human Resources, Infrastructure, Communication

There was a change to the peak performer distribution. The peak performer is a way to show appreciation for employees by nominating co-workers for an American Express gift card. Public Health was allotted so many gift cards for our staff to utilize in this process. We were also given the opportunity to give out 5 additional peak performer cards for all employees as a result of the economic downturn and the future of Maricopa County.

Sites

Mesa WIC grand opening is February 11th.

State Administrative Transition

Will Humble is now the acting director for Arizona Department of Health Services and Pat Cunningham is the acting director for Arizona Department of Environmental Quality.

Strategic Planning

We continue to work on the rest of the department copying the Community Health Services model which was so successful. It is turning out to be a real useful tool. We are using the ideal of assessment, assurance and policy development in line with our strategic plan.

MFRs were submitted.

Programs

Disease Control

*Office of Preparedness & Response–
We get these*

They are also implementing what is called Project Public Health Ready which is a new set of standards that the local health officers opted to go to as a state for all of our emergency management activities.

Vitals

We are working with ADHS on the new online vital registration system. It still has a lot of issues but they are creating technical fixes both with the software to make it more user friendly and take less time and also with some device that basically increases are bandwidth that helps our ability to process information on our site. We've been falling short of funding or actually been over spending there basically by the same amount of what we are paying in overtime because of this glitch and all the extra work that is involved. We are moving toward hiring new folks that should be able to produce more in a regular time as opposed to paying people over time.

As you heard mention of earlier, we are also trying to work on increasing our fees in the vital registration area for certificates.

Community Health Nursing

The flu shot season is in gear. We have lots of activities planned. This is not the year that we are going to try to do all kids; that recommendation we will try to implement next year.

Child immunizations are being provided at our offices. Our immunization clinics have cut back to 4 days a week.

Community Health Services

We did not receive the Strategic Alliance for Health grant that we applied for that was about pulling our various programs together. We were in the common category where we were awarded the grant but not funded the grant. So we don't know where that places us on the list at this point.

Clinical Services

Family Planning Clinic usage is way down. We have currently had staff call former clients to see if they need any of the services. The clinic will be also considered when proposing our 20% budget cuts.

Announcements and Current Events

No announcements or current events discussed

-Board Members

Adjournment

*Mr. Vandeventer made the motion to adjourn the meeting. Ms. Wight seconded the motion.
The motion passed with an 8 to 0 vote.*

The meeting was adjourned at 4:50 pm.