

**SPECIAL SESSION  
December 21, 2005**

The Board of Supervisors of Maricopa County, Arizona convened in Special Session at 9:48 A.M. December 21, 2005, in the Supervisors' Auditorium, 205 W. Jefferson Phoenix, Arizona, with the following members present: Max W. Wilson, Chairman, District 4, Don Stapley, Vice Chairman, District 2, Andrew Kunasek, District 3; Fulton Brock, District 1, and Mary Rose Wilcox, District 5. Also present: Fran McCarroll, Clerk of the Board, Shirley Million, Administrative Coordinator, David Smith, County Manager, Paul Golab, Deputy County Attorney and Anne Longo, Assistant Chief Counsel. Votes of the Members will be recorded as follows: aye-nay-absent-abstain.

### **TRANSFER CONTINGENCY FUNDS TO REPLACE GRANT FUNDING**

Item: ~~Replace Title X and Title V grant funds received from the federal and state government by allocating~~ Direct the Public Health Department not to submit any additional applications for Title X and Title V grant funds for FY 2005-2006. Additionally, in accordance with ARS 42 17106(B) allocate General Government Contingency Funds of not to exceed \$261,729, General Fund (100) General Government (470) Contingency Funds (4711) of not-to-exceed \$261,729, and transfer at the end of FY 2005-06 to a new line item in General Fund (100) General Government (470) Other Programs (4712) entitled "Women's Health Services and Other Public Health Needs" as approved by the County Manager. This funding will be used to provide general family planning services to men and women with the exception of birth control medications to minors. (ADM2150)

Fran McCarroll, Clerk of the Board, read a language correction, as given above, to this item prior to discussion:

Supervisor Stapley said he had some significant legal issues that need to be addressed by counsel. Mr. Stapley moved that this item be continued and a special meeting be called later this week for members to obtain legal advice and direction relating to these grants. He said he believed all the Board members had beliefs about distributing contraceptives to minors, which he believed was the issue in this grant. He said that he wanted further briefing on the legal issues relating to the grant and federal law before making a decision.

Supervisor Wilcox supported the motion, saying she had some questions that she also wanted legal answers to before taking a vote on this matter.

The Chairman directed the Clerk to determine a time when all schedules would support a special meeting.

Supervisor Stapley said his motion should include the direction to call a meeting at the earliest possible time for everyone to meet at the Chair's discretion and he would be there.

Motion carried unanimously (5-0).

The Chairman noted that Charlotte Harrison had signed a speaker slip on this item and offered to notify her with details on the special meeting when it is set so she could attend. Ms. Harrison asked if she could speak at this time and this was allowed.

Ms. Harrison is the Executive Director of the Arizona Family Planning Council, a private non-profit corporation that receives and manages half of the Title X funds of the Public Health Services Act. She said, "We have had a contract with County now for five years and the program has been in effect for over

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ten years. The program serves 3,000 women that have low income and no other access to health care savings through insurance. She said many married women want contraception methods so they can space their children and added that it was not about abortion but family planning. She said family planning has a large support group. She added that if this program is pulled it would have a "pretty severe impact." She said, "There is practically no County money in this project and Maricopa is the county with the highest unmet need for family planning services." She stated that without family planning there would be more unplanned pregnancies and this often leads to abortions, "which is what everybody is trying to prevent."

Supervisor Kunasek asked that Ms. Harrison be given a copy of the agenda for an explanation of what the impact and intent of the agenda item was. He said it wasn't contemplated that the services would be terminated. He said he was morally against providing contraceptives to children and he believed this was what was called for by this item.

Ms. Harrison responded that she understood the item was, "that the County would pick-up the cost of the service for six months. My obvious concern is that, is the County really going to be willing long-term to turn away half a million dollars in federal money and continue this program long term? As a County taxpayer I find that an astounding proposition."

Supervisor Kunasek said this item is to see the program through the fiscal year. The grant year funds ends December 31 and this would enable to County the continue the Council's work through the last half of the fiscal year. "There is not an action that I'm aware of legally that we could take that would be binding upon a future budget year." Ms. Harrison said she understood.

Chairman Wilson said, "I wanted to make sure that these grants do not have something that circumvents County policy and what the Board of Supervisors have said. If they are, and if they have, then I want to be able to have a review of those to determine what we want to do in the future with these kinds of programs."

**MEETING ADJOURNED**

There being no further business to come before the Board, the meeting was adjourned.

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Max W. Wilson, Chairman of the Board

ATTEST:

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Fran McCarroll, Clerk of the Board