



PINAL COUNTY

WIDE OPEN OPPORTUNITY

PINAL COUNTY BOARD OF SUPERVISORS REGULAR SESSION MINUTES

**Wednesday, December 16, 2020
9:30 AM**

BOARD OF SUPERVISORS

Chairman Anthony Smith

Supervisor, District 4

Vice-Chairman Pete Rios

Supervisor, District 1

Mike Goodman

Supervisor, District 2

Stephen Q Miller

Supervisor, District 3

Todd House

Supervisor, District 5

PINAL COUNTY ADMINISTRATIVE COMPLEX
BOARD OF SUPERVISORS HEARING ROOM
135 N. PINAL STREET
FLORENCE, AZ 85132

All Presentations are attached to the Agenda at:

<https://pinal.novusagenda.com/AgendaPublic/MeetingView.aspx?MeetingID=1353&MinutesMeetingID=584&doctype=Agenda>

and a Video Recording of this meeting can be viewed at:

<https://pinalcountyaz.swagit.com/play/12162020-725>

The Pinal County Board of Supervisors convened at 9:30 a.m. this date. The meeting was called to order by Chairman Smith followed by an Invocation by Pastor Bill Carney, Christ Lutheran, Coolidge, and the pledge of allegiance by Supervisor House.

Members Present: Chairman Anthony Smith; Vice-Chairman Pete Rios; Supervisor Mike Goodman; Supervisor Stephen Q. Miller; Supervisor Todd House

Staff Present: Interim County Manager, Leo Lew; Chief Civil Deputy County Attorney, Chris Keller; Clerk of the Board, Natasha Kennedy and Deputy Clerk of the Board, Kelsey Pickard

(1) Call to Public -

Consideration and discussion of comments from the public. Those wishing to address the Pinal County Board of Supervisors may appear in-person or submit written comments, which shall be submitted to the ClerkoftheBoard@pinal.gov by close of business (5:00 p.m.) the day prior to the meeting. Comments shall be no more than 250 words. Action taken as a result of public comment will be limited to directing staff to study the matter or rescheduling the matter for further consideration and decision at a later date.

Natasha Kennedy, Clerk of the Board, advised the Clerk of the Board's Office had not received any public comments.

Chairman Smith asked if any members of the public are present in the audience who wish to address the Board, to come forward at this time.

Roberto Reveles, Gold Canyon, appeared before the Board and spoke regarding his concerns with the ongoing COVID-19 pandemic.

Pastor Bill Carney, Christ Lutheran, Coolidge, appeared before the Board expressed his gratitude regarding the continued support that churches have received during the COVID-19 pandemic.

Item Action: Public Comments

Point of Personal Privilege

Chairman Smith recognized the presence of friends and family, and expressed his gratitude for their support today.

- (2) Presentation acknowledging Supervisor Pete Rios - District 1, Supervisor Anthony Smith - District 4, and Supervisor Todd House - District 5 for their supported efforts and votes which have been instrumental in the ability to move Pinal County Government progressively forward - thank you for your service. (Mike Goodman/Stephen Q. Miller)

Supervisor Goodman introduced the Tribute Video.

Supervisor Goodman and Supervisor Miller expressed their gratitude to each of the Supervisors leaving office.

Supervisor House spoke regarding the privilege to serve the citizens of Pinal County District 5.

Vice-Chairman Rios spoke regarding the privilege to serve the citizens of Pinal County District 1.

Chairman Smith spoke regarding the privilege to serve the citizens of Pinal County District 4.

Matthew Thomas, Chief Deputy Sheriff, appeared before the Board and on behalf of the Pinal County Sheriff's Office expressed gratitude and presented the departing Supervisors, with a Certificate of Appreciation and blanket.

Barry McCain, Arizona City, appeared before the Board and thanked the departing Supervisors for their service.

Micah Powell, Mayor of the City of Eloy, appeared before the Board, thanked the departing Supervisor for their service, and on behalf of the City of Eloy presented them with a Proclamation of Appreciation.

Supervisor Miller presented the departing Board Members with commemorative plaques of the Pinal County 1891 Historic Courthouse.

Leo Lew, Interim County Manager, thanked the departing Supervisors for their service.

Item Action: Information Only

- (3) County Manager's Report (Information Only). (Leo Lew)

Leo Lew, Interim County Manager, wished all a Merry Christmas and Happy New Year.

Item Action: Information Only

- (4) Purchasing Division Report - December 16, 2020 (Shonna McBride/Lori Pruitt)

Shonna McBride, Purchasing Manager, appeared before the Board and presented.

Item Action: Approved

Motion Made By: Supervisor House

Seconded By: Supervisor Goodman

To approve the Purchasing Division Report as presented.

Motion Passed

Ayes: Goodman, House, Miller, Rios, Smith (5)

(5) CONSENT ITEMS:

All items indicated by an asterisk (*) will be handled by a single vote as part of the consent agenda, unless a Board Member, County Manager, or member of the public objects at the time the agenda item is called.

Chairman Smith asked if there were any requests from a Board Member, staff or the audience to remove any consent agenda items for discussion. There being none.

Item Action: Approved Consent Agenda Items A through AT.

Motion Made By: Supervisor Rios

Seconded By: Supervisor Miller

To approve Consent Agenda Items A through AT.

Motion Passed

Ayes: Goodman, House, Miller, Rios, Smith (5)

- * A. Discussion/approval/disapproval of Minutes from December 2, 2020, Regular Meeting and December 9, 2020, Special Session Meeting of the Board of Supervisors. (Natasha Kennedy)
- * B. Discussion/approval/disapproval of the current billings before the Board. (Natasha Kennedy)
- * C. Discussion/approval/disapproval of the recommendation to the Arizona Department of Liquor License and Control of application, series 009 Liquor Store of Kim Kenneth Kwiatkowski for Circle K Store #2741610 located at 35850 North Gary Road, Queen Creek, AZ, 85142 and authorize the Clerk of the Board to execute and submit all necessary documents to the state. Supervisor District #2. (Natasha Kennedy)
- * D. Discussion/approval/disapproval of the recommendation to the Arizona Department of Liquor License and Control of application and interim permit, series 006 Bar, of Andrea Dahlman Lewkowitz for Gold Canyon Golf Resort and Spa located at 6100 S. Kings Ranch Road, Gold Canyon, AZ 85118 and authorize the Clerk of the Board to execute and submit all necessary documents to the state. Supervisor District #5. (Natasha Kennedy)
- * E. Discussion/approval/disapproval of the Pinal County Open Space and Trails Department submitting a Recreation and Public Purposes (R&PP) Lease Application to the Bureau of Land Management (BLM) for Palo Verde Regional Park, Phase One. This is an updated/amended application for the first phase of Palo Verde Regional Park requested by the BLM. The application reflects changes to the Plan of Development that are consistent with the Board approved (December 2016) Palo Verde Regional Park Cooperative Management Area Master Plan. Supervisor District #4. (Kent Taylor/Himanshu Patel)
- * F. Discussion/approval/disapproval of the Pinal County Open Space and Trails Department submitting a Right of Way (ROW) application to the Bureau of Land Management (BLM) for the non-motorized trail network for phase one of Palo Verde Regional Park. The ROW application is for approximately 23.44 +/- miles of trail corridor which connects the 3 identified activity areas in the Palo Verde Regional Park Plan of Development. Supervisor District #4. (Kent Taylor/Himanshu Patel)

- * G. Discussion/approval/disapproval of a Memorandum of Understanding to support the development of the Sun Corridor Trail. The vision for the Sun Corridor Trail is to link prominent regional and loop trails along the Sun Corridor, a burgeoning economic, transportation and tourism corridor. In Pinal County, the Sun Corridor Trail is planned to follow the Central Arizona Project (CAP) National Recreation Trail and will connect to existing trail systems in both Pima and Maricopa County. The Sun Corridor Trail (CAP National Recreation Trail) is located in Supervisor District's #1, 2, 4 and 5. (Kent Taylor/Himanshu Patel)
- * H. Discussion/approval/disapproval of FY 19/20 budget amendments for the appropriations of grant match transfers and other administrative adjustments. (Angeline Woods/Mary Ellen Sheppard)
- * I. Discussion/approval/disapproval of a FY 20/21 budget amendment to transfer revenue and expenditure appropriation only from Fund 297 (Bond Funded Capital Projects) to Fund 213 (Grants/Project Contingency). This amendment aligns the Fund 297 budget to the bond proceeds available for use in FY 20/21. (Angeline Woods/Mary Ellen Sheppard)
- * J. Discussion/approval/disapproval of a funding agreement between the U.S. Department of Housing and Urban Development and Pinal County for the use of Community Development Block Grant - Coronavirus (CDBG-CV) funding in the amount of \$1,082,111. (Heather Patel/Lori Pruitt)
- * K. Discussion/approval/disapproval of the ratification of the Sublease Agreement between Skyflight Services, LLC and Pinal County Information Technology Department (IT) for hanger space H-19, to be used for housing and storing radio equipment, vehicles, trailer or other IT related activities. The annual cost of the lease is \$12,420 and will be paid out of the IT budget. Supervisor District #1. (Pamela Villarreal/Lori Pruitt)
- * L. Discussion/approval/disapproval of a Renewal Lease Agreement between Pinal County Board of Supervisors and Trafelet Properties, LLC., for two offices located at 41600 W. Smith Enke Road, Bldg. 12 Ste. 128, Maricopa, AZ. 85138. This Renewal Lease is for five (5) months starting January 1, 2021, through May 31, 2021. This space is occupied by District #4 Supervisor and staff. (Pamela Villarreal/Lori Pruitt)
- * M. Discussion/approval/disapproval for the sale of State Tax Deeded parcel 205-03- 226A5 pursuant to A.R.S. 42-18302. The parcel was advertised for auction on October 14, 2020. Auction was opened on October 28, 2020, a bid of \$14,100 was received from Mohammad Abed Awad. Supervisor District #1. (Pamela Villarreal/Lori Pruitt)
- * N. Discussion/approval/disapproval for the sale of State Tax Deeded parcel 205-15- 05309 pursuant to A.R.S. 42-18302. The parcel was advertised for auction on October 14, 2020. Auction was opened on October 28, 2020, a bid of \$6,125 was received from Selina Flynn. Supervisor District #1. (Pamela Villarreal/Lori Pruitt)
- * O. Discussion/approval/disapproval for the sale of State Tax Deeded parcel 401-29- 08002 pursuant to A.R.S. 42-18302. The parcel was advertised for auction on October 14, 2020. Auction was opened on October 28, 2020, a bid of \$2,950 was received from Nathan & Joniece Benjamin. Supervisor District #1. (Pamela Villarreal/Lori Pruitt)

- * P. Discussion/approval/disapproval for the sale of State Tax Deeded parcel 401-31- 01805 pursuant to A.R.S. 42-18302. The parcel was advertised for auction on October 14, 2020. Auction was opened on October 28, 2020, a bid of \$2,550 was received from Nathan & Joniece Benjamin. Supervisor District #1. (Pamela Villarreal/Lori Pruitt)
- * Q. Discussion/approval/disapproval for the sale of State Tax Deeded parcel 500-15- 04405 pursuant to A.R.S. 42-18302. The parcel was advertised for auction on October 14, 2020. Auction was opened on October 28, 2020, a bid of \$3,100 was received from Bret Blankenship. Supervisor District #3. (Pamela Villarreal/Lori Pruitt)
- * R. Discussion/approval/disapproval for the sale of State Tax Deeded parcel 503-52- 38301 pursuant to A.R.S. 42-18302. The parcel was advertised for auction on October 14, 2020. Auction was opened on October 28, 2020, a bid of \$6,125 was received from Jose E. & Martha O. De La Torre. Supervisor District #3. (Pamela Villarreal/Lori Pruitt)
- * S. Discussion/approval/disapproval for the sale of State Tax Deeded parcel 503-66- 12207 pursuant to A.R.S. 42-18302. The parcel was advertised for auction on October 14, 2020. Auction was opened on October 28, 2020, a bid of \$1,450 was received from Prader, PLLC, an Arizona Professional Limited Liability Company. Supervisor District #3. (Pamela Villarreal/Lori Pruitt)
- * T. Discussion/approval/disapproval for the sale of State Tax Deeded parcel 503-66- 12405 pursuant to A.R.S. 42-18302. The parcel was advertised for auction on October 14, 2020. Auction was opened on October 28, 2020, a bid of \$1,900 was received from Prader, PLLC, an Arizona Professional Limited Liability Company. Supervisor District #3. (Pamela Villarreal/Lori Pruitt)
- * U. Discussion/approval/disapproval for the sale of State Tax Deeded parcel 503-66- 12504 pursuant to A.R.S. 42-18302. The parcel was advertised for auction on October 14, 2020. Auction was opened on October 28, 2020, a bid of \$1,450 was received from Prader, PLLC, an Arizona Professional Limited Liability Company. Supervisor District #3. (Pamela Villarreal/Lori Pruitt)
- * V. Discussion/approval/disapproval for the sale of State Tax Deeded parcel 503-66- 12801 pursuant to A.R.S. 42-18302. The parcel was advertised for auction on October 14, 2020. Auction was opened on October 28, 2020, a bid of \$1,450 was received from Prader, PLLC, an Arizona Professional Limited Liability Company. Supervisor District #3. (Pamela Villarreal/Lori Pruitt)
- * W. Discussion/approval/disapproval for the sale of State Tax Deeded parcel 503-74- 59301 pursuant to A.R.S. 42-18302. The parcel was advertised for auction on October 14, 2020. Auction was opened on October 28, 2020, a bid of \$1,500 was received from Dalloga LLC. Supervisor District #3. (Pamela Villarreal/Lori Pruitt)
- * X. Discussion/approval/disapproval for the sale of State Tax Deeded parcel 408-06- 32302 pursuant to A.R.S. 42-18302. The parcel was advertised for auction on October 14, 2020, receiving no bids at that time. On December 1, 2020, a bid in the amount of \$5,000 was received by David D. Sloan. Supervisor District #4. (Pamela Villarreal/Lori Pruitt)

- * Y. Discussion/approval/disapproval of Grant Agreement Terms and Conditions between Pinal County and the State of Arizona Governor's Office for the Arizona Express Pay Program. This grant agreement will expire on December 30, 2020. This agreement is in the amount of \$144,116.97 for the reimbursement through the Public Assistance Program. (GA20-022) (Charles Kmet/Andrew Smith)

- * Z. Discussion/approval/disapproval of Resolution No. 121620-RD20-048 accepting a Warranty Deed for the fee right of way to a portion of Silver King Road From Emilio Palacio Jr. Located in Section 34, Township 1 South, Range 10 East. Supervisor District #5. (RD20-048) (Joe Ortiz/Andrew Smith)

- * AA. Discussion/approval/disapproval of Case CSR-009-20; Impact Sign and Graphics, applicant, DR Horton Inc. owner, requesting approval of a comprehensive sign package case CSR-009-20 to allow; 1 double sided, 8 foot tall, 4 foot by 8 foot real estate sign and 5, 14 foot tall, 3 foot by 5 foot attention flags. The overall signage proposed is approximately 139 sq. ft. The request exceeds the number of signs allowed by 13 additional signs (including previously approved signage). Located on, Tract 4b, Lots 248 – 250 & Lots 244 and 245, Crestfield Manor at Arizona Farms Village Parcel 4, Cab. F, Sld. 10, P.C.R. in the vicinity of the Southwest Corner of the intersection of Heritage Road and Cobblestone Road in eastern San Tan Valley. The Community Development Director recommends approval with 1 stipulation. Supervisor District #2. (Steve Abraham/Lester Chow)

- * AB. Discussion/approval/disapproval of a budget amendment to transfer impact fee revenue from Fund 216 (Impact Fees - Transportation/Streets) to Fund 64 (Public Works/HURF) to be used to purchase heavy equipment for Public Works. Supervisor District #2. (Michelle Velazquez/Lester Chow)

- * AC. Discussion/approval/disapproval of a Final Plat for Saddlebrooke Ranch Unit Eighteen "B." Supervisor District #4. (FP20-008) (Mark Schexnayder/Lester Chow)

- * AD. Discussion/approval/disapproval of the reappointment of Moshe Klein to the Pinal County Workforce Development Board for the term of November 1, 2020, through October 31, 2021. This reappointment has been reviewed, accepted and recommended for approval by the Pinal County Workforce Development Board on December 3, 2020. (Joel Millman/Timothy Kanavel)

- * AE. Discussion/approval/disapproval of the renewal of the Special Land Use Permit with Pinal County and State Land Department of Arizona for a radio site. (Jay Vargo/Steven Frazier)

- * AF. Discussion/approval/disapproval to authorize Pinal County Attorney to take all necessary action to enforce the Civil Hearing Office finding of violations against David Cortez, up to and including filing a complaint in Superior Court, utilizing appropriate resources to remedy the violations, and file liens for the cost of recovery. The property owner was found in violation of the Pinal County Development Services Code for: Uses Permitted of using nonconforming parcel for storage, Outside Storage and Parking to store miscellaneous clutter and Vehicle Parking of several inoperable vehicles. The Property is located at Parcel Number 401-29-076, Randolph, AZ. Supervisor District #1. (Scott Johnson/Kent Volkmer)

- * AG. Discussion/approval/disapproval to authorize Pinal County Attorney to take all necessary action to enforce the Civil Hearing Office finding of violations against Lee & Dominiquea Richmond and Terry L. Ross, up to and including filing a complaint in Superior Court, utilizing appropriate resources to remedy the violations, and file liens for the cost of recovery. The property owner was found in violation of the Pinal County Development Services Code for: Uses Permitted of renting storage space, Detached Accessory Buildings has shade structures and sheds in the set backs, Home Occupation operating a rental/storage business, Vehicle Parking of inoperable and unlicensed vehicles, Recreational Vehicle Storage of RV's that do not belong to the property owner. The Property is located at 39247 N. Prince Ave, San Tan Valley, AZ. Supervisor District #2. (Scott Johnson/Kent Volkmer)
- * AH. Discussion/approval/disapproval to authorize Pinal County Attorney to take all necessary action to enforce the Civil Hearing Office finding of violations against Richard Alan Brown, up to and including filing a complaint in Superior Court, utilizing appropriate resources to remedy the violations, and file liens for the cost of recovery. The property owner was found in violation of the Pinal County Development Services Code for: Vehicle Parking of numerous inoperable vehicles. The Property is located at 4559 E. Santa Rita Dr., San Tan Valley, AZ. Supervisor District #2. (Allen Quist/Kent Volkmer)
- * AI. Discussion/approval/disapproval to authorize Pinal County Attorney to take all necessary action to enforce the Civil Hearing Office finding of violations against Catalina Cazares, up to and including filing a complaint in Superior Court, utilizing appropriate resources to remedy the violations, and file liens for the cost of recovery. The property owner was found in violation of the Pinal County Development Services Code for: Uses Permitted and Construction Materials for storage of landscaping materials and construction materials. The Property is located at 4634 E. Shadow Ln., San Tan Valley, AZ. Supervisor District #2. (Allen Quist/Kent Volkmer)
- * AJ. Discussion/approval/disapproval to authorize Pinal County Attorney to take all necessary action to enforce the Civil Hearing Office finding of violations against Arthur Patterson & Catharine Yarbrough, up to and including filing a complaint in Superior Court, utilizing appropriate resources to remedy the violations, and file liens for the cost of recovery. The property owner was found in violation of the Pinal County Development Services Code for: Uses Permitted of a small storage shed without a primary use. The Property is located at 5648 E. Lush Vista View, Florence, AZ. Supervisor District #2. (Allen Quist/Kent Volkmer)
- * AK. Discussion/approval/disapproval to authorize Pinal County Attorney to take all necessary action to enforce the Civil Hearing Office finding of violations against Isabel Lopez, up to and including filing a complaint in Superior Court, utilizing appropriate resources to remedy the violations, and file liens for the cost of recovery. The property owner was found in violation of the Pinal County Development Services Code for: Outside Storage and Parking of miscellaneous debris, inoperable and unregistered vehicles and inoperable RV's. The Property is located at 18280 W. Banning St, Casa Grande, AZ. Supervisor District #3. (Allen Quist/Kent Volkmer)

- * AL. Discussion/approval/disapproval to authorize Pinal County Attorney to take all necessary action to enforce the Civil Hearing Office finding of violations against Tammee Renee Ritter, up to and including filing a complaint in Superior Court, utilizing appropriate resources to remedy the violations, and file liens for the cost of recovery. The property owner was found in violation of the Pinal County Development Services Code for: Outside Storage and Parking of miscellaneous debris, inoperable and unregistered vehicles and inoperable RV's. The Property is located at 2586 W. Canyon St., Apache Junction, AZ. Supervisor District #5. (Allen Quist/Kent Volkmer)
- * AM. Discussion/approval/disapproval of an application by the Pinal County Attorney for payment of \$3,016.80 to Rankin Plumbing from the Pinal County Attorney's Office anti-racketeering revolving fund account to cover the remaining balance of a claim made with the Pinal County Attorney's Office Bad Check Program. This request is made in accordance with and under the authority of A.R.S. 13-2314.03 whereby before the County Attorney's Office may use any monies from the fund that the County Attorney submit an application that includes a description of what the requested monies will be used for to the Board of Supervisors for approval. (Kent Volkmer)
- * AN. Discussion/approval/disapproval of an application by the Pinal County Attorney for use of up to \$2,000 of anti-racketeering funds for the purchase of surveillance equipment and cell phone preservation kits for law enforcement use. This request is made in accordance with and under the authority of A.R.S. 13-2314.03 whereby before the County Attorney's office may use any monies from the fund that the County Attorney submit an application that includes a description of what the requested monies will be used for to the Board of Supervisors for approval. (Kent Volkmer)
- * AO. Discussion/approval/disapproval of the Intergovernmental Agreement Between Pinal County Sheriff's Office Adult Detention Facility and the Town of Superior for the Detention of Adult Inmates arrested, held, booked and/or convicted. (Mark Lamb)
- * AP. Discussion/approval/disapproval for Detective Randall Snyder #1193 who will be retiring from Pinal County Sheriff's Office, effective January 30, 2021. Detective Snyder #1193 has requested that, in compliance with established precedence and protocol, he be permitted to purchase his PCSO issued duty weapon, identified as: Glock 17 at \$25 and Sun Devil AR15 at \$330. Fair market value for Glock is approximately \$420 and Fair market value for the Sun Devil AR15 is \$330. Purchase of issued weapon(s) upon retirement is also in compliance with A.R.S. 38-1115A which allows a law enforcement officer upon his/her retirement to purchase his/her issued weapon(s) at a price determined by the administrator of the agency. (Mark Lamb)
- * AQ. Discussion/approval/disapproval for a Citizen Donation of \$1,000 to the Pinal County Sheriff's Office Search & Rescue Team for Mr. Marchiando's rescue on the evening of November 2, 2020. Mr. Marchiando and his wife were very impressed with Pinal County's professionalism, concern and confidence and wished to express their gratitude with a donation. The donation will be used for purposes consistent with the priorities, goals and mission of PCSO. Acceptance of the donation will in no way negatively impact or limit PCSO performance and will not create any conflict of interest. (Mark Lamb)

- * AR. Discussion/approval/disapproval of Pinal County Adult Probation's application to the Substance Abuse and Mental Health Services Administration's Criminal Justice Communities of Practice program, under "Building a Competent Crisis Care System at Intercepts 0-1." This program will provide national level technical assistance to the Pinal County Mental Health Task Force. The Task Force works to coordinate and improve services for individuals with mental health and criminal justice involvement. The goal is to reduce the number of individuals entering the criminal justice system due to mental health issues. (Rod McKone)
- * AS. Discussion/approval/disapproval for the Bulletproof Vest Partnership Grant between the U.S. Department of Justice, Office of Justice Programs, and the Pinal County Adult Probation Office, through the Pinal County Board of Supervisors, agreement in the amount of \$2,592.79. The funds will be used to purchase bulletproof vests with a lower profile for safety and security. The acceptance requires amendment to the FY20/21 budget to transfer reserve appropriation only from Fund 213 (Grants/Project Contingency) to Fund 266 (Misc. Grants) to increase revenue and expenditure appropriations. There is no impact on the General Fund. (Kelly Bohl/Rod McKone)
- * AT. Discussion/approval/disapproval accepting Food Program Contract No. ED09-0001 for the National School Lunch Program and School Breakfast Program. These funds will help offset the cost of food and other items related to the Program. (Lynda Schleigh/Denise Smith)

- (6) Meeting of the Flood Control District Board of Directors. (Christopher Wanamaker/Andrew Smith)

Item Action: Convened into Pinal County Flood Control District Agenda

- (7) Meeting of the Pinal County Public Health Services District Board of Directors. (Tascha Spears/Leo Lew)

Item Action: Convened into Pinal County Public Health Services District Agenda

- (8) Discussion/approval/disapproval of revisions to Pinal County Policy and Procedure 1.30, Political Activity. (Mary Ellen Sheppard)

Mary Ellen Sheppard, Interim Deputy County Manager and Human Resources Director, appeared before the Board and presented.

Chris Keller, Chief Civil Deputy County Attorney, provided additional clarification of Policy and Procedure 1.30.

Vice-Chairman Rios requested an Amendment to insert the following verbiage under Section A. Item Number 3. at the end to read as follows, unless currently elected.

Discussion held regarding the requested policy amendment.

For the Record the Clerk of the Board has captured the final draft to include the proposed amendment which has been uploaded in Novus.

Micah Powell, Mayor of the City of Eloy, appeared before the Board and spoke regarding his concerns surrounding Policy and Procedure 1.30 in regards to him running for re-election.

Chris Keller provided further clarification of Policy and Procedure 1.30.

Item Action: Approved as Amended; To insert under Section A. Item Number 3. at the end to read as follows, unless currently elected

Motion Made By: Supervisor Rios

Seconded By: Supervisor House

To approve revisions to Pinal County Policy and Procedure 1.30, Political Activity as Amended; To insert under Section A. Item Number 3. at the end to read as follows, unless currently elected.

Motion Passed

Ayes: Goodman, House, Miller, Rios, Smith (5)

- (9) Discussion/approval/disapproval of temporary exceptions to Pinal County Policies and Procedures pnp 7.50, Sick Leave, and pnp 7.30 Vacation Leave. In order to assist employees in managing the ongoing COVID-19 pandemic, the requested exceptions would allow for a front load of Pinal County employee sick leave for calendar year 2021 in the amount of up to 104 hours and a prorated front load of sick leave hours for newly hired employees. The exception would also allow probationary employees to use accrued vacation leave for COVID-19 related absences through June 30, 2021. (Mary Ellen Sheppard)

Mary Ellen Sheppard, Interim Deputy County Manager and Human Resources Director, appeared before the Board and presented.

Item Action: Approved

Motion Made By: Supervisor Goodman

Seconded By: Supervisor Miller

To approve temporary exceptions to Pinal County Policies and Procedures pnp 7.50, Sick Leave, and pnp 7.30 Vacation Leave. In order to assist employees in managing the ongoing COVID-19 pandemic.

Motion Passed

Ayes: Goodman, House, Miller, Rios, Smith (5)

- (10) Discussion/approval/disapproval of the request to create a new job classification of Government Relations and Policy Advisor within the County Manager's Office. The position will be full-time, at-will, and exempt. The budget associated with this position was included and approved with the adoption of the FY 20/21 budget. (Mary Ellen Sheppard/Leo Lew)

Mary Ellen Sheppard, Interim Deputy County Manager and Human Resources Director, appeared before the Board and presented.

Item Action: Approved

Motion Made By: Supervisor Goodman

Seconded By: Supervisor Miller

To approve the request to create a new job classification of Government Relations and Policy Advisor within the County Manager's Office.

Motion Passed

Ayes: Goodman, House, Miller, Rios, Smith (5)

- (11) Discussion/approval/disapproval of a letter to the Arizona Corporation Commission requesting that the Commission hold a public hearing in San Tan Valley prior to taking a final vote on the proposed sale of Johnson Utilities, LLC's assets to EPCOR. (Kevin Costello/Kent Volkmer)

Supervisor Goodman introduced Item #11.

Kevin Costello, Deputy County Attorney, appeared before the Board and presented clarification regarding the sale of Johnson Utilities, LLC to EPCOR.

Discussion held regarding the concerns surrounding the sale of Johnson Utilities, LLC to EPCOR.

Chairman Smith requested an amendment to the letter at the end of paragraph 3 to read as follows; delay taking final action on the requested sale until a public comment session is held in San Tan Valley on the requested sale. Chairman further asked if any members of the public are present in the audience who wish to address the Board on Item #11, to come forward at this time.

John Dantico, San Tan Valley, appeared before the Board and spoke in favor of the letter however, voiced his concerns of issues that have yet to be addressed and requested that the word issued be corrected to issues in the letter.

Item Action: Approved as Amended; To delay taking final action on the requested sale until a public comment session is held in San Tan Valley, and correcting issued to issues

Motion Made By: Supervisor Goodman

Seconded By: Supervisor Miller

To approve a letter to the Arizona Corporation Commission on the proposed sale of Johnson Utilities, LLC's assets to EPCOR, requesting that the Commission, as Amended; To delay taking final action on the requested sale until a public comment session is held in San Tan Valley, and correcting issued to issues.

Motion Passed

Ayes: Goodman, House, Miller, Rios, Smith (5)

- (12) Discussion/approval/disapproval of the appointment of Chairman of the Board of Supervisors effective Friday, January 1, 2021, until midnight on Wednesday, January 6, 2021. (Anthony Smith)

Chris Keller, Chief Civil Deputy County Attorney, provided legal clarification as to why Agenda Items #12 and #13 are on the agenda.

Item Action: Approved Appointing Supervisor Stephen Q. Miller as Chairman

Motion Made By: Supervisor Goodman

Seconded By: Supervisor Rios

To appoint Supervisor Stephen Q. Miller as Chairman of the Board of Supervisors effective Friday, January 1, 2021, until midnight on Wednesday, January 6, 2021.

Motion Passed

Ayes: Goodman, House, Miller, Rios, Smith (5)

- (13) Discussion/approval/disapproval of the appointment of Vice Chairman of the Board of Supervisors effective Friday, January 1, 2021, until midnight on Wednesday, January 6, 2021. (Anthony Smith)

Item Action: Approved Appointing Supervisor Mike Goodman as Vice Chairman

Motion Made By: Supervisor Miller

Seconded By: Supervisor Rios

To appoint Supervisor Mike Goodman as Vice Chairman of the Board of Supervisors effective Friday, January 1, 2021, until midnight on Wednesday, January 6, 2021.

Motion Passed

Ayes: Goodman, House, Miller, Rios, Smith (5)

- (14) Executive Session pursuant to A.R.S. 38-431.03(A)(3) for legal advice related to potential additional options and defenses to civil rights claims. (Chris Keller/Kent Volkmer)

Item Action: Convened into Executive Session for Items 14, 15, 16 and 17

Motion Made By: Supervisor House

Seconded By: Supervisor Miller

To Convene into Executive Session for Items 14, 15, 16 and 17.

Motion Passed

Ayes: Goodman, House, Miller, Rios, Smith (5)

- (15) Executive Session pursuant to A.R.S. 38-431.03(A)(3)(4) for legal advice and discussion of settlement of Pinal County Deputies Association v County of Pinal et al., Case No. S1100CV201900135. (Chris Keller/Kent Volkmer)

Item Action: Convened into Executive Session

- (16) Executive Session pursuant to A.R.S. 38-431.03(A)(3) for legal advice regarding COVID-19 related Federal, State, or County Programs and Pinal County's ability and options for slowing and controlling the spread of COVID-19 in Pinal County. (Chris Keller/Leo Lew)

Item Action: Convened into Executive Session

- (17) Executive Session pursuant to A.R.S. 38-431.03(A)(1)(3) for legal advice regarding personnel matter concerning appointment of interim county manager's position. (Chris Keller/Kent Volkmer)

Item Action: Adjourned Executive Session for Items 14, 15, 16 and 17

Motion Made By: Supervisor House

Seconded By: Supervisor Miller

To Adjourn Executive Session for Items 14, 15, 16 and 17.

Motion Passed

Ayes: Goodman, House, Miller, Rios, Smith (5)

- (18) Discussion/approval/disapproval of settlement of Pinal County Deputies Association v. County of Pinal et al., Case No. S1100CV201900135 as discussed in Executive Session December 16, 2020. (Chris Keller/Kent Volkmer)

Item Action: Approved

Motion Made By: Supervisor Rios

Seconded By: Supervisor House

To approve the settlement of Pinal County Deputies Association v. County of Pinal et al., Case No. S1100CV201900135 as discussed in Executive Session December 16, 2020.

Motion Passed

Ayes: Goodman, House, Miller, Rios, Smith (5)

12:54 p.m. –Chairman Smith, adjourned the December 16, 2020, Regular Meeting of the Board of Supervisors.

PINAL COUNTY BOARD OF SUPERVISORS

Stephen Q. Miller, Chairman

ATTEST:

Natasha Kennedy, Clerk of the Board

Minutes Prepared By: Kelsey Pickard, Deputy Clerk of the Board

Approval of Minutes: January 6, 2021