



PINAL COUNTY

WIDE OPEN OPPORTUNITY

PINAL COUNTY BOARD OF SUPERVISORS REGULAR SESSION

MINUTES

Wednesday, October 4, 2023

9:36 AM

BOARD OF SUPERVISORS

Chairman Jeff Serdy

Supervisor, District 5

Vice-Chairman Jeffrey McClure

Supervisor, District 4

Kevin Cavanaugh

Supervisor, District 1

Mike Goodman

Supervisor, District 2

Stephen Q. Miller

Supervisor, District 3

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

All Presentations are attached to the Agenda at:
[Click Here to View the Regular Session Agenda](#)

and a Video Recording of this meeting can be viewed at:
[Click Here to View Video Recording](#)

Chairman Serdy offered for the Invocation by Pastor Felix Bermejo, Apostolic Assembly, Eloy and the pledge of allegiance by Supervisor Goodman.

The Pinal County Board of Supervisors convened at 9:36 a.m. this date. The meeting was called to order by Chairman Serdy.

Natasha Kennedy, Clerk of the Board confirmed Supervisor Cavanaugh's telephonic appearance.

Members Present: Chairman Jeff Serdy; Vice-Chairman Jeffrey McClure; Supervisor Mike Goodman; Supervisor Stephen Q. Miller

Members Present Telephonically: Supervisor Kevin Cavanaugh

Staff Present: 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 the Public - Consideration and discussion of comments from the public. Those wishing to address the Pinal County Board of Supervisors need not request permission in advance. 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.

Click Here for Call to the Public Guidelines

The following Members of the public appeared before the Board and spoke:

- Wished Garland James a Happy 102nd Birthday, and spoke regarding ballot concerns when unopposed; Tom Bean, Casa Grande.
- Regarding concerns of the annual Arizona Auditor General's Report, the Sheriff's Office expenditure of funds, and requested the Board order an independent performance and financial audit of the Sheriff's Office; Roberto Reveles, Gold Canyon.
- In Favor of Red Ribbon Week Proclamation; Jack Mattachione, Apache Junction.

Chairman Serdy invited Mark Lamb, Sheriff to present at the next Board meeting regarding expenditure of funds.

Vice-Chairman McClure directed Staff to work with the Sheriff's Office, and County Attorney's Office regarding the Inmate Welfare Fund and report back.

Leo Lew, County Manager acknowledged the request.

Item Action: Public Comments

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

Leo Lew, County Manager, provided the following updates; Nationwide Emergency Alert Test today, around 11:20 a.m., Nikola project and celebration held this past Thursday to kick off the Hydrogen Fuel Electric Freight Truck for long hauls, followed by Video.

Supervisor Miller spoke regarding his involvement and process with the Nikola project, and the importance of economic development being a team effort.

Item Action: Information Only

- (3) Supervisor District update(s) regarding notable current or upcoming events concerning the district (Information Only). (Jeff Serdy)

Supervisor Goodman provided the following District update; there will be Open House on October 15th and 16th at Central Arizona College on Bella Vista regarding the Central Arizona Parkway (CAP), seeking public input.

Supervisor Miller provided the following District update; next week is the County Supervisors Association Legislative Summit in Flagstaff, where we set forth legislative policy for review by State Legislature next year.

Supervisor Cavanaugh provided the following District updates; Calvin Coolidge Days is October 13th through 15th, the 20th Anniversary of the City of Maricopa is October 13th through 15th, the Coolidge Getting Arizonan's Involved in Neighborhood Crime Prevention (G.A.I.N.) Night is October 19th, and Coolidge Halloween Carnival is October 31st at the Kenilworth Sports Complex. Noting having also attended the Nikola celebration recognized Nikola, Saint Holdings, LLC, and Supervisor Miller for their work on this project and the importance to engage even smaller businesses with this kind of opportunity.

Vice-Chairman McClure provided the following District update; there will be an event at the Mammoth Recreational Center this Friday to discuss San Carlos Irrigation Project and the issues customers are having with their electric bills, the history, and what we are doing with Congress and others.

Chairman Serdy provided the following District update; the City of Superior is having their State of the City tomorrow evening at Besich Park.

Item Action: Information Only

- (4) Presentation by Chairman Jeff Serdy, recognizing Garland James District 5 constituent, World War II Veteran 102nd Birthday, October 3rd and his service. (Jeff Serdy)

Chairman Serdy announced and recognized Mr. Garland James 102nd Birthday and his service during World War II, followed by Video and presentation of plaque.

Item Action: Information Only

- (5) Discussion/approval/disapproval of a Proclamation of the Pinal County Board of Supervisors proclaiming the week of October 23 through October 31, 2023 as "Red Ribbon Week" in Pinal County. Red Ribbon Week emphasizes the significance of living a drug-free life. (Natasha Kennedy)

Grover Ramsey, Casa Grande Valley Elks #1957, Youth Activities Chair appeared before the Board and presented.

Item Action: Approved

Motion Made By: Supervisor Goodman

Seconded By: Supervisor McClure

To approve a Proclamation of the Pinal County Board of Supervisors proclaiming the week of October 23 through October 31, 2023 as "Red Ribbon Week" in Pinal County. Red Ribbon Week emphasizes the significance of living a drug-free life.

Motion Passed

Ayes: Cavanaugh, Goodman, McClure, Miller, Serdy (5)

Grover Ramsey read the Red Ribbon Week Proclamation into the Record and presented Red Ribbons to attendees.

- (6) Discussion/approval/disapproval of a Proclamation of the Pinal County Board of Supervisors proclaiming the month of October 2023 as "National Breast Cancer Awareness Month" in Pinal County. (Natasha Kennedy)

Natasha Kennedy, Clerk of the Board appeared before the Board, respectfully requested Breast Cancer Survivors to come forward and stand with her, and presented.

Item Action: Approved

Motion Made By: Supervisor Goodman

Seconded By: Supervisor Miller

To approve a Proclamation of the Pinal County Board of Supervisors proclaiming the month of October 2023 as "National Breast Cancer Awareness Month" in Pinal County.

Motion Passed

Ayes: Cavanaugh, Goodman, McClure, Miller, Serdy (5)

Kristen Fowler, Pinal County Survivor read the National Breast Cancer Awareness Month Proclamation into the Record.

- (7) Discussion/approval/disapproval of the Domestic Violence Awareness Month Proclamation, proclaiming October 2023 as "Domestic Violence Awareness Month," to be read during this meeting by Pinal County Attorney, Mr. Kent Volkmer. (Kent Volkmer)

Kent Volkmer, County Attorney appeared before the Board and presented.

Item Action: Approved

Motion Made By: Supervisor McClure

Seconded By: Supervisor Miller

To approve the Domestic Violence Awareness Month Proclamation, proclaiming October 2023 as "Domestic Violence Awareness Month."

Motion Passed

Ayes: Cavanaugh, Goodman, McClure, Miller, Serdy (5)

Kent Volkmer read the Domestic Violence Awareness Month Proclamation into the Record.

(8) Purchasing Division Report - October 4, 2023 (Tiara Peterson/Angeline Woods)

Tiara Peterson, Purchasing Manager appeared before the Board and presented.

Item Action: Approve the Purchasing Division Report as presented

Motion Made By: Supervisor McClure

Seconded By: Supervisor Miller

To approve the Purchasing Division Report as presented.

Motion Passed

Ayes: Cavanaugh, Goodman, McClure, Miller, Serdy (5)

(9) **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 Serdy announced Supervisor Cavanaugh has pulled Item E, Richard Pereanu, has pulled Item F, and asked if there were any requests from a Board Member, staff or the audience to remove any additional consent agenda items for discussion.

Item Action: Approved Consent Agenda Items A through Q, Minus E and F

Motion Made By: Supervisor Miller

Seconded By: Supervisor Goodman

To approve Consent Agenda Item A through Q, Minus E and F.

Motion Passed

Ayes: Cavanaugh, Goodman, McClure, Miller, Serdy (5)

- * A. Discussion/approval/disapproval of Minutes from September 19, 2023, 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 for the Special Event License Application of Pinal County Veterans Memorial Foundation for the Veterans Day Fundraiser Event to be held at the Podium Club at Attesa, located at 6870 S. Bianco Road, Casa Grande, Arizona 85193 on Friday, November 10, 2023, from 10:00 a.m. to 5:00 p.m. Additionally, authorizing the Clerk of the Board to execute and submit all necessary documents to the State. Supervisor District #3. (Natasha Kennedy)
- * D. Discussion/approval/disapproval of the recommendation to the Arizona Department of Liquor License and Control of application, series 012 Restaurant of Gonzalo Ramos Mora for Casa Mora, located at 13856 S. Sunland Gin Road, Arizona City, Arizona 85123 and authorize the Clerk of the Board to execute and submit all necessary documents to the State. Supervisor District #4. (Natasha Kennedy)

Item E Pulled from Consent Agenda

- * E. Discussion/approval/disapproval of Supervisor Cavanaugh's appointment of Robin Davis, Maricopa, Arizona 85139 to the Transportation Advisory Committee to serve out the term due to a current vacancy, said term of service will be October 5, 2023, through August 6, 2025. Supervisor District #1. (Natasha Kennedy)

Supervisor Cavanaugh apologized for his absence, spoke regarding the appointment of Robin Davis to the Transportation Advisory Committee, and requested Joshua Franklin, District #1 Assistant present the Certificate.

Item Action: Approved Consent Agenda Item E

Motion Made By: Supervisor Cavanaugh

Seconded By: Supervisor McClure

To approve Consent Agenda Item E.

Motion Passed

Ayes: Cavanaugh, Goodman, McClure, Miller, Serdy (5)

Chairman Serdy thanked all citizens who are involved and sit on our Boards and Commissions which help to advise Board Members.

Item F Pulled from Consent Agenda

- * F. Board of Supervisors, sitting as the Board of Equalization (BOE), for ratification of Hearing Officer Decisions from the (BOE) Hearings on Petitions for Review of Real Property Valuation held on September 21, 2023, pursuant to A.R.S. 42-16102. (Natasha Kennedy)

Richard Pereanu, Petitioner appeared before the Board, stated he is here to speak for the purposes to change the classification and valuation.

Chairman Serdy requested clarification.

Chris Keller, Chief Civil Deputy County Attorney, clarified this item is part of the procedural process approving the Board of Equalization's Hearing Decisions by a Hearing Officer that this Board appoints, after these decisions, a Petitioner has the ability to file an Appeal in Tax Court.

Discussion held regarding Richard Pereanu's contested dollar amount and classification, how to proceed, and Appeal in Tax Court by the following Board Member, Staff, and Petitioner; Supervisor Miller, Chris Keller, and Richard Perenau.

Scott Johnson, Deputy County Attorney appeared before the Board and clarified by ratifying the Decision of the Board of Equalization it will allow Mr. Perenau to move forward in the next step of the Appeal process, this wouldn't be the time and place for him to stay his Appeal.

Further discussion held regarding the Arizona State Board of Equalization (SBOE) acting on behalf of the Board of Supervisors, and A.R.S. 42-16104(C) by the following Board Members, Staff, and Petitioner; Chairman Serdy, Vice-Chairman McClure, Supervisor Goodman, Supervisor Cavanaugh, Supervisor Miller, Chris Keller, Scott Johnson, and Richard Perenau.

Chris Keller confirmed the Board does not have an agenda item to correct the determination of the Board of Equalization, it is for the ratification of the Hearing Officer Decisions.

Natasha Kennedy, Clerk of the Board for the Record the statute Chris Keller referenced is A.R.S. 42-16202, allowing the property owner to file in State Tax Court within sixty (60) days.

Chairman Serdy requested staff assist Mr. Perenau with next steps for Appeal.

Scott Johnson acknowledged the request, advised he will meet with him today, and provide as much information however, cannot provide legal advice.

Natasha Kennedy for the Record the Notice of Decision that the Clerk of the Board's Office sends out will contain the Appeal information.

Richard Perenau requested to present.

Chris Keller confirmed this is not the appropriate time for Mr. Perenau to present his case, he had the ability to present at the Board of Equalization Hearing which was attended by the Assessor's Office Staff, and his next opportunity to present will be at Tax Court.

Further discussion held regarding Petitioner's next steps, how to proceed, and SBOE yearly contract by the following Board Members, Staff, and Petitioner; Chairman Serdy, Supervisor Cavanaugh, Supervisor Miller, Chris Keller, Natasha Kennedy, and Richard Perenau.

Item Action: Approved Consent Agenda Item F

Motion Made By: Supervisor Miller

Seconded By: Supervisor McClure

To approve Consent Agenda Item F.

Motion Passed

Ayes: Cavanaugh, Goodman, McClure, Miller (4)

Nays: Serdy (1)

- * G. Discussion/approval/disapproval of Equus Workforce Solutions' Request to Transfer Funds from the Dislocated Worker Program to the Adult Program. Workforce Innovation and Opportunity Act (WIOA) services are offered under the ARIZONA@WORK Pinal County brand. In Pinal County, the delivery services under both the Adult and Dislocated Worker Programs are contracted through Equus. The WIOA allows the transfer of funds between the program funding streams to allow local workforce development areas (Pinal County) the flexibility to provide services in areas of greatest need. Approval is requested for the transfer of Program Year 2022/Fiscal Year 2023 funds in the amount of \$300,000 from the Dislocated Worker Program allocation to the Adult Program funding stream. These funds expire on June 30, 2024. This transfer will allow for Equus to increase the number of adults served by 24% and in part support the goal to enroll 136 adults and 40 dislocated workers. This transfer will not impact the ability to continue to serve eligible dislocated workers. (Joel Millman/James Smith)

- * H. Discussion/approval/disapproval of Award 230307-02 under the Homeland Security Grant Program between the Arizona Department of Homeland Security and Pinal County, through the Pinal County Board of Supervisors, beginning October 1, 2023, ending September 30, 2024, for \$71,773, and authorize the execution of a Memorandum of Understanding which authorizes the Department of Homeland Security to retain and manage the funds for centralizing cybersecurity efforts within the state. (Chris Bracken/Robert Stanley)
- * I. Discussion/approval/disapproval of Subrecipient Agreement 23-AZDOHS-HSGP- 230307-01 under the State Homeland Security Grant Program between the Arizona Department of Homeland Security and Pinal County, through the Pinal County Board of Supervisors, beginning October 1, 2023, ending September 1, 2024, for \$75,000. This grant will be used by the Office of Emergency Management to complete a full scale cyber security exercise with the Elections Department. (GA23-007) (Courtney Prock/Kore Redden/Joe Ortiz)
- * J. Discussion/approval/disapproval of Award 23-AZDOHS-HSGP-230307-03 under the State Homeland Security Grant Program between the Arizona Department of Homeland Security and Pinal County, through the Pinal County Board of Supervisors, beginning October 1, 2023, ending September 30, 2024, for \$40,000, and authorize the execution of a Memorandum of Understanding which authorizes the Arizona Department of Emergency and Military Affairs, Division of Emergency Management (DEMA) in coordination with the Department of Homeland Security to manage and execute funding. DEMA will assume responsibility for all programmatic and financial reporting requirements outlined in the subrecipient agreement. (GA23- 008) (Courtney Prock/Kore Redden/Joe Ortiz)
- * K. Discussion/approval/disapproval of Warranty Deed from Sun Valley Farms Unit V for right-of-way for the subdivision known as The Quarters at Queen Creek located in Section 30, T2S, R8E. Supervisor District #2. (RD23-055) (Christopher Wanamaker/Joe Ortiz)
- * L. Discussion/approval/disapproval of a no-cost extension to Award Agreement 2019- ZB-BX-0006 under the Digital Transformation of Community Supervision program between the Department of Justice and Pinal County, through the Pinal County Board of Supervisors. The new termination date will be September 30, 2024. Funds have been budgeted in FY23/24 and will not impact the General Fund. (Kent Volkmer)
- * M. Discussion/approval/disapproval of application for payments to West-Press for a total of \$2,674.05 from the Pinal County Attorney's Office anti-racketeering fund account to assist in the funding of awards as part of the Pinal County Attorney's Office 33rd Annual Anti-Drug Poster Contest. (Kent Volkmer)
- * N. Discussion/approval/disapproval of the Memorandum of Understanding (MOU) between the Pinal County Sheriff's Office (PCSO) and U.S. Immigration and Customs Enforcement (ICE) Regarding Use of Shooting Range. The purpose of this MOU is to grant ICE limited use and access to the Outdoor Shooting Range owned by PCSO. (Mark Lamb)
- * O. Discussion/approval/disapproval to accept the FY 23/24 Senate Bill 1720, Sec 116, Search and Rescue appropriation to Pinal County through the Pinal County Board of Supervisors, for \$550,000. The Sheriff's Office will use the monies to purchase search and rescue-related equipment to enhance search and rescue mission capabilities. The acceptance requires an amendment to the FY 23/24 budget to transfer reserve appropriation from Fund 213 (Grants/Project Contingency) to Fund 113 (Sheriff/Search & Rescue) to increase revenue and expenditure appropriations. There is no impact on the General Fund. (Mark Lamb)

- * P. Discussion/approval/disapproval to accept the award for the Victims' Rights program grant between the State of Arizona Office of the Attorney General and Pinal County through the Pinal County Board of Supervisors beginning July 1, 2023, ending June 30, 2024, for \$11,400. The Sheriff's Office will use the grant for office supplies to support the program. Acceptance requires an amendment to align the FY 23/24 budget to the award amount and transfer reserve appropriation from Fund 213 (Grants/Project Contingency) to Fund 10 (Shrf/Victim Notification Grant) to increase revenues and expenditures. (Mark Lamb)
- * Q. Discussion/approval/disapproval of a fiscal 2023 - 2024 budget amendment to move budget capacity from the Office of Budget and Finance to the Treasurer's Office for the position of Special Services Administrator and duties related to Special Services in the amount of \$76,391. (Angeline Woods/Michael McCord)

- (10) **Public Hearing** and discussion/approval/disapproval of Case No. 2023-SUP-012-22, a Resolution approving case SUP-012-22, Richard Allen Morris, Michael J. Campbell, Campbell A&Z, LLC applicant/agent, requesting approval of a Special Use Permit to continue to operate a wireless communication facility, on a 1.25± acre parcel in the GR General Rural Zone; tax parcel 301-44-011P (legal on file); situated in a portion of Section 8, Township 4 South, Range 14 East, of the G.R.S.B.&M., Pinal County, Arizona, located south of Ray Junction Road and west of Highway 177 in an unincorporated area of Pinal County. The Planning Commission recommended approval (8 to 0) of case SUP-012-22 with seventeen (17) stipulations. Supervisor District #5. (Continued from the September 27, 2023, Board Meeting) (Glenn Bak/Brent Billingsley)

Glenn Bak, Senior Planner, appeared before the Board, for the Record the 207 Waiver has been provided to the Clerk of the Board's Office, and presented.

Michael Campbell, Consultant for Crown Castle, Applicant Representative appeared before the Board, presented, and spoke regarding concerns with Stipulation 16 block wall fence, and for the Record provided a handout to the Clerk of the Board.

Discussion held regarding the project; cell service providers, and the current perimeter 8' chain link fence by the following Board Members and Applicant Representative; Chairman Serdy, Vice-Chairman McClure, Supervisor Miller, and Michael Campbell.

Chairman Serdy opened the Public Hearing and asked if any members of the public are present in the audience who wish to address the Board, to come forward at this time, there being none. Chairman closed the Public Hearing.

Further discussion held regarding how to proceed by the following Board Member and Staff; Vice-Chairman McClure, and Chris Keller.

Item Action: Approved with seventeen (17) Stipulations, Minus Stipulation #16

Motion Made By: Supervisor McClure

Seconded By: Supervisor Goodman

To approve Case No. 2023-SUP-012-22, a Resolution approving case SUP-012-22, Richard Allen Morris, Michael J. Campbell, Campbell A&Z, LLC applicant/agent, requesting approval of a Special Use Permit to continue to operate a wireless communication facility, on a 1.25± acre parcel in the GR General Rural Zone; tax parcel 301-44-011P (legal on file); situated in a portion of Section 8, Township 4 South, Range 14 East, of the G.R.S.B.&M., Pinal County, Arizona, located south of Ray Junction Road and west of Highway 177 in an unincorporated area of Pinal County. The Planning Commission recommended approval (8 to 0) of case SUP-012-22 with seventeen (17) stipulations, minus stipulation #16.

Motion Passed

Ayes: Cavanaugh, Goodman, McClure, Miller, Serdy (5)

- (11) Discussion/approval/disapproval of a fiscal year 2023 - 2024 budget amendment to increase expenditure capacity in the Development Services general fund cost center for three (3) Development Service Manager positions, partial funding for the Development Services Managing Director position and operational expenses associated to them. The increase in budget capacity includes one time appropriations of \$240,000 and ongoing appropriations of \$408,453. The approval of this item authorizes an amendment transferring capacity from the general fund financial stability reserve up to \$648,453 but will only be funded for the amount needed to cover the expenses that occur during the fiscal year. (Joe Ortiz/Angeline Woods)

Angeline Woods, Office of Budget and Finance Director appeared before the Board and introduced the item.

Joe Ortiz, Development Services Managing Director appeared before the Board and presented.

Chairman Serdy spoke in favor of bringing government to the people.

Item Action: Approved

Motion Made By: Supervisor McClure

Seconded By: Supervisor Miller

To approve a fiscal year 2023 - 2024 budget amendment to increase expenditure capacity in the Development Services general fund cost center for three (3) Development Service Manager positions, partial funding for the Development Services Managing Director position and operational expenses associated to them. The increase in budget capacity includes one time appropriations of \$240,000 and ongoing appropriations of \$408,453. The approval of this item authorizes an amendment transferring capacity from the general fund financial stability reserve up to \$648,453 but will only be funded for the amount needed to cover the expenses that occur during the fiscal year.

Motion Passed

Ayes: Cavanaugh, Goodman, McClure, Miller, Serdy (5)

- (12) Discussion of Board members' request for future agenda item(s) and/or reports to be presented at upcoming meetings. (Jeff Serdy)

Chairman Serdy reiterated his previous request regarding the Sheriff's Office made under Item #1 Directives; invited Sheriff Lamb to present at the next Board Meeting regarding expenditure of funds, and as directed by Vice-Chairman McClure, Staff is to work with the Sheriff's Office, and County Attorney's Office regarding the Inmate Welfare Fund and report back.

Vice-Chairman McClure requested a discussion/report in the near future regarding the Superintendent of School's recent data breach for paychecks; how the County is working with the School Superintendent's Office to uncover the issues related to the data breach and ways to overcome future incidents/security issues.

Supervisor Miller stated having met with Leo Lew, County Manager, and Irene Higgs, Executive Director, Sun Corridor Metropolitan Planning Organization (MPO), requested a presentation at a future Work Session regarding transportation.

Leo Lew, County Manager confirmed the Work Session is slated for November or December with the goal of including the other MPO's.

Item Action: Information Only

- (13) Notice of Possible Recess: The Board may take a Recess at 12:30 p.m. and the meeting will reconvene around 1:00 p.m. (Jeff Serdy)

Item Action: Information Only

10:59 a.m. – Chairman Serdy adjourned the October 4, 2023, Regular Meeting of the Board of Supervisors.

PINAL COUNTY BOARD OF SUPERVISORS

Jeff Serdy, Chairman

ATTEST:

Natasha Kennedy, Clerk of the Board

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

Approval of Minutes: November 15, 2023