



PINAL COUNTY

WIDE OPEN OPPORTUNITY

PINAL COUNTY BOARD OF SUPERVISORS REGULAR SESSION

MINUTES

Wednesday, April 27, 2022

9:31 AM

BOARD OF SUPERVISORS

Chairman Jeffrey McClure

Supervisor, District 4

Vice-Chairman Jeff Serdy

Supervisor, District 5

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](#)

Vice-Chairman Serdy, Presiding as Chairman offered for the Invocation by Pastor Michael Harding, Love Gospel Church, and the pledge of allegiance by Supervisor Goodman.

The Pinal County Board of Supervisors convened at 9:31 a.m. this date. The meeting was called to order by Vice-Chairman Serdy, Presiding as Chairman with the announcement Chairman Jeffrey McClure will not be in attendance.

Members Present: Vice-Chairman Jeff Serdy, Presiding as Chairman; Supervisor Kevin Cavanaugh; Supervisor Mike Goodman; Supervisor Stephen Q. Miller

Members Absent: Chairman Jeffrey McClure

Staff Present: County Manager, Leo Lew; Deputy County Manager, MaryEllen Sheppard; Chief Civil Deputy County Attorney, Chris Keller; Special Counsel, Andrew McGuire; 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 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.

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

- In opposition of the LG Battery Plant; Heather Morehart, San Tan Valley.
- Regarding the recent house fire, fire protection concerns, and the South Florence Volunteer Fire Department; Eleanore Wagoner, Florence; Sophia Kollias, Florence; Guy Wolff, Florence; Criss Dizick, Florence; Virginia Payne, Florence; Liberty Krinis on behalf of Judy Ray, Florence; Kassie Obregon, Florence; and Michael Coulster, Mesa.
- Regarding his recent house fire (homeowner), fire protections concerns, and the South Florence Volunteer Fire Department; Frank Hetzel, Florence.
- In favor of the South Florence Volunteer Fire Department, establishment of this organization, and recent removal from the 911 call registry; Larry Vincent on behalf of the South Florence Volunteer Fire Department.
- Regarding the recent house fire, fire protection concerns, and the South Florence Volunteer Fire Department; Brian Kovac, Florence.
- In opposition of the LG Battery Plant; Tiffany Nedrow, San Tan Valley; and Patrick Morehart, San Tan Valley.

- Commended the County for informative emails, spoke regarding concerns of citizens when elected officials will not communicate with them, and for the record left a newspaper article regarding Congress; Noel Reck, Casa Grande.
- Regarding the recent house fire, fire protection concerns, and the South Florence Volunteer Fire Department; William Tatlock, Florence; and Lykos Athanassios, Florence.
- Regarding the executed Letter of Concurrence between the Pinal County Sheriff's Office and the South Florence Volunteer Fire Department and their removal from the 911 call registry; Brad Miller, Florence.
- In honor of Holocaust Memorial Day; Roberto Reveles, Gold Canyon.
- Regarding her recent house fire (homeowner), loss of her animals, fire protection concerns, and the South Florence Volunteer Fire Department; Marilesa Money Hetzel, Florence.
- Regarding the recent house fire, fire protection concerns, and the South Florence Volunteer Fire Department; Regina Francie; and Gale Hughes, Florence.

Presiding as Chairman, Jeff Serdy, directed Staff to agenzize for discussion in open format the issues raised today regarding fire services and safety concerns in our rural areas to include the following Departments; Emergency Services, Public Works, and the Sheriff's Department.

Deputy County Manager, MaryEllen Sheppard and Chief Civil Deputy County Attorney, Chris Keller, acknowledged the request.

Supervisor Goodman agreed with the directives to staff and requested an additional Work Session be scheduled regarding the LG Battery Plant.

Supervisor Cavanaugh agreed with the directives to staff.

Presiding as Chairman, Jeff Serdy, announced each Board Member shall reiterate their request(s) under Item 17.

Item Action: Public Comments

- (2) Update to the one year pilot program, Keep Pinal Pristine, to address desert dumping in unincorporated Pinal County through a collaboration of the county departments. (Kent Volkmer)

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

Discussion held regarding Keep Pinal Pristine, progress made, and how to proceed by the following Board Members and Staff; Presiding as Chairman, Jeff Serdy, Supervisor Cavanaugh, Supervisor Miller, and Kent Volkmer.

Joe Ortiz, Public Works Deputy Director, appeared before the Board and spoke regarding community clean up days.

Supervisor Cavanaugh requested County Management provide options as it relates to citizens who reside in unincorporated areas, vouchers for dumping.

Supervisor Goodman commended staff for their efforts.

Item Action: Information Only

11:04 a.m. – Presiding as Chairman, Jeff Serdy announced he will call Consent Agenda Item 5 out of order prior to Item 3 to accommodate members of the public in the audience.

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

Presiding as Chairman, Jeff Serdy announced having called Consent Agenda Item 5 out of order, we will return to Agenda Item 3, and further acknowledging Leo Lew, County Manager is now present on the dais.

For the Record, Deputy County Manager, MaryEllen Sheppard had left the dais at 11:07 a.m.

Leo Lew, County Manager, announced Governor Ducey thanked the Pinal County Board of Supervisors this morning at a Nikola event for their role with bringing Nikola to Arizona, and provided an update on Nikola. Additionally, Governor Ducey proclaimed the month of April to be County Government Month, and read said Proclamation into the Record.

Item Action: Information Only

- (4) Purchasing Division Report - April 27, 2022 (Tiara Peterson/Angeline Woods)

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

Item Action: Approved

Motion Made By: Supervisor Goodman

Seconded by Supervisor Miller

To approve the Purchasing Division report as presented.

Motion Passed

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

Absent: McClure (1)

Presiding as Chairman, Jeff Serdy recessed the Pinal County Board of Supervisors Meeting said recess was taken at 11:14 a.m. following Item 4.

- (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.

11:04 a.m. – Presiding as Chairman, Jeff Serdy announced he will call Consent Agenda Item 5 out of order prior to Item 3 to accommodate members of the public in the audience and asked if there were any requests from a Board Member, staff or the audience to remove any consent agenda items for discussion.

Supervisor Goodman commented he was prepared to have Staff speak to Consent Agenda Items M, N, and O however, not seeing any members of the public present in regards to these items, advised Staff will release information regarding said projects for the public.

Roberto Reveles, Gold Canyon, appeared before the Board and requested to pull Consent Agenda Item Q.

Item Action: Approved Consent Agenda Items A through AB, Minus Q

Motion Made By: Supervisor Goodman

Seconded by Supervisor Miller

To approve Consent Agenda Items A through AB, Minus Q.

Motion Passed

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

Absent: McClure (1)

- * A. Discussion/approval/disapproval of the current billings before the Board. (Natasha Kennedy)
- * B. Discussion/approval/disapproval of the Fireworks Display Permit application of Fireworks Productions of Arizona on behalf of Poston Butte High School for supervised fireworks display to be held on May 26, 2022, at 32375 N. Gantzel Rd., San Tan Valley, Arizona 85143. Supervisor District #2. (Natasha Kennedy)
- * C. Discussion/approval/disapproval of the Fireworks Display Permit application of Fireworks Productions of Arizona on behalf of Combs High School for supervised fireworks display to be held on May 25, 2022, at 2505 E. Germann Rd., San Tan Valley, Arizona 85140. Supervisor District #2. (Natasha Kennedy)
- * D. Discussion/approval/disapproval of the Fireworks Display Permit application of Fireworks Productions of Arizona on behalf of San Tan Foothills High School for supervised fireworks display to be held on May 26, 2022, at 1255 W. Silverdale Rd., San Tan Valley, Arizona 85143. Supervisor District #2. (Natasha Kennedy)
- * E. Discussion/approval/disapproval of the Tax Exemption Extension request received by the Assessor's Office for: Don Thornton Jr., Kathleen Frances Keohane Nasser, Cynthia Volaric, Jackie Plumley, Richard Todd Goodwin, Marcella M. Jackson, and, Suzan Stevens to be allowed to file for widow/widowers and/or disabled persons or non-profit organization tax exemption. (Natasha Kennedy)
- * F. Discussion/approval/disapproval of the General Services Contract New Hope Program between Pinal County Animal Care and Control and AZ Prussian Snailhound Dog Rescue, Paw Placement Animal Rescue, AJ Best Friends Rescue, and AZ Care Rescue. These contracts will expire in 2023, and will be at no cost to the County. (Audra Michael/MaryEllen Sheppard)
- * G. Discussion/approval/disapproval to submit a grant application to Petco Love (formerly Petco Foundation) for \$35,000. This grant will be used by Animal Care and Control to provide basic medical care to animals within their care and for Pinal County residents. (Audra Michael/MaryEllen Sheppard)
- * H. Discussion/approval/disapproval for the sale of State Tax Deeded parcel 306-21- 058C2 pursuant to A.R.S. 48-18302. The parcel was advertised for auction on August 26, 2019, but received no bids at that time. On April 4, 2022, a bid was received for \$2,330 by Chiou Yueh Ho Kenny. Supervisor District #1. (Pamela Villarreal/Angeline Woods)

- * I. Discussion/approval/disapproval of Housing Report on the status of operations relative to the Housing Department's program activities. (Rolanda Cephas/Himanshu Patel)
- * J. Discussion/approval/disapproval of the renewal of the Intergovernmental Agreement (IGA) between Pinal County Medical Examiner's Office and Gila County to provide medical examiner services for the qualifying deaths that occur within the geographical boundaries of Gila County. (Andre Davis/John Hu)
- * K. Discussion/approval/disapproval of Award Agreement GRT-22-0008545-T between the Arizona Department of Transportation and Public Works, through the Pinal County Board of Supervisors beginning March 27, 2022, ending March 26, 2023, for \$77,739. This grant will be used by the Public Works Department for the San Manuel Airport to seal coat and add pavement markings to Taxiways. There is no impact on the General Fund. Supervisor District #1. (GA21-046) (Jim Petty/Andrew Smith)
- * L. Discussion/approval/disapproval of Resolution No. 042722-RD21-132 accepting Quit Claim Deed conveyed to Pinal County from Harlan D. and Hazel L. Moore, for fee right of way. Supervisor District #1. (RD21-132) (Joe Ortiz/Andrew Smith)
- * M. Discussion/approval/disapproval of Resolution No. 042722-RD21-135 for the acquisition, design, construction, operation and maintenance of Kenworthy Road Improvement Project from Combs Road to Chandler Heights Road, located in T2S, R8E, Section 28. Supervisor District #2. (RD21-135) (Celeste Garza/Andrew Smith)
- * N. Discussion/approval/disapproval of Resolution No. 042722-RD21-136 for the acquisition, design, construction, operation and maintenance of Combs Road Improvement Project from Schnepf Road to Kenworthy Road located in T2S, R8E, Sections 28 and 33. Supervisor District #2. (RD21-136) (Celeste Garza/Andrew Smith)
- * O. Discussion/approval/disapproval of Resolution No. 042722-RD21-137 accepting Warranty Deed for roadway and utility proposes and Sidewalk Easement for a non- exclusive perpetual right for sidewalk purposes, from Wales Ranches, L.L.P., and KL HB AZ AIV L.L.C., located in Supervisor District #2. (RD21-137) (Joe Ortiz/Andrew Smith)
- * P. Discussion/approval/disapproval to submit a grant application to the Arizona Department of Environmental Quality (ADEQ) Brownfields State Response Grant for \$370,000. This grant will be used by the Public Works Department at the Pinal Airpark to encapsulate the Asbestos hazardous materials found in forty residential and commercial buildings. A phase I and II environmental was completed in 2021 through an ADEQ technical assistance grant. Supervisor District #4. (Jim Petty/Andrew Smith)

Item Q Pulled from Consent Agenda

- * Q. Discussion/approval/disapproval of a Final Plat for Entrada Del Oro Unit 2 - Parcel 1A-1. Supervisor District #5. (FP21-005) (Glenn Bak/Brent Billingsley)

Roberto Reveles, Gold Canyon, appeared before the Board and commended the developer for going the extra mile to ensure the Gold Canyon community could come onsite to remove and transplant the hedgehog cactus.

Presiding as Chairman, Jeff Serdy spoke in favor of re-vegetation.

Item Action: Approved Consent Agenda Item Q

Motion Made By: Supervisor Goodman

Seconded By: Supervisor Cavanaugh

To approve Consent Agenda Item Q.

Motion Passed

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

Absent: McClure (1)

- * R. Discussion/approval/disapproval of a Final Plat for Entrada Del Oro Unit 2 - Parcel 1A-2. Supervisor District #5. (FP21-006) (Glenn Bak/Brent Billingsley)
- * S. Discussion/approval/disapproval of a Final Plat for Entrada Del Oro Unit 2 - Parcel 2B. Supervisor District #5. (FP21-012) (Glenn Bak/Brent Billingsley)
- * T. Discussion/approval/disapproval of Resolution No. 042722-RD21-131 accepting Third Party Trust Agreement NO. 8751 associated with Entrada Del Oro Unit 2 - Parcel 1A-1 located in Section 30, Township 1 South, Range 10 East. Supervisor District #5. (RD21-131) (Stephanie Bartelson/Brent Billingsley)
- * U. Discussion/approval/disapproval of Resolution No. 042722-RD21-130 accepting Third Party Trust Agreement NO. 8752 associated with Entrada Del Oro Unit 2 - Parcel 1A-2 located in Section 30, Township 1 South, Range 10 East. Supervisor District #5. (RD21-130) (Stephanie Bartelson/Brent Billingsley)
- * V. Discussion/approval/disapproval of Resolution No. 042722-RD21-129 accepting Third Party Trust Agreement NO. 8753 associated with Entrada Del Oro Unit 2 - Parcel 2B located in Section 30, Township 1 South, Range 10 East. Supervisor District #5. (RD21-129) (Stephanie Bartelson/Brent Billingsley)
- * W. Discussion/approval/disapproval of an application by the Pinal County Attorney for payment of \$25,000 to the Boys and Girls Clubs of the Sun Corridor from the Pinal County Attorney's Office anti-racketeering revolving fund account to cover the expense of administering the Skills Mastery and Resistance Training (SMART) Moves program. This request is made in accordance with and under the authority of A.R.S. 13-2314.03(F) to provide substance abuse prevention and education programming. (Kent Volkmer)
- * X. Discussion/approval/disapproval of an application by the Pinal County Attorney for payment of \$2,580 to the Ray Bearcats Parent-Teacher Organization of Kearny, Arizona from the Pinal County Attorney's Office anti-racketeering revolving fund account to cover the expense of administering the "Bearcats Drug Free Looks Like Me Field Day" for the students and youth at Ray Unified School District. 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)

- * Y. Discussion/approval/disapproval to submit a grant application to the Arizona Criminal Justice Commission Crime Victim Compensation grant for \$225,810. This grant will be used by the Pinal County Attorney's Office to provide \$170,810 for victim compensation benefits and \$55,000 for salary and employee related expenses. (Kent Volkmer)
- * Z. Discussion/approval/disapproval for Intergovernmental Agreement between Pinal County and the Town of Mammoth for the purpose of providing Law Enforcement Radio Communications Dispatcher Services through the Pinal County Sheriff's Office to the Mammoth Police Department beginning the April 17, 2022. (Mark Lamb)
- * AA. Discussion/approval/disapproval of abatement of 2017 and 2018 taxes pursuant to A.R.S. 42-18351(1) and A.R.S. 42-18352(D), for Parcel T998238015. This parcel was erroneously created and double assessed with active personal property account T991704601. Assessor's has corrected 2019 forward as applicable per NOPC. Prior years requires Board of Supervisor's approval for abatement. (Diane Power/Michael McCord)
- * AB. Discussion/approval/disapproval of donation of office furniture that is no longer being used by Juvenile Court Services to Canyon State Academy - Rite of Passage (a non- profit organization). No other departments within the county can utilize this furniture. (Lynda Schleigh/Denise Smith)

(6) Meeting of the Desert Vista Sanitary District Board of Directors. (Natasha Kennedy)

11:23 a.m. – Presiding as Chairman, Jeff Serdy having previously recessed the Pinal County Board of Supervisors Meeting convened as the Pinal County Desert Vista Sanitary District Board of Directors Meeting.

Item Action: Convened into the Desert Vista Sanitary District Agenda

Presiding as Chairman, Jeff Serdy adjourned the Pinal County Desert Vista Sanitary District Board of Directors Meeting and reconvened the Pinal County Board of Supervisors Meeting.

11:24 a.m. - Chris Keller, Chief Civil Deputy County Attorney, advised Andrew McGuire, Special Counsel will represent the Board for Items 7 and 8, considering the County Attorney's Office represents the Department for these items therefore, Chris Keller had left the dais and Andrew McGuire now present on the dais.

- (7) Discussion/approval/disapproval of Motion to Extend Time to File Memorandum on Appeal beyond the time periods set forth in the Pinal County Civil Hearing Office Rule 27.6.
 - In the Matter of Mary Koenig, Case No. ZO21-0053 (Supervisor District #1)
 If approved, any Memoranda on Appeal filed prior to April 27, 2022, no later than 5:00 p.m. (MST), will be considered timely filed and will be considered by the Board at its May 18, 2022, meeting. (Mary Koenig/Craig Cameron/Andrew McGuire)

Craig Cameron, Deputy County Attorney, appeared before the Board and spoke regarding the Motion to Extend Time to File Memorandum on Appeal.

John Webster, appearing on behalf of Appellant Mary Koenig, appeared before the Board, spoke in favor of the Motion, and requested the Board vacate the judgment and set aside the Appeal pursuant to Rule 27.5.1, which was provided for the Record to the Clerk of the Board.

Presiding as Chairman, Jeff Serdy requested confirmation of the action before the Board was to extend time to file memorandum.

Andrew McGuire, Special Counsel, confirmed the Motion to Extend Time to File Memorandum is what is before the Board for action this date.

Supervisor Cavanaugh requested a response regarding Rule 27.5.1.

Andrew McGuire acknowledged Supervisor Cavanaugh's request, affirmed there is no action before the Board regarding Rule 27.5.1 this date, however will provide feedback prior to the May 18, 2022, Board Meeting.

Item Action: Approved

Motion Made By: Supervisor Cavanaugh

Seconded By: Supervisor Goodman

To approve Motion to Extend Time to File Memorandum on Appeal beyond the time periods set forth in the Pinal County Civil Hearing Office Rule 27.6.

- In the Matter of Mary Koenig, Case No. ZO21-0053 (Supervisor District #1)
Any Memoranda on Appeal filed prior to April 27, 2022, no later than 5:00 p.m. (MST), will be considered timely filed and will be considered by the Board at its May 18, 2022, meeting.

Motion Passed

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

Absent: McClure (1)

(8) Discussion/approval/disapproval of Motion for Leave to File Memorandum on Appeal beyond the time periods set forth in the Pinal County Civil Hearing Office Rule 27.6.

- In the Matter of Linda Olson, Case No. ZO21-0060 (Supervisor District #5)
If approved, any Memoranda on Appeal filed prior to April 27, 2022, no later than 5:00 p.m. (MST), will be considered timely filed and will be considered by the Board at its May 18, 2022, meeting. (Linda Olson/James Mitchell/Andrew McGuire)

James Mitchell, Deputy County Attorney, appeared before the Board and spoke regarding the Motion for Leave to File Memorandum on Appeal.

Item Action: Approved

Motion Made By: Supervisor Goodman

Seconded By: Supervisor Miller

To approve Motion for Leave to File Memorandum on Appeal beyond the time periods set forth in the Pinal County Civil Hearing Office Rule 27.6.

- In the Matter of Linda Olson, Case No. ZO21-0060 (Supervisor District #5)
Any Memoranda on Appeal filed prior to April 27, 2022, no later than 5:00 p.m. (MST), will be considered timely filed and will be considered by the Board at its May 18, 2022, meeting.

Motion Passed

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

Absent: McClure (1)

11:32 a.m. - Andrew McGuire, Special Counsel left the dais and Chris Keller, Chief Civil Deputy County Attorney, present on the dais.

- (9) Discussion/approval/disapproval of the recommendation to the Arizona Department of Liquor License and Control of application for Permanent Extension of Premises application of HJ Lewkowitz of Denim & Diamonds, 20585 E Water Way, Florence, AZ 85132. The Office of Building Safety recommended disapproval in the attached memo dated April 14, 2022, and Environmental Health recommended disapproval in the attached memo dated April 12, 2022. Authorize the Clerk of the Board to execute and submit all necessary documents to the State. Supervisor District #1. (James Allen/Christopher Reimus/Natasha Kennedy)

James Allen, Building Official, appeared before the Board and spoke regarding Staff's recommendation for disapproval.

Discussion held regarding the application for Permanent Extension of Premises by the following Board Members and Staff; Presiding as Chairman, Jeff Serdy, Supervisor Cavanaugh, Supervisor Miller, and James Allen.

Item Action: Disapproved as presented with the attached Building Safety and Environmental Health memos.

Motion Made By: Supervisor Goodman

Seconded By: Supervisor Miller

To disapprove as presented with the attached Building Safety and Environmental Health memos.

Motion Passed

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

Absent: McClure (1)

- (10) **Public Hearing** and discussion/approval/disapproval of Resolution No. 042722-RD21-133 ordering the abandonment and extinguishment of an easement comprising a portion of North Saguaro Drive. Supervisor District #5. (RD21-133) (Celeste Garza/Andrew Smith)

Celeste Garza, Assistant County Engineer, appeared before the Board and presented.

Presiding as Chairman, Jeff Serdy opened the Public Hearing for Item 10, 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, the Public Hearing was closed.

Item Action: Approved

Motion Made By: Supervisor Goodman

Seconded By: Supervisor Miller

To approve Resolution No. 042722-RD21-133 ordering the abandonment and extinguishment of an easement comprising a portion of North Saguaro Drive.

Motion Passed

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

Absent: McClure (1)

- (11) **Public Hearing** and discussion/approval/disapproval of Ordinance No. 2022-PZ-043-21, an Ordinance approving case PZ-043-21; Circle K Stores Inc. and Raymond McLeod, landowners, and Land Development Consultants LLC., Jill Kaiser applicant/agent, requesting approval of a rezoning from C-2 (Community Commercial) and CB-1 (Local Business Zone) to C- 3 (General Commercial) to allow development of a convenience store with fuel station and self- service car wash on 2.3± acres of land, located on West Hopi Drive and North Pinal Avenue (SR- 387), approximately two miles South of I-10, directly North of the City of Casa Grande, in Pinal County. The Planning Commission recommended approval unanimously (10-0) of case PZ-043-21 with four (4) stipulations. Supervisor District #3. (Evan Evangelopoulos/Brent Billingsley)

Evan Evangelopoulos, Planner appeared before the Board and presented.

Discussion held regarding the received letter of concern regarding the channel overflowing by the following Board Member and Staff; Supervisor Miller and Evan Evangelopoulos.

Supervisor Miller stated for the Record, Pinal County addressed the issue with the landowner several years ago by building a retention basin on the west side.

Presiding as Chairman, Jeff Serdy opened the Public Hearing for Item 11, 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, the Public Hearing was closed.

Item Action: Approved as presented with four (4) Stipulations.

Motion Made By: Supervisor Miller

Seconded By: Supervisor Cavanaugh

To approve Ordinance No. 2022-PZ-043-21, an Ordinance approving case PZ-043-21; Circle K Stores Inc. and Raymond McLeod, landowners, and Land Development Consultants LLC., Jill Kaiser applicant/agent, requesting approval of a rezoning from C-2 (Community Commercial) and CB-1 (Local Business Zone) to C- 3 (General Commercial) to allow development of a convenience store with fuel station and self- service car wash on 2.3± acres of land, located on West Hopi Drive and North Pinal Avenue (SR- 387), approximately two miles South of I-10, directly North of the City of Casa Grande, in Pinal County. The Planning Commission recommended approval unanimously (10-0) of case PZ-043-21 with four (4) stipulations.

Motion Passed

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

Absent: McClure (1)

- (12) **Public Hearing** and discussion/approval/disapproval of Resolution No. 2022-PZ-PA-026-21, a resolution approving case PZ-PA-026-21; EPCOR, landowner, the WLB Group, Inc. agent, requesting, a Non-Major Comprehensive Plan amendment to re-designate 32.38± acres from Suburban Neighborhood land use designation to Employment Center, situated in Section 27, Township 03, South, Range 08 East, G&SRB&M, tax parcels 210-25-002B and 210-25-002A (legal on file), located south of E Judd Road, east of Union Pacific Railroad in the San Tan Valley area of Pinal County. The Planning Commission recommended approval unanimously (8-0) of case PZ-PA-0026-21 with no stipulations. Supervisor District #2. (Sangeeta Deokar/Brent Billingsley)

Sangeeta Deokar, Planner, appeared before the Board and presented Items 12, 13, and 14.

Discussion held regarding the modified version of Stipulation twelve (12) in case PZ-PD-051-51 by the following Board Member and Staff; Supervisor Miller and Sangeeta Deokar.

Brent Billingsley, Community Development Director, appeared before the Board and provided additional clarification regarding the modified version of Stipulation twelve (12) in case PZ-PD-051-51.

Gary Hayes, appearing before the Board on behalf of the Applicant, introduced his team, and presented.

Supervisor Goodman spoke in support.

Presiding as Chairman, Jeff Serdy opened a collective Public Hearing for Items 12, 13, and 14 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, the collective Public Hearing was closed.

Item Action: Approved as presented with no Stipulations.

Motion Made By: Supervisor Miller

Seconded Made By: Supervisor Goodman

To approve Resolution No. 2022-PZ-PA-026-21, a resolution approving case PZ-PA-026-21; EPCOR, landowner, the WLB Group, Inc. agent, requesting, a Non-Major Comprehensive Plan amendment to re-designate 32.38± acres from Suburban Neighborhood land use designation to Employment Center, situated in Section 27, Township 03, South, Range 08 East, G&SRB&M, tax parcels 210-25-002B and 210-25-002A (legal on file), located south of E Judd Road, east of Union Pacific Railroad in the San Tan Valley area of Pinal County. The Planning Commission recommended approval unanimously (8-0) of case PZ-PA-0026-21 with no stipulations.

Motion Passed

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

Absent: McClure (1)

- (13) **Public Hearing** and discussion/approval/disapproval of Ordinance No. 2022-PZ-051-21, a Ordinance approving case PZ-051-21; EPCOR, landowner, the WLB Group, Inc. agent, requesting, approval to rezone 32.38± acres from CI-1 PAD (Light Industry and Warehouse Zone) (Case PZ-036-99, PZ-PD-036-99) to I-3 PAD (Industrial Zoning District), to allow the construction of a wastewater treatment facility situated in the Section 27, T03S, R08E G&SRB&M, tax parcels 210-25-002B and 210-25-002A (legal on file), located south of E Judd Road, east of Union Pacific Railroad in the San Tan Valley area of Pinal County. The Planning Commission recommended approval unanimously (8-0) of case PZ-051-21 with two (2) stipulations. Supervisor District #2. (Sangeeta Deokar/Brent Billingsley)

Presiding as Chairman, Jeff Serdy having previously held a collective Public Hearing for Items 12, 13, and 14, requested a motion.

Item Action: Approved as presented with two (2) Stipulations.

Motion Made By: Supervisor Goodman

Seconded Made By: Supervisor Miller

To approve Ordinance No. 2022-PZ-051-21, a Ordinance approving case PZ-051-21; EPCOR, landowner, the WLB Group, Inc. agent, requesting, approval to rezone 32.38± acres from CI-1 PAD (Light Industry and Warehouse Zone) (Case PZ-036-99, PZ-PD-036-99) to I-3 PAD (Industrial Zoning District), to allow the construction of a wastewater treatment facility situated in the Section 27, T03S, R08E G&SRB&M, tax parcels 210-25-002B and 210-25-002A (legal on file), located south of E Judd Road, east of Union Pacific Railroad in the San Tan Valley area of Pinal County. The Planning Commission recommended approval unanimously (8-0) of case PZ-051-21 with two (2) stipulations.

Motion Passed

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

Absent: McClure (1)

- (14) **Public Hearing** and discussion/approval/disapproval of Ordinance No. 2022-PZ-PD-051-51, a Ordinance approving case PZ-PD-051-21; EPCOR, landowner, The WLB Group, Inc. agent, requesting approval of an amendment to a Planned Area Development (PAD) Overlay District (Case PZ-036-99, PZ-PD-036-99) on 32.38± acres, to modify the original PAD development standards and the development plan, situated in the Section 27, T03S, R08E G&SRB&M, tax parcels 210-25-002B and 210-25-002A (legal on file), located south of E Judd Road, east of Union Pacific Railroad in the San Tan Valley area of Pinal County. The Planning Commission recommended approval unanimously (8-0) of case PZ-PD-051-21 with twenty eight (28) stipulations. Supervisor District #2. (Sangeeta Deokar/Brent Billingsley)

Presiding as Chairman, Jeff Serdy having previously held a collective Public Hearing for Items 12, 13, and 14, requested a motion.

Item Action: Approved Planning and Zoning case PZ-PD-051-21 an amendment to a planned area development with the twenty-eight (28) Stipulations recommended by the Planning and Zoning Commission but with the modified version of Stipulations twelve (12), sixteen (16), and twenty (20) as read into the Record.

Motion Made By: Supervisor Goodman

Seconded Made By: Supervisor Miller

To approve Planning and Zoning case PZ-PD-051-21 an amendment to a planned area development with the twenty-eight (28) Stipulations recommended by the Planning and Zoning Commission but with the modified version of Stipulations twelve (12), sixteen (16), and twenty (20) as read into the Record.

Motion Passed

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

Absent: McClure (1)

- (15) Discussion/approval/disapproval of a donation to the Genesis Project of ten metal shelving units for a total of \$1.00. The Genesis Project is a Pinal County non-profit who serves the hungry and homeless in the Apache Junction area. The shelves are located in Building D and will be used by the Genesis Project for their Community Resource Center. This item requires unanimous consent of the Board. Supervisor District #5. (Heather Patel/Angeline Woods)

Presiding as Chairman, Jeff Serdy announced this item requires unanimous consent of the Board therefore, requested a motion to continue.

Item Action: Continued to May 4, 2022, Board Meeting

Motion Made By: Supervisor Miller

Seconded By: Supervisor Goodman

To continue to May 4, 2022, Board Meeting.

Motion Passed

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

Absent: McClure (1)

- (16) **Work Session:** Presentation and discussion of the Florence Administrative Complex Feasibility Study. (Archie Carreon/Himanshu Patel)

Archie Carreon, Facilities Director, appeared before the Board and introduced the item.

Larry Smith, DLR Group, appeared before the Board, and presented regarding the lifecycle cost analysis directive previously requested by the Board at the March 9, 2022, Special Session Meeting.

Hans Papke, DLR Group, appeared before the Board, and presented regarding the overall concept directive previously requested by the Board at the March 9, 2022, Special Session Meeting.

Discussion held regarding the Florence Administrative Complex and how to proceed as it relates to the current workforce environment, utilizing current workspace, and meeting with the stakeholders first by the following Board Members and Staff; Supervisor Cavanaugh, Supervisor Goodman, Supervisor Miller, and Archie Carreon.

Item Action: Information Only

- (17) Discussion of Board member's request for future agenda item(s) and/or reports to be presented at upcoming meetings. (Jeffrey McClure)

Chris Keller, Chief Civil Deputy County Attorney, recapped the direction provided by the Board during Agenda Item 1; Work Session on Fire which shall include all parties and their roles inclusive of the Towns of Florence and Queen Creek, and further addressing the LG Battery Plant.

Supervisor Goodman reiterated his request for the following two Work Sessions; one that specifically addresses the concerns raised by citizens regarding the LG Battery Plant, more clarification and background information on fire suppression, contamination concerns, and permitting process from Arizona Department of Environmental Quality (ADEQ), Pinal County Air Quality, and any other state and/or government agency applicable. Second, a comprehensive study for the county's role for fire protection.

Supervisor Miller requested a Work Session on Special Districts as it relates to Fire Districts for educational purposes for the public, further reviewing the state statutes, fire marshals role, and the county's role.

Supervisor Cavanaugh requested a Work Session on the May 4, 2022, Agenda regarding the 911 dispatching element regarding fire protection with the following parties; County Attorney, Sheriff Lamb, Sheriff's Manager or Commander assigned to supervise dispatch, Larry Benson, Fire Chief for the South Florence Volunteer Fire Department, or either parties' designee.

Item Action: Information Only

- (18) Executive Session pursuant to A.R.S. 38-431.03(A)(3) for legal advice on the gift clause's applicability to various economic based partnerships and potential milestone based incentive programs. (Chris Keller/Leo Lew)

Presiding as Chairman, Jeff Serdy requested a Motion to Convene into Executive Session for Items 18, 19, and 20.

Item Action: Convened into Executive Session for Items 18, 19, and 20

Motion Made By: Supervisor Goodman

Seconded By: Supervisor Miller

To convene into Executive Session for Items 18, 19, and 20.

Motion Passed

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

Absent: McClure (1)

- (19) Executive Session pursuant to A.R.S. 38-431.03(A)(3)(4) for legal advice concerning county policies, pending litigation, and claims update by the Arizona County Insurance Pool, claims and litigation processing, handling, limitations and authority. (Chris Keller/Kent Volkmer)

Item Action: Convened into Executive Session for Item 18, 19, and 20

2:09 p.m. - Supervisor Cavanaugh and Leo Lew, County Manager did not return to the dais following Executive Session.

- (20) Executive Session pursuant to A.R.S. 38-431.03(A)(3)(4) for legal advice and discussion of potential litigation concerning Shreves and Stanford notice of claims. (Chris Keller/Kent Volkmer)

Item Action: Adjourned Executive Session for Items 18, 19, and 20

Motion Made By: Supervisor Miller

Seconded By: Supervisor Goodman

To adjourn Executive Session for Items 18, 19, and 20.

Motion Passed

Ayes: Goodman, Miller, Serdy (3)

Absent: Cavanaugh, McClure (2)

2:10 p.m. – Presiding as Chairman, Jeff Serdy adjourned the April 27, 2022, Regular Meeting of the Board of Supervisors.

PINAL COUNTY BOARD OF SUPERVISORS

Presiding as Chairman, Jeff Serdy
Vice-Chairman

ATTEST:

Natasha Kennedy, Clerk of the Board

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

Approval of Minutes: June 8, 2022