

PINAL COUNTY BOARD OF SUPERVISORS REGULAR SESSION MINUTES Wednesday, March 6, 2024 9:36 AM

BOARD OF SUPERVISORS

Chairman Mike Goodman Supervisor, District 2

Vice-Chairman Jeffrey McClure Supervisor, District 4

Kevin Cavanaugh

Supervisor, District 1

Stephen Q. Miller

Supervisor, District 3

Jeff Serdy 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:

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 Goodman offered for the Invocation by Pastor Ron Gannett Community Church at Saddlebrooke and the pledge of allegiance by Supervisor Serdy.

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

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

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:

- Thanked the Board for hosting Countywide Community Cleanup Events; Robin Davis, City of Maricopa.
- Spoke regarding concerns of threats and harassment from land developers, despite pending legal action and requested the County assist his family; Arlin Troutt, Gold Canyon.
- Regarding positive governance on today's agenda, commended Kent Volkmer, County Attorney, and concerns with democracy; Noel Reck, Eloy.

Supervisor Serdy requested Kent Volkmer contact Mr. Arlin Troutt regarding his concerns.

Supervisor Cavanaugh requested to be briefed in Executive Session by the County Attorney regarding Mr. Arlin Troutt.

Kent Volkmer acknowledged both requests.

Item Action: Public Comments

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

Leo Lew, County Manager provided the following update(s); invited constituents to view upcoming County events at Explorer.Pinal.gov, Maricopa Association of Governments (MAG) is working on a study design concept review for a road alignment project involving multiple jurisdictions, thanked Denise Smith former Juvenile Court Services Director for her years of service and congratulated her on retirement, and introduced Jeanne Bradner, Juvenile Court Services Director.

Supervisor Cavanaugh requested a report regarding employee turnover.

Chairman Goodman echoed the request and requested this report included exit interviews.

Leo Lew acknowledged the request and confirmed this Report is part of the Budget process.

Item Action: Information Only

(3) Supervisor District update(s) regarding notable current or upcoming events concerning the district (Information Only). (Mike Goodman)

Supervisor Cavanaugh provided the following District #1 Update(s); Maricopa Lake View Park Grand Opening is on March 16, 2024, at 9:00 a.m., announced there is a vacancy on the Merit System Commission, and highlighted the Hayduke Building Dedication Event, followed by Video.

Vice-Chairman McClure provided the following District #4 Update(s): Anthem State of the County Meeting was held, followed by Video, and highlighted the Trash Pickup Event next week in the Tri-Community area for Oracle, San Manuel, and Mammoth.

Supervisor Serdy provided the following District #5 Update(s): State of the County Meeting, is on March 7, 2024, at 5:30 p.m., will be held at Apache Junction Multigenerational Center, and highlighted his meeting with the Arizona Department of Transportation; Highway 88, Fish Creek Hill Project timeline, update on the State's Highway trash pickup, and Gold Canyon has a formal request for signage regarding semi-truck downshifting.

Supervisor Miller provided the following District #3 Update(s): the State of the County Meeting is tentatively scheduled for April, and advised most of his time over the last week has been spent at the State Legislature.

Chairman Goodman provided the following District #2 Update(s): spoke regarding Supervisor Miller who is the President of the County Supervisors Association representing all 15 Counties, highlighted weekly District Meeting discussions with various communities; code compliance and enforcement, and the Meridian Road extension, and announced his district vacancy on the Open Space and Trails Advisory Commission.

Item Action: Information Only

- (4) **Announcement**: Open Space & Trails Advisory Commission appointments, term of service April 2024 through April 2028.
 - Supervisor Kevin Cavanaugh's appointment of Robin Davis
 - Supervisor Jeffrey McClure's reappointment of Josh Bowman (Natasha Kennedy)

Supervisor Mcclure spoke regarding Josh Bowman's reappointment and thanked him for his service.

Supervisor Cavanaugh spoke regarding Robin Davis's appointment and thanked her for her service.

Item Action: Information Only

(5) Discussion/approval/disapproval of a Proclamation identifying April as "Fair Housing Month" to be read into the record by Marshell Williams. (Rolanda Cephas/Cathryn Whalen)

Marshell Williams, Housing appeared before the Board, introduced the item, and provided an overview.

Item Action: Approved

Motion Made By: Supervisor McClure

Seconded By: Supervisor Miller

To approve a Proclamation identifying April as "Fair Housing Month."

Motion Passed

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

Point of Personal Privilege

Supervisor Cavanaugh recognized Marshell Williams for her outstanding work and positive impact to the community.

Marshell Williams read the Proclamation proclaiming April as "Fair Housing Month" into the record.

(6) Discussion and update(s) regarding the 2024 state and federal legislative session, including bills, budget proposals, committee hearings, and pending or proposed upcoming legislation requests from Board of Supervisor members, state or federal legislators, or their staff in attendance. (Stephen Miller)

Supervisor Miller provided the following Legislative Update(s) from the Legislative Policy Committee (LPC) Report; highlighted as President of the County Supervisors Association he provides oversight of the Legislative Policy Meetings which are held on Fridays, and from the county perspective provided an overview of the following bills being monitored; Senate Bill 1278 and House Bill 2703, length of time the County Supervisors have to fill a vacancy at the State Legislature, House Bill 2096, cottage homes construction, House Bill 2097, gray water, House Bill 2815, churches taking a portion of land and can turn it into a subdivision, State Bill 1677, Firefighters PTSD treatment, and advised he was successful in requesting a floor amendment on House Bill 2647 related to certificates of assured water and requested a replenishment component be added.

Chairman Goodman highlighted power generation and outages as a concern for businesses in the Phoenix area and spoke in support of nuclear power.

Item Action: Information Only

(7) Purchasing Division Report - March 6, 2024. (Angeline Woods)

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

Item Action: Approved 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)

(8) 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 Goodman announced Bryan Seppala has requested to pull Item E, Supervisor Miller has requested to pull Item H, Joel Millman has requested to pull Item I, and Supervisor Cavanaugh has requested to pull Item N 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 R, minus E, H, I, and N

Motion Made By: Supervisor McClure

Seconded By: Supervisor Cavanaugh

To approve Consent Agenda Items A through R, minus E, H, I, and N.

Motion Passed

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

- * A. Discussion/approval/disapproval of Minutes from February 7, 2024, Regular 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 007 Beer and Wine Bar, of Jared Michael Repinski for Ghett Yo Wings located at 40975 N. Ironwood Drive #B104, San Tan Valley, AZ 85140, 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 Fireworks Display Permit application of Jelly Roll at Country Thunder on behalf of Pyrotecnico for supervised fireworks display to be held on Saturday, April 13, 2024, at 20585 E. Water Way, Florence, Arizona 85132. Supervisor District #5. (Natasha Kennedy)

Item E Pulled from Consent Agenda

* E. Discussion/approval/disapproval of Pinal County requesting to become a party to the Good Neighbor Agreement between the Town of Superior and Resolution Copper, and authorizing a District #5 Representative to participate in the Community Working Group meetings. (Leo Lew/Chris Keller)

Bryan Seppala, Resolution Copper Representative and Community Working Group appeared before the Board and presented.

Supervisor Serdy spoke in support of this project.

Bryan Seppala advised the 9th Circuit Court of Appeals ruled in favor of the US Forest Service which will move this project forward.

Item Action: Approved Consent Agenda Item E

Motion Made By: Supervisor McClure

Seconded By: Supervisor Cavanaugh

To approve Consent Agenda Item E.

Motion Passed

- * F. Discussion/approval/disapproval of authorization to close the bank account for NSP3, which Pinal County Housing Authority no longer manages, and for authorization for the Clerk of the Board to sign a letter to inform the bank of said action. Banking institution is Wells Fargo. (Rolanda Cephas/Cathryn Whalen)
- * G. Discussion/approval/disapproval of a Subrecipient Agreement between the Town of Florence and Pinal County, through the Pinal County Board of Supervisors beginning March 6, 2024, ending March 30, 2025, for \$197,063. The Town of Florence has executed a Cooperative Agreement with Pinal County for the federal fiscal years of 2022-2024. As such, Pinal County will provide Community Development Block Grant funds to execute eligible activities in accordance with the Pinal County FFY2019-2023 Consolidated Plan. The Town of Florence will complete ADA-compliant improvements at the Senior Center and Heritage Park as approved by the Board of Supervisors in the FFY23 Annual Action Plan. (Heather Patel/Angeline Woods)

Item H Pulled from Consent Agenda

* H. Discussion/approval/disapproval to accept an Award issued per ALERT PY21/FY22- 5A "One-Time Funding Opportunity" between the Arizona Department of Economic Security and Pinal County, through the Pinal County Board of Supervisors, beginning February 12, 2024, and ending May 31, 2024, in the amount of \$516,802. This grant will be used by the ARIZONA@WORK Pinal County Adult and Dislocated Worker programs to serve 50 Adult Probationers from February 2024, through May 2024, to address the unique barriers faced by individuals re-entering the workforce after a felony conviction. Acceptance requires an amendment to the FY23/24 budget to transfer reserve appropriation from Fund 213 (Grants/Project Contingency) to Fund 298 (ED- Workforce Innovation-WIOA) to increase revenues and expenditures. (Joel Millman/James Smith)

Supervisor Miller requested clarification.

Joel Millman, Workforce Development Manager and ARIZONA@WORK Director, appeared before the Board and provided clarification regarding the program details, which will be working in conjunction with all efforts countywide.

Discussion held regarding this program by the following Board Members and Staff; Vice-Chairman McClure, Supervisor Miller, and Joel Millman.

Item Action: Approved Consent Agenda Item H as presented

Motion Made By: Supervisor Miller

Seconded By: Supervisor McClure

To approve Consent Agenda Item H as presented.

Motion Passed

Item I Pulled from Consent Agenda

* I. Discussion/approval/disapproval of the appointment of Mike Cruz of Lucid Motors (Business Sector) to the Pinal County Workforce Development Board. The term of service will be March 7, 2024, to March 6, 2026. (Joel Millman/James Smith)

Joel Millman, Workforce Development Manager and ARIZONA@WORK Director, appeared before the Board and presented.

Supervisor Miller spoke in support of the appointment.

Mike Cruz, Lucid Motors, appeared before the Board, expressed gratitude to Board Members and Staff for their support, commended ARIZONA@WORK and the Pinal County Workforce Development Board (PCWDB) for their efforts, and looks forward to collaborating with the County.

Chairman Goodman requested assistance from the PCWDB to encourage students to participate in the ARIZONA@WORK Program.

Discussion held regarding the PCWDB and ARIZONA@WORK Program by the following Board Members and Lucid Motors Representative; Chairman Goodman, Supervisor Miller, and Mike Cruz.

Item Action: Approved Consent Agenda Item I as presented

Motion Made By: Supervisor Miller

Seconded By: Supervisor McClure

To approve Consent Agenda Item I as presented.

Motion Passed

- * J. Discussion/approval/disapproval to retroactively submit a grant application to the Arizona Department of Homeland Security, State Homeland Security Grant Program for \$71,773. If awarded, Pinal County will execute a Memorandum of Understanding with the State of Arizona to administer the project on behalf of Pinal County communities. The project includes licensing of cybersecurity software. (Chris Combs/Robert Stanley)
- * K. Discussion/approval/disapproval to submit a grant application to the Arizona Department of Emergency Management's Emergency Management Performance Grant for \$440,814.40. Match is required in the amount of \$440,814.40. This grant will be used by the Office of Emergency Management Branch of Development Services for the operations budget. (AD23-013) (Courtney Prock/Kore Redden/Joe Ortiz)
- * L. Discussion/approval/disapproval of Resolution No. 030624-RD23-124 releasing Maintenance Bond No. US00105132SU21A, associated with San Tan Highlands, located in Section 13, Township 3 South, Range 7 East. Supervisor District #2. (RD23-124) (Christopher Wanamaker/Joe Ortiz)
- * M. Discussion/approval/disapproval of Grant of Electric System Easement by Pinal County, a political subdivision of the State of Arizona (Owner) to Electrical District Number Two. Supervisor District #3. (GA23-027) (Celeste Garza/Joe Ortiz)

Item N Pulled from Consent Agenda

* N. Discussion/approval/disapproval of Resolution No. 030624-RD23-125 initiating the disposition of a portion of public easement within Plat of the Townsite of Randolph. Supervisor District #3. (RD23-125) (Celeste Garza/Joe Ortiz)

Supervisor Cavanaugh spoke regarding the progress and continued work being completed in Randolph and requested Supervisor Miller expand on the progress.

Supervisor Miller introduced the item and requested Staff provide awareness of the item.

Celeste Garza, Public Works Deputy Director appeared before the Board and presented regarding the easement, which will allow for a Randolph Community Center.

Supervisor Miller thanked Public Works for their efforts.

Item Action: Approved Consent Agenda Item N as presented

Motion Made By: Supervisor Cavanaugh

Seconded By: Supervisor McClure

To approve Consent Agenda Item N as presented.

Motion Passed

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

- * O. Discussion/approval/disapproval of the Agreement between the City of Coolidge and the Pinal County Attorney's Office for use of the City of Coolidge's Gun Firing Range. (Kent Volkmer)
- * P. Discussion/approval/disapproval of an application for payment of \$4,998 to Cutters Document Destruction, LLC from the Pinal County Attorney's Office anti- racketeering fund account to assist with the expense of providing onsite document shredding opportunities for the residents of Pinal County. (Kent Volkmer)
- * Q. Discussion/approval/disapproval of the following appointments and resignations for the precinct committeemen of the Democratic and Republican parties:

 precinct committeemen of the Democratic and Republican parties:

 Republican Appointments:

 Supervisor District #5:

 Precinct #59 Elizabeth M. Fitzgerald 2206 E. 37th Ave., Apache Junction 85119

 Republican Resignations:

 Supervisor District #3:

 Precinct #13 Michael B. Miller 5703 N. Dakota Dr., Eloy 85131

 Supervisor District #4:

 Precinct #109 James Bencina Jr., 7701 W. Willow Way, Florence 85132

 Democratic Resignations:

 Supervisor District #4:

Precinct #26 Julia Anderson 630 W. Sundance Cir., San Tan Valley 85143 (Dana Lewis)

* R. Discussion/approval/disapproval of Resolution No. 030624-RD23-126 of the Board of Supervisors authorizing the County Engineer to sign an application with the Arizona State Land Department for the acquisition of right of way associated with Judd Road and Bella Vista Road. Supervisor District #5. (RD23-126) (Christopher Wanamaker/Joe Ortiz)

(9) Meeting of the Pinal County Library District Board of Directors. (Shawn Flecken/Cathryn Whalen)

Chairman Goodman recessed the Pinal County Board of Supervisors Meeting and convened as the Pinal County Library District Board of Directors Meeting.

Item Action: Convened into the Pinal County Library District Board Agenda

Chairman Goodman adjourned the Pinal County Library District Board of Directors Meeting.

(10) Meeting of the Pinal County Public Health Services District Board of Directors. (Merissa Mendoza/MaryEllen Sheppard)

Chairman Goodman convened as the Pinal County Public Health Services District Board of Directors Meeting.

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

Chairman Goodman adjourned the Pinal County Public Health Services District Board of Directors Meeting and reconvened the Pinal County Board of Supervisors Meeting.

(11) Public Hearing and discussion/approval/disapproval of case CSR-009-23: Clark Larson, Owner, and Amanda Lauridsen – Precise Sign Co. LLC, applicant/agent, requesting approval of a Comprehensive Sign Package to allow the installation of two (2) monument signs and eight (8) wall signs with a maximum area of 76.66 square feet per sign, on a 1.22± acre parcel in the CB-1 Local Business Zone; tax parcel 104-22-013N (legal on file); situated in a portion of Section 31, Township 2 South, Range 8 East, of the Gila & Salt River Base & Meridian, Pinal County, Arizona, located on the northeast corner of N Gary Rd and W Empire Rd in San Tan Valley. Supervisor District #2. (Patrick Roberts/Brent Billingsley)

Patrick Roberts, Planner appeared before the Board and presented.

Chairman Goodman opened the Public Hearing, and asked if 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.

Discussion held regarding this project and the Sign Review Committee by the following Board Members and Staff; Chairman Goodman, Supervisor Miller, and Patrick Roberts.

Item Action: Approved as presented with no Stipulations

Motion Made By: Supervisor Miller

Seconded By: Supervisor Cavanaugh

To approve case CSR-009-23: Clark Larson, Owner, and Amanda Lauridsen – Precise Sign Co. LLC, applicant/agent, requesting approval of a Comprehensive Sign Package to allow the installation of two (2) monument signs and eight (8) wall signs with a maximum area of 76.66 square feet per sign, on a $1.22\pm$ acre parcel in the CB-1 Local Business Zone; tax parcel 104-22-013N (legal on file); situated in a portion of Section 31, Township 2 South, Range 8 East, of the Gila & Salt River Base & Meridian, Pinal County, Arizona, located on the northeast corner of N Gary Rd and W Empire Rd in San Tan Valley, with no Stipulations.

Motion Passed

(12) Public Hearing and discussion/approval/disapproval of Resolution No. 2024-SUP-029-23, a Resolution approving case SUP-029-23, Goldfield Ghost Town & Mine Tours INC, owner, Scott Hopper, applicant/agent, requesting approval of a Special Use Permit to continue to operate a wireless communication facility, on a 5.0± acre parcel in the CB-2 General Business Zone; tax parcel 100-02-0370 (legal on file); situated in a portion of Section 1, Township 1 North, Range 8 East, Pinal County, Arizona, located northwest of E Apache Trail and E Mammoth Mine Rd in an unincorporated area of Pinal County. The Planning Commission recommended approval (8 to 0) of case SUP-029-23 with fifteen (15) stipulations. Supervisor District #5. (Glenn Bak/Brent Billingsley)

Glenn Bak, Planner appeared before the Board, and presented.

Discussion held regarding the Applicant by the following Board Member and Staff; Supervisor Serdy and Glenn Bak.

Chairman Goodman opened the Public Hearing, and asked if 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.

Item Action: Approved as presented with fifteen (15) Stipulations

Motion Made By: Supervisor Cavanaugh

Seconded By: Supervisor McClure

To approve Resolution No. 2024-SUP-029-23, a Resolution approving case SUP-029-23, Goldfield Ghost Town & Mine Tours INC, owner, Scott Hopper, applicant/agent, requesting approval of a Special Use Permit to continue to operate a wireless communication facility, on a $5.0\pm$ acre parcel in the CB-2 General Business Zone; tax parcel 100-02-0370 (legal on file); situated in a portion of Section 1, Township 1 North, Range 8 East, Pinal County, Arizona, located northwest of E Apache Trail and E Mammoth Mine Rd in an unincorporated area of Pinal County. The Planning Commission recommended approval (8 to 0) of case SUP-029-23 with fifteen (15) stipulations.

Motion Passed

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

(13) Discussion/approval/disapproval of the funding for the recommended 3% Pinal County Health Benefits increase in FY 2024 - 2025 to promote a consistent county contribution among all plans within legal and system limits. (Angeline Woods/MaryEllen Sheppard)

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

Discussion held regarding county cost and reserves by the following Board Member and Staff; Chairman Goodman, and Angeline Woods.

Item Action: Approved

Motion Made By: Supervisor McClure

Seconded By: Supervisor Cavanaugh

To approve the funding for the recommended 3% Pinal County Health Benefits increase in FY 2024 - 2025 to promote a consistent county contribution among all plans within legal and system limits.

Motion Passed

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

Chairman Goodman thanked fellow Board Members this is important to our employees.

(14) Discussion of Board Members' request for future agenda item(s) and/or reports to be presented at upcoming meetings. (Mike Goodman)

Supervisor Cavanaugh requested a discussion about changing the Audit Committee Rules to allow for appointments of individuals who do not work for government within Pinal County however, would meet all other requirements, and a discussion regarding the hiring of a Hearing Officer for Tax Appeals per A.R.S. 42-16103, rather than contracting with the State Board of Equalization (BOE) with a full review of the BOE process, and thorough evaluation.

Chairman Goodman added to the BOE request, directing staff to prepare numbers comparing the current cost versus the cost of hiring someone external for BOE.

Supervisor Miller added to the BOE request, directing staff to review all services provided by the State BOE to provide a thorough evaluation.

Leo Lew, County Manager acknowledged the requests.

Item Action: Information Only

(15) Executive Session pursuant to A.R.S. 38-431.03(A)(3)(4) for counsel to provide legal advice and to obtain direction regarding pending or contemplated litigation relating to a tax deed issued on properties. (Kevin Costello/Kent Volkmer)

Item Action: Convened into Executive Session

Motion Made By: Supervisor Cavanaugh

Seconded By: Supervisor Miller

To convene into Executive Session.

Motion Passed

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

<u>11:42 a.m.</u> – Supervisor Cavanaugh, Leo Lew, County Manager, and Chris Keller, Chief Civil Deputy County Attorney did not return to the dais following Executive Session.

(16) Executive Session pursuant to A.R.S. 38-431.03(A)(3)(4) for legal advice and litigation update concerning TX 2017-000663. (Chris Keller/Kent Volkmer)

Item Action: Adjourned Executive Session

Motion Made By: Supervisor McClure

To adjourn Executive Session.

Motion Passed

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

Absent: Cavanaugh (1)

Seconded By: Supervisor Miller

<u>11:42 a.m.</u> – Chairman Goodman adjourned the March 6, 2024, Regular Meeting of the Board of Supervisors.

PINAL COUNTY BOARD OF SUPERVISORS

Mike Goodman, Chairman

ATTEST:

Natasha Kennedy, Clerk of the Board

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

Approval of Minutes: April 3, 2024