

**AMENDED - TIME
CHANGED TO 3:00 PM**



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NOTICE OF PUBLIC MEETING AND EXECUTIVE SESSION
PINAL COUNTY BOARD OF SUPERVISORS
AGENDA FOR SPECIAL SESSION
Friday, February 3, 2023

3:00 PM - CALL TO ORDER

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

BUSINESS BEFORE THE BOARD

(Consideration/Approval/Disapproval of the following:)

- (1) Discussion/approval/disapproval to reconsider Agenda Item 4, from the Pinal County Board of Supervisors February 1, 2023, Regular Meeting. This request is made in accordance with the General Board Meeting Rules of Order, specifically IV(C). (Stephen Miller)

February 1, 2023, Agenda Item: Number (4)

Discussion/approval/disapproval to waive attorney client and work product privileges regarding the report of administrative investigation of complaints made by Amanda Stanford and Garland Shreves dated August 27, 2022, and direct the report to be released, subject to any necessary redactions. (Jeffrey McClure)

Item Action: Approved, that the Report is released after the 15th of February.

- (2) Discussion/approval/disapproval to waive attorney client and work product privileges regarding the report of administrative investigation of complaints made by Amanda Stanford and Garland Shreves dated August 27, 2022, and direct the report to be released, subject to any necessary redactions. (Jeffrey McClure)

ADJOURNMENT

(SUPPORTING DOCUMENTS ARE AVAILABLE AT THE CLERK OF THE BOARD OF SUPERVISORS' OFFICE AND AT <https://pinal.novusagenda.com/AgendaPublic/>)

NOTE: One or more members of the Board may participate in this meeting by telephonic conference call.

The Board may go into Executive Session for the purpose of obtaining legal advice from the County's Attorney(s) on any of the above agenda items pursuant to A.R.S. 38-431.03(A)(3).

In accordance with the requirement of Title II of the Americans with Disabilities Act (ADA), the Pinal County Board of Supervisors and Pinal County Board of Directors do not discriminate against qualified individuals with disabilities admission to public meetings. If you need accommodation for a meeting, please contact the Clerk of the Board Office at (520) 866-6068, at least (3) three business days prior to the

meeting (not including weekends or holidays) so that your request may be accommodated.

Meeting Notice of Posting



AGENDA ITEM

February 3, 2023 ADMINISTRATION BUILDING A
FLORENCE, ARIZONA

REQUESTED BY:

Funds #:

Dept. #:

Dept. Name:

Director:

BRIEF DESCRIPTION OF AGENDA ITEM AND REQUESTED BOARD ACTION:

Discussion/approval/disapproval to reconsider Agenda Item 4, from the Pinal County Board of Supervisors February 1, 2023, Regular Meeting. This request is made in accordance with the General Board Meeting Rules of Order, specifically IV(C). (Stephen Miller)

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Item Action: Approved, that the Report is released after the 15th of February.

BRIEF DESCRIPTION OF THE FISCAL CONSIDERATIONS AND/OR EXPECTED FISCAL IMPACT OF THIS AGENDA ITEM:

BRIEF DESCRIPTION OF THE EXPECTED PERFORMANCE IMPACT OF THIS AGENDA ITEM:

MOTION:

History	Who	Approval
Time		

ATTACHMENTS:

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☐ [BOS Meeting Rules of Order, Call to the Public Guidelines and House Rules - Code of Conduct](#)

PINAL COUNTY BOARD OF SUPERVISORS BOARD MEETING RULES OF ORDER

These Rules of Order supersede any resolutions or policies adopted by previous Boards of Supervisors

I. MEETINGS

The Arizona Open Meeting Law, ARS 38-431, shall govern meetings of the Board of Supervisors. All meetings of any County public body, official or advisory committee, shall be public, and all persons so desiring shall be permitted to attend and listen to the deliberations and proceedings.

II. Chairperson and Vice-Chairperson

- A) The presiding officer of the Board shall be the Chairperson who shall be elected yearly from the membership of the Board. The Vice-Chairperson shall be elected yearly following the election of the Chairperson and shall serve in the absence of the Chairperson. The Chairperson, or in his/her absence, the Vice-Chairperson, shall be responsible for calling meetings to order and maintaining proper protocol and decorum during all meetings.
- B) All motions, comments, and questions shall be made through the Chairperson. The Chairperson shall decide all points of order and procedure subject to appeal to the membership unless otherwise noted herein.
- C) In the case of an appeal to the membership concerning a ruling of the Chairperson, the question to the membership for vote shall be: "Shall the decision of the Chairperson stand as the decision of the Board?" The member making the appeal may state his/her reasons for the same, and the Chairperson may explain his/her ruling; but there shall be no debate on the appeal and no other members shall participate in the discussion. No second shall be required for an appeal and all members in attendance shall vote on the appeal.
- D) The Chairperson may make or second any motion made by a member and shall declare all votes. If any member questions the vote, the chair will order a roll call.
- E) The Chairperson shall have the authority to limit the time for debate on any topic or item by a member but not the ability to eliminate debate. The Chairperson shall make every effort to not allow debate to digress to personal attacks. It should be emphasized it is not the person, but the measure, issue or item under question, that is the subject of debate. In the same spirit, other Board members should not disparage each other, county employees or presenters.
- F) The Chairperson shall have the authority to limit or expand the extent of, or suspend public comment or call to the public for any particular meeting but shall provide an explanation for the membership. The decision shall not be appealable.

III. Agenda

- A) The Chairperson or any member of the Board may request to reorder any item on the agenda without a vote of the membership. The Chairperson's decision shall be final as related to this matter.
- B) County Office of Authority or designee in consultation with the County Manager may add an item to the agenda. However, the prior approval of the Chairperson to add items to the agenda shall be required if within eight days of a regularly scheduled meeting or 48 hours of a special meeting. Notice of such a request will be provided by the Clerk of the Board to the remaining members for informational purposes.

IV. Motions

A) All Board action shall be made by way of a formal motion. Any Board member may propose a motion on any item on the official agenda. Any motion that is seconded by any member shall be on the floor and must be considered. If a motion is not seconded, the motion fails for a lack of a second and shall be so declared by the Chairperson. The following motions are authorized by this Board:

- 1) Motion to Approve
- 2) Motion to Disapprove
- 3) Motion to continue to a specific date
- 4) Motion to amend
- 5) Motion to table indefinitely
- 6) Motion to reconsider (see C below)
- 7) Motion to suspend the rules (see D below)

B) After a motion has been seconded, the Chairperson shall call for the vote. The Chairperson may also call for the vote if it appears any further discussion or debate will be repetitious.

C) A motion to reconsider the vote on any item must be made within 24 hours from the adjournment of the board meeting and must be made by a member who voted on the prevailing side of the item. A member requesting reconsideration following the adjournment of a meeting shall file a letter requesting reconsideration with the Clerk of the Board. A motion for reconsideration, having been made once and decided in the negative, shall not be renewed or allowed to be amended. No request for reconsideration of a contract award shall be made unless there is evidence of an improper award.

D) A motion to suspend the rules requires a supermajority of those members of the Board present to enable the Board to set aside one or more of its procedural rules that would otherwise prevent consideration of a certain action. A motion to suspend the rules suspends only those rules which specifically interfere with the consideration of the particular action involved. The rules are only suspended temporarily and are automatically reactivated after the proposed action has been considered. A motion to suspend the rules is not debatable and not amendable.

V. Point of Personal Privilege

A point of personal privilege may be granted by the Chairperson but shall be limited to:

- address issues of noise, temperature or
- recognize a dignitary in the attendance or
- a passing of an individual.


VI. Voting

- A) All members of the Board shall be required to cast either an AYE or NAY vote unless they have previously declared a conflict of interest and submitted such in writing to the Clerk of the Board. To the extent any such conflict has been declared, the member shall refrain from participating in any manner in the matter, including discussion, debate or executive session.
- B) In the case of a tie vote on an item, the item shall be considered defeated.
- C) When it has been decided to call for the vote on an item, all debate on the item shall be deemed concluded, and during the vote no member shall be permitted to explain their vote; however after the vote has been taken, a member shall be permitted to briefly explain the reasoning for their vote.
- D) When a roll call vote is requested or required, a member may pass on the first roll call but must vote AYE or NAY on the second and final roll call. When a roll call is commenced, no member may leave his/her seat until the vote has been disclosed.

VII. Decorum

- A) When a member desires to speak or make a motion, the member will address the Chairperson and upon being recognized may then address the Board.
- B) No member may interrupt another except to raise a "point of order" or to correct a mistake. A "point of order" must be timely and is proper when a member believes the discussion is in error or not germane to the issue before the Board. A point of order does not require a second and the Chairperson's decision shall control unless an appeal is taken.
- C) No member shall indulge in personal attacks, impugn motives of Members, staff or the public, or use language tending to hold a member up to contempt.

PASSED and ADOPTED this 16th day of November, 2022



Jeffrey McClure, Chairman
Pinal County Board of Supervisors




ATTEST:



Natasha Kennedy, Clerk of the Board

APPROVED AS TO FORM:



Chris Keller, Chief Civil Deputy County Attorney

CALL TO THE PUBLIC

There is no statutory requirement for a "call to the public"; it is a privilege, not a right, and given at the discretion of the Board of Supervisors. A "call to the public" is the time period for members of the public to address the Board of Supervisors on any item of concern or to provide public input relating to subject matter within the Board of Supervisors authority or jurisdiction.

Individuals and/or organizations wishing to speak during Call to the Public are encouraged to sign in with the Clerk. During the time set aside for public comment on the agenda, the Chairman will call forth individuals signed up.

Guidelines:

1. Fifteen minutes before the start of the meeting there will be public comment cards for members of the public to sign up if they wish to speak before the Board. After all individuals who signed up for Public Comment have spoken, the Chairman may ask if there are additional individuals who would like to speak.
2. Speakers should adhere to the following protocol:
 - a. Sign in with the Clerk before the meeting
 - b. At the speakers' podium please state your name and address
 - c. Address comments to the Board as a whole
 - d. Give written statements and other supporting material to the Clerk. Please note that written statements are made a part of the permanent records of the Board. In addition, if the speaker is unable to complete the presentation in the time allotted, a copy of supporting materials will be provided to the Board.
3. Up to three minutes will be allowed for each presenter to speak. A warning system (card or light) may be used to time presentations.
4. If the individual represents a group, the individual may ask group members to stand while the individual speaks, as opposed to having each member speak on the same issue.
5. In order to maintain civility and respect for all points of view, there will be no clapping, booing or any other verbal form of support or nonsupport. Any person making personal, impertinent, or slanderous remarks or who become boisterous while addressing the Board, shall be asked to refrain from such and if they refuse and continue, may be removed at the discretion of the Chairperson. Continued unauthorized remarks from the audience, stamping of feet, whistling, yelling, booing, clapping, cheering or similar demonstrations may be grounds for removal.
6. Debate or dialogue with the Board is not allowed during Call to the Public. Pursuant to [A.R.S. 38-431.01 \(H\)](#), if it's not an agenda item, the Board response is limited to:
 - Asking staff to study the matter
 - Request placement on a future agenda
 - Respond to criticism

These three responses must take place at the conclusion of the call to the public.

7. Use of the projection system is reserved for staff. If a member of the public is providing a presentation, please provide 8 copies to the Clerk of the Board (5 copies for the Board and the remaining copies for the County Manager, County Attorney, and Clerk).

HOUSE RULES: CODE OF CONDUCT

1. Listen and understand before judging.
2. Be courteous, honest and respectful of others' opinions, preferences, and persons.
3. Focus on the vision and goals; no personal attacks or inferences.
4. Look for areas of agreement before differences.
5. Be on time; start on time; silence all personal communication devices, and do not allow them to distract from the work at hand.
6. Once a decision is made, support the County decision, but state your reservation.
7. Agree to disagree; move on to the next issue.
8. Come prepared to discuss issues; When possible, ask questions of staff prior to the meeting so that staff can be prepared. Avoid surprises; don't play "Gotcha."
9. Praise in public; provide constructive feedback in private.
10. Participate in discussions and focus on the issue; avoid side conversations. Be mindful that sidebar conversations are disruptive.
11. Communicate in an open, direct manner; keep others informed.
12. If you have a personal issue with another member of Board, go to that member directly and not to other Board members, the community or staff.
13. Be a positive ambassador for the County.
14. In the event of a conflict-of-interest when possible file said conflict with the Clerk of the Board prior to the meeting. The Board member shall make known said conflict and refrain from voting and participating in any discussion on the matter, pursuant to [A.R.S 38-503](#).



AGENDA ITEM

February 3, 2023 ADMINISTRATION BUILDING A
FLORENCE, ARIZONA

REQUESTED BY:

Funds #:

Dept. #:

Dept. Name:

Director:

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BRIEF DESCRIPTION OF THE EXPECTED PERFORMANCE IMPACT OF THIS AGENDA ITEM:

MOTION:

History		
Time	Who	Approval

ATTACHMENTS:

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No Attachments Available



AGENDA ITEM

February 3, 2023 ADMINISTRATION BUILDING A
FLORENCE, ARIZONA

REQUESTED BY:

Funds #:

Dept. #:

Dept. Name: Clerk of the Board

Director: Natasha Kennedy

BRIEF DESCRIPTION OF AGENDA ITEM AND REQUESTED BOARD ACTION:

Meeting Notice of Posting

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☐ [Notice of Posting](#)

☐ [Amended Notice of Posting](#)



PINAL COUNTY
WIDE OPEN OPPORTUNITY

MEETING NOTICE OF POSTING

STATE OF ARIZONA

COUNTY OF PINAL

I, Natasha Kennedy, being duly sworn upon her oath, says as follows:

I am the appointed Clerk of the Pinal County Board of Supervisors.

In my position as Clerk of the Board of Supervisors and Board of Directors, I am responsible for posting all Agendas.

Pursuant to A.R.S. 38-431.02 notice is hereby given that the Pinal County Board of Supervisors will hold a Special Session meeting on **Friday, February 3, 2023 at 12:15 p.m.** in the Board Hearing Room, 1891 Historic Courthouse, Administrative Complex, located at 135 N. Pinal Street, Florence, Arizona 85132.

Board Meetings are broadcasted live and the public may access the meeting at <https://www.pinal.gov/396/Meeting-Videos>

Board Agendas are available at <https://www.pinal.gov/411/Agendas-Minutes>

At any time during business hours, citizens may reach the Clerk of the Board Office at (520) 866-6068 or via email at ClerkoftheBoard@pinal.gov for information about Board meeting participation.

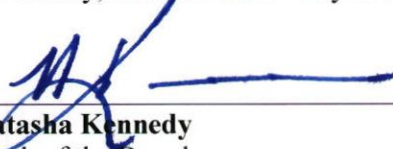
Note: One or more members of the Board may participate in this meeting by telephonic conference call.

I hereby further certify that I caused to be posted this Thursday, February 2, 2023, around 11:30 AM the Special Session Agenda, and Executive Session as follows:

1. A kiosk located outside the front entrance to The Old Historical Courthouse, Administrative Complex Building, 135 North Pinal Street, Florence, Arizona 85132
2. County website under Meetings located at www.pinal.gov
3. Emailed the NOVUS Agenda Distribution List and Clerk of the Board Notification Distribution List

WITNESS my official signature and corporate seal of Pinal County, Arizona this 2nd day of February, 2023.




Natasha Kennedy
Clerk of the Board
Board of Supervisors of Pinal County, Arizona

CLERK OF THE BOARD OF SUPERVISORS

1891 Historic Courthouse | 135 North Pinal Street | P.O. Box 827 | Florence, AZ 85132 | T: 520-866-6068
www.pinal.gov



AMENDED MEETING NOTICE OF POSTING

STATE OF ARIZONA

COUNTY OF PINAL

I, Natasha Kennedy, being duly sworn upon her oath, says as follows:

I am the appointed Clerk of the Pinal County Board of Supervisors.

In my position as Clerk of the Board of Supervisors and Board of Directors, I am responsible for posting all Agendas.

Pursuant to A.R.S. 38-431.02 notice is hereby given that the Pinal County Board of Supervisors will hold a Special Session meeting on **Friday, February 3, 2023 at 3:00 p.m.** in the Board Hearing Room, 1891 Historic Courthouse, Administrative Complex, located at 135 N. Pinal Street, Florence, Arizona 85132.

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Note: One or more members of the Board may participate in this meeting by telephonic conference call.

I hereby further certify that I caused to be posted this Thursday, February 2, 2023, at 2:30 PM the **Amended** Special Session Agenda, and Executive Session as follows:

1. A kiosk located outside the front entrance to The Old Historical Courthouse, Administrative Complex Building, 135 North Pinal Street, Florence, Arizona 85132
2. County website under Meetings located at www.pinal.gov
3. Emailed the NOVUS Agenda Distribution List and Clerk of the Board Notification Distribution List

SIGNED this 2nd day of February, 2023.

/s/ **Natasha Kennedy**
Clerk of the Board
Board of Supervisors of Pinal County, Arizona

CLERK OF THE BOARD OF SUPERVISORS

1891 Historic Courthouse | 135 North Pinal Street | P.O. Box 827 | Florence, AZ 85132 | T: 520-866-6068
www.pinal.gov