

The Pinal County Board of Supervisors convened at 9:46 A.M. this date in the Board of Supervisors Hearing Room, Administration Building A, Florence, Arizona. The meeting was called to order by Chairman Snider and followed by the Pledge of Allegiance.

Present: Chairman David Snider; Supervisor Lionel D. Ruiz; Supervisor Sandie Smith; County Attorney James Walsh; County Manager, Terry Doolittle; Chief Civil Deputy County Attorney, Chris Roll; Deputy Clerk of the Board, Heidi Cole and Clerk of the Board, Sheri Cluff.

Presentations: On behalf of Sheriff Vasquez, Chief Deputy Jerry Monahan presented a Distinguished Service Award to Deputy Mark Terry and Posse Member Douglas Ewen. Mr. Ewen was not present but was recognized. Chief Deputy Jerry Monahan explained that Deputy Terry responded to a suicide in which a male subject lost his life. While at the scene Deputy Terry became aware that a four year old child had also succumbed to the carbon monoxide and very quickly took life saving actions, gained control of a very chaotic scene by the family which resulted in the recovery of the child.

The Board thanked Deputy Mark Terry for his actions and the job he does daily as a public safety officer.

Discussion/approval/disapproval of Proclamation proclaiming April 6-12, 2008 as County Government Week - Protecting our Children.

Heather Murphy, Communications Director, presented the Proclamation.

Motion was made by Supervisor Ruiz and seconded by Supervisor Smith to approve the Proclamation proclaiming April 6-12, 2008 as County Government Week - Protecting our Children. Motion carried by unanimous vote.

Discussion/approval/disapproval of Resolution No. 040908-NCDO - a resolution proclaiming the week of May 4-10, 2008 as National Correctional/Detention Officers Appreciation Week.

Chief Deputy, Jerry Monahan presented the resolution proclaiming the week of May 4-10, 2008 as National Correctional/Detention Officers Appreciation Week.

Motion was made by Supervisor Smith and seconded by Supervisor Ruiz to approve Resolution No. 040908-NCDO - a resolution proclaiming the week of May 4-10, 2008 as National Correctional/Detention Officers Appreciation Week. Motion carried by unanimous vote.

Overview and update of Cox Communications' activities in Pinal County. Presentation by Michael Stull, Public Affairs Liaison.

Michael Stull gave an update on Cox Communications and the activities in Pinal County.

Purchasing Report - Awarding of Bids - County Purchases.

Gary Templin, Purchasing Manager presented the purchasing report.

AWARDING OF BIDS & PROPOSALS:

1. 07-26-13 – Server Application Services – Recommend award for Server Application Services to TruePoint Solution, LLC for a term of one (1) base year with four (4) one year options.

PROFESSIONAL SERVICES CONTRACT AWARDS:

1. 0506-026 – Specialty Legal Services – Recommend award for Specialty Legal Services to Mariscal, Weeks, McIntyre & Friedlander, PA for a term of one (1) base year with three (3) one year options.

Contracts signed by County Manager or Chief Financial Officer:

The following procurements were signed under the authority granted by Resolution 021506-CM that gave authority to execute and sign contracts on behalf of the county without prior Board approval in amounts not to exceed \$250,000.00:

<u>REQ. #</u>	<u>AMOUNT</u>	<u>VENDOR</u>	<u>ITEM</u>	<u>DEPT.</u>
1. N/A	N/A	Steven J. Fuller, Attorney	Professional Legal Services	Cty Atty.
2. N/A	N/A	Maricopa County Parks & Recreation Department	Special Use Permit	Wellness Coalition
3. N/A	\$24,360.00	Partners for Strategic Action, Inc.	Modification	Planning & Development

Motion was made by Supervisor Smith and seconded by Supervisor Ruiz to approve purchasing report. Motion carried by unanimous vote.

10:23 a.m. - County Attorney Walsh left the meeting.

CONSENT ITEMS:

Chairman Snider advised that all items indicated by an asterisk (*) would be handled by a single vote as part of the consent agenda, unless a Board Member, Assistant County Manager, or member of the public objected at the time the agenda item was called.

Chairman Snider asked if there were any requests from a Board member, staff or the audience to remove a consent agenda item for discussion. There was a request to remove item "KK" (final plat: S-013-07/S-025-07FP: (Ocotillo Crossing) 1 lot, SE Corner Ocotillo & Ganzel Roads).

Motion was made by Supervisor Ruiz and seconded by Supervisor Smith to approve consent items "A" through "LL" except for "KK" which was removed for discussion: * A. Minutes of March 26, 2008; * B. Current Billings before the Board; * C. Application for Liquor License for Kim Kwiatkowski, dba - Circle K Store # Hunt, SEC Hunt Hwy & Thompson Road, Queen Creek, AZ 85242.; * D. Application for Liquor License for Michael Benedetto, dba - Arizona City Country Club and Golf Course, 13939 Cleator, Arizona City, AZ 85223; * E. Citizen's Screening Committee to assist in the screening of candidates for appointment as successor Justice of the Peace, Precinct #1: Toni Lorona, Presiding Justice of the Peace, P.O. Box 586, Eloy, AZ 85231; Mike Malone, Pinal County JP courts, Florence, AZ 85231; Marsha Day, P.O. Box 2964, Florence, AZ 85232; Jon Thompson, Deputy Chief, Adult Probation, Florence, AZ; Joe Robison, 37075 S. Stoney Cliff Dr., Saddlebrooke, AZ 85739); * F. request for Ruth E. Wolfe and Arlene Cox to be allowed to file for widow/widowers and/or disabled persons or organization Tax Exemption; * G. appoint Gale Pearce as Board Member to fill the vacancy on the Greene Reservoir Flood Control District and serve until the District's next regular election pursuant to ARS 48-2681. The appointment is made to fill a vacancy due to the resignation of Wally Householder; * H. 1995 White GMC Volvo tractor, VIN #4VIWDBCH5SN695479, donated vehicle to Florence Fire Department. Est. Value \$20,000; * I. Amendment No. LTC - RFQ 200424.14-03 with Glendale Healthcare Associates, L.L.C., dba: Desert Sky Healthcare and Rehabilitation for Nursing Facility services. The term of this amendment will coincide with the Board of Supervisor's approval date and will end October 31, 2009. The total amendment amount is not to exceed \$100,000; * J. Contract No. LTC 200817.01 with

Archie Hendricks Senior Skilled Nursing Facility for Nursing Facility services. The term of this contract will coincide with the Board of Supervisor's approval date and will end October 31, 2009. The total contract amount is not to exceed \$100,000; * K.Contract No. LTC - 200723.02 with Arizona Mentor for Behavioral Health services. The term of this contract will coincide with the Board of Supervisor's approval date and will end January 30, 2009. The total contract amount is not to exceed \$15,000; * L. Amendment No. LTC - RFQ 200401.13-02 with Barton S. Fink, D.P.M., LLC for Specialist Physician services in Podiatry. The term of this amendment will coincide with the Board of Supervisor's approval date and will end June 30, 2009. The total amendment amount is not to exceed \$3,000; * M.Contract No. LTC - 200826.01 with Camelback Family Dentistry, LLC dba: Camelback Cosmetic and Family Dentistry for Dental Consultation services. The term of this contract will coincide with the Board of Supervisor's approval date and will end June 30, 2009. The total contract amount is not to exceed \$15,000; * N. Contract No. LTC - 200820.01 with Casa Grande Community Hospital, Inc. dba: Casa Grande Regional Medical Center for Primary Care Provider, Specialist Physician, and Inpatient and Outpatient Hospital services. The term of this contract will coincide with the Board of Supervisor's approval date and will end July 31, 2009. The total contract amount is not to exceed \$1,500,000; * O.Contract No. LTC - 200826.02 with Cooper Family Dentistry, LLC dba: Cooper Family and Cosmetic Dentistry for Dental Consultation services. The term of this contract will coincide with the Board of Supervisor's approval date and will end June 30, 2009. The total contract amount is not to exceed \$15,000; * P. Amendment No. LTC - RFQ 200307.06-04 with Los Ninos Hospital Inc. Board of Directors dba: Los Ninos Innovative Home Care for Home Health Nursing, Home Health Aide, In Home Respiratory, In Home Physical Therapy, Occupational Therapy, and Speech Therapy services. The term of this amendment will coincide with the Board of Supervisor's approval date and will end September 30, 2009. The total amendment amount is not to exceed \$20,000; * Q. Contract No. LTC - 200826.03 with Ocotillo Family Dentistry, LLC dba: Ocotillo Family and Cosmetic Dentistry for Dental Consultation services. The term of this contract will coincide with the Board of Supervisor's approval date and will end June 30, 2009. The total contract amount is not to exceed \$15,000; * R. Amendment No. LTC - 200424.18-03 with Scottsdale Village Square for Nursing Facility services. The term of this amendment will coincide with the Board of Supervisor's approval date and will end October 31, 2009. The total amendment amount is not to exceed \$25,000; * S. transfer fiscal year 2007-08 budget appropriation from Finance Auction Proceeds (fund 10, cost center 1025) to the Rico Funds (fund 184, cost center 2468) in the amount of \$35,073.95 for vehicle auction proceeds; * T. terminate the current Sacaton Mountain Radio Communication site lease with Crown Castle and sign a new lease with Vanguard Wireless; * U. Changes to the IGA and budget for Title I and other associated federal funds for Juvenile Detention Education Services. The IGA between the Arizona Supreme Court, The Pinal County School Superintendent and the Pinal County Superior Court covers the fiscal years 2007/2008 and 2008/2009. The budget for the federal grants covers fiscal year 2008;* V. Appointment of Republican Precinct Committeeman: Charles T. Walton, SR., 341 Pottebaum Ave., Casa Grande, (36); * W. Appointment of Democrat Precinct Committeemen: Robert M. Mendez, 614 E. Barrus Place, Casa Grande, (32); Maynard C. Njos, 1364 S. Ocotillo Dr. Apache Junction, AZ (43);* X. Appointment of Democrat Precinct Committeeman: Chryste F. Rogers, 9212 E. Cedar Basin Ln., Gold Canyon (48); * Y.Appointment of Democrat Precinct Committeemen: Peter Villaverde, 220 N. Bush St., Florence, 85232, (23); Sharon M. Taylor, 1075 S. Sandstone Court, Apache Junction, AZ 85219 (46);* Z. Appointment of Democrat Precinct committeemen: Roberta Russell, 5095 S. Dusty Coyote Tr., Gold Canyon, 85218, (66);* AA. Appointment of Democrat Precinct Committeemen: Jay W. Solof, 110 S. McNab Parkway, San Manuel, AZ (05); Dennis V. Burns, 1707 W. Harding, Coolidge, AZ (18); George Arredondo, 1408 S. 7th St., Coolidge, AZ (19); * BB. Appointment of Democrat Precinct Committeemen: Doretha Rivera, 10089 E. Pinto Pony Dr., Florence, AZ (27); Lucia C. Flores, 1647 N. Mesa Verde Dr., Casa Grande, AZ (37);* CC.Resolution No. 040908-CR declaring the November 8, 2006 Development Agreement for Coronado Reserve with Oracle Highlands, L.L.C., null and void and authorizing Pinal County to enter into the development agreement, attached to this Resolution, with Oracle Highlands L.L.C. for the development of Coronado Reserve.; * DD. Change Order No. 2 for Hunt Highway Capital Improvement Project widening from 2 to 5 lanes from Empire to Thompson Rd. Additional work required (AWR) for Phase 1 Civil Design of Hunt Highway Capital Improvement Project. 1. Additional Legal's/Exhibits for right-of-way and easement acquisition(s). 2. Landscape monument design. 3. Queen Creek Water Company utility relocation design. 4. Floodplain delineation(s) and LOMR for (7) properties along Hunt

Highway. Justification: 1. Required to complete 90 legal' s and exhibits for right-of-way and easement acquisition(s) unaccounted for in the original contract. 2. Required for the additional cost design of a landscape monument at the J-curve property intersection for the San Tan Pride community. 3. Relocation design for Queen Creek Water Company. Utility claims prior rights and require our project's contractors to do the work. 4. Floodplain delineation and LOMR for (7) properties. The floodplain is unidentified in the area properties are likely in a flood zone (Zone A). Pinal County needs to acquire close to 10AC for these properties and this would be beneficial throughout the appraisal process. Change Order not to exceed \$76,509.39. (Contract #EV06-55); * EE. Road Construction Participation Agreement between Pinal County and Trilogy Encanterra Construction, LLC, a Delaware limited liability company (hereinafter "Trilogy".) This is for construction of roadway improvements to Combs Road, including the widening of Combs Road between Gantzel and Kenworthy. (Contract #RD07-117); * FF. Change Order No 3. for District 3 Roadway Construction McCartney Cox Intersection. Part A. This change order corrects the actual amount of Change Order # 2 to be \$24,879.90 instead of \$27,879.62. Part B. add the following New Item to the Bid Schedule for Final Quantity adjustment: Justification: Contractor installed Stop Bar in accordance with plan. During final walk thru of project it was determined that existing tree at the north east corner of intersection is in the line of sight for motorist stopped at the stop bar on Cox Road looking for approaching west bound McCartney Road traffic. Existing tree is on private property and can not be removed. The design engineer has been consulted and recommends moving the Stop Bar approximately 10 feet south to improve sight visibility at the intersection. Change Order not to exceed \$866.00 (Contract #EC07-002); * GG Resolution No. 040908-FHARSIP, of the Pinal County Board of Supervisors pertaining to the submission of an application by County Department of Public Works for consideration in the Federal Highway Administration Rural Safety Innovation Program to receive funding in an amount not to exceed \$500,000 for a qualifying rural safety innovation project in Supervisory District No. 2 of Pinal County, Arizona. Details of the project will be made available no later than April 14, 2008.(Contract #AD07-020; * HH. Resolution No. 040908-AJP, accepting from A.J. Palmas Limited Partnership ,the Deed of Easement for roadway and public utility purposes, located within Supervisory District #2, Section 31, T1N, R8E, in the unincorporated area of Pinal County, Arizona, as legally described in the Exhibits attached hereto and made a part of said Resolution. (Contract #RD07-118); * II. Resolution No. 040908-IGA-KR, of the Pinal County Board of Supervisors, authorizing Pinal County to enter into Intergovernmental Agreement KR-02-0008-LNR-FIR between the State of Arizona, Department of State Land through the State Forester, Fire Management Division and Pinal County for mutual emergency assistance and cooperation for fire and emergency protection for the period May 1, 2008 ending April 30, 2011. (Contract #GA07-06); * JJ. grant application for FEMA funds for 50% of county expenditures for county staff in Emergency Management Services under the Arizona Division of Emergency Management Program for the period 10/01/07 to 09/30/09 and authorization to County Manager to execute all documents necessary to obtain said grant. (Contract #AD07-021);* LL. subdivision replat: S-039-05/S-034-07FP: Replat of Lots 1, 10, 11, 20, 21, 30, 31, 39-43 Inclusive, 47, 49-53 Inclusive, 60, 61, 71-76 Inclusive, 90-93 Inclusive, 106, 123-125 Inclusive and Tracts G, I and KKK at Whitewing at San Tan Magma. Motion carried by unanimous vote.

Consent Item removed for discussion:

***KK. final plat: S-013-07/S-025-07FP: (Ocotillo Crossing) 1 lot, SE Corner Ocotillo & Ganzel Roads.**
Planning Director, Jerry Stabley, advised this was pulled off the agenda because the applicant wishes to amend a stipulation.

Supervisor Smith advised the stipulation that has been referenced is to add "as per the County Engineer" and the County Engineer has said they are okay with where the applicant wants to put the entrances and exits.

Supervisor Smith make it clear to staff and the applicant, as well as future applicants, that this is not to be seen as the way business will be done. She said she does not want for applicants to start coming to the Board to override the decision of the Planning Commission - the Board normally will not be amending final plats at this juncture. She explained that this is an area they have worked on for 15 years and it is finally in a

configuration that is acceptable to the community as well as Public Works and for it to be remanded back and add more time just to add the new language does not seem a productive use of time.

Planning Director, Jerry Stabley and Deputy County Attorney, Nicole Weber, advised it is stipulation #11 and it is actually the first part of the stipulation that states "the issues will be decided by the County Engineer" and it is the second part that needs to be removed: "No full access will be allowed on Gantzel Road."

Public Works Director, Greg Stanley, said they are comfortable with this amendment.

Motion was made Supervisor Smith and seconded by Supervisor Ruiz to approve the final plat: S-013-07/S-025-07FP: (Ocotillo Crossing) 1 lot, SE Corner Ocotillo & Ganzel Roads amending stipulation #11, removing "no full access on Gantzel Road."

Deputy County Attorney, Nicole Weber, clarified that stipulation #11 will now read: "The access location shown on the Tentative Plat are conceptional only and have not been approved by the County Engineer." She said this will allow flexibility.

Motion carried by unanimous vote.

Meeting of the Pinal County Public Health Services Board of Directors.

10:33 A.M. - Motion was made by Supervisor Ruiz and seconded by Supervisor Smith to recess for the meeting of the Pinal County Public Health Services Board of Directors. Motion carried by unanimous vote.

10:34 A.M. - Motion was made by Director Ruiz and seconded by Director Smith to adjourn from the meeting of the Pinal County Public Health Services Board of Directors and reconvene into regular session of the Board of Supervisors. Motion carried by unanimous vote.

Public Hearing, discussion/approval/disapproval of Resolution No. 040908-GR, to establish, open and declare as a county highway Guadalupe Road, 90 feet wide, commencing at Ironwood Road and proceeding westerly for approximately 1931.08 feet and terminating at Delaware Drive, located within Supervisory District #2, located in a portion of Section 6 and in a portion of Section 7, T1S, R8E, within an unincorporated area of Pinal County, Arizona, and legally described in the Resolution. (Contract #RD07-103).

Director of Public Works, Greg Stanley presented this item to the Board and recommended approval.

Chairman Snider opened the Public Hearing and called for comments from the public. There were none. The Public Hearing was closed.

Motion was made by Supervisor Smith and seconded by Supervisor Ruiz to approve Resolution No. 040908-GR, to establish, open and declare as a county highway Guadalupe Road, 90 feet wide, commencing at Ironwood Road and proceeding westerly for approximately 1931.08 feet and terminating at Delaware Drive, located within Supervisory District #2, located in a portion of Section 6 and in a portion of Section 7, T1S, R8E, within an unincorporated area of Pinal County, Arizona. Motion carried by unanimous vote.

Public Hearing, discussion/approval/disapproval of Resolution No. 040908-DD, to establish, open and declare as a county highway Delaware Drive, 40 feet wide, commencing at Guadalupe Road and proceeding northerly for approximately .50 miles and terminating at Houston Avenue, located within Supervisory District #2, located in Section 6, T1S, R8E, within an unincorporated area of Pinal County, Arizona, and legally described in the Resolution. (Contract #RD07-102).

Director of Public Works, Greg Stanley presented this item to the Board and recommended approval.

Chairman Snider opened the Public Hearing and called for comments from the public. There were none. The Public Hearing was closed.

Motion was made by Supervisor Smith and seconded by Supervisor Ruiz to approve Resolution No. 040908-DD, to establish, open and declare as a county highway Delaware Drive, 40 feet wide, commencing at Guadalupe Road and proceeding northerly for approximately .50 miles and terminating at Houston Avenue, located within Supervisory District #2, located in Section 6, T1S, R8E, within an unincorporated area of Pinal County, Arizona, and legally described in the Resolution. (Contract #RD07-102). Motion carried by unanimous vote.

Public Hearing, discussion/approval/disapproval to consider entering into a new lease agreement with Environmental Concerns Organization, Inc., an Arizona nonprofit corporation, for the lease of an approximate two acre parcel in the City of Maricopa, Arizona for less than fair market value, located within Section 21, T4S, R3E of the Gila and Salt River Meridian, Pinal County, Arizona which the County believes has a value of at least the independently appraised value (1.575 acres more or less) 30,000.00 per year for the year of the lease. The Lease Agreement requires the unanimous consent of the Board.(Contract #AD07-019).

Director of Public Services, Greg Stanley presented this item to the Board. Mr. Stanley advised this is a renewal of a lease agreement on County owned property. He said we did get an appraisal and the value came in at \$30,000 per year. He said it is their desire to lease for \$1.00 a year to this non-profit to continue the recycling operation.

Mr. Stanley advised that the operator of the facility has concerns about insurance requirements that have been placed in the lease. Mr. Stanley recommended that the Board open the public hearing and then continue it for staff to do further research as to what is really needed as far as insurance.

Chairman Snider opened the Public Hearing and called for comments from the public. There were none. Chairman Snider advised that Gina D'Abella, representing the Recycling Association of Maricopa, was present and has indicated that she is in support of the request of Mr. Stanley for a continuance.

Motion was made by Chairman Snider and seconded by Supervisor Ruiz to continue the public hearing and action on entering into this lease renewal until Wednesday, May 7, 2008, 9:30 a.m. Motion carried by unanimous vote.

Public Hearing, discussion/approval/disapproval of Resolution No.040908-E20A, on the abandonment/extinguishment of A portion of East 20th Avenue, 66.00 feet wide, commencing at South Geronimo Road and proceeding westerly for approximately 660.00 feet to the point of termination (also known as South Sixshooter Road), located within Supervisory District #2, Section 25, T1N, R8E, in the unincorporated area of Pinal County, Arizona.(Contract #RD07-100).

Director of Public Works, Greg Stanley presented this item to the Board and recommended approval.

Chairman Snider opened the Public Hearing and called for comments from the public. There were none. The Public Hearing was closed.

Motion was made by Supervisor Smith and seconded by Supervisor Ruiz to approve Resolution No.040908-E20A, on the abandonment/extinguishment of A portion of East 20th Avenue, 66.00 feet wide, commencing at South Geronimo Road and proceeding westerly for approximately 660.00 feet to the point of termination (also known as South Sixshooter Road), located within Supervisory District #2, Section 25, T1N, R8E, in the unincorporated area of Pinal County, Arizona.(Contract #RD07-100). Motion carried by unanimous vote.

Meeting of the Pinal County Flood Control District Board of Directors.

10:45 A.M. Motion was made by Supervisor Ruiz and seconded by Supervisor Smith to recess for a meeting of the Pinal County Flood Control District Board of Directors. Motion was carried by unanimous vote.

10:46 A.M. Motion was made by Director Ruiz and seconded by Director Smith to adjourn from meeting of the Pinal County Flood Control District Board of Directors and reconvene into regular session of the Board of Supervisors. Motion was carried by unanimous vote.

Work Session for staff presentation regarding: Leaf Blower ordinance for Area A - a requirement of Senate Bill 1552.

Don Gabrielson, Director of Air Quality Control, presented the proposed Leaf Blower Ordinance for Area A.

Mr. Gabrielson advised this is a mandate by the Legislature which only affects Area A (Arizona Farms Road and North and to the West of Florence Junction). This prohibits using leaf blowers in unincorporated areas of blowing material into the streets and it requires the County to prohibit the use of leaf blowers throughout Area A, incorporated and unincorporated areas on stabilized surfaces.

County Manager's Report "Information Only." Terry Doolittle, County Manager, reported that they are tentatively working on an Air Quality Summit in November to deal with issues in the newly created Area C.

Call to Public. There was no one present who wished to address the Board.

There being no further business the meeting stood adjourned at 10:53 A.M. The next regular meeting of the Pinal County Board of Supervisors will be on Wednesday, April 16, 2008 at 9:30 a.m.

PINAL COUNTY BOARD OF SUPERVISORS

Sheri Cluff, Clerk of the Board

These minutes are subject to approval by the Board of Supervisors on May 7, 2008.