

The Pinal County Board of Supervisors convened at 9:37 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 and Invocation.

Present: Chairman David Snider; Supervisor Pete Rios; Supervisor Bryan Martyn; County Manager, Terry Doolittle; Chief Civil Deputy County Attorney, Chris Roll; Administrative Clerk, AmberLee Mudd and Deputy Clerk of the Board, Heidi Cole.

Supervisor Rios took a moment to point out that September 15th marked National Hispanic Heritage Month and that today September 16th is Mexican Independence Day.

Chairman Snider noted that October is Domestic Violence Awareness Month and urged all to be sensitive to the issues whether it's male or female, or children that suffer the consequences of domestic violence.

Presentation of the GIS Activity within the Information Technology Department. Demonstration of new Pinal County public GIS website. Demonstration will show value to citizens and businesses.

Steve Frazier, Information Technology Department GIS Manager presented an update on the new GIS map tech website online and the navigation method and how to search by subdivision name. Mr. Frazier said it is anticipated that in the future this will be integrated with the Assessor's webpage.

The Board thanked Mr. Frazier for the presentation and stated that it is a big step forward for the County to provide additional sources of County information for the public in an electronic format.

Purchasing Report - Awarding of Bids - County Purchases.

Sharon Seekins, Purchasing Manager presented the purchasing report to the Board.

AWARDING OF BIDS & PROPOSALS:

1. 08-19-14 – PCSO Vehicle Computers – Recommend Insight Public Sector, Inc. be awarded the contract for a term of one (1) base year (September 16, 2009 – September 15, 2010) with four (4) one year option periods. Estimated cost is \$6,661.91 per computer for 2010 GMC trucks and \$6,825.54 for 2010 Ford Crown Victorias. Pinal County Sheriff's Office anticipates initial purchase of 35 to 50 computer systems at an estimated cost ranging between \$233,170.00 to \$341,300.00 depending on vehicle selection and quantity purchased.
2. 08-04-13 – Qualifying Bid for Light, Medium and Heavy Equipment and Vehicles to Include Maintenance, Service, and Parts – Recommend Bodyline Automotive Refinishing LLC be added to the contract for a term of one (1) base year with four (4) one year option periods to run concurrently with terms of original contract.
3. 08-04-13 – Qualifying Bid for Light, Medium and Heavy Equipment and Vehicles to Include Maintenance, Service, and Parts – Recommend A & H Contracting Services, Inc. be added to the contract for a term of one (1) base year with four (4) one year option periods to run concurrently with terms of original contract.

Cooperative Purchasing Agreement Procurements over \$250,000:

REQ. #	AMOUNT	VENDOR	ITEM	DEPT.
110047	\$437,052.00	Damon S Williams Associates, LLC	Phase II Justice Complex Water Infrastructure Storage Project	Public Works

Motion was made by Supervisor Rios and seconded by Supervisor Martyn to approve the purchasing report as presented. Motion carried by unanimous vote.

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, 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 were requests that items "C", and "D" be removed for discussion.

Motion was made by Supervisor Martyn and seconded by Supervisor Rios to approve consent items "A" through "HH", except items C and D: * A. minutes of 8/12/09 and 8/19/09. * B. Current Billings before the Board: **Housing Expense of 0/27/09:** Ck #11195-11200-\$31,434.77; Ck #1149-\$146.98; Ck #1236-1240-\$847.00; Ck #15399-15406-\$18,461.01; **Expense of 09/03/09:**General Fund: Ck # 93148836-93148914-\$349287.62; Sheriff/Drug Smuggling: Ck # 93148915-\$8359.22; Sheriff/Jail Enhancement: Ck #93148916-93148918-\$7536.21; Sheriff/Inmate Services: Ck # 93148919-93148921- \$1239.52; Attorney/Drug Prosecution: Ck #93148922-\$5659.95; Attorney/lv-D Child Support: Ck #93148923-\$54.00; Recorder/Storage: Ck #93148924-\$98.32; Adult Prob/Community Punishment: Ck #93148925-93148926-\$3208.00; Juvenile Prob/Casa: Ck #93148927-\$116.55; Juvenile Prob/Standard Prob: Ck #93148928-93148929-\$30.00; Public Works/Highway: Ck # 93148930-93148959-\$94888.16; Public Wrks/Road Tax Dist 2: Ck #93148960-\$10754.89; Public Wrks/Road Tax Dist 3: Ck # 93148961-\$100.00; Public Works/Flood Management: Ck # 93148962-\$9138.08;Library/District: Ck # 93148963-93148967-\$8647.12; Animal Control: Ck # 93148968-93148970-\$1216.89; Animal Control/Animal Care: Ck #93148971-\$180.00; Health/ Grants: Ck #93148972-93148974-\$1467.18; Long Term Care/Altcs: Ck #93148975-93149124-120716.38; Air Quality/Permits: Ck #93149125-93149126-\$14.93; Landfill/Adeq Waste Tire Grant: Ck #93149127-\$19637.65; Fairgrounds: Ck #93149128-8.37;Debt Service: Ck # 93149129-\$11905.67;Special Dist/Cottnwd Grdn Lite: Ck #93149130-\$96.25;Adult Prob/Dtef & Inters Case: Ck #93149131-93149132-\$793.11;Public Wrks/Dev Roadwy Contri: Ck #93149133-\$286.00; Courts/Fic Child Support: Ck #93149134-\$196.00;Capital Projects/Miscellaneous: Ck # 93149135-\$14610.00; Jp/Cost Recovery: Ck #93149136-93149141-\$2350.94;Airport Economic Development: Ck #93149159-\$375.68; Atty/Anti Racketeering-State: Ck #93149160-93149162-\$432.62; Courts Enhancement Fund: Ck # 93149166-93149168-\$338.01; Sheriff's Grants: Ck # 93149169-\$6360.31;Adult Prob/Gps: Ck #93149170-\$225.00; Public Health District: Ck # 93149171-3.38; Employee Wellness Coalition: Ck #93149172-\$22.06; Public Fiduciary Client Accts: Ck #93149142-93149158-\$7636.60; Sheriff/Bond Account: Ck # 93149163-93149165-\$5925.00; **Expense of 09/09/09:**General Fund: Ck #93149467-\$1860291.49; Sheriff/Drug Task Force: Ck #93149468-\$2312.32;Sheriff/Drug Smuggling: Ck #93149469-\$834.82; Sheriff/Inmate Services: Ck #93149470-\$2381.19;Attorney/Drug Prosecution: Ck #93149471-\$5454.19; Attorney/lv-D Child Support: Ck #93149472-\$43361.25; Courts/Automated Data System: Ck # 93149473-\$1546.59; Courts/Expedited Child Support: Ck #93149474-\$988.97; Recorder/Storage: Ck #93149475-\$3969.58; Adult Prob/Intensive Prob Serv: Ck #93149476-\$5758.74; Adult Prob/ State Enhancement: Ck #93149477-\$37530.20; Adult Prob/Community Punishmnt: Ck # 93149478-\$1403.07; Adult Prob/Support: Ck #93149479-\$8336.67; Juvenile Prob/Intensive: Ck # 93149480-\$10689.49;Juvenile Prob/Casa: Ck #93149481-\$1465.99;Juvenile Prob/Standard Prob: Ck #93149482-\$10915.27;Juvenile Prob/Supervision Fees: Ck #93149483-\$849.66;Juv Prob/Prob Officer In Schl: Ck #93149484-\$4098.86; Public Works/Highway: Ck #93149485-\$161730.61; Library/District: Ck #93149486-\$9958.99; Animal Control: Ck #93149487-\$21490.27; Health/Grants: Ck #93149488-\$29110.61; Home Health: Ck #93149489-\$84943.57;Long Term Care/Altcs: Ck #93149490-\$101219.66; Long Term Care/Aaa Case Mgm: Ck #93149491-\$7196.76; Air Qualtiy/Permits: Ck #93149492-\$18361.59; Air Quality/Grants: Ck #93149493-\$3214.81; Landfill/Adeq Waste Tire Grant: Ck #93149494-\$4033.98; Fairgrounds: Ck #93149495-\$5261.32; Housing/Conventional: Ck #93149496-\$22646.04; Sheriff/Gitem Grant: Ck #93149497-\$1616.50; Sheriff/Traffic Safety: Ck #93149498-\$7754.29; Juvenile Prob/Victims' Rights: Ck # 93149499-\$1078.58;Public Wrks/Dev Roadwy Contri: Ck #93149500-

\$29848.57; Crts/Domestic Relatns Ed & Med: Ck #93149501-\$1382.55; Atty/Juv Victims Rights Implem: Ck #93149502-\$954.65; Courts/Childrns Issues Ed Fund: Ck #93149503-\$50.41; Courts/Fic Child Support: Ck # 93149504-\$7905.66; Juvenile Prob/Diversion-Intake: Ck #93149505-\$7260.79; Juv Prob/Diversion-Consequence: Ck #93149506-\$2172.06; Juvenile Prob/Treatment: Ck #93149507-\$3936.12; Juv Prob/Court Improvmnt Proj: Ck #93149508-\$1270.12; Atty-Prb/Stop Violence Agst Wmn: Ck #93149509-\$2099.67; Public Defendr-Atty/State Aid: Ck #93149510-\$2648.13; Attorney/State Aid: Ck #93149511-\$926.50; Local Transport Assist Grant: Ck #93149512-\$1885.10; Public-Educ-Gov Access Supprt: Ck #93149513-\$1236.48; Clerk/Case Flow Management: Ck #93149514-\$1326.05; Courts/Local Crt Assist Ftg 5&: Ck #93149515-\$8159.00; Airport Economic Development: Ck #93149516-\$2560.68; Atty/Cjef-Prosec Pass-Through: Ck #93149517-\$29.64; Atty/Bad Check Program Oper: Ck #93149518-\$904.00; Courts Enhancement Fund: Ck #93149521-\$5052.74; Pw/Emergency Management: Ck #93149519-\$350.00; Cty Atty/Aata Grants: Ck #93149520-\$5050.85; Sheriff's Grants: Ck #93149522-\$12982.25; Public Health District: Ck #93149523-\$67962.79; Maricopa Jp/City Of Maricopa: Ck # 93149524-\$2106.34; Shrf/Impound: Ck #93149525-\$1012.02; **Payroll Expense of 09/09/09:** General Fund: Ck #91671046-91671050-\$2803.33; General Fund: Ck #91671051-\$458.88; General Fund: Ck #91671052-91671059-\$8409.93; General Fund: Ck #91671060-91671061-\$2255.53; General Fund: Ck #91671062-91671064-\$2808.28; General Fund: Ck #91671065-\$706.34; General Fund: Ck #91671066-\$883.41; General Fund: Ck #91671067-91671068-\$1398.22; General Fund: Ck #91671069-\$1115.45; General Fund: Ck #91671070-91671088-\$28381.38; General Fund: Ck #91671089-91671135-\$55175.76; General Fund: Ck #91671136-91671137-\$597.81; General Fund: Ck #91671138-91671143-\$10689.30; General Fund: Ck #91671144-\$118.06; General Fund: Ck #91671145-91671146-\$1437.68; General Fund: Ck #91671147-91671151-\$8054.66; General Fund: Ck #91671152-91671155-\$3917.70; General Fund: Ck #91671156-\$142.94; General Fund: Ck #91671157-\$726.54; General Fund: Ck #91671158-91671166-\$8814.80; General Fund: Ck #91671167-91671178-\$7513.33; General Fund: Ck #91671179-91671180-\$917.63; General Fund: Ck #91671181-91671184-\$2289.65; General Fund: Ck #91671185-\$740.64; General Fund: Ck #91671186-\$1718.77; General Fund: Ck #91671187-91671206-\$22541.62; General Fund: Ck #91671207-91671208-\$2680.43; General Fund: Ck #91671209-\$617.72; General Fund: Ck #91671210-91671212-\$4610.00; General Fund: Ck #91671213-\$999.55; General Fund: Ck #91671214-\$1096.96; General Fund: Ck #91671215-91671216-\$748.34; General Fund: Ck #91671217-91671218-\$1680.36; General Fund: Ck #91671219-\$1412.48; General Fund: Ck #91671220-\$1087.65; General Fund: Ck #91671221-\$1129.58; General Fund: Ck #91671222 \$624.92; General Fund: Ck #91671223-\$235.97; Sheriff/Inmate Services: Ck #91671224-\$777.14; Courts/Drug Enforcement: Ck #91671225-\$1466.07; Adult Prob/State Enhancement: Ck #91671226-\$1900.15; Adult Prob/Support: Ck #91671227-91671228-\$766.69; Juvenile Prob/Intensive: Ck #91671229-\$401.57; Juvenile Prob/Casa: Ck #91671230-\$1014.46; Public Works/Highway: Ck #91671231-91671274-\$44398.40; Library/District: Ck #91671275-\$1058.44; Animal Control: Ck #91671276-\$569.90; Health/Grants: Ck #91671277-91671281-\$3732.60; Health/Grants: Ck #91671282-\$1199.13; Home Health: Ck #91671283-91671284-\$1060.54; Home Health: Ck #91671285-91671334-\$21862.54; Long Term Care/Altcs: Ck #91671335-\$1068.05; Air Quality/Permits: Ck #91671336-\$2720.97; Fairgrounds: Ck #91671337-\$402.08; Housing/Conventional: Ck #91671338-\$470.89; Sheriff/Traffic Safety: Ck #91671339-\$1317.80; Public Wrks/Dev Roadwy Contrib: Ck #91671340-\$1534.52; Juv Probation/Misc Sources: Ck #91671341-\$1013.23; Local Transport Assist Grant: Ck #91671342-\$484.18; Pw/Emergency Management: Ck #91671343-\$1086.81; Public Health District: Ck #91671344-91671348-\$5759.56 **Expense of 09/10/09:** General Fund: Ck #93149919-93149986-\$259487.50; Sheriff/Drug Smuggling: Ck #93149987-\$4586.27; Attorney/Iv-D Child Support: Ck #93149988-\$60.00; Juvenile Prob/Intensive: Ck # 93149989-\$30.00; Public Works/Highway: Ck #93149990-93150013-\$25138.74; Public Works/ Flood Management: Ck #93150014-93150015-\$949.50; Library/District: Ck #93150016-93150022-\$12804.63; Animal Control: Ck #93150023-93150024-\$573.42; Health/Grants: Ck # 93150025-93150027-\$19904.90; Long Term Care/Altcs: Ck # 93150028-93150163-\$231822.79; Air Quality/Permits: Ck #93150164-93150165-\$317.94; Fairgrounds: Ck #93150166-\$444.00; Special Dist/Desert Vista Sani: Ck #93150167-\$50760.00; Public Wrks/Dev Roadwy Contri: Ck # 93150168-93150169-\$237.24; Capital Projects/ Misc: Ck # 93150170-93150171-\$100219.80; Jp/Cost Recovery: Ck #93150172-93150176-\$1394.89; Attorney/State Aid: Ck #93150196-\$154.69; Assessor/Prop Info Strge-Retr: Ck # 93150197-9.52; Atty/Bad Check Program Oper: Ck #93150198-\$37.34; Atty/Anti Racketeering-State: Ck # 93150199-\$97.02; Courts Enhancement Fund: Ck #93150207-93150209-\$1215.85; Tipping Fees: Ck #93150210-

\$1198.40;Public Health District: Ck #93150211-\$1145.00;Public Fiduciary Client Accts: Ck #93150177-93150195-\$5944.80; Sheriff/Bond Account: Ck #93150200-93150206-\$19133.00; **Expense of 09/15/09:** General Fund: Ck #93150263-93150378-\$420008.97; Sheriff/Jail Enhancement: Ck #93150379-\$107.61;Sheriff/Inmate Services: Ck #93150380-93150381-\$11452.74;Attorney/Iv-D Child Support: Ck #93150382-93150385-\$343.33;Clerk Of Court/Conversion: Ck #93150386-\$348.28; Recorder/Storage: Ck #93150387-93150390-\$2066.79;Treasurer/Taxpayer Information: Ck # 93150391-\$2519.53;Adult Prob/Community Punishmnt: Ck #93150392-\$2687.00;Juvenile Prob/ Intensive: Ck #93150393-\$1932.34;Juvenile Prob/Casa: Ck #93150394-\$10.60;Juvenile Prob/Standard Prob: Ck #93150395-\$374.29;Juvenile Prob/Supervision Fees: Ck #93150396-\$3180.29;Public Works/Highway: Ck #93150397-93150421-\$86180.55; Public Wrks/Road Tax Dist 1: Ck #93150422-93150425-\$81977.94;Public Wrks/Road Tax Dist 2: Ck #93150426-\$33222.34;Library/District: Ck #93150427-93150435-\$27422.91;Animal Control: Ck #93150436-93150439-\$6504.81;Health/Grants: Ck #93150440-93150452-\$34052.16;Home Health: Ck # 93150453-93150457-\$1089.62;Long Term Care/Altcs: Ck #93150458-93150613-\$1263245.97; Long Term Care/Aaa Case Mgm: Ck #93150614-\$499.40; Air Quality/Permits: Ck # 93150615-93150617-\$1362.71; Air Quality/Grants: Ck # 93150618-\$32.52;Fairgrounds: Ck # 93150619-93150621-\$236.00; Adult Prob/Dtef & Inters Case: Ck #93150622-\$14200.00;Public Wrks/Dev Roadwy Contri: Ck #93150623-93150626-\$4121.03; Courts/Flic Child Support: Ck #93150627-\$145.00; Jp/Cost Recovery: Ck #93150628-93150633-\$447.14; Juv Prob/Juvenile Justice Prog: Ck #93150634-\$4492.17; Clerk Of Court/Decas: Ck # 93150635-\$280.27; Local Transport Assist Grant: Ck #93150652-93150653-\$1916.03; Airport Economic Development: Ck #93150654-\$102.50;Atty/Bad Check Program Oper: Ck #93150655-\$285.27; Atty/Anti Racketeering-State: Ck #93150656-93150663-\$17566.63;Courts Enhancemnt Fund: Ck #93150681-93150686-\$4329.03; Pw/Emergency Management: Ck # 93150664-\$399.43; Tipping Fees: Ck #93150687-\$3353.50;Public Health District: Ck #93150688-93150691-\$3107.56;Public Fiduciary Client Accts: Ck #93150636-93150651-\$4877.63; Sheriff/Bond Account: Ck #93150665-93150680-\$17218.00; * E. request for Frances Sebring, Frank Davis, Leah Dawn Shupe, Betty D. Louderback, Harriet Graner and Sandra Wagner to be allowed to file for widow/widowers and/or disabled persons or organization Tax Exemption. * F. Special Event License for St. Helen's Catholic Mission for annual Fall Fiesta and Dance to be held October 3, 2009, 66 Maplewood, Oracle, AZ 85623. * G. Special Event License for the Rotary Club of San Manuel for fundraiser for educational scholarships and USO services to Military to be held October 10, 2009, 301 S. Main Street, Oracle, AZ, 85621. * H. Special Event License for the Florence Lion's Club for a Scholarship Fundraiser to be held Saturday, September 26, 2009, 600 N. Fairway, Queen Valley AZ, 85218. * I. resignation of Thomas Elliott, P.O. Box 132, Kearny, AZ 85237 from the Pinal County Audit Review Committee. * J. Amendment No. 9 to Contract Number YH07-0001-06 with Arizona Health Care Cost Containment System Administration. * K. Contract No. LTC-200902.06 with Cancer Treatment Services Arizona, LLC for Specialist Physician services. * L. County Manager's recommendation to approve a credit request submitted by Trilogy Encanterra Construction LLC for development fee credits in the amount of \$2,172,086.03 for road improvements on Combs Road and \$153,360.00 for contributions into the Superstition Valley Transportation Program to be applied to street development fees for a total credit amount of \$2,325,446.03 according to the requirements of the Pinal County Development Fee Ordinance #101806-DF. * M. Resolution No. 091609-MBDE-1 - a resolution accepting from MBD Empire, LLC, an Arizona Limited Liability Company, as to an undivided 2/3 interest and Empire Vista, LLC, an Arizona Limited Liability Company, as to an undivided 1/3 interest, a conveyance of easement by Deed of Easement and the Agreement to Donate Easement and Waiver of Appraisal and Compensation, located in a portion of the northwest quarter of Section 3, T3S, R7E, Supervisory District #2, as legally described in Exhibits (RD09-024) * N. Resolution No. 091609-MBDE- a resolution accepting from MBD Empire, LLC, an Arizona Limited Liability Company, as to an undivided 2/3 interest and Empire Vista, LLC, an Arizona Limited Liability Company, as to an undivided 1/3 interest, a conveyance of easement by Deed of Easement and the Agreement to Donate Easement and Waiver of Appraisal and Compensation, located in a portion of the northwest quarter of Section 3, T3S, R7E, Supervisory District #2, as legally described in Exhibits. (RD09-023) * O. Resolution No. 091609-AAMBDE- a resolution approving an Acquisition Agreement in the amount of \$360,639.00 (approximately \$4.00 per square foot for 68,367 square feet of right-of-way and approximately \$4.00X40% per square foot for 54,482 square feet for drainage easement) and accepting a Warranty Deed for the purchase of real property for right-of-way and accepting a Drainage Easement and Restrictive Covenant for the

purchase of a drainage easement from MBD Empire, LLC, an Arizona Limited Liability Company, as to an undivided 2/3 interest and Empire Vista, LLC, an Arizona Limited Liability Company, as to an undivided 1/3 interest located in a portion of the northwest quarter of Section 3, T3S, R7E, Supervisory District #2, as legally described in Exhibits. (RD09-022) * P. Resolution No. 091609-SHJR- a resolution amending Bond Number SU5024029 associated with Shea Homes at Johnson Farms – Trilogy Encanterra Neighborhood 1, located in Section 32, T2S, R8E, within Supervisory District 2, as described in said resolution. (RD09-021) * Q. Resolution No. 091609-OC- a resolution accepting into the Pinal County Highway Maintenance System the off site improvements and traffic signal associated with Ocotillo Crossing, within Section 20, T2S, R8E, within Supervisory District #2, as identified in the final plat described in said resolution and releasing financial assurances. (RD09-020) * R. Resolution No. 091609-AATPPD - a resolution approving the Assurance Agreement for Construction of Subdivision Improvements (Third Party Trust) as a substitute assurance for the existing bond associated with The Parks Parcel D, within Section 31, T2S, R8E, within Supervisory District 2. (RD09-014) * S. Resolution No. 091609-AATPPB- a resolution approving the Assurance Agreement for Construction of Subdivision Improvements (Third Party Trust) as a substitute assurance for the existing bond associated with The Parks Parcel B, within Section 31, T2S, R8E, within Supervisory District 2. (RD09-013) * T. Resolution No. 091609-AATPPA- a resolution approving the Assurance Agreement for Construction of Subdivision Improvements (Third Party Trust) as a substitute assurance for the existing bond associated with The Parks Parcel A, within Section 31, T2S, R8E, within Supervisory District 2. (RD09-012) * U. Resolution No. 091609-PCS- a resolution accepting into the Pinal County Highway Maintenance System the off site improvements associated with Pecan Creek South, Phase II dedicated in the final plat for Pecan Creek South, Unit 6, within Section 29, T2S, R8E, within Supervisory District # 2, as identified in the final plat described in said resolution and releasing financial assurances. (RD09-011) * V. Resolution No. 091609-ADHS- a resolution accepting the Arizona Department of Homeland Security (AZDOHS) FFY 2009 Interoperable Emergency Communications Grant Program (IECGP), Grant Agreement #555306-02 Project Title: Pinal County Radio Communications Plan, in the amount of \$93,225.00. The grant period is July 1, 2009 through March 30, 2011. (GA09-004) * W. consultant contract with WLB Group to provide On Call Landscape Architectural services for various locations within Pinal County. Duration of contract one (1) year with three (3) one year renewals including optional price escalation for each renewal year. (EV08-06) * X. change order no. 1 for Veterans Memorial Boulevard Guardrail Replacement. (EC08-010) * Y. Division of Air Quality Control Director recommending and requesting the Board of Supervisor's approval amending Contract #EV07-0042, Amendment Number 4, with the Arizona Department of Environmental Quality (ADEQ) for the Travel Reduction Program. * Z. Division of Air Quality Control Director recommending and requesting the Board of Supervisor's approval of the Contract EV05-0016 Amendment Number 5 with Arizona Department of Environmental Quality (ADEQ) for personnel services. (AD06-012) * BB. ratification of the fiscal year 2009-2010 property tax levies and rates for all governmental entities of Pinal County. * CC. appointment of Republican Precinct Committeemen: Pct. 7, James Albert Montano, 1515 Calle Coruna, Oracle, 85623; Pct. 19, Arthur J. Jones, 1207 W. Seagoe Ave., Coolidge, 85228; Pct. 30, Richard Patrick Kovarik, 18431 N. Celis St., Maricopa, 85238; Pct. 39, John H. Kainrath, 1255 Avenida Isabela, Casa Grande, 85222; Pct. 43, James C. Hallgren, 3400 S. Ironwood Dr., Lot 236, Apache Jct., 85220; Pct. 47, Duane Buell, 612 E. Desert Ave., Apache Jct., 85219; Pct. 57 Mark Daniel Hawthorne, 976 N. Sun Rd., Apache Jct., 85219; Pct. 72, Anthony M. Rossillo, 10678 E. Peralta Canyon Dr., Gold Canyon, 85218; Pct. 73, Katherine Ann Burlingame, 43558 W. Bravo Court, Maricopa, 85138; Pct. 73, Larry Burlingame, 43558 W. Bravo Court, Maricopa, 85138; Pct. 78, Alvaro Frank Lupinacci, 45210 W. Horse Mesa Rd., Maricopa, 85239; Pct. 88, Kevin W. Fosburgh, 492 W. Reeves Rd., Queen Creek, 85140. * DD. the partial award between the Office of the Attorney General, State of Arizona and Pinal County Sheriff's Office in the amount of \$4,025.00 out of the anticipated amount of \$17,200.00. Commencing July 1, 2009 through June 30, 2010. This award is to reimburse us for costs already incurred. * EE. Law Enforcement Assistance Agreement # AP080059 between Bureau of Land Management/Arizona State Office, Phoenix and Tucson field office and the Pinal County Sheriff/Pinal County for law enforcement services. * FF. the BJA FY 09 Edward Byrne Memorial Justice Assistance Grant (JAG) Program Local Solicitation #2009-G9023-AZ-DJ "Improving Radio Communications" through the U.S. Department of Justice and Pinal County Sheriff's Office Patrol and Traffic Deputies Award in the amount of \$37,699.00. Commencing September 1, 2009 and ending August 30, 2013. NO MATCH * GG. the Sub-grant Application for Training and/or Equipment FY 2009-2010 and

approval. * HH. Intergovernmental Agreement for Maricopa Unified School District and Pinal County for the preparation and conduction of the election to be held on November 3, 2009. Motion carried by unanimous vote.

Consent items removed for discussion:

*** C. Discussion/approval/disapproval of Statement of Support of the United States National Guard and Reserve.**

Supervisor Martyn requested this item be removed and said this item is a statement of support. Supervisor Martyn read the short narrative that was proposed for approval.

Motion was made by Supervisor Martyn and seconded by Supervisor Rios to approve Item C. Motion carried by unanimous vote.

*** D. Discussion/approval/disapproval of Proclamation by the Pinal County Board of Supervisors proclaiming September 17 through 23, 2009 as Constitution Week.**

Supervisor Martyn requested this item be removed, Chairman Snider concurred.

Supervisor Rios commented that he supported this document as well and is very happy to see this before the Board.

Motion was made by Chairman Snider and seconded by Supervisor Martyn to approve the Proclamation by the Pinal County Board of Supervisors proclaiming September 17 through 23, 2009 as Constitution Week. Motion carried by unanimous vote.

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

10:05 A.M. - Motion was made by Supervisor Rios and seconded by Supervisor Martyn 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 Rios and seconded by Director Martyn 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.

Zoning Cases:

PZ-001-09: Joel and Roberta Aguilar, applicant/ landowner, Overby Architects, Inc., agent, requesting approval of a zone change from (GR) General Rural zone to (CB-1) Local Business zone on a 1.04± acre parcel to plan and develop the Aguilar Family Restaurant; pending and in conjunction with the Board of Supervisors Planned Area Development (PAD) Overlay District approval under Planning Case (PZ-PD-001-09); situated in a portion of the S½, NE¼ of Section 3, T3S, R7E, G&SRB&M, Tax Parcel 509-04-002M (legal on file) (¾± mile east of Ellsworth Rd. on W. Hunt Highway). Planning Commission voted unanimously to recommend approval of PZ- 001-09 with Two (2) Stipulations of Understanding.

PZ-PD-001-09: Joel and Roberta Aguilar, applicant/ landowner, Overby Architects, Inc., agent, requesting approval of a Planned Area Development (PAD) Overlay District on a 1.04± acre parcel to plan and develop the Aguilar Family Restaurant Planned Area Development; pending and in conjunction with Board of Supervisors zone change approval under Planning Case (PZ-001-09); situated in a portion of the S½, NE¼ of Section 3, T3S, R7E, G&SRB&M, Tax Parcel 509-04-002M (legal on file) (¾± mile east of Ellsworth Rd. on W. Hunt Highway). Planning Commission vote unanimously to recommend approval of PZ-PD-001-09 with Twenty-Two (22) Stipulations.

SUP-004-09: Roadrunner Trust & Club at Oasis, landowner, Cricket Wireless, applicant, Quinn United Enterprises, LLC, agent, requesting approval of a Special Use Permit to construct and operate a 100 foot wireless communication facility (monopalm), on a 600 square foot (30' x 20') lease area of an 81± acre parcel in the (SR) Suburban Ranch Zone; situated in a portion of the W ½ of Section 11, T4S, R8E, G&SRB&M, Tax Parcel 200-24-090 (legal on file) (located at the Magic Ranch Master Plan Community clubhouse). Planning Commission voted Six (6) in favor and One (1) opposed to recommend approval of SUP-004-09 with Thirteen (13) Stipulations.

Chairman Snider announced that the above listed cases would be heard without additional input from the applicant or public unless prior to the time the case was publically heard, the applicant, a staff member or the member of the public requested that a case be considered separately. He advised that in the event that no such request for a hearing was made the Board would vote to approve the recommendation of the Commission.

Chairman Snider asked if there were any requests from the public, staff or the Board to have a zoning case pulled from the consent agenda for a public hearing. There were none.

Motion was made by Supervisor Martyn and seconded by Supervisor Rios to approve the following zoning cases as recommended by the Planning and Zoning Commission:

PZ-001-09: Joel and Roberta Aguilar, applicant/ landowner, Overby Architects, Inc., agent, approved with Two (2) Stipulations of Understanding:

- 1) Approval of this zone change request will require, at the time of application for development, that the applicant/owner/developer submit and secure from the applicable and appropriate Federal, State, County and Local regulatory agencies, all required applications, plans, permits, supporting documentation and approvals; and
- 2) should the requested development not submit a building permit application within 18 months of the Pinal County Board of Supervisors approval of this zone change, the Board may schedule a public hearing to grant an extension, determine compliance with the schedule of development, or cause the property to revert to its former zoning classification.

PZ-PD-001-09: Joel and Roberta Aguilar, applicant/ landowner, Overby Architects, Inc., agent, approved with Twenty-Two (22) Stipulations:

- 1) All peripheral road and infrastructure improvements shall be per the approved Traffic Impact Analysis (TIA) to mitigate impacts on all surrounding roadways to be completed at the developer's cost. These may include construction of acceleration/deceleration lanes, left turn pockets, traffic signals or other public improvements as approved by the County Engineer. The TIA shall be in accordance with the current Pinal County TIA Guidelines;
- 2) the drainage plan shall be in accordance with the current Pinal County Drainage Manual. The approved Drainage Plan shall provide retention for storm waters in a retention area;
- 3) right-of-way dedication will be required as approved by the County Engineer, prior to site plan approval. All right-of-way dedication shall be free and unencumbered;
 - a. A minimum 65' half street right-of-way dedication along Hunt Hwy. (northern boundary) and a minimum 30' half street right-of-way dedication along Trica Rd. (western boundary).
 - b. Submit two copies of a Geotechnical Report to Pinal County Public Works for review.
- 4) access to the site shall be off of Trica Rd. and will not be permitted off of Hunt Hwy;
- 5) half street improvements will be required along Hunt Hwy and Trica Rd. or as approved by the County Engineer. All roadway and infrastructure improvements shall be in accordance with the current Pinal County Subdivision Standards or as approved by the County Engineer;
- 6) applicant/developer shall coordinate the required Hunt Hwy improvements with the County's Hunt Hwy CIP;
- 7) according to the Arizona Geological Survey, there is information given that suggests the existence of ground fissures in this vicinity. In the event of evidence of ground fissures in the area of the development site a Geological Study evaluating earth fissures and any recommendations of

- mitigation will need to be provided with initial formal site plan submittal;
- 8) the developer agrees to contribute a portion of the cost to provide signals at intersections significantly impacted by the development as required by the approved traffic study. Prior to the approval of the Site Plan, developer shall contribute toward the total cost of traffic signals at each intersection required by the approved traffic study and as approved by the County Engineer. Funds in escrow shall be posted with Pinal County to guarantee the installation of the required traffic signals;
 - 9) at least two corners of the property shall be tied by course and distance to a section corner, a quarter section corner, or established city or county survey monument as designated by the Pinal County Engineer;
 - 10) any roadway sections and alignments shown in the PAD are conceptual only and have not been approved by the Pinal County Engineer;
 - 11) approval of this PAD will require, at the time of application for development of the family restaurant, that the applicant/owner/developer submit and secure from the applicable and appropriate Federal, State, County and Local regulatory agencies, all required applications, plans, permits, supporting documentation and approvals;
 - 12) the property is to be developed with an approved Planned Area Development (PAD) (PZ-PD-001-09), in accordance with the applicable criteria set forth in Article 33 of the Pinal County Zoning Ordinance and with the criteria set forth in the applicant's submittal documents;
 - 13) in the event any discrepancy or conflict arises between the written narrative report for the Planned Area Development Overlay District and the stipulations attached to Planning Cases PZ-001-09 and PZ-PD-001-09, the stipulations shall govern;
 - 14) the applicant/owner/developer shall meet the requirements of the International Fire Code, as adopted by Pinal County and administered by the Pinal County Building Safety Department;
 - 15) there shall not be any live music or live entertainment inside or outside of the building;
 - 16) the applicant/owner/developer shall attend Site Plan Review meeting(s) with Planning and Development Services staff prior to applying for a zoning clearance/building permit for this Planned Area Development. Site Plan Review shall include landscaping plans;
 - 17) the owner applicant developer shall construct a 6 foot solid block wall along the entire southern and eastern property lines;
 - 18) any fugitive lighting shall be confined to the interior boundary of the submitted site plan dated 7/29/09;
 - 19) the landscape plan shall feature a irrigated landscape strip planted with 15 gallon sized trees planted at a rate of one tree every thirty linear feet and two shrubs every twenty linear feet along the entire property boundary. Some decorative change in plant spacing could be allowed but no change in overall plant density. Plantings may be permitted in ROW subject to review and approval by the County Engineer.
 - 20) a four foot decorative masonry wall shall be constructed between any parking area and a street frontage;
 - 21) should the requested development not submit a building permit application within 18 months of the Pinal County Board of Supervisors approval of this Planned Area Development (PAD) Overlay District, the Board may schedule a public hearing to grant an extension, determine compliance with the schedule of development, or cause the property to revert to its former zoning classification; and
 - 22) any future expansion noted in the accompanying site plan is specifically not entitled by the approval of this Case in compliance with all applicable County regulations

SUP-004-09: Roadrunner Trust & Club at Oasis, landowner, Cricket Wireless, applicant, Quinn United Enterprises, LLC, agent, approved with Thirteen (13) Stipulations:

- 1) The permit is issued to Cricket Communications, not to the land;
- 2) the permit is issued for twenty (20) years from date of the Board of Supervisors approval;
- 3) the layout, design and set up of the wireless communication facility (mono-palm) shall be as shown and set forth on the applicant's submittal documents and site plan dated 02/24/09 and this shall be an unmanned telecommunication facility;
- 4) the telecommunication facility (mono-palm) shall be limited to 80 feet in height;

- 5) there shall be two (2) 40' live palm trees planted within thirty (30) feet of the lease area;
- 6) the tower will be engineer certified to be self-collapsing;
- 7) at such time as technology becomes available and the wireless communication facility is no longer needed, it shall be removed from the subject property;
- 8) all Federal (FCC), State, County and Local rules and regulations shall be adhered to and all applicable and required submittals, plans, approvals and permits be obtained, including but not limited to planning clearance, building permits, fencing and security lighting;
- 9) the applicant agrees to abide by the **Wireless Communications & Cellular Telephone Towers** requirements of Pinal County which includes supplying an R. F. Engineer's certification that radiation meets FCC requirements;
- 10) the applicant shall keep the lease area free of trash, litter and debris;
- 11) any collocation on the mono-palm shall be of a stealth flush-mounting design;
- 12) should Cricket Wireless not submit a building permit application within 18 months of the Pinal County Board of Supervisors approval of this Special Use Permit, the Pinal County Planning & Development Department may invoke revocation proceedings; and
- 13) violation of these conditions at any time may invoke revocation proceedings by the Pinal County Planning & Development Department.

Public Hearing and discussion/approval/disapproval: SUP-005-09: Pinal County School District 44 J.O.Combs, landowner, Verizon Wireless, applicant, Pinnacle Consulting, Inc., agent, requesting approval of a Special Use Permit to construct and operate an 80 foot wireless communication facility (monopalm), on an 800 square foot (20' x 40') lease area of a 16± acre parcel in the (GR) General Rural zone; situated in a portion of the NW ¼ NW ¼ of Section 32, T2S, R8E, G&SRB&M, Tax Parcel 104-28-005A (legal on file) (located adjacent to Gantzel and Combs Rd and the southeast corner of Queen Creek city limits). Planning Commission voted unanimously to recommend approval of SUP-005-09 with eleven (11) Stipulations. (Continued from 8/19/09).

Steve Abraham, Senior Planner for Planning and Zoning was present to present this case and stated that staff received a request by the applicant to continue this item for 60 days.

Chairman Snider opened the public hearing and asked if there was anyone present from the public for comment. There was not. .

Motion was made by made by Supervisor Martyn and seconded by Supervisor Rios to continue the public hearing on SUP-005-09 until November 18, 2009. Motion carried by unanimous vote.

Public Hearing and discussion/approval/disapproval: SUP-007-08: Roy and Mary Ann Callison, landowner, Shannon Morrelli, applicant/ representative, requesting approval of a Special Use Permit to construct and operate a 190 foot tall wireless communication facility (mono-pole), on a 2500 square foot lease area of a 20± acre parcel in the (GR) General Rural Zone; situated in a portion of the NE ¼ of Section 11, T6S, R2E, G&SRB&M, Tax Parcel 501-05-034X (legal on file) (located 1/8 mile east of the intersection of Oak Rd. and Organ Pipe Rd. on the north side in far western Pinal County). Planning Commission voted unanimously to recommend approval of SUP-007-08 with eleven (11) Stipulations. (Continued from 6/24/09 and 8/19/09)

Steve Abraham, Senior Planner for Planning and Zoning was present to present this case and stated that the Applicant was Ms. Morrelli of AT&T. Mr. Abraham presented a PowerPoint presentation.

Shannon Morrelli, 5651 W. Talavi, Glendale, AZ, AT&T wireless, applicant for Roy and Mary Ann Callison. Ms. Morrelli gave a presentation showing the removal of the towers as requested per the last meeting of the planning and zoning commission as well as the height change in the towers.

Roy Callison, 2604 S. Thrasher, Tucson AZ. In favor. Feels that the towers will not hurt anyone as he has worked in the air force career with transmitter sites and communications and feels the coverage out there now is terrible and it would only enhance the community.

Carolyn Oberholtzer, Rose Law Group, 6613 N. Scottsdale Rd., Ste 200, Scottsdale, AZ. Opposed. The neighbors do not want to see this.

There were no other comments from the public. The public hearing was closed.

Motion was made by made by Chairman Snider and seconded by Supervisor Martyn to disapprove SUP-007-08.

Comments on Motion: Chairman Snider commented he feels the applicant has not provided adequate evidence showing how the concerns of the adjacent neighboring property owners regarding proximity to the tower and the potential for decrease in property values were addressed.

Supervisor Martyn feels there are other options.

Motion carried by unanimous vote.

The Board of Supervisors, sitting as the Board of Equalization, for discussion/approval/disapproval of Notice of Claim by Michael W. and Alicia L. Collins, Parcels 210-73-748 & 512-35-045.

Participating by telephone was Michael Collins, 16826 Turkey Point, San Antonio, TX.

Present from the Assessor's Office was Jacqueline Minto, Research and Equalization, Gayle Gibson, Mobile Homes Department, Provisional Appraiser and, Laura Andonie, Personal Property Manager.

Ms. Minto presented the case on behalf of the Assessor's office and stated that they received the taxpayer notice of claim on June 1, 2009 for parcel's numbers 210-73-748, 4683 E. Sierrita Rd., Queen Creek AZ, and 512-35-045, 18372 N. Soft Wind Dr. Maricopa AZ. Ms. Minto stated these were reviewed by the Assessor's office and were denied on the basis pursuant to AZ Revised Statute 42-16251.3(e).

Ms. Minto presented four comparables which were also mailed to Mr. and Mrs. Collins as well for their reference. The comparable within the valuation period were comparable to each other and the Full Cash Values were in line for all the parcels.

Ms. Minto stated that the second parcel of 512-35-045 was the same situation as was purchased for a foreclosure property and is also a HUD sale, which also means in the statement that "...they are aimed at low to moderate income first time homebuyers and are often sold at auctions and buyers sometimes get them at marketably below appraised market values"

Michael Collins stated his side and pointed out that he felt statement by the Assessor's representatives were unrealistic.

After listening to arguments from both sides, motion was made by Chairman Snider and seconded by Supervisor Rios to sustain the Assessor's Office recommendation. Motion carried by unanimous vote.

The Board of Supervisors, sitting as the Board of Equalization, for discussion/approval/disapproval of Personal Property Review of Valuation by Richard L. Coquillard #0701284-018.

Present from the Assessor's Office was Laura Andonie, Personal Property Manager, Jacqueline Minto, Research and Equalization, and Gayle Gibson, Mobile Homes Department, Provisional Appraiser.

Ms. Andonie explained that the Manufactured home is titled through motor vehicle which makes it personal property and not real property. Because it is not affixed to the land so it cannot be taxed as real estate. Ms. Andonie also explained that personal valuation tables are set by the Department of Revenue and using prior year's sales, not current year's sales.

Richard Coquillard, 16341 S. Squatter Rd. Arizona City, AZ. was present and presented a map showing the subject property.

Motion was made by Supervisor Rios and seconded by Supervisor Martyn to sustain the Assessor's Office recommendation. Motion carried by unanimous vote.

Executive Session of the Pinal County Board of Supervisors for discussion and consultation for legal advice with the attorneys for the County, and to consider its position and instruct the attorneys regarding the County's position, in accordance with the provisions of A.R.S. § 38-431 (A) (3) (4), concerning proposed third party trust agreements for Magma Ranch II, Unit 2.

11:50 A.M. - Motion was made by Supervisor Martyn and seconded by Supervisor Rios to recess from regular session of the Board of Supervisors and convene into executive session of the Pinal County Board of Supervisors as described above. Motion carried by unanimous vote.

Present: Chairman David Snider; Supervisor Pete Rios; Supervisor Bryan Martyn; County Manager, Terry Doolittle; Chief Civil Deputy County Attorney, Chris Roll; County Attorney, Nicole Weber; Assistant County Manager of Development Services, Ken Buchanan; Deputy Director of Public Works, AJ Blaha; Director of Planning and Development, Jerry Stabley; Planner, Dedrick Denton; AmberLee Mudd, Administrative Clerk and Deputy Clerk of the Board, Heidi Cole.

12:09 P.M. - Motion was made by Supervisor Martyn and seconded by Supervisor Rios to adjourn from Executive Session and reconvene into regular session of the Pinal County Board of Supervisors. Motion carried by unanimous vote.

Public Hearing and discussion/approval/disapproval of Resolution No. 091609-AAMRII- a Resolution approving the Assurance Agreement for Construction of Subdivision Improvements (Third Party Trust) as a substitute assurance for the existing Letter of Credit and extending the time for completion of subdivision improvements associated with Magma Ranch II, Unit 2, lots 1 – 281, located in Section 21, T3S, R9E, within Supervisory District 2 and releasing the current Letter of Credit upon receipt of satisfactory evidence, as prescribed in said resolution. (RD09-019).

Ken Buchanan, Assistant County Manager for Development Services stated that this was conversion from a Letter of Credit to a Third Party Trust for Magma II subdivision. Deputy County Attorney, Nicole Weber, gave a brief overview of the ordinance.

Dedrick Denton, Planner, then presented a PowerPoint presentation showing the subject property.

Chairman Snider opened the public hearing and called for comments from the audience.

Court Rich, 6613 N. Scottsdale Rd., Rose Law Group, appeared on behalf of owners of Magma Ranch. Mr. Rich stated he was present to answer questions as well as to inform the Board that the developer has cleaned up the weeds in the area that is going into the trust and is committed to continuing to keep it clean.

Supervisor Rios commented on going from the Letter of Credit to a Third Party Assurance. He said he feels that it's a big move for the County and that given the recession we are in, he does not feel comfortable with some of the issues being proposed.

Court Rich reviewed some of the tracts on the PowerPoint.

County Manager, Terry Doolittle stated that he felt there was no indication given the developer was going to landscape this property that was in the trust and that the continuance of this item is going to add to the conversation below the line that is not landscaped as initially assured that it would be landscaped. There is a waiver provision within the ordinance that would provide to waive the landscaping requirement for this property going into the trust because there are no homes built in that area it is an entryway but the long term maintenance would benefit by the ability to maintain all of the vacant lots to keep the weeds down and if the waiver of the provision of the ordinance were followed the Board would be within its authority to stay within the guidelines of the ordinance and ensure the people of the north to have the infrastructure provided, and those to the south would maintain its current state as it moves forward today.

Supervisor Martyn moved to waive the landscape requirement section 804-2-d-6-c under the ability article 12 of the appeals modifications and waivers, specifically 1203-5a where the exceptionally extraordinary circumstances or conditions affecting said property whereby ...to the subdivider, relative to Magma Ranch II Unit SO3804.

Supervisor Rios asked a question of County Attorney, Chris Roll, from a legal perspective Supervisor Rios wanted to be sure that the motion Supervisor Martyn made was not "poking holes" and that it was taking care of his concern.

County Attorney, Chris Roll advised that to answer Supervisor Rios' question the Board must go back into Executive session.

Chairman Snider advised the public that the Board would be going into Executive Session.

Executive Session of the Pinal County Board of Supervisors for discussion and consultation for legal advice with the attorneys for the County, and to consider its position and instruct the attorneys regarding the County's position, in accordance with the provisions of A.R.S. § 38-431 (A) (3) (4), concerning proposed third party trust agreements for Magma Ranch II, Unit 2.

12:49 P.M. - Motion was made by Supervisor Martyn and seconded by Supervisor Rios to recess from regular session of the Board of Supervisors and convene into executive session of the Pinal County Board of Supervisors as described above. Motion carried by unanimous vote.

Present: Chairman David Snider; Supervisor Pete Rios; Supervisor Bryan Martyn; County Manager, Terry Doolittle; Chief Civil Deputy County Attorney, Chris Roll; County Attorney, Nicole Weber; Assistant County Manager of Development Services, Ken Buchanan; Deputy Director of Public Works, AJ Blaha; Director of Planning and Development, Jerry Stabley; Planner, Dedrick Denton; AmberLee Mudd, Administrative Clerk and Deputy Clerk of the Board, Heidi Cole.

12:56 P.M. - Motion was made by Supervisor Rios and seconded by Supervisor Martyn to adjourn from Executive Session and reconvene into regular session of the Pinal County Board of Supervisors. Motion carried by unanimous vote.

Public Hearing and discussion/approval/disapproval of Resolution No. 091609-AAMR II, continued.

Supervisor Martyn's motion died for lack of second.

Motion was made by Supervisor Martyn to approve Resolution 091609-AAMR II. No second. Motion died for lack of second.

Motion was made by Supervisor Martyn and seconded by Supervisor Rios to continue this public hearing and item until October 7, 2009.

Comment on Motion: Supervisor Rios commented that he would like to have the developer or representative work with the planning department and meet some kind of agreement or recommendation before the meeting.

Supervisor Martyn retracted his motion for continuing and not have it continued.

Chairman Snider stated that it would have to be accepted by Supervisor Rios.

Supervisor Rios accepted motion to be retracted by Supervisor Martyn.

Mr. Buchanan stated that when talking about the top part that is in the trust and the bottom (southern) part will be in the trust and the improvements must be put in before the County will sign off on the lots under the Trust. Mr. Buchanan stated that he is not sure if holding off for 3 more weeks will clarify the issue.

Mr. Court Rich stated that the bank gave them until today to get the Letter of Credit approved.

Supervisor Martyn asked if this would impede the progress or will it just be another hurdle?

Mr. Rich stated this is a drop dead day.

County Manager Doolittle requested that they move on to the next item and address this later on in the day to resolve this.

Chairman Snider asked Mr. Rich to discuss with the Client where the Board is - are we on with the absolute on the cusp and it is not comfortable to put the Board in this position.

Supervisor Rios also commented that it is uncomfortable to hear mixed messages and certain items not completed.

This was continued until later in the day.

Executive Session of the Pinal County Board of Supervisors for discussion and consultation for legal advice with the attorneys for the County, and to consider its position and instruct the attorneys regarding the County's position, in accordance with the provisions of A.R.S. § 38-431 (A) (3) (4), concerning the pending litigation entitled Lyons Promotions, L.L.C. v. Pinal County.

1:13 P.M. - Motion was made by Supervisor Martyn and seconded by Supervisor Rios to recess from regular session of the Board of Supervisors and convene into executive session of the Pinal County Board of Supervisors as described above. Motion carried by unanimous vote.

Present: Chairman David Snider; Supervisor Pete Rios; Supervisor Bryan Martyn; County Manager, Terry Doolittle; Chief Civil Deputy County Attorney, Chris Roll; County Attorney, Joe Albo; Assistant County Manager of Administrative Services, Manny Gonzalez; AmberLee Mudd, Administrative Clerk and Deputy Clerk of the Board, Heidi Cole.

1:43 P.M. - Motion was made by Supervisor Martyn and seconded by Supervisor Rios to adjourn from Executive Session and reconvene into regular session of the Pinal County Board of Supervisors. Motion carried by unanimous vote.

Presentation of the Financial Status of the County Budget.

Janette Weedon, Budget and Research Director, talked about the National Economy, the recession and where Arizona stands and where Pinal County stands. Ms. Weedon presented a PowerPoint on the Fund Balance, County Excise Tax, the State Home Sales in each County, the unemployment rate and the expenditure trends.

Public Hearing/discussion on PZ-C-002-09 on proposed 2009 Pinal County Comprehensive Plan as recommended by the Pinal County Planning and Zoning Commission on May 21, 2009, focusing on Chapter 8: Healthy, Happy Residents; Chapter 9: Quality Educational Opportunities; and Chapter 10: Implementation and ACTION on proposed changes to the proposed Comprehensive Plan.

Jerry Stabley, Planning Director presented Chapters, 8, 9 and 10 on today's agenda.

Chapter 8 - Healthy, Happy Residents

- This chapter goes over housing availability and a sustainable economy and is basically based on the housing needs assessment that was done in May 2008.

Chapter 9 - Quality Education Opportunities

- This chapter is not required by the state, it is one that the County felt was very important.

Chapter 10 - Implementation

- This chapter is very important as it outlines how amendments (major and non-major) occur
- Discusses how to keep plan current
 - Monitoring the plan
 - Reviewing the plan amendments
 - Periodic communication with the public stakeholders, etc.
 - Update zoning and subdivision regulations, etc.

Public Hearing was re-opened.

Linda Cheney, 426 N. 44th St. Phoenix, AZ. El Dorado Holdings asked if the discussion was on the map change or the matrix.

Chairman Snider stated that they are going one by one.

Ms. Cheney stated that they are fine with the map and do not need anything further at this time.

Motion was made by Supervisor Martyn and seconded by Supervisor Rios to approve item 25 on the document for the Comprehensive Plan as presented on matrix page 3 of 3. Motion carried by unanimous vote.

Chairman Snider read into the record staff's recommendation to 'ADD a Parkway link from the intersection of Highway 84 and highway 347 northwest to the previous alignment of the Parkway along the Kortsen Road alignment, continuing to the Maricopa County border'

Motion was made by Supervisor Martyn and seconded by Supervisor Rios to approve item 26 of the comment matrix on September 16. Motion carried by unanimous vote.

Chairman Snider read into the record staff's recommendation to 'ADD a new 4th paragraph to read: If the Multimodal Circulation Element of this Comprehensive Plan or if RSRAM Access Management manual standards impact approved PADs that exist at the time of the effective date of this Comprehensive Plan by specifying wider or new rights-of-way that were not shown or stipulated to in approved, existing PADs, the County's goal is to work with the owners of existing PADs to maintain the number of dwelling units

approved in existing PADs in exchange for *preservation* by owners of wider or new rights-of-way at no cost to the County.'

Motion was made by Supervisor Martyn and seconded by Supervisor Rios to approve item 27 of the comment matrix. Motion carried by unanimous vote.

Chairman Snider acknowledged that this next item of staff's recommendation is to ADD a new 5th paragraph which has to do with the Multimodal Circulation Element which was talked about in RSRAM.

Linda Cheney, 426 N. 44th St. Phoenix, AZ. El Dorado Holdings. Ms. Cheney stated that the biggest concern was with the activity centers sitting on top of the existing PAD's.

Mr. Stabley stated that she is more than welcome to send information for changes to be addressed.

Motion was made by Supervisor Martyn and seconded by Supervisor Rios to approve item 28 of the comment matrix. Motion carried by unanimous vote.

Chairman Snider read into the record text to be added on Page 318 under the heading of Major Amendments, which starts on page 317: 'for no Comprehensive Plan amendment or for a non-major amendment'

Motion was made by Supervisor Martyn and seconded by Supervisor Rios to approve item 29 of the comment matrix on September 16th. Motion carried by unanimous vote.

Chairman Snider read into the record text to be added on Page 318 under the heading of Non-Major Amendments: 'for no Comprehensive Plan amendment as set forth in Chapter 3 of this Plan.'

Motion was made by Supervisor Martyn and seconded by Supervisor Rios to approve item 30 of the comment matrix on September 16th. Motion carried by unanimous vote.

Chairman Snider read into the record text to be added on Page 318 as a new checkmark under the heading of Non-Major Amendments: 'Changes to the Land Use Plan of the Comprehensive Plan, for approved PADs that exist at the time of the effective date of this Comprehensive Plan, that are needed to meet the standards of the Multimodal Circulation Element or RSRAM Access Management Manual for street locations, if amendments to the Land Use Plan of the Comprehensive are required.

Motion was made by Supervisor Rios and seconded by Supervisor Martyn to approve item 31 of the comment matrix on September 16th. Motion carried by unanimous vote.

There were no other comments from the public. The public hearing was closed.

Motion was made by Chairman Snider and seconded by Supervisor Rios on PZ-C-002-09 that this Board refer to the Planning Commission the portions of the Comprehensive Plan proposed to be changed by the Board during the public hearings held on said plan on July 29, August 12, August 19, September 2, and today, September 16, 2009. Motion carried by unanimous vote.

Continuance of Item 11 from public hearing earlier today:

Public Hearing and discussion/approval/disapproval of Resolution No. 091609-AAMRII- a Resolution approving the Assurance Agreement for Construction of Subdivision Improvements (Third Party Trust) as a substitute assurance for the existing Letter of Credit and extending the time for completion of subdivision improvements associated with Magma Ranch II, Unit 2, lots 1 – 281, located in Section 21, T3S, R9E, within Supervisory District 2 and releasing the current Letter of Credit upon receipt of satisfactory evidence, as prescribed in said resolution. (RD09-019).

Regular Session, continued
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Ken Buchanan requested that no action be taken today in order to provide developer time to bring back into Trust A, B, C and D.

Chris Roll, County Attorney advised that at this time re-open the public hearing and make changes to the agreement at that time for whatever is necessary.

Chairman Snider reopened the public hearing.

Motion was made by Supervisor Martyn and seconded by Supervisor Rios to continue the public hearing until Friday, September 18, 2009 at 10:00 a.m. Motion carried by unanimous vote.

County Manager's Report "Information Only." There was no County Manager's report.

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

Motion was made by Supervisor Rios and seconded by Supervisor Martyn to adjourn the meeting. Motion carried by unanimous vote.

There being no further business the meeting stood adjourned at 2:58 P.M. The next regular meeting of the Pinal County Board of Supervisors will be on Wednesday, October 7, 2009 at 9:30 a.m.

PINAL COUNTY BOARD OF SUPERVISORS

s/Heidi Cole
Heidi Cole, Deputy Clerk of the Board