

The Pinal County Board of Supervisors convened at 9:35 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; Deputy Clerk of the Board, AmberLee Mudd and Clerk of the Board, Sheri Cluff.

Purchasing Division Report.

Sharon Seekins presented the purchasing report.

CONTRACT RENEWALS:

1. 07-02-12 – Lobbyist Services – Recommend approval of modification #2 to Review of Qualifications to exercise the 2nd option renewal to Policy Logic. The term of this renewal is December 1, 2009 through November 30, 2010.

Cooperative Purchasing Agreement Procurements over \$250,000:

REQ/PO #	AMOUNT	VENDOR	ITEM	DEPT.
1. 118251/ 209441	*\$11,281.00/ *\$273,014.00	Sky Engineering	Replace roof at Housing Admin	Public Works
2. 118690	\$1,071,275.00	ESB Modular Manufacturing	Kennel Expansion	Animal Control

*modification will push PO total to \$273,014.00

Cooperative Purchasing Agreement Procurements under \$250,000:

PO. #	AMOUNT	VENDOR	ITEM	DEPT.
1. 209653	\$117,460.59	Five Star Ford	3 2010 Crown Victoria's	PCSO

Contracts signed by County Manager or Chief Financial Officer:

The Board is notified of the following procurements under \$250,000 that were signed as authorized by Resolution 021506-CM. This resolution authorizes the Chief Financial Officer and/or the County Manager to execute and sign contracts on behalf of the County without prior Board approval:

REQ. #	AMOUNT	VENDOR	ITEM	DEPT.
1. N/A	N/A	Tor Sorensen	*Livestock Show	Fairgrounds
2. N/A	N/A	West, a Thomas Reuters business Subscription	West Law Database	Multi-Dept.

- The above activities are revenue generating rentals of the Fairgrounds facilities for private party events.

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

Point of Personal Privilege:

Supervisor Rios commented on an article from the December 27, 2009 edition of the Arizona Republic. The article was entitled "Pinal toughens background checks on Applicants." Indeed the County did amend the policy, but Supervisor Rios said he took offense to the introductory sentence to the article that said "after a series of arrests exposed lax hiring practices, Pinal has" He said the exception he takes are the words "after a series of arrests"... when he said knows of two. He said two (2) does not make a series – two makes a couple but not a series. Supervisor Rios said that Webster defines a series as 'a number of similar things or events coming one after another.' Supervisor Rios said he will continue to speak up because when people, or newspapers, try to sensationalize issues and try to make Pinal County the whipping board on these types of events, it is not fair. He said there are many other political subdivisions in which this has happened, and it has been more than a couple, but it is Pinal County that is written about. Supervisor Rios said the reason he is speaking to this and pointing out these type of events is because if the representatives of the people of Pinal County do not speak up on these types of articles, who else will.

Chairman Snider added that the changes in the policy regarding applicant background checks is a process that started well in advance of either of those two incidents.

CONSENT ITEMS: (A through YY).

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 was a request from staff for the removal of consent items II, JJ, & KK be removed from the agenda and brought back at a future date to be determined:

- * II. C-028-07/C-022-08-FP, Final Condominium Plat of Borgata Professional Plaza, 30 Units, Queen Creek Area (Continued from December 9, 2009).
- * JJ. (1) Highway Road Construction Agreement with Borgata Devco, LLC, Circle K Stores, Inc. M&I Marshall & Ilsley Bank and SEC Hunt Highway and Thompson LLC for construction of a portion of Hunt Highway east of the Thompson Road/Hunt Highway intersection along the northern boundary of "the Property," meaning the property located at the southeast corner of Hunt Highway and Thompson Road, and (2) Resolution No. 111809-ROW accepting conveyance of a 75' wide right-of-way for Hunt Highway running along the northern boundary of the Property, including footage for sight visibility at the Hunt Highway/Thompson Road intersection, as legally described in the deeds of conveyance, from Borgata Devco, LLC, Circle K Stores, Inc. and M&I Marshall & Ilsley Bank (grantors) and approving and authorizing Pinal County to enter into a Development Credit Agreement with said grantors and SEC Hunt Highway & Thompson, LLC, owners of the Property, for credit against the street development fees due on the Property. The Property is located within a portion of the west ½ of Sec. 2, Township 3 South, Range 7 East of the G&SSRM, as legally described in Exhibits attached to the Development Credit Agreement. (Continued from December 9, 2009).
- * KK. Road Construction Agreement between Pinal County, SEC Hunt Highway and Thompson, LLC, an Arizona limited liability company, and Borgata Devco, LLC, an Arizona limited liability company, defining responsibilities and establishing the cost share for roadway improvements to a portion of Hunt Highway within Pinal County Supervisorial District No. 2. (Contract #RD09-046) (Continued from December 9, 2009).

Motion was made by Supervisor Martyn and seconded by Supervisor Rios to approve consent items "A" through "YY", with the exception of "II", "JJ" and "KK":

- * A. Current billings before the Board: **Expense of 12/23/09:** General Fund: Ck #93164892-93165030-\$338608.92; Sheriff/Drug Smuggling: Ck #93165031-\$544.29; Sheriff/Jail Enhancement: Ck #93165032-93165033-\$3392.52; Sheriff/Inmate Services: Ck #93165034-93165035-\$3678.95; Attorney/lv-D Child Support: Ck #93165036-93165040-\$2723.29; Recorder/Storage: Ck #93165041-93165042-\$9437.32; Juvenile Prob/Intensive: Ck #93165043-93165044-\$696.90; Juvenile Prob/Casa: Ck # 93165045-\$95.40; Juvenile Prob/Standard Prob: Ck #93165046-\$254.40; Public Defender/ Training: Ck #93165047-93165048-\$1130.00; Public Works/Highway: Ck #93165049-93165078-\$48802.61; Public Wrks/Road Tax Dist 1: Ck #93165079-93165081-\$121788.67; Public Wrks/Road Tax Dist 2: Ck #93165082-93165085-\$5083.85; Public Wrks/Road Tax Dist 3: Ck # 93165086-\$13941.02; Public Works/Flood Management: Ck #93165087-93165089-\$28433.21; Library/District: Ck #93165090-93165095-\$5319.61; Animal Control: Ck #93165096-93165102-\$4454.56; Animal Control/Animal Care: Ck #93165103-93165106-\$4965.00; Health/Grants: Ck #93165107-93165118-\$31026.93; Home Health: Ck #93165119-93165121-\$452.61; Long Term Care/Altcs: Ck #93165122-93165269-\$506401.71; Long Term Care/Aaa Case Mgm: Ck #93165270-93165271-\$377.34; Air Quality/Permits: Ck #93165272-\$323.82; Fairgrounds: Ck #93165273-93165274-\$874.94; Housing Dept Grants: Ck #93165275-93165276-\$916.77; Special Dist/Villa Grande Lite: Ck #93165277-\$681.02; Sheriff/Cops Grant: Ck #93165278-\$3314.99; Adult Prob/Dtef & Inters Case: Ck #93165279-\$49.98; Public Wrks/Dev Roadwy Contri: Ck #93165280-93165282-\$420.34; Juvenile Prob/Diversion-Intake: Ck #93165283-\$118.68; Juv Prob/Diversion-Consequence: Ck #93165284-93165285-\$3699.28; Juvenile Prob/Treatment: Ck #93165286-\$86.88; Capital Projects/Miscellaneous: Ck #93165287-93165288-\$55252.16; Jp/Cost Recovery: Ck #93165289-93165295-\$1203.14; Local Transport Assist Grant: Ck #93165300-\$926.97; Public-Educ-Gov Access Supprt: Ck #93165301-\$64.90; Assessor/Prop Info Strge-Retr: Ck #93165302-\$15984.23; Clerk/Electronic Doc Mgmt Sytm: Ck #93165336-\$2050.00; Atty/Anti Racketeering-State: Ck #93165303-93165305-\$1170.12; Pw/Dist 1 Kelvin Bridge: Ck #93165337-\$3010.00; Courts Enhancement Fund: Ck #93165344-93165346-\$537.13; Courts/Civil Adr: Ck #93165347-\$55.08; Sheriff's Grants: Ck #93165348-93165352-\$79822.92; Pw/Gantzel Road - Gada: Ck #93165353-\$281.27; Public Health District: Ck #93165354-93165361-\$1176.90; Srf/Emergency Telecom: Ck #93165362-\$181.95; Aara Byrne Award Fund: Ck #93165363-\$5115.76; Public Fiduciary Client Accts: Ck #93165296-93165299-\$600.06; Atty/Bad Check Custodial Acct: Ck #93165306-93165330-\$7539.42; Atty/Diversion Program: Ck #93165331-93165335-\$383.63; Sheriff/Bond Account: Ck #93165338-93165343-\$4793.00; **Expense of 12/30/09:** General Fund: Ck #93165775-93165936-\$462329.63; Sheriff/Jail Enhancement: Ck #93165937-93165939-\$994.47; Attorney/lv-D Child Support: Ck #93165940-93165943-\$538.47; Jp/Enhancement-Maricopa: Ck #93165944-\$598.72; Adult Prob/Community Punishmnt: Ck #93165945-\$740.00; Juvenile Prob/Casa: Ck #93165946-93165951-\$687.20; Juvenile Prob/Standard Prob: Ck #93165952-\$180.00; Public Works/Highway: Ck #93165953-93165995-\$25632.01; Public Wrks/Road Tax Dist 2: Ck #93165996-\$1402.50; Public Wrks/Road Tax Dist 3: Ck #93165997-\$38.08; Public Works/Flood Management: Ck #93165998-\$66000.00; Library/District: Ck #93165999-93166011-\$71342.53; Library/State: Ck #93166012-93166022-\$19470.00; Animal Control: Ck #93166023-93166031-\$7461.77; Health/Grants: Ck #93166032-93166049-\$17373.19; Home Health: Ck #93166050-93166054-\$9097.78; Long Term Care/Altcs: Ck #93166055-93166292-\$523516.80; Long Term Care/Aaa Case Mgm: Ck #93166293-\$286.55; Air Quality/Permits: Ck #93166294-93166301-\$2907.09; Landfill/Adeq Waste Tire Grant: Ck #93166302-\$2887.99; Fairgrounds: Ck #93166303-93166306-\$3763.39; Housing Dept Grants: Ck #93166307-93166308-\$32981.71; County Wide Computer Project: Ck #93166309-\$425.00; Public Wrks/Dev Roadwy Contri: Ck #93166310-93166311-\$505.45; Courts/Flc Child Support: Ck #93166312-\$731.03; Capital Projects/Miscellaneous: Ck #93166313-93166316-\$54329.24; Jp/Cost Recovery: Ck #93166317-93166325-

\$2812.37; Assessor/Prop Info Strge-Retr: Ck #93166326-\$20000.00; Airport Economic Development: Ck #93166327-93166329-\$1158.88; Pub Works/Dist 1 Transportatio: Ck #93166330-\$26.00; Atty/Cjef-Prosec Pass-Through: Ck #93166331-\$444.00; Atty/Bad Check Program Oper: Ck #93166332-93166333-\$71.02; Atty/Anti Racketeering-State: Ck #93166334-93166344-\$2900.38; Juv Prob/Fee Assessment Incrse: Ck #93166345-\$900.00; Courts Enhancement Fund: Ck #93166361-93166368-\$2799.21; Pw/Emergency Management: Ck #93166346-\$25.00; Sheriff's Grants: Ck #93166369-\$65.37; Tipping Fees: Ck # 93166370-\$6069.52; Pw/Gantzel Road - Gada: Ck #93166371-\$66.87; Trans lfa1: Ck #93166372-93166373-\$103717.45; Parks lfa1: Ck #93166374-93166376-\$3165.49; Public Safety lfa1: Ck # 93166377-93166379-\$12679.67; Public Health District: Ck #93166380-93166383-\$863.65; Env Hlth/Smoke Free Az Program: Ck #93166384-\$61.15; lt/Usda Rural Dev Regional Wif: Ck # 93166385-\$17000.00; Crt/Fare Surplus Fund: Ck #93166386-\$199.97; Srf/Emergency Telecom: Ck #93166387-\$590.00; Sheriff/Bond Account: Ck #93166347-93166360-\$45100.78; **Expense of 01/05/10:** General Fund: Ck #93166532-93166574-\$97642.80; Sheriff/Drug Smuggling: Ck # 93166575-\$8029.72; Jp/Enhancement-Eloy: Ck #93166576-\$1220.59; Jp/Enhancement-Maricopa: Ck #93166577-\$731.51; Recorder/Storage: Ck #93166578-8.22; Adult Prob/Support: Ck #93166579-\$26.95; Juvenile Prob/Intensive: Ck #93166580-\$33.65; Juvenile Prob/Casa: Ck # 93166581-93166585-\$100.00; Public Works/Highway: Ck #93166586-93166591-\$7217.86; Public Wrks/Road Tax Dist 1: Ck #93166592-93166593-\$134582.95; Public Wrks/Road Tax Dist 2: Ck # 93166594-\$281717.72; Public Wrks/Road Tax Dist 3: Ck #93166595-\$61096.19; Library/District: Ck #93166596-93166597-\$305.34; Animal Control: Ck #93166598-93166601-\$2375.62; Health/Grants: Ck #93166602-93166605-\$7310.19; Long Term Care/Altcs: Ck # 93166606-93166815-\$644355.75; Air Quality/Permits: Ck #93166816-\$20.10; Fairgrounds: Ck # 93166817-93166818-\$125.03; Housing Dept Grants: Ck #93166819-\$1262.67; Debt Service: Ck # 93166820-\$11919.83; Sheriff/Gitem Grant: Ck #93166821-\$245.76; Sheriff/Traffic Safety: Ck # 93166822-\$13751.08; Capital Projects/Miscellaneous: Ck #93166823-\$23516.21; Jp/Cost Recovery: Ck # 93166824-93166826-\$730.42; Local Transport Assist Grant: Ck #93166854-\$17.00; Atty/Anti Racketeering-State: Ck #93166855-93166858-\$2452.82; Courts Enhancement Fund: Ck # 93166865-93166867-\$238.39; Pw/Emergency Management: Ck #93166859-\$25.40; Sheriff's Grants: Ck #93166868-\$9519.68; Tipping Fees: Ck #93166869-\$2523.00; Public Safety lfa1: Ck # 93166870-\$9260.52; Public Health District: Ck #93166871-93166872-\$1181.17; Ap/Adult Drug Courts: Ck #93166873-\$285.00; Public Fiduciary Client Accts: Ck # 93166827-93166853-\$8305.46; Sheriff/Bond Account: Ck #93166860-93166864-\$4070.00;

- * B. New Liquor License Application, series 12, for Piyu Robinson dba: Jungle Buffet, 1749 W. Hunt Highway, Ste# 101, San Tan Valley, AZ 85143.
- * C. Acquisition of Control Application, series 06, for H.J. Lewkowitz dba: Arizona Renaissance Festival, 12061 E. US HWY 60, Apache Junction, AZ 85118.
- * D. Request to direct the Pinal County Treasurer to issue a replacement check to James M. Valdez, 1016-02 Routing Code, Sheriff in the amount of \$646.45. The check was never cashed.
- * E. Request to direct the Pinal County Treasurer to issue a replacement check to Hayward and Roberta Wilson, 8199 Koch Field Rd., Flagstaff, AZ 86004, in the amount of \$126.08.
- * F. Special Event License application for Linda Borozinski for the Arizona City Chamber of Commerce Fund Raiser at 13970 S. Sunland Gin Rd, Arizona City, AZ 85123, held on February 27, 2010 from 9:00 AM to 9:00 PM.
- * G. Amendment No. LTC – 200501.06-05 with SLO Encanto Palms, LLC dba: Encanto Assisted Living for Assisted Living Facility services.
- * H. Amendment No. LTC – 200603.01-06 with Sholt Corporation dba: Assisted Living by Sholt for Assisted Living Facility services.
- * I. Amendment No. LTC – 200904.06-02 with Renata Swedrowsky dba: Renata's Home for the Elderly for Assisted Living Facility services.
- * J. Amendment No. LTC – 200812.01-01 with Reliable Nurses, LLC for Home Health Nurse and Home Health Aide services.

- * K. Amendment No. LTC-200501.09-05 with Quality Care Assisted Living for Assisted Living Facility services. October 1, 2009 and will end September 30, 2010.
- * L. Contract No. LTC-200913.01 with Nursing Solutions for Home Health Nursing and Home Health Aide services.
- * M. Contract No. LTC – 200910.01 with Michael B. Bayless and Associates for Outpatient Behavioral Health services.
- * N. Amendment No. LTC – 200904.14-02 with Melody Care Home for Assisted Living Facility services.
- * O. Amendment No. LTC-200603.09-05 with Leisure Living for the Elderly, Inc. for Assisted Living Facility services.
- * P. Amendment No. PFME 200612.04-03 with J Warren Funeral Services for Decedent Transportation services.
- * Q. Amendment No. LTC – 200707.09-03 with Home Sweet Home on Florian for Assisted Living Facility services.
- * R. Amendment No. LTC-200812.04-02 with Heritage Home Health Care of Arizona, Inc. for Home Health Nursing, Home Health Aide and In-Home Physical Therapy services.
- * S. Amendment No. LTC – 200904.03-02 with Daisy Home, LLC for Assisted Living Facility services.
- * T. Contract No. LTC-200905.03 with Curry-Jackson & Associates, LLC dba: Comfort Keepers for Attendant Care, Personal Care, Homemaking and Respite services.
- * U. Amendment No. CH 2006132.01-03 with Contract Pharmacy Services, Inc. for pharmacy services.
- * V. Amendment No. LTC – 200501.07-06 with Casa Aplaya Assisted Living, LLC for Assisted Living Facility services.
- * W. Amendment No. LTC – 200905.01-02 with AZ-AHC, Inc. dba: Home Instead Senior Care and AZ-SCS, LLC for Attendant Care, Personal Care, Homemaking and Respite services.
- * X. Amendment No. LTC-200904.05-02 with A-Z Assisted Living Homes for Assisted Living Facility services.
- * Y. Amendment No. LTC-200916.01-02 with Arizona Bridge to Independent Living (ABIL) for Environmental Modification services.
- * Z. Amendment No. LTC – 200513.01-06 with Arbor Rose Adult Day Club for Adult Day Health Care and Respite services.
- * AA. Amendment No. PFME 200803.01-01 with Arizona Professional Transport, LLC for Decedent Transportation services.
- * BB. Amendment No. LTC – 200707.07-03 with Alott of Care for Assisted Living Facility services.
- * CC. Signing an Intergovernmental agreement to accept a grant from Ak-Chin Indian Community in the amount of \$26,294 to be used to support the Pinal County Juvenile Drug Court and the specialized services provided to juveniles.
- * DD. Amendment No. 5 to Contract No. YH05-0024-03 with Arizona Health Care Cost Containment System (AHCCCS) for Federal Financial services.
- * EE. Amendment No. LTC – 200501.08-05 with Active Assisted Living, LLC dba: Comfort Haven of Mesa for Assisted Living Facility services.
- * FF. Amendment No. LTC-200829.01-03 with Accentcare At Home for Attendant Care, Personal Care, Homemaker, Respite, Self-Directed Attendant Care Training and Emergency Self-Directed Attendant Care services.
- * GG. Resolution No. 010610-EREBHH terminating Intergovernmental Agreement No. GA07-05 (Resolution No. 032608-ER) and Amendment (Resolution No. 082008-EREB) with the Town of Queen Creek and authorizing Pinal County to enter into an Intergovernmental Agreement with Maricopa County and the Town of Queen Creek to identify and define responsibilities for roadway and intersection improvements to Ellsworth Road, Empire Boulevard, and Hunt Highway located in Supervisory District 2 of Pinal County. (Contract GA09-009).

- * HH. Resolution No. 010610-NBIS cancelling Intergovernmental Agreement JPA 00-18 between the State of Arizona (Department of Transportation) and Pinal County and authorizing Pinal County to enter into Intergovernmental Agreement JPA 09-182 with the State of Arizona (Department of Transportation) to give the State of Arizona the authority to perform inspections on bridges owned or controlled by Pinal County utilizing National Bridge Inspection Standards at no direct cost to Pinal County. (Contract #GA09-008).
- * LL. Credit agreement between Pinal County and Arizona Assembly Hall of Jehovah's Witnesses for street development fee credit for construction of public facilities on McCartney Road in the amount of \$151,264.39 according to the terms of said credit agreement and the requirements of the Pinal County Development Fee Ordinance #101806-DF.
- * MM. Credit agreement between Pinal County and Arizona Assembly Hall of Jehovah's Witnesses for street development fee credit for the dedication of 16,592.25 square feet of right-of-way on McCartney Road in the amount of \$30,031.97 according to the terms of said credit agreement and the requirements of the Pinal County Development Fee Ordinance #101806-DF.
- * NN. Resolution No. 010610-CAAG authorizing the submission of the Hunt Highway (Phase 1) Right-of-Way Acquisition Project for consideration in the Central Arizona Association of Governments Seven-Year Transportation Improvement Program Fiscal Year 2010-2017 and eligibility to receive funding from the Surface Transportation Program. (Contract #AD09-016) (Ken Buchanan)
- * OO. Memorandum of Understanding regarding a grant of funds to the Pinal Hispanic Council by Pinal County for the use and operation of a transportation van.
- * PP. 10 Direct Support Worker positions (job type 0751, step 1) and fiscal year 2010 budget appropriation transfer from Grants/Project Contingency (Fund 213, Cost Center 2688) to Horizon Home Caregiver (Fund 83, Cost Center 3560310) in the amount of \$636,725 in both revenue and expenditure appropriation due to the 10 Direct Support Workers and increased workload and revenue.
- * QQ. Modification No. 5 to Intergovernmental Agreement No. 08-94-0008 between the U.S. Marshals Service and Pinal County, Arizona.
- * RR. Appointment of Republican Precinct Committeemen: Pct. 30, Jane Henig, 19092 N. Kristal Lane, Maricopa, 85138; Pct. 30, Amanda Blane, 19092 N. Kristal Lane, Maricopa, 85138; Pct. 35, Mary Rodriguez, 1532 E. Irene Dr., Casa Grande, 85122; Pct. 56, Darren Winslow, 2807 W. Garden Circle, Apache Jct., 85120; Pct. 56, Lindey C. Winslow, 2807 W. Garden Circle, Apache Jct., 85120; Pct. 44, Bonnie Katherine Boatman, 1199 S. Idaho Rd., Apache Jct., 85120.
- * SS. Authorize the Chief Financial Officer to sign the linking agreement with the City of Chandler, Arizona to participate in a local government Procurement Card (P-Card) cooperative effort by joining several Phoenix area public entities that combine purchase volume to obtain more favorable financing agreements, including an annual cash rebate of a percentage of Pinal county's purchases during the previous year.
- * TT. Reclassify a vacant Accountant III position (fund 107, cost center 2058, position 24) to a Finance Manager not covered by the Merit Rules (job class 0305, grade 432) effective January 10, 2010 and an operating transfer from the General Fund (fund 10, cost center 1600) to Housing (fund 107, cost center 2058) not to exceed \$36,600.
- * UU. Document Processing Technician position (job class 280, grade 118) in the County Attorney's Office effective January 10, 2010 and a transfer from outside services to regular salaries not to exceed \$45,000 in Attorney / RICO State - PCA (fund 184, cost center 2456). If the position becomes under-funded, the County Attorney's Office will eliminate the position or identify non-General Fund funding for the position.
- * VV. Resolution No. 10610-APDWID designating the Antelope Peak Domestic Water Improvement District as a Colonia within Pinal County.
- * WW. Fiscal year 2009-2010 budget appropriation only transfers from SHRF Grants/Project Reserve (fund 213, cost center 2799), HHS Grants/Project Reserve (fund 213, cost center 2801) and General Fund Contingency (fund 10, cost center 1502) and an operating transfer from Transfers In/Out (fund 10, cost center 1600) to WIFA Grant (fund 94, cost center 3550315).

- * XX. Arizona Counties Joint Defense Intergovernmental Agreement providing for a joint defense for all fifteen (15) Arizona counties in that certain litigation entitled Campbell v. EORP et al., case number CV2008-008969, currently pending in Maricopa County Superior Court.
- * YY. Acceptance of the Constable Equipment grant award from the Arizona Constable Ethics, Standards & Training Board, in the amount of \$2,791.00 to provide cell phones and service plans for all eight constables, and the authorization of the County Manager to sign all certifications or other documents required for acceptance of the award.

Motion carried by unanimous vote.

Meeting of the Pinal County Library District Board of Directors.

9:47 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 regular session of the Pinal County Library District Board of Directors. Motion carried by unanimous vote.

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

10:04 A.M.- Motion was made by Director Rios and seconded by Director Martyn to adjourn from Pinal County Library District Board of Directors and convene into regular session of the Pinal County Flood Control District Board of Directors. Motion carried by unanimous vote.

10:08 A.M. - Motion was made by Director Rios and seconded by Director Martyn to adjourn from regular session of the Pinal County Flood Control District Board of Directors and reconvene into regular session of the Board of Supervisors. Motion carried by unanimous vote.

Public Hearing/discussion/approval/disapproval of PZ-C-005-09 a Zoning Ordinance Text Amendment to add Article 35: Adult Oriented Businesses and Adult Service Providers and repeal Adult Entertainment Ordinance No. 62597-AEO. Staff will recommend this item be continued to January 20, 2010.

Recommendation from staff was for a continuance to January 20, 2010, 9:30 a.m.

Chairman Snider opened the public hearing and called for comments from the public. There were none.

Motion was made by Supervisor Martyn and seconded by Supervisor Rios to continue the public hearing and action on PZ-C-005-09 until January 20, 2010, 9:30 a.m. Motion carried by unanimous vote.

Public Hearing/discussion/approval/disapproval of PZ-C-001-08: Pinal County Board of Supervisors to approve a Zoning Ordinance Text Amendment to Article 21 amending Section 2102.0 and amending Article 23 by deleting Section 2329.a.5 and a.6 and adding new Section 2329a: Special Event Permit; and repealing Resolution No. 121969 (resolution defining music festival). (Continued from November 4, 2009) Staff will recommend this item be continued to January 20, 2010.

Recommendation from staff was for a continuance to January 20, 2010, 9:30 a.m.

Chairman Snider opened the public hearing and called for comments from the public. There were none.

Motion was made by Supervisor Rios and seconded by Supervisor Martyn to continue the public hearing and action on PZ-C-001-08 until January 20, 2010, 9:30 a.m. Motion carried by unanimous vote.

Executive Session for discussion and consultation for legal advice with the attorneys for the County in accordance with A.R.S. §38-431.03(A)(3) concerning Proposition 207 – Private Property Rights Protection Act. (A.R.S. §§ 12-1134 to 12-1138).

10:15 A.M. – Motion was made by Supervisor Martyn and seconded by Supervisor Rios to recess for executive session. 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; Deputy Clerk of the Board, AmberLee Mudd and Clerk of the Board, Sheri Cluff; Assistant County Manager for Development Services, Ken Buchanan; Planning and Development Director, Jerry Stabley; Deputy County Attorney, Patricia Grieb; Deputy County Attorney, Nicole Weber; Arlene Kile, Planning and Development.

10:38 A.M. – Motion was made by Supervisor Martyn and seconded by Supervisor Rios to adjourn from executive session and reconvene into regular session of the Board of Supervisors Motion carried by unanimous vote.

Work Session for discussion only on the implementation of Consent to Conditions/Stipulations and Waiver of Claims for Diminution of Value form and condition of approval or stipulation.

Arlene Kile gave a presentation on the 2007 Waiver of Policy Procedure. She gave background on Proposition 207 passed by voters in 2007. She said while many cities and towns did waiver procedures immediately, Pinal County took a more deliberate approach. Goals are to protect the County as much as possible; minimize legal action tied to stipulations; reflect Pinal County values and minimize problems for the applicants.

While other municipalities and counties make it a part of the application or after approval by the Board, Ms. Kile pointed out to issue the waiver as a part of the application the applicant does not know what their stipulations will be so they do not know what they are agreeing to. To issue after approval by the Board, the staff has to follow up with the applicant and the applicant could be more apprehensive to participate after approval.

Ms. Kile said their proposal is that the applicant will sign the form between the Planning Commission and the Board of Supervisors hearings because the majority of the stipulations stay the same as recommended by the Commission. If changes are made by the Board to the stipulations, the applicant shall re-sign the waiver. If the applicant is unwilling to sign the waiver, staff will include that information in the presentation to the Board and it could be a factor in Board approval.

The Board thanked Ms. Kile for the presentation and staff for their work on this process.

County Managers Report - Information Only. There was no report from the County Manager.

Call to Public. Phil Rinehart, Apache Junction, AZ, Executor of the estate of Mr. Charles Crawford who had a lengthy battle with the County on zoning violations over the years, asked that the Board consider approval of the recommendation that will be presented to them in executive session to reduce the fines levied against the estate of Mr. Crawford. He said all of the money (from the sale of his home) that does not go to the fines will be used by the estate to the Superstition Mountain Historical Society and Lost Dutchman Museum.

Executive Sessions

10:45 A.M. – Motion was made by Supervisor Martyn and seconded by Supervisor Rios to recess for executive sessions as listed below. Motion carried by unanimous vote.

Executive Session for the purpose of discussion and consultation with the County's attorneys for legal advice and in order to consider the Board's position in a proposed settlement to resolve the fines owed pursuant to the 2006 Judgment against the defendant in Pinal County v. The Estate of Charles Melvin Crawford, Pinal County Superior Case No. CV200600522, in accordance with the provisions of A.R.S. § 38-431.03(A)(3)(4).

Present: Chairman David Snider; Supervisor Pete Rios; Supervisor Bryan Martyn; County Manager, Terry Doolittle; Chief Civil Deputy County Attorney, Chris Roll; Deputy Clerk of the Board, AmberLee Mudd and Clerk of the Board, Sheri Cluff; Assistant County Manager for Development Services, Ken Buchanan; Deputy County Attorney, Seymour Gruber.

10:55 A.M. - The above listed executive session came to an end.

10:55 A.M. - 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 pending litigation entitled Arizona City Sanitary District v. Pinal County, et al.

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 pending litigation entitled Miller, et al. v. Pinal County, et al.

Present: Chairman David Snider; Supervisor Pete Rios; Supervisor Bryan Martyn; County Manager, Terry Doolittle; Chief Civil Deputy County Attorney, Chris Roll; Deputy Clerk of the Board, AmberLee Mudd and Clerk of the Board, Sheri Cluff; Assistant County Manager for Administrative Services, Manny Gonzalez; Elections Director, Steve Kizer.

11:06 A.M.- The above listed executive sessions came to an end.

11:06 A.M. - Executive Session for discussion of personnel matters relating to the County Manager pursuant to A.R.S. 38- 431.03(A)(1).

Present: Chairman David Snider; Supervisor Pete Rios; Supervisor Bryan Martyn; County Manager, Terry Doolittle.

12:16 P.M.- The above listed executive session came to an end.

12:16 P.M. - Executive Session for discussion of personnel matters relating to the Clerk of the Board pursuant to A.R.S. 38- 431.03(A)(1).

Present: Chairman David Snider; Supervisor Pete Rios; Supervisor Bryan Martyn; Clerk of the Board, Sheri Cluff.

1:07 P.M.- The above listed executive session came to an end.

1:07 P.M. - Executive Session for discussion of personnel matters relating to the Internal Auditor pursuant to A.R.S. 38- 431.03(A)(1).

Present: Chairman David Snider; Supervisor Pete Rios; Supervisor Bryan Martyn; Internal Auditor, Lori Stripling.

1:55 P.M. – Motion was made by Supervisor Rios and seconded by Supervisor Martyn to adjourn from executive sessions. Motion carried by unanimous vote.

1:55 P.M. - Motion was made by Supervisor Martyn and seconded by Supervisor Rios to adjourn. Motion carried by unanimous vote.

The next regular meeting of the Pinal County Board of Supervisors will be on Wednesday, January 20, 2010.

PINAL COUNTY BOARD OF SUPERVISORS

Sheri Cluff, Clerk of the Board