

Work Session

July 16, 2014

The Pinal County Board of Supervisors convened at 9:30 A.M. this date. Chairman Smith called the meeting to order.

Video recording and presentations of the meeting can be found at www.pinalcountyaz.gov

Present: Chairman Anthony Smith; Vice-Chairman Todd House; Supervisor Pete Rios; Supervisor Cheryl Chase; Supervisor Stephen Q. Miller; County Manager, Greg Stanley; Chief Civil Deputy County Attorney, Chris Keller; Clerk of the Board, Sheri Cluff and Deputy Clerk of the Board, AmberLee Mudd.

Point of Personal Privilege

Supervisor Pete Rios expressed concern and frustration regarding the recent events that took place in Oracle regarding the alleged arrival of 40-50 unaccompanied immigrant youth to the Sycamore Canyon Academy. He said it was manufactured on false information and the encouragement and recommendation of the Pinal County Sheriff, Paul Babeu. Supervisor Rios appealed to Sheriff Babeu to stop and step down with these types of incidents. It was an endangerment to the citizens and to the immigrant children.

Chairman Smith added that yesterday's event was full of misinformation and reiterated the importance for all elected officials to seek the truth before acting.

Presentation and update by County Supervisors Association (CSA) Executive Director, Craig Sullivan.

Mr. Sullivan introduced Todd Madeksza, Director of Legislative Affairs; Penny Adams, Finance Director and Dan Bogert, Research Analyst who were also in attendance. He updated the Board on the activities of the association during the past legislative session and discussed the association's direction moving forward. Mr. Sullivan's presentation can be viewed on the Board of Supervisors website.

Work session to discuss the Air Quality Advisory Council and the Air Quality Hearing Board. Items to discuss include formation authority, purpose, membership, meeting frequency, and structure of the Advisory Council and Hearing Board.

Michael Sundblom, Director of Air Quality discussed the purpose, membership and structure of the Air Quality Hearing Board and the Air Quality Advisory Council. The Air Quality Hearing Board is required by A.R.S. 49-478, to consider appeals from contested

administrative actions, namely air quality permits and orders of abatement issued by the Director/Control Officer. They meet as required and currently, 4 of the 5 seats are filled. Mr. Sundblom asked the Board how they would like to proceed with regard to structure and appointment.

The Board desired the appointments be made at large.

Mr. Sundblom said he would work with the Clerk of the Board's office to fill the vacant position.

Mr. Sundblom continued with his presentation to discuss the Board's preference with regard to the Air Quality Advisory Council. Although it is authorized under A.R.S. 49-744, it is not mandatory. Five of the nine seats are currently filled. Mr. Sundblom asked the Board for direction as to whether the Board of Supervisors would like to maintain the advisory council and if so, their preference with regard to structure and appointment. There are benefits to having the council, but there are examples, in other counties, where they use a general stake holder approach instead and that has proven to be very successful. It would also give County staff more flexibility. Mr. Sundblom's presentation can be viewed on the Board of Supervisors website.

The Board was supportive of staff's recommendation to contact stakeholder groups that are flexible to manage depending on the issue and agreed that the advisory council was not necessary at this time.

Update on air quality issues.

Michael Sundblom presented the general air quality update. Regarding the Cowtown monitor relocation process, as of the first week in June, staff has completed two evaluation sites and the infrastructure to install the site equipment. Everything is functioning well enough to begin the official year long evaluation studies. The two sites up and running are at the White & Parker site and the Hidden Valley site. Staff is investigating a third site near the Maricopa City Hall. The monitoring for relocation will conclude in July of 2015 and the replacement site selection process will follow. When EPA passes a new or revised standard, the State (ADEQ) has to submit and infrastructure SIP which lays out the basics of how the programs will work regarding that pollutant. One of the comments staff received regarding the PM2.5 SIP was that the conflict of interest language in the local county rule was inadequate. Staff has revised it to meet the requirements. A rulemaking process is underway and an item will be before the Board of Supervisors in the near future. It is important to ensure approval of the SIP by the EPA. Mr. Sundblom's presentation can be viewed on the Board of Supervisors website.

Work Session on 2014 Major Amendments to the Comprehensive Plan.

Steve Abraham, Planning Manager and Evan Balmer, Planner, appeared before the Board to present this year's amendment requests to the comprehensive plan. Neither request was staff initiated. Case PZ-PA-004-14 is a request by Drew Gibbons from SunPower to go from very low density residential to general public facilities/services with the intent of building up to a 50 MW photovoltaic solar power plant north of "Corrections Campus"/Employment Public Facilities". Chapter 7 Environmental Stewardship supports both utility grade and single user systems as part of the green energy component. Solar and wind energy generation and other renewable energy production are compatible with the farming heritage (of Pinal County). The proposed project was sent out for the 60 day review process and comments from the neighboring towns are supportive. Staff will bring it before the Board again, for consideration, hopefully in October of 2014.

Evan Balmer, Planner, presented PZ-PA-005-14, a request by Integrity Land & Cattle, LLC to go from moderate low density residential to an employment designation. The proposed request fits within employment designation as the site is intended for Resolution Copper transfer facility. Staff anticipates a minimal, if any, impact on surrounding developments. The project supports economic sustainability vision by bringing new jobs to the County. The location adjacent to existing rail line takes advantage of existing infrastructure. The proposed project was sent out for the 60 day review process. Staff will bring it before the Board again, for consideration, in October of 2014.

The Board directed staff to move forward in the process with regard to both requests.

Executive Session

10:56 A.M. – Motion was made by Supervisor House and seconded by Supervisor Chase to recess into the following executive session. Motion carried by unanimous vote.

Executive session pursuant to A.R.S. 38-431.03A(3) to receive legal advice relating to the County's obligations relating to storm water under the Clean Water Act and Arizona General Permit AZG2002-002.

Present: Chairman Anthony Smith; Vice-Chairman Todd House; Supervisor Pete Rios; Supervisor Cheryl Chase; Supervisor Stephen Q. Miller; County Manager, Greg Stanley; Chief Civil Deputy County Attorney, Chris Keller; Deputy County Attorney, Kevin Costello; Outside Counsel, Julie Lemmon; Public Works Director, Louis Anderson; Flood Control Department Civil Engineer, Elise Moore and Clerk of the Board, Sheri Cluff.

11:33 P.M. – Chairman Smith adjourned the executive session and reconvened in to the regular meeting of the Board of Supervisors.

Work session regarding an overview of Pinal County's pollution program under the AZPDES Municipal Separate Storm Sewer (MSS) permit, and the requirements of the permit to implement six minimum control measures within the urbanized areas. Next steps in the program include drafting of a quality ordinance. (FL14-001)

Elise Moore, Civil Engineer, who currently manages the stormwater control program asked Ed Latimer with AMEC Environmental & Infrastructure, Inc. to discuss the program as staff moves forward on the project. Mr. Latimer explained that stormwater regulations are an unfunded mandate authorized by the Clean Water Act that impacted various industries including municipal governments. It is implemented in two phases based on population. Permits in the county will now be regulated under a general permit structure and the permitting framework emphasizes pollution prevention. The County will need to begin submitting annual reports subject to review by ADEQ. As of July 1, 2010, the programs became fee based programs. ADEQ is expected to issue a new draft permit within the year and the new municipal stormwater permit is expected to be more stringent. An audit by ADEQ of the County's stormwater program is eminent and ADEQ hopes to audit all Phase 2 communities every 5 years. Staff will return with a draft ordinance for Board discussion.

The meeting stood adjourned at 11:55 A.M. The next regular meeting of the Pinal County Board of Supervisors will be on Wednesday, July 23, 2014 at 9:30 A.M.

PINAL COUNTY BOARD OF SUPERVISORS

AmberLee Mudd

AmberLee Mudd, Deputy Clerk of the Board