

Regular Session

April 13, 2016

A video recording of this meeting and presentations can be viewed at www.pinalcountyz.gov

The Pinal County Board of Supervisors convened at 9:30 A.M. this date in the Board of Supervisors Hearing Room, 135 N. Pinal Street, Florence, Arizona. The meeting was called to order by Chairman House followed by an Invocation by Pastor Andrew Reed and the Pledge of Allegiance.

Present: Chairman Todd House; Vice-Chairman Anthony Smith; 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 Taylor.

Point of Personal Privilege

Supervisor Chase explained her reason for voting no on Resolution 033016-BTM on the March 30 the agenda was to make a statement. She wanted to see the minimum pay be made retroactive and that was unable to be done.

Chairman House announced that his previous assistant Lora Highstreet, had passed away Saturday. She will be missed.

Call to the Public -

Berry McCain of Arizona City, Arizona complimented the Board on their service. He asked them to consider helping Mayor Price and the City of Maricopa.

Discussion/approval/disapproval of Proclamation declaring the month of May 2016 as Mental Health Awareness Month in the County of Pinal.

Diane Taylor with Cenpatico reiterated the importance of mental health awareness.

Motion was made by Supervisor Smith and seconded by Supervisor Miller to approve the Proclamation proclaiming week of April 10-16, 2016 as National Crime Victims' Rights Week. Motion carried by unanimous vote.

Ms. Taylor read the proclamation into the record and thanked the Board.

Discussion/approval/disapproval of a Proclamation declaring April 21, 2016 as PowerTalk 21 Day.

Sonya Brinton appeared before the Board to discuss the importance of talking to your children about the dangers of alcohol and the reasons to wait until 21 years of age to consider it.

Motion was made by Supervisor Rios and seconded by Supervisor Smith to approve the Proclamation proclaiming April 10-16, 2016 as "Week of the Young Child in Pinal County." Motion carried by unanimous vote.

Ms. Brinton read the proclamation into the record and thanked the Board.

Purchasing Division Report – April 13, 2016

The purchasing report was presented by Randon Riffey.

AWARDING OF BIDS & PROPOSALS:

1. EC15-007 – Pinal County Courthouse Expansion – Recommend award to the lowest responsible bidder, Danson Construction, LLC for the Total Bid Price of \$10,219,500.00.
1. RFP 150720 – PCSO Towing Services – Recommend the following suppliers be added to the contract for a term of one (1) base year with four (4) one year renewal options. The term of the contract will run concurrent with the original award (March 15, 2016 through March 14, 2017):

District 2
Stay Up Towing

District 3
Star Towing

District 5
Randalls Auto Body and Towing

PUBLIC WORKS CONTRACT CHANGE ORDER:

1. Contract EC14-006 – Maricopa Casa Grande Hwy Santa Cruz Wash Crossing Improvements – Recommend approval of additional scope of work and contract time extension as stated in change order request no. 2 for NGU Contracting Inc. The change order amount is \$135,532.61, and the new contract end date will be May 2, 2016.

Lease agreement to be signed by Board of Supervisors:

<u>LESSOR</u>	<u>TERM</u>	<u>AMOUNT</u>	<u>DESCRIPTION</u>	<u>DEPT.</u>
1. CR Dayton VIII, LLC	5 Years	\$120,000.00 per year	San Tan Valley Substation	PCSO

Cooperative Purchasing Agreement Procurements between \$100,000 and \$250,000:

<u>PO #</u>	<u>AMOUNT</u>	<u>SUPPLIER</u>	<u>ITEM</u>	<u>DEPT.</u>
1. 234738	\$108,753.04	Western Fence	Chain link fence installation	Public Works

Contracts signed by County Manager or Director of Finance:

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

<u>PO #</u>	<u>AMOUNT</u>	<u>SUPPLIER</u>	<u>ITEM</u>	<u>DEPT.</u>
1. N/A	\$5,739.48	Regional Fire & Rescue Dept.	Fire Department Services	Housing
2. N/A	\$5,000.00	University of Arizona	Weather Research & Forecasting Services	Air Quality

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

County Manager's Report (Information Only).

Greg Stanley, County Manager, informed the public that the Veteran's Administration established a new cemetery in Marana, Arizona and he along with staff attended the Missing in America project, which identifies cremated remains that have not received a service. The first Pinal Veteran was placed in the crematorium and he encouraged the public to participate in one of the ceremonies. Secondly, the Regional Transportation Authority completed the first series of five open houses to gather comments from the public. Tomorrow the RTA will meet here in the county to review the comments received and discuss suggested changes to bring back before the Board for consideration.

CONSENT ITEMS A-P

Chairman House 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 House asked if there were any requests from a Board member, staff or the audience to remove a consent agenda item for discussion. There were none.

Motion was made by Supervisor Rios and seconded by Supervisor Miller to approve consent agenda items A through P.

- * A. Minutes from March 30, 2016.
- * B. Current billings before the Board.
- * C. Request for Katherine Kaiser, Kathleen L. Cohen, Betty Peacock, Maria E. Monge, Sue S. Williams, Alexander Soroka, Dorothy Warga, Kenny E. Bond, Thomas R. Burg, Yolanda S. Felix, Stanley Kalmanovitz, Opal Nell Jackson, Gary L. Erickson, June Ann Morris, Barbara I. Salas, Donna Osborne, Raymond J. Nault, Evelyn D. Savage, Dorothy A. Erdman, Darrell D. Michaslo and Grace Ministries be allowed to file for widow/widowers and/or disabled persons or non-profit organization tax exemption.
- * D. Temporary Extension of Premises application of Adrian R. Darimont, Oracle Inn Steak House located at 305 E. American Ave., Oracle, Arizona 85623 from April 23, 2016 to April 24, 2016.
- * E. New Liquor License application, series 12, of Marcus McQueen for Santan Grille located at 5452 E. Skyline Drive, San Tan Valley, Arizona 85140.
- * F. Special Event License application of Georganne K. Lippert, Eagle Crest Ranch HOA, for a charitable event to be held at Eagle Crest Ranch Community Park, located at Eagle Crest Ranch Blvd. and Eagle Mountain Dr., Tucson, Arizona, 85739 on Friday, May 6, 2016 from 6:00 P.M. to 8:00 P.M.
- * G. Letter of Support for the City of Casa Grande TIGER VIII grant application for the Interstate 10/Kortsen Road Traffic Interchange Project in Casa Grande, Arizona. (AD15-014)
- * H. Pinal County Office of Emergency Management, on behalf of the Superstition Fire & Medical District, to approve the sponsorship in the amount of \$1,000.00 for their 2016 Leadership Academy to benefit Pinal County firefighters and fire officers. (AD15-015)
- * I. Agreement Modification to Agreement No. 15-06-EDSG between the Arizona Department of Education and Pinal County, extending the term of the agreement for a period of three (3) months to June 10, 2016. (GA15-005)
- * J. Adjoining Property Owner Waiver to participate in ROW abandonment. (RD15-090)
- * K. Lease agreement between Sean D. Keeling, dba S & T Farms, LLC and Pinal County for 26.57 acres of agricultural land located south of Highway 287 and west of Eleven Mile Corner Road on the west side of the Pinal County fairgrounds. Pursuant to A.R.S. Section 11-256, Pinal County conducted a public auction on February 25, 2016 for the lease of this County-owned property. The

lease was awarded to the highest responsible bidder, and exceeded the minimum requirement of ninety percent of the appraised rental value of the property. The material conditions of the lease include a requirement that the property be used for agricultural land only, that it be for a term of five years, automatically renewable for four successive five-year terms unless terminated. The annual rent would automatically increase at the rate of three percent per year. The annual rent would be \$6,100 for the first year.

- * L. Deed of Full Release for a Home Repair Mortgage funded with Arizona Department of Housing grant funds. This 10 year Forgivable Deferred Payment loan has been satisfied.
- * M. Intergovernmental Agreement between J.O. Combs Unified School District and Pinal County for the preparing and conducting of the Board Member election to be held on November 8, 2016.
- * N. Agreement regarding State of Arizona 911 and Century Link with Pinal County.
- * O. Proposed settlement of property tax valuation appeal case number ST2015-000587, pending in the Arizona Tax Court, and authorization of counsel to execute all documents necessary to finalize settlement.
- * P. Request by the Honorable Lyle Riggs, Maricopa Justice of the Peace, for the appointment of Charles Adornetto and Michelle K. O'Hair-Schattenberg as Justices of the Peace Pro Tempore. Said appointments are made by the Presiding Judge of the Superior Court. No additional budget capacity is required as funds previously allocated for pro tem judges is sufficient at this time. Approval of this request will authorize Human Resources to create new positions, in cost center 2600214, if no vacant positions in that cost center are available.

Motion carried by unanimous vote.

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

9:59 A.M. – Chairman House recessed the regular session of the Board of Supervisors and convened as the Pinal County Public Health Services District Board of Directors.

10:00 A.M. – Chairman House adjourned the Pinal County Public Health Services District Board of Directors meeting and convened as the Pinal County 7 Ranches Domestic Water Improvement District.

Meeting of the Pinal County 7 Ranches Domestic Water Improvement District Board of Directors.

10:01 A.M. - Chairman House adjourned the Pinal County 7 Ranches Domestic Water Improvement District Board of Directors meeting and reconvened as the Pinal County Board of Supervisors.

Discussion/approval/disapproval of the sale of State Tax Deeded parcel 503-66-16406 pursuant to A.R.S. 42-18302. The parcel was previously advertised for auction on November 12th and 19th, 2015 but received no bids at the time. On March 30th, 2016 a bid in the amount of \$ 720.00 was received by Eric Schulman.

Pam Villarreal, Special Services Administrator requested acceptance of Mr. Eric Schulman's bid of \$720.00.

Motion was made by Supervisor Smith and seconded by Supervisor Miller to approve the sale of State Tax Deeded parcel 503-66-16406 pursuant to A.R.S. 42-18302 to Eric Schulman for a bid of \$720.00. Motion carried by unanimous vote.

Hearing, Review and Action on appeal of Hearing Officer's decision on ZO-01-16 006, Jerry and Cheryl Enervold, 13355 W. Moonchild Ave., Eloy, AZ 85131 - Tax Parcel No. 409-36-0380 - Violation of Pinal County Zoning Ordinance. Count #2: Violated section 2.20.010 / 2.150.240 To wit: The defendant used his/her property to install a park model being used as living quarters (guest house) which is not an allowed use in the SR zoning or Guest House regulations.

Chairman House announced that the above item would be heard later in the meeting to allow time for the Board to contact their outside counsel.

Public Hearing and discussion/approval/disapproval of Resolution No. 041316-RD15-083 -a resolution requesting the extinguishment of the Drainage Easement, being 30 feet wide, within Lot 59 of the Superstition Highlands Unit 2, recorded on May 5, 1998 in Cabinet C, Slide 28 in the office of the Pinal County Recorder and being located in a portion of Section 30, T1N, R8E, in the unincorporated area of Pinal County. (RD15-083) (Continued from March 30, 2016)

Joe Ortiz, Pinal County Civil Engineer, explained that although the agenda item listed R8E, it should read R9E, however the resolution attached is correct. Staff had no issues with the relocation of the drainage easement and recommended approval.

Chairman House opened the public hearing and called for comments. There was no one who wished to address the Board.

Chairman House closed the public hearing and called for a motion.

Motion was made by Supervisor Smith and seconded by Supervisor Miller to approve Resolution No. 041316-RD15-083. Motion carried by unanimous vote.

Discussion/approval/disapproval of Resolution No. 041316-RD15-088 - a resolution accepting a conveyance of a non-exclusive drainage easement from Resource Recovery Group, Inc., located in a portion of Section 30, T1N, R9E, a portion of Lot 59 of Superstition Highlands Unit 2, Supervisory District #5, in the unincorporated area of Pinal County, Arizona, as legally described in Exhibits A attached to said Resolution. (RD15-088)

Joe Ortiz, Pinal County Civil Engineer, appeared before the Board to answer any questions. Staff recommended approval.

Motion was made by Supervisor Smith and seconded by Supervisor Miller to approve Resolution No. 041316-RD15-088. Motion carried by unanimous vote.

Discussion/approval/disapproval of Resolution No. 041316-FP - a resolution authorizing the requirement that unless excluded by Pinal County Policy 3.05, all prospective employees, volunteers, contract employees and current employees who transfer positions, need to submit a full set of fingerprints to the Human Resources Department for processing through the Arizona Department of Public Safety for a State and Federal criminal records check pursuant to A.R.S. 41-1750 and P.L. 92-544. The Department of Public Safety may exchange this fingerprint data with the FBI.

Patrick Camunez, Interim Human Resources Director appeared before the Board. He briefly explained that currently the County contracts with a private company to perform all background checks and the cost is about \$80 per employee. The proposed change would allow the current company to handle the education and employment verification, however the Department of Public Safety would handle the criminal back ground checks.

Supervisor Rios asked if this would include people appointed to Boards and Commissions.

Staff was not sure but would look into the matter.

Supervisor Smith preferred to wait for clarification from staff before voting on the resolution.

Motion was made by Supervisor Smith and seconded by Supervisor Miller to continue Resolution No. 041316-FP to April 20, 2016 at 9:30 A.M. Motion carried by unanimous vote.

Hearing, Review and Action on appeal of Hearing Officer's decision on ZO-01-16 006, Terry and Cheryl Enervold, 13355 W. Moonchild Ave., Eloy, AZ 85131 - Tax Parcel No. 409-36-0380 - Violation of Pinal County Zoning Ordinance. Count #2: Violated section 2.20.010 / 2.150.240 To wit: The defendant used his/her property to install a park model being used as living quarters (guest house) which is not an allowed use in the SR zoning or Guest House regulations.

Chris Keller, Deputy County Attorney informed the Board that although their outside legal counsel was not present, they could proceed and if the Board felt the need to seek legal advice, Mr. Verburg could be contacted telephonically.

Cheryl and Terry Enervold appeared before the Board to present their case. Mrs. Enervold stated that the unit in question has never been used as living quarters, but that it was allowed per County staff 10 years ago when the unit was erected. She asked the Board to review the complaint and reverse the Hearing Officer's decision as she felt they were in compliance with the County's code.

Seymour Gruber, Attorney for Pinal County Hearing Office asked the Board to affirm the decision of the Hearing Officer made regarding count number 2 only. The citation states that there was a park model being used as a guest house which is contrary to the regulations in a suburban ranch zone. Mr. Gruber said that the transcript of the hearing will show that the Enervolds admitted that the unit is a guest house but staff was unable to locate any evidence of a permit being issued to the Enervolds to allow the park model to be used as such.

The Board discussed the details of the case and heard additional testimony from both parties.

Motion was made by Supervisor Smith and seconded by Supervisor Rios to affirm the decision of the hearing officer on the appeal of the hearing officer's decision on ZO-01-16-006, Terry and Cheryl Enervold, 13355 W. Moonchild Ave., Eloy, AZ 85131 - Tax Parcel No. 409-36-0380 - Violation of Pinal County Zoning Ordinance. Count #2: Violated section 2.20.010 / 2.150.240 To wit: The defendant used his/her property to install a park model being used as living quarters (guest house) which is not an allowed use in the SR zoning or Guest House regulations.

Clerk of the Board, Sheri Cluff called roll for the vote.

Supervisor Chase – AYE; Supervisor Miller – NAY; Supervisor Rios – AYE; Vice-Chairman Smith – AYE; Chairman House – AYE. Motion carried by a 4 to 1 vote.

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Chairman House adjourned the meeting at 11:13 A.M. The next regular meeting of the Pinal County Board of Supervisors will be on Wednesday, April 20, 2016 at 9:30 A.M.

PINAL COUNTY BOARD OF SUPERVISORS

AmberLee Taylor

AmberLee Taylor, Deputy Clerk of the Board