Regular Session January 16, 2002

The Pinal County Board of Supervisors convened at 9:39 a.m. this date in the Board of Supervisors Hearing Room, Administration Building No. 1, Florence, Arizona. The meeting was called to order followed by the Pledge of Allegiance and Roll Call.

<u>Present:</u> Chairman Jimmie B. Kerr; Supervisor Sandie Smith; Supervisor Lionel D. Ruiz; County Manager/Clerk of the Board, Stanley D. Griffis, Ph.D.; Chief Civil Deputy County Attorney, William McLean; Deputy Clerk of the Board, Sheri Cluff.

Purchasing Director - Call for Bids - Awarding of Bids - County Purchases.

Rebecca Hoaglin, Purchasing Department, presented the purchasing report:

CALL FOR BIDS:

1. #0102-025 - Reroofing Coolidge Health Dept., Florence Health Dept., and Juvenile Detention Center

Buildings. (CIP Projects)

2. #0102-028 - County-wide trash collection service.

AWARDING OF BIDS & PROPOSALS: None

STATE CONTRACT/COOPERATIVE PURCHASES:

<u>Req. #</u>	<u>Amount</u>	<u>Vendor</u>	<u>ltem</u>	Dept.
1. 40380	\$1,125.90	Ultramedia	Computer components	MIS
2. 41185	1,767.00	WSCA/Compaq	Tape drive	Pub.Wks.
3. 41295	1,581.82	Mohave Ed./Dell	PC system	Treasurer
4. 41453	2,863.43	Mohave/Dell	Laptop PC	Pub.Wks.
5. 41686	50,096.28	Midway Chev.	Pickup trucks, 3 ea.	Pub.Wks.
6. 41815	25,131.00	Five Star Ford	Pickup, 4X4, 1 ea.	Pub.Wks.
7. 41685	63,969.00	Five Star Ford	Pickup trucks, 3 ea.	Pub.Wks.
8. 41687	22,024.17	Midway Chev.	Blazer, 1 ea.	Pub.Wks.
9. 245270	3,253.91	Mohave/Dell	PC system (Discretionary F	unds) Attorney

WAIVE CALL FOR BIDS:

<u>Req. #</u>	<u>Amount</u>	<u>Vendor</u>	<u>ltem</u>	<u>Dept.</u>
1. 41109	\$1,390.00	Solarwinds	Software license & MA	MIS
2. 41213	1,400.00	Signs & Blanks	Signs, 50 ea.	Pub.Wks.
3. 40877	4,363.00	TAB Products	Custom file folders	Clerk

EMERGENCY PURCHASES:

<u>Req. #</u>	<u>Amount</u>	<u>Vendor</u>	<u>ltem</u>	<u>Dept.</u>
1. 42190	\$20,000.00	Nortel	Opt. 11 Phone System	GC Project
2. 42191	15,616.00	ABLE	Stackable phone switch	GC Project
3. 42192	1,900.00	CTE	Frame relay routers	GC Project

FOR APPROVAL:

<u>Req. #</u>	<u>Amount</u>	<u>Vendor</u>	<u>ltem</u>	Dept.
1. 41873	\$1,627.20	Cyber Trails	Internet subscription	Pub.Wks.
2. 42013	2,077.47	AZ Counties Ins. Pool	Training services	PCSO Grant
3. 42041	3,675.00	C.A.P. Financial	CAP water fee	Pub.Wks.
4. 42042	2,000.00	C.A.P. Financial	Water use permit	Pub.Wks.

FOR RATIFICATION:

The following procurements were approved by the County Manager under the authority granted by Resolution 10791-DCC and are presented for ratification by the Board of Supervisors:

<u>Req. #</u>	<u>Amount</u>	<u>Vendor</u>	<u>ltem</u>	Dept.
1. 39628	\$3,469.00	Merle's Automotive	Repair of equipment	Pub.Wks.
2. 39931	5,000.00	U.S. Marshall Service	Prisoner transport	PCSO
3. 40705	4,000.00	Safeway Coolidge	Blanket P.Ofood	Juv.Probation
4. 40781	1,931.00	Sparkletts	Blanket P.O water	Eloy JP
5. 41106	4,016.96	Shaw's	Carpet- Courtroom remodel	CG JP
6. 41531	3,500.00	Shope's Market	Blanket P.OFood	Adult Day Care
7. 41533	2,000.00	Pinal Nutrition Program	Blanket P.O delivered meals	A.D.C.
8. 41889	2,880.00	Dub's Plumbing Blanke	t P.OPort A-Jons Pub.W	∕ks.
9. 41914	2,685.00	Wholesale Lift Parts	Rebuilt engine-hyster lift Pub.W	∕ks.

Motion was made by Supervisor Smith and seconded by Supervisor Ruiz to approve the purchasing report as presented including the emergency purchases based on justification submitted. Motion carried by unanimous vote.

CONSENT ITEMS:

Chairman Kerr announced that all items on the consent agenda would be handled by a single vote as part of the consent agenda, unless a Board Member, County Manager, or member of the public objects at the time the agenda item is called.

Chairman Kerr asked if there were any requests from a Board member, staff or the audience to remove a consent agenda item for discussion.

Item "S" (Lease Agreement between Pinal County (Lessor) and the Oracle Historical Society (Lessee) to lease property known as Heritage Park in honor of Elizabeth Lambert Wood for youth recreational activities) was removed at the request of County Manager, Stanley D. Griffis.

Motion was made by Supervisor Ruiz and seconded by Supervisor Smith to approve consent items A-R: * A. Minutes of January 2, 2002;* B. Current Billings before the Board; * C. revision of Rule 9.3 F: Pinal County Uniform Merit Rules, to read, "Regular status as a Lieutenant with a minimum of six months as a Lieutenant immediately preceding promotion; and a total of 8 years of law enforcement experience with any law enforcement agency in Arizona; or one year as a Lieutenant or greater and a total of eight years of law enforcement experience with any law enforcement agency in Arizona; * D. two resolutions of the Board of Supervisors of the County of Pinal, Arizona the preliminary steps to be taken to determine whether it would be in the best interests of the County, based upon plan benefits and financial impact, to become a participating employer in the correctional officers retirement plan on behalf of the county Detention Officers and Dispatch Communication Specialists; * E. Amendment Number RFQ 98016.04-03 with Sierra Madre Adult Care Home, Inc. for Assisted Living Facility Services; * F. Contract Amendment Number 20001.01-01 with Developmental Behavioral

Consultants for Assisted Living Facility - Behavior Group Home Services; * G. Contract Amendment Number RFQ 2001 04.01-01 with Assisted Living Concepts, Inc. for Assisted Living Center Services; * H. Appointment of Republican Precinct Committeeperson; * I. Contract Renewal Amendment with Pinal County Veterinarians who have returned their amendment at this time; * J. Contract #0002-301 for Caregiver Training within Pinal and Gila Counties, between Pinal County Division of Public Health and Pinal-Gila Council for Senior Citizens; * K. Contract Amendment #05 of RFQ 96010.09 with Queen Creek Veterinary Clinic; Amendment #5 of RFQ 96010.04 with Coolidge Veterinary Clinic; * L. Fiscal Year 2002 Family Planning Services Contract, between Pinal County Division of Public Health and the Arizona Family Planning Council; * M. application for Special Event License for "Friends of Maria Poblano", at 600 N. Fairway Dr., Queen Creek, AZ., on January 26, 2002; * N. Application for Special Event License, for Arizona City Chamber of Commerce, at 13970 S. Sunland Gin Road, Arizona City, AZ., on February 23, 2002; * O. Intergovernmental Agreement between the City of Elov and Pinal County to provide services of County for the preparation and conduct of Primary/General elections to be held on March 12, 2002 and May 21, 2002; * P. Intergovernmental Agreement between the Town of Kearny and Pinal County to provide services of County for the preparation and conduct of Primary/General elections to be held on March 12, 2002 and May 21, 2002; * Q. Intergovernmental Agreement between the Villa Grande Domestic Water Improvement District and Pinal County to provide services of County for the preparation and conduct of Primary/General elections to be held on March 13, 2002 and May 15, 2002; * R. accept and sign the final plat for Petroglyph Estates S-007-98, (aka Parcel 21) at Superstition Foothills; Motion carried by unanimous vote.

Public Hearing, and discussion/approval/disapproval concerning an Ordinance of the Pinal County Board of Supervisors establishing sanctions for weight limit violations on Pinal County roadways and discussion/approval/disapproval of Resolution No. 11602-WL adopting an Ordinance establishing sanctions for weight limit violations on Pinal County Highways. (contract #AD0202)(continued from 12/5/01).

Deputy Public Works Director, Garry Jaggers, explained that this adds enforcement power by creating a criminal sanction for violating the weight limits on the roads.

Chairman Kerr opened the public hearing and called for comments from the audience. There were none. The public hearing was closed.

Motion was made by Supervisor Smith and seconded by Supervisor Ruiz to approve Resolution No. 11602-WL adopting an Ordinance establishing sanctions for weight limit violations on Pinal County Highways. Motion carried by unanimous vote.

Public Hearing and discussion/approval/disapproval concerning an Ordinance of the Pinal County Board of Supervisors authorizing the regulation of traffic on Pinal County roadways and discussion/approval/disapproval of Resolution no. 11602-ROT adopting an Ordinance authorizing the regulation of traffic on Pinal County Highways. (contract #AD0201) (continued from 12/5/01).

Deputy Public Works Director, Garry Jaggers, explained that this ordinance will dedicate the responsibility to establish the traffic control devices to the County Engineer and then they will report to the Board of Supervisors on a periodic basis on what has been established.

Chairman Kerr opened the public hearing and called for comments from the audience. There were none. The public hearing was closed.

Motion was made by Supervisor Ruiz and seconded by Supervisor Smith to approve Resolution No. 11602-ROT adopting an Ordinance authorizing the regulation of traffic on Pinal County Highways. Motion carried by unanimous vote.

Zoning Cases:

Representing the Planning and Development Services Department was Acting Director, Dennis Rittenback and Deputy County Attorney, Patricia Grieb.

Chairman Kerr announced that the following 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:

SUP-024-01: Arizona State Land Department, requesting approval of a Special Use Permit to establish an 80' monopole for a wireless telecommunications facility, including related equipment & fixtures, on a 35' x 50' Arizona State Land Department lease site (Lease Application No. 03-106975) in the GR zone; situated in a portion of the SW¼ SW¼ Section 30, T9S, R16E, G&SRB&M (legal on file) (Oracle area).

PZ-035-01: Outwest Sales, Inc., requesting approval of a zone change from (CR-5) Multiple Residence zone to (CB-2) General Business zone on a 0.27± acre parcel to expand an existing wholesale merchandise liquidation and ocean storage container sales business; described as Lot 6576, Arizona City Unit 8, Section 7, T8S, R7E, G7SRB&M, Tax Parcel 407-10-031 (Arizona City).

PZ-038-01: GPS Sunset Development LLLP, requesting approval of a zone change from (GR) general Rural zone to (MH) Manufactured/Mobile Home zone on a 12.1± acre parcel to plan and develop the 48 lot, GPS Sunset Manufactured Home subdivision; described as Lots 1, 2, & 3, Block 6 and Lots 2 & 3, Block 3 of North Maricopa subdivision, SE½ Section 24, T4S, R3E, G&SRB&M, Tax Parcels 510-20-032, 018 & 017A (Maricopa).

Chairman Kerr asked if there were any requests to pull a case from the zoning consent agenda for a public hearing. There were none.

Motion was made by Supervisor Smith and seconded by Supervisor Ruiz to approve the following zoning cases with the stipulations as recommended the Planning Commission:

SUP-024-01: Arizona State Land Department, approved with eleven (11) stipulations:

- 1) The permit is issued to the applicant, Sprint PCS, and not to the land;
- 2) the permit is issued for fifteen (15) years from the Board of Supervisors approval, with staff review prior to extending an additional five (5) years; the layout, design and set up of the monopole, including related equipment and fixtures, shall be as shown and set forth on the applicant's submittal documents and site plan:
- 3) this shall be an unmanned telecommunications facility;
- all Federal (FCC), State (Arizona State Land Department), County and Local rules and regulations be adhered to and all applicable and required submittals, plans, approvals and permits be obtained, including but not limited to planning clearance, building, security lighting, fencing, etc;
- final approval of this SUP is contingent upon obtaining a Commercial Lease (application # 03-106975) and obtaining an application for Right-of-Way (application # 18-106976-00) from the Arizona State Land

- Department, with attached conditions of approval, as applicable;
- at such time as technology becomes available when the monopole is no longer needed, it shall be removed from the subject property;
- 7) 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 and a bond will be required for dismantling of the discontinued tower;
- 8) the applicant shall design the monopole and related fixtures to blend with the environment;
- 9) the applicant/owner shall volunteer to make space available to Pinal County for telecommunication service on the monopole at no cost to the County;
- 10) the applicant shall keep the lease area free of debris and provide a perimeter landscape buffer; and
- violation of these conditions at any time may invoke revocation proceedings by the Pinal County Planning & Development Services Department.

PZ-035-01: Outwest Sales, Inc., approved with six (6) stipulations of understanding:

- 1) The applicant, at the time of application to expand the existing business, shall secure and submit all required applications, plans, supporting documentation submittals, approvals and permits from the applicable and appropriate Federal, State, County and Local regulatory agencies;
- the proposed commercial/business facility shall be developed in accordance with the standards and regulations set forth in the CB-2 Zone (Article 15) of the Pinal County Zoning Ordinance;
- 3) the driveway and parking area shall be dust proofed;
- 4) the applicant/owner shall keep the area free of trash, litter and debris;
- 5) a buffer, to be approved by staff, shall be provided on the north, south and east sides of the subject property; and
- 6) should the requested development for the storage area not commence 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-038-01: GPS Sunset Development LLLP, approved with fourteen (14) stipulations of understanding:

- 1) The applicant/owner/developer, at the time of residential subdivision development (GPS Sunset Manufactured Home subdivision), shall secure and submit all required applications, plans, supporting documentation, submittals, approvals and permits from the applicable and appropriate Federal, State, County and Local regulatory agencies;
- 2) the subject property will require tentative plat review and approval at the time of subdivision development application, in conformance with the MH Zone (Article 20) and the applicable requirements of the Pinal County Subdivision Ordinance;
- 3) prior to final subdivision approval (initial plat), the applicant/owner/ developer shall provide a Master Drainage Study completed by an Arizona Registered Professional Engineer to the Pinal County Public Works Department for review and approval to ensure compliance with the County Drainage Regulations;
- 4) prior to final subdivision approval (initial plat), the applicant/owner/ developer shall provide a Traffic Impact Analysis satisfactory to the requirements of the Department of Public Works, which may require additional right-of-way dedication;
- 5) prior to final subdivision approval (initial plat), the applicant/owner/developer shall provide written verification from the Maricopa Rural Fire Department that road access, fire hydrant placement and fire flow requirements have been met or will be met to the satisfaction of the Maricopa Rural Fire

Department;

- 6) prior to final subdivision approval, (initial plat), the applicant/owner/ developer shall provide a Master Water Study completed by an Arizona Registered Professional Engineer to the Arizona Department of Water Resources for review and approval to ensure compliance with the assured water supply regulations;
- 7) the applicant/owner, grant and record an agricultural spray easement to all adjacent farm owners/operators; include in the CC&R's references to the recorded agricultural spray easement and reference the agricultural spray easement on the face of the plat (s) in the **NOTES** section;
- 8) AT THE TIME OF FINAL ZONE CHANGE APPROVAL BY THE BOARD OF SUPERVISORS THE APPLICANT/OWNER VOLUNTEERS TO PAY \$54.00/LOT FOR THE PROPOSED 48 RESIDENTIAL LOTS, TO ENSURE COMPLIANCE WITH THE REQUIREMENTS OF THE MARICOPA SUBREGIONAL TRANSPORTATION STUDY, EXHIBIT 19, PRORATED FEE SCHEDULE, AS IT PERTAINS TO THIS ZONE CHANGE APPROVAL;
- 9) prior to final subdivision approval (initial plat), the applicant/owner/developer shall comply with the conditions as set forth in the Memorandum from Pinal County Public Works Department to the Pinal County Planning & Zoning Commission dated December 2, 2001;
- 10) only new manufactured homes will be allowed within the subdivision;
- the applicant/owner shall obtain a letter from the Maricopa Unified School District #20 as to their needs and concerns:
- the applicant/owner shall provide a minimum of twenty -four feet (24') of paved access from the nearest paved road/street to the subject property;
- 13) landscaping of the subject property will be further defined at tentative plat submittal; and
- should the requested residential subdivision development (GPS Sunset Manufactured Home subdivision) not commence 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.

Motion carried by unanimous vote.

Public Hearing - to consider, discuss, approve or disapprove the request from Midvale Telephone Exchange, Inc. for a public utility franchise, to be called the Silver Bell Exchange Boundary and Toll Route. The franchise area is located as follows: Beginning at the SE corner of Section 25, thence West to the SW corner of Section 27, thence North to the NW corner of Section10, all within Twn. 10S, Rg. 6E, Thence East to the NE corner of Section 7, thence North and South along Sunland Gin Road within the Pinal County R/W on either the east or west side of the road, to the intersection with Battaglia Road, Twn. 8S, Rg. 7E, between Sections 1 & 6 in Arizona City, thence from the NE corner of Section 7, south to the SE corner of Section 7, all within Twn. 10S, Rg. 7E, thence West to the SE corner of Section 12, Twn. 10S, Rg. 7E, thence South to the point of beginning being the SE corner of Section 25, Twn. 10S, Rg. 6E, Gila and Salt River Base and Meridian, Pinal County.

Gary Medina, Special Services, presented the request from Midvale Telephone Exchange, Inc. for a public utility franchise to be called the Silver Bell Exchange Boundary and Toll Route.

Chairman Kerr opened the public hearing and called for comments from the audience. There were none. The public hearing was closed.

Motion was made by Supervisor Ruiz and seconded by Supervisor Smith to approve the request from Midvale Telephone Exchange, Inc. for a public utility franchise, to be called the Silver Bell Exchange Boundary and Toll Route. The franchise area is located as follows: Beginning at the SE corner of Section 25, thence West to the SW corner of Section 27, thence North to the NW corner of Section10, all within Twn. 10S, Rg. 6E, Thence East to the NE corner of Section 7, thence North and South along Sunland Gin Road within the Pinal County R/W on either the east or west side of the road, to the intersection with Battaglia Road, Twn. 8S, Rg. 7E, between Sections 1 & 6 in Arizona City, thence from the NE corner of Section 7, south to the SE corner of Section 7, all within Twn. 10S, Rg. 7E, thence West to the SE corner of Section 12, Twn. 10S, Rg. 7E, thence South to the point of beginning being the SE corner of Section 25, Twn. 10S, Rg. 6E, Gila and Salt River Base and Meridian, Pinal County. Motion carried by unanimous vote.

<u>Discussion/approval/disapproval of the following bid(s):</u>

Alma R. Lee, Jr.

Parcel No. 503-64-00207, Desert Carmel Unit D & J, Lot 280, in the amount of \$2,000.00. Parcel No. 503-64-05305, Desert Carmel Unit D & J, Lot 331, in the amount of \$1,500.00.

Mr. Medina called to the audience for additional bids. There were none.

Motion was made by Chairman Kerr and seconded by Supervisor Ruiz to accept the bids as presented and that the Chairman and the Clerk are authorized to sign all documents necessary to complete the transaction. Motion carried by unanimous vote.

<u>County Manager's Report "Information Only."</u> There was no County Manager's report.

<u>Discussion/approval/denial of changes to existing precincts as a result of the action of the Independent</u> Redistricting Commission.

Deputy County Manager, Terry Doolittle advised that the proposed changes are a result of the action of the Independent Redistricting Committee. He advised that the changes discussed in the Board of Supervisors December 27th worksession were included in the enclosed packet.

Elections Director, Gilbert Hoyos, was present to answer specific questions that the Board had relating to some of the boundary changes.

Motion was made by Supervisor Ruiz and seconded by Supervisor Smith to approve the changes to existing precincts as a result of the action of the Independent Redistricting Commission. Motion carried by unanimous vote.

<u>Discussion/approval/denial of changes to the existing Board of Supervisors' District Boundaries as a result of the 2000 Census.</u>

Mr. Doolittle told the Board that out of the five proposals presented, the City Council for Coolidge had voted for option #1 which puts all of Coolidge into District 1 - Supervisor Lionel Ruiz. This was a result of the 2000 census which requires Supervisor Smith to give up some of district II population in order to bring it under the maximum allowed.

Mr. Robert Flatley, Coolidge City Manager, 1122 E. Lauren Lane, Coolidge, AZ 85228 advised that the Board should have a copy of the resolution from the City of Coolidge in which the council supported option #1. Mr. Flatley said the council favored this option because they felt it distributed the population as evenly as possible, especially when you take into consideration what the population of all three districts may be in the future.

Supervisor Smith said she regretted giving up this area which she has served but reminded everyone that she will still be serving the citizens of Coolidge until the end of 2003.

Supervisor Ruiz had concerns about the logistics and his ability to best serve Coolidge since his office is in Mammoth.

Motion was made by Supervisor Smith and seconded by Chairman Kerr to approve proposal #1 and that it becomes effective 30 days after Department of Justice approval. Vote was Supervisor Smith and Chairman Kerr: "Aye"; Supervisor Ruiz: "Nay."

Prior to the vote Coolidge City Manager, Robert Flatley requested that the Board continue this item so that he could take this back to his city council for consideration of another option that they might support. He felt the council would feel more comfortable with a unanimous vote by the Board of Supervisors.

Supervisor Smith said she would be willing to reconsider this proposal.

After discussing this with Mr. McLean, Chief Civil Deputy County Attorney, the Board asked for an executive session.

Executive Session

<u>10:35 a.m.</u> - Motion was made by Supervisor Ruiz and seconded by Supervisor Smith to recess for an executive session for purposes of obtaining legal advice from the County's attorney(s) on the above agenda item pursuant to A.R.S. § 38-431.03(A) (3). Motion carried by unanimous vote.

The Board recessed into the office of the County Manager.

<u>Present:</u> Chairman Jimmie B. Kerr; Supervisor Sandie Smith; Supervisor Lionel D. Ruiz; County Manager/Clerk of the Board, Stanley D. Griffis, Ph.D.; Deputy County Manager, Terry Doolittle; Chief Civil Deputy County Attorney, William McLean; Deputy Clerk of the Board, Sheri Cluff.

<u>10:50 a.m.</u> - Motion was made by Supervisor Smith and seconded by Supervisor Ruiz to adjourn from executive session and reconvene into regular session of the Board of Supervisors. Motion carried by unanimous vote.

Continuation of discussion/approval/denial of changes to the existing Board of Supervisors' District Boundaries as a result of the 2000 Census.

Motion was made by Supervisor Smith and seconded by Chairman Kerr to rescind the motion previously made on this item. Motion carried by unanimous vote.

Motion was made by Supervisor Smith and seconded by Supervisor Ruiz to accept proposal #1 and that it becomes effective 30 days after Department of Justice approval. Motion carried by unanimous vote.

<u>Call to Public.</u> Jacque Reynolds, Florence, AZ was present to represent Pinal County Long Term Care on the consent agenda, however, she had a question about item "S" (Lease Agreement between Pinal County and the Oracle Historical Society) which was removed from the consent agenda. She explained that she previously lived in Oracle for 25 years and served on the Historical Society Board. She asked if the Board is going to proceed with item "S" today.

Chairman Kerr advised that the item was removed and if it comes back to the Board it will be on a future agenda.

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

There being no further business the meeting stood adjourned at 11:00 a.m. The next meeting of the Pinal County Board of Supervisors will be on Wednesday, February 6, 2002, 9:30 a.m.

PINAL COUNTY BOARD OF SUPERVISORS	
Sheri Cluff, Deputy Clerk	

Subject to approval by the Board of Supervisors on 2/6/02.