

Board of Supervisors
November 23, 2005
9:30 a.m.

The Board met in a Regular Meeting at the Santa Cruz County Complex, 2150 N. Congress Drive, Room #120, Nogales, AZ. Present: Robert Damon, Chairman; Manuel Ruiz, Vice-Chairman; John Maynard, Supervisor; Greg Lucero, County Manager; Holly Hawn, Attorney; Melinda Meek, Clerk of the Board. Also present: Jennifer St. John, Carlos Rivera, Chris Bachelier, Greg Swartz, John DeStefano, Cynthia Rose, Gary rose, Kathleen Vandervoet, Gabriel Romero, Belinda St. John, Sheriff Estrada, Kevin Irvine, Robert Canchola, Larry Mollo, Ron Lehman, Ken Zehentner.

The meeting was called to order and the Pledge of Allegiance was recited, led by John DeStefano.

ADOPTION OF AGENDA: Supervisor Maynard made a motion to adopt the Agenda as posted and to deviate from Agenda sequence as necessary; second by Vice-Chairman Ruiz; motion carried unanimously.

CALL TO THE PUBLIC: Jennifer St. John, Administrative Services Department Director, introduced her mother, Belinda St. John, who is visiting from Alabama.

Gary Rose informed the Board that this is the first anniversary of the passage of the Tubac Historic Zone Ordinance and no review has taken place as indicated in the Ordinance; noted that the Board of Supervisors is solely responsible for appointments to the Tubac Historic Zone Advisory Board.

Cynthia Rose stated that she has not yet received minutes from the Tubac Historic Zone Advisory Board meetings as she requested.

Chairman Damon introduced and welcomed Deputy County Attorney Luis Parra who was recently hired at the County Attorney's Office.

REPORTS: BOARD OF SUPERVISORS: The Board wished all a Happy and grateful Thanksgiving.

MANAGER: County Manager, Greg Lucero, reported that the Greater Nogales/Santa Cruz County Port Authority has been asked to make a presentation regarding the rail issue, to the Sonoran and Arizona Governors at the Arizona/Mexico Plenary Session next week.

FINANCE: Jennifer St. John, Administrative Services Department Director, reported \$9,956,604 in the General Fund, with \$9,250,654 invested; \$1,300,692 in the Road Fund, with \$1,127,706 invested; \$1,074,689 in the Flood Control District Fund, with \$742,068 invested; \$14,644,304 total for all funds, with \$13,736,735 invested; \$10,501,604 estimated end of month balance, compared to \$7,906,479 cash at November 2004, a difference of \$2,595,125.

SHERIFF: Sheriff Estrada reported that the current jail population is 87, 80 males and 7 females; 22 inmates have been sentenced to the County jail and 8 to the AZ Department of Corrections; 84 have been charged with felonies and 3 with misdemeanors; 33 (38%) are undocumented aliens; 2 have been committed to the County jail on a daily basis. 57 persons were booked in during the past week.

ACTION ITEMS:

HVAC SERVICE AGREEMENT PROPOSAL WITH CLIMATEC: Jennifer St. John, Administrative Services Department Director, stated that this is an annual agreement to provide regular and preventive maintenance on the County's HVAC System; the previous contract has expired; pursuant to County policy, 3 written quotes were requested; 2 quotes were received (Climatec- \$9,943 annually; the 2nd quote was for \$12,732) and written notice was received from 2 local vendors indicating that they could not provide the requested service.

Miss St. John recommended that the Board approve the HVAC Service Agreement proposal with Climatec.

Vice-Chairman Ruiz made a motion to approve; second by Supervisor Maynard; motion carried unanimously.

SALARY INCREASES FOR GRANT FUNDED POSITIONS: County Manager, Greg Lucero, reminded the Board that when the Budget was adopted, salary increases for employees were included; the salary increases were for all general fund employees and grant-funded employees if the grant could cover the increase; there are 12 grant-funded employees that their grant will not cover the proposed salary increase; the total cost to include the 12 grant-funded employees is \$13,454.

Mr. Lucero recommended that the Board approve salary increases for the 12 grant-funded positions (9 from the Sheriff's Office, 2 from the County Attorney's Office and 1 from the County School Superintendent's Office).

Supervisor Maynard made a motion to approve; second by Vice-Chairman Ruiz; motion carried unanimously.

COURTHOUSE PRESERVATION COMMISSION REAPPOINTMENT, DISTRICT #1: Vice-Chairman Ruiz made a motion to reappoint Lois Morris to the Courthouse Preservation Commission, District #1 for 2 years; second by Supervisor Maynard; motion carried unanimously.

PLANNING AND ZONING COMMISSION APPOINTMENT: Chairman Damon made a motion to appoint Susie Clark Morales to fill out Commissioner Frank Randall's term on the Planning & Zoning Commission to expire on 2/2/2008; second by Vice-Chairman Ruiz; motion carried unanimously.

SOFTWARE SUPPORT AGREEMENT WITH ESRI FOR THE COUNTY'S GIS SYSTEM: Raul Mavis, Information Technology Director, explained that this software is for the County's GIS System; it is an annual maintenance Contract which provides tech support, updates and software and 3 seats to their annual conference.

Vice-Chairman Ruiz made a motion to approve; second by Supervisor Maynard; motion carried unanimously.

PURCHASE OF A BIOTERRORISM PREPAREDNESS RAPID RESPONSE TEAM TRUCK: Kevin Irvine, Health Services Director, stated that the Bioterrorism Preparedness Rapid Response Team is in need of a new vehicle; the State will not currently allow the direct purchase of the necessary new vehicle but will allow the County to buy the vehicle and then lease it back to the Health Department Bioterrorism Program.

Mr. Irvine requested that the Board authorize the purchase of the Bioterrorism Program Rapid Response vehicle through the County and lease it back to the County Health Department.

Supervisor Maynard made a motion to approve; second by Vice-Chairman Ruiz; motion carried unanimously.

PURCHASE VEHICLE FOR THE ANIMAL CONTROL DEPARTMENT: Health and Human Services Department Director, Carlos Rivera, informed the Board that the City of Nogales has requested the services of picking up dead animals from their streets in the newly approved Intergovernmental Agreement; the service is currently being provided on county roads; in order to provide the service efficiently, a separate vehicle specifically allocated for the pick up of dead animals is needed; the proposed vehicle will replace an older vehicle and has a dead animal lift; purchase of the new vehicle is not currently budgeted, however, the City of Nogales will be paying 50% of the cost of the vehicle.

Vice-Chairman Ruiz made a motion to authorize the Animal Care and Control Department to purchase 1 vehicle in an amount not to exceed \$35,000 as presented by staff; second by Supervisor Maynard; motion carried unanimously.

INTERGOVERNMENTAL AGREEMENTS BETWEEN SANTA CRUZ COUNTY SCHOOL SUPERINTENDENT AND SANTA CRUZ COUNTY REGIONAL SCHOOL DISTRICT #99 - SALUD POR VIDA PROGRAM, AMERICA CARES PROGRAM AND 21CCLC PROGRAM: County School Superintendent, Roberto Canchola, explained that the purpose of these Intergovernmental Agreements is to transfer responsibility for the management of the 3 programs (Salud Por Vida, 21st Century Learning Centers and America Cares) from the Santa Cruz County School Office to the Santa Cruz County Regional School District.

Mr. Canchola requested that the Board approve the Intergovernmental Agreements.

Attorney Hawn informed the Board that she requested that this matter be handled in the form of an Intergovernmental Agreement and requested that the Board authorize Mr. Canchola to sign as the School Superintendent on behalf of the County.

County Manager, Greg Lucero, directed the Board and Attorney Hawn to Section IV "Funding" of the IGA and asked if advance payment is required under that provision; Attorney Hawn responded yes, because the accommodation schools don't have available funding; she had requested that staff address the issue as she was concerned whether advance payment would be a problem with the Federal funding authorities; she was informed by the School Superintendent's Office and their consultants that there won't be a problem and that they understand if there is a problem, the Intergovernmental Agreements will need to be amended.

Mr. Canchola responded that the State of Arizona Grants Management Page includes a stipulation that allows for encumbrances and requisitions for received but unpaid invoices or requisitions plus payroll not to exceed 30 days of accumulation; Mr. Canchola recommended that language in the IGAs be changed to reflect no more than 30 days worth of invoices or payroll.

Attorney Hawn recommended that if the Board approves the Intergovernmental Agreements, that approval be contingent upon the appropriate changes in funding be made in accordance with the grant requirements.

Vice-Chairman Ruiz made a motion to approve the 3 Intergovernmental Agreements with the required language be amended in the IGAs to reflect the State's policy that received but unpaid invoices or requisitions plus payroll not to exceed 30 days and that Mr. Canchola be authorized to sign on behalf of the County; second by Supervisor Maynard.

Attorney Hawn suggested that the Board make a motion that it be corrected to reflect the grant requirements.

Vice-Chairman Ruiz amended his motion to approve the 3 Intergovernmental Agreements and add language to reflect the grant funding language as presented by Counsel; second by Supervisor Maynard; motion carried unanimously.

TAX VALUATION ADJUSTMENTS #83000104-01-9 PUC – Binney George Andrew, Resolution No: T20050900002; 3458924-01-4 PUC – Jones Maurice E, Resolution No: T20030900014; 3458924-01-4-PUC – Jones Maurice C, Resolution No: T20040900011; 3458924-01-4 PUC – Jones Maurice E., Resolution No: T20050900003; 3458924-02-3 PUC – Jones Maurice E, Resolution No: T20030900015 ; 3458924-02-3 PUC – Jones Maurice E, Resolution No: T20040900012; 3458924-02-3 PUC – Jones Maurice E, Resolution No: T20050900004; 1955077-01-5 – Ellis Roy Furniat c/o Jones Maurice, Resolution No: 2; 1955077-01-5 – Ellis Roy Furniat c/o Jones Maurice, Resolution No: 3; 1955077-01-5 PUC – Ellis Roy Furniat/Jones Maurice, Resolution No: T20020900015; 1955077-01-5 PUC – Ellis Roy Furniat/Jones Maurice, Resolution No: T20030900016; 1955077-01-5 PUC – Ellis Roy Furniat/Jones Maurice, Resolution No: T20040900013; 1955077-01-5 PUC – Ellis Roy Furniat/Jones Maurice, Resolution No: T20050900005; 1092117-01-2 PUC – Cerame Marie C, Resolution No: T20050900009; 0500012-01-5 PUC – Williams Scotsman Inc, Resolution No: T20050900006; 0500016-01-7 PUC – Williams Scotsman Inc, Resolution No: T20050900008; 0500017-01-0 PUC – Williams Scotsman Inc, Resolution No: T20050900007 were approved as submitted by the County Assessor's Office. (MR/JM; c.u.)

RECORDER'S OFFICE NEW LEASE PURCHASE OF 2 COPIERS: Supervisor Maynard made a motion to approve; second by Vice-Chairman Ruiz; motion carried unanimously.

The Board recessed the Regular Meeting to convene as the Flood Control District Board. (MR/JM; c.u.)

FLOOD CONTROL:

The Board convened in Executive Session at 10:05 a.m. and adjourned 10:20 a.m., pursuant to A.R.S. 38-431.03 (A)(4) and (A)(7) re: Santa Cruz County Flood Control District v. Delta Properties, et al., Santa Cruz County Superior Court Case No. CV04-144 Chula Vista Flood Control Project.

REQUEST AUTHORIZATION OF COUNTY MANAGER TO GRANT A RIGHT OF ENTRY FOR CONSTRUCTION-CHULA VISTA CHANNEL FLOOD CONTROL PROJECT: Ken Zehentner, Flood Control Contract Specialist, stated that in order to proceed with the initial work for this project, the Corps of Engineers requires the execution of a "Real Estate" Certification; the required

Certification consists of an "Attorney's Certification" and an executed "Right of Entry"; the "Attorney's Certification" is being prepared by the County Attorney's Office; requested Flood Control Board's authorization will allow the County Manager to execute the "Right of Entry" document that will allow the Corps of Engineers, Agents and Contractors to enter County acquired lands for project construction.

Mr. Zehentner requested authorization for the County Manager to execute the required "Right of Entry".

Supervisor Maynard made a motion to approve; second by Vice-Chairman Ruiz; motion carried unanimously.

APPROVAL OF SETTLEMENT WITH OWNERS OF LOPEZ PARCEL NO: 105-20-006A SANTA CRUZ COUNTY FLOOD CONTROL DISTRICT V. DELTA PROPERTIES ET AL. SANTA CRUZ COUNTY SUPERIOR COURT CASE NO. CV04-144: Attorney Ron Lehman stated that the County has resolved a case in principle, subject to the Board's approval, with the defendants Adelia Lopez, Delia Vidal, Estate of Mary E. Lopez and Nellie Castillo; the settlement calls for a payment of \$28,400 in the form of a stipulated judgment of eminent domain or condemnation; the money will be paid directly into the trust account of the attorney; due to a technical mistake in the County's appraiser's report, the settlement amount reflects a \$7,500 increase over the appraised amount.

Mr. Lehman recommended that the Board approve the settlement for \$28,400 subject to legal documentation to be prepared by his law firm.

Vice-Chairman Ruiz made a motion to approve as stipulated by Mr. Lehman; second by Supervisor Maynard; motion carried unanimously.

The Board adjourned as the Flood Control District Board; reconvened and adjourned the Regular Meeting at 10:25 a.m. (MR/JM; c.u.)

SPECIAL MEETING FLOOD CONTROL

The Flood Control District Board convened in a Special Meeting at the Santa Cruz County Complex, 2150 N. Congress Drive, Supervisors' Conference Room, Nogales, AZ. Present: Robert Damon, Chairman; John Maynard, Supervisor; Greg Lucero, County Manager; Holly Hawn, Attorney; Melinda Meek, Clerk of the Board. Vice-Chairman Ruiz not present. Also present: Dennis Miller, Ken Zehentner, Victor Gabilondo, Angie Pimienta.

PROJECT COOPERATION AGREEMENT-DEPARTMENT OF THE ARMY AND SANTA CRUZ COUNTY FLOOD CONTROL DISTRICT FOR CONSTRUCTION OF THE CHULA VISTA CHANNEL ELEMENT OF THE NOGALES WASH AND TRIBUTARIES, NOGALES, AZ PROJECT: Supervisor Maynard made a motion to approve the Project Cooperation Agreement between the U.S. Department of the Army and Santa Cruz County Flood Control District for construction of the Chula Vista Channel Element and authorize the Chairman of the Santa Cruz County Board of Supervisors to sign on behalf of the County and the people of Santa Cruz County; second by Chairman Damon; motion carried.

Chairman Damon expressed appreciation to all involved.

The Special Meeting adjourned at 3:10 p.m.

Melinda Meek
Clerk of the Board

Robert Damon
Chairman

Board of Supervisors
November 30, 2005
9:30 a.m.

The Board met in a Regular Meeting at the Santa Cruz County Complex, 2150 N. Congress Drive, Room #120, Nogales, AZ. Present: Robert Damon, Chairman; Manuel Ruiz, Vice-Chairman; John Maynard, Supervisor; Greg Lucero, County Manager; Mike Masee and Luis Parra, Deputy County Attorneys; Melinda Meek, Clerk of the Board. Also present: Jennifer St. John, Mary Dahl, Sheriff Estrada, Karl Moyers, Kathleen Vandervoet, Denny Hubbell, Carlton Allderdice, Gary Gay, David Parsons, Ruben F. Fuentes, Felipe Fuentes, Jr., Jerry Maldonado, Jose Arellano, Joe Sepulveda, Chery Toth, Katey Arion, Paula Schaper.

The Meeting was called to order and the Pledge of Allegiance was recited, led by Lt. Fuentes.

ADOPTION OF AGENDA: Vice-Chairman Ruiz made a motion to adopt the Agenda as posted and to deviate from Agenda sequence as necessary; second by Supervisor Maynard; motion carried unanimously.

CALL TO THE PUBLIC: None

REPORTS:

BOARD OF SUPERVISORS: Supervisor Maynard reported that he attended the Santa Cruz Valley Citizens Council Meeting yesterday in Tubac and expressed condolences to John Hays and family for their recent loss.

Vice-Chairman Ruiz announced that today is Attorney Mike Masee's, County Attorney's Office, last day employed with Santa Cruz County; the Board commended his work and wished him good luck working with Maricopa County.

MANAGER: None

FINANCE: Administrative Services Department Director, Jennifer St. John, reported \$10,342,803 in the General Fund, with \$9,250,654 invested; \$1,507,221 in the Road Fund, with \$1,127,706 invested; \$1,122,979 in the Flood Control District Fund, with \$742,068 invested; \$15,466,076 total for all

funds, with \$13,736,735 invested; \$10,962,803 estimated end of month balance, compared to \$8,319,082 cash at November 2004, a difference of \$2,643,721.

SHERIFF: Sheriff Estrada introduced Officer Jerry Maldonado who was recently promoted to the position of Sergeant.

Sheriff Estrada reported that the current jail population is 93, 87 males and 6 females; 20 inmates have been sentenced to the County jail and 10 to the AZ Department of Corrections; 87 have been charged with felonies and 6 with misdemeanors; 39 are undocumented aliens; 3 have been committed to the County jail on a daily basis. 56 persons were booked in during the past week.

ACTION ITEMS:

PURCHASE NEW VEHICLE FOR SOLID WASTE DIVISION: Solid Waste Department Manager, Karl Moyers, requested authorization to purchase a new pick-up truck per the specifications under state contract. Mr. Moyers stated that the Solid Waste Division turned in a 1995 Ford pick-up with approximately 282,000 miles; 3 engines have been replaced in the Ford over the last 4 years and it's time to replace another one; the proposal is to use the 1-ton Chevy that he is currently driving for hauling recyclables and purchase a ½-ton Chevy for him; \$60,000 was budgeted for an articulated dump truck this year, which is not needed at this time because of the purchase of a used AutoCar from ADOT at the end of the year that will assist in soil excavation and transportation

Vice-Chairman Ruiz made a motion to approve in the amount of \$25,905.40; second by Supervisor Maynard; motion carried unanimously.

REAPPOINTMENT TO BOARD OF ADJUSTMENT: Chairman Damon made a motion to reappointment Michael Dougherty to a 4-year term on the District 2 Board of Adjustment effective 12/8/05; second by Vice-Chairman Ruiz; motion carried unanimously.

TAX VALUATION ADJUSTMENTS #0380043-01-3 PUC – Echostar Staellite LLC, Resolution No: M20050900007; 8400112-01-9 PUC – Heredia Josephine or Tommy, Resolution No: T20040900015; 8400112-01-9 PUC – Heredia Josephine or Tommy, Resolution No: T20050900010; 7121925-01-0 PUC – Serrano Rodrigo or Maria, Resolution No: T20040900014; 7121925-01-0 PUC – Serrano Rodrigo or Maria, Resolution No: T20050900013; 8400104-01-6 PUC – Martinez Luis V Jr, Resolution No: T20050900011; 9800079-01-8 PUC – Lopez Dana Leann, Resolution No: T20050900012; 112-38-046-B-5 – Underwood James & Gail, Resolution No: S20050000065; 101-32-030-2 – Valencia Herminia, Resolution No: S20050000016; 106-42-018-2 – Lewis Jesse B, Resolution No: S20050000037; 115-13-355-2 – Von Vorstel Arabella, Resolution No: S20050000030; 124-03-054-5 – Moreno Armando & Maria D, Resolution No: S20050000036; 114-03-134-2 – Gutierrez Clara H, Resolution No: S20050000020; 105-20-136-0 – Bojorquez Armando R & Lorenia L JT, Resolution No: S20050000024; 115-09-134-6 – Soto Irma E, Resolution No: S20050000029; 114-01-100-6 – Yepiz Hector & Armida, Resolution No: S20050000017; 113-45-331-1 – Chamberlain Norbert & Margarita, Resolution No: S20050000055; 115-16-313-9 – Cordova Panfilo/Cordova Arturo/Molina Cristina, Resolution No: S20050000022; 101-45-057-A-8 – Estrella Robert M & Guadalupe G, Resolution No: S20050000038; 101-45-057-C-6 – Gonzalez Ruben & Isabel, Resolution No: S20050000041; 101-45-057-B-7 – Gonzalez Ruben & Isabel, Resolution No: S20050000039; 101-45-057-E-4 – Gonzalez Ruben & Isabel, Resolution No: S20050000040; 115-12-273-4 – Palau Carlos J & Frida Kramer, Resolution No: S20050000045; 106-44-044-3 – Tiffin Lawrence E & Angela D, Resolution No: S20050000047; 116-13-244-0 – Valenzuela Rafael & Guadalupe, Resolution No: S20050000048; 112-15-022-0 – Davis Family Revocable Trust, Davis Alan B & Virginia J TR, Resolution No: S20050000049; 125-01-147-3 – Ruvalcaba Hector M, Resolution No: S20050000050; 125-01-148-6 – Mammini Laverne, Resolution No: S20050000051; 101-32-035-7 – Valencia A Carlota, Resolution No: S20050000052; 102-01-035-R-3 – HGC/MW Development/Jaren Corporation, Resolution No: S20050000053; 102-01-035-S-2 – Mariposa Shopping Center LP, MMVE Alex Properties LLC, Mindo VIC LLC, Resolution No: S20050000054; 103-23-147-7 – Valenzuela Carmen, Resolution No: S20050000035; 105-20-224-2 – Leon Romero R & Lydia Yolanda, Resolution No: S20050000063; 105-20-194-8 – Dominguez Yolanda A, Resolution No: S20050000035; 101-43-082-5 – Perez Maria Julieta, Resolution No: S20050000033; 101-32-050-0 – Salazar Alma H/Heredia Socorro, Resolution No: S20050000027; 101-35-021-5 – Parra Bonifacio M, Resolution No: S20050000031; 113-37-007-B-6 – Peña Blanca Properties LLC, Resolution No: S20050000056; 103-23-297-9 – Medina Jose Martin & Rosa Maria, Resolution No: S20050000057; 109-47-037-B-1 – Jack W & Joyce F Cox REV LIV Trust, Cox Jack W & Joyce F Trustees, Resolution No: S20050000060; 109-47-037-A-2 – Jack W & Joyce F Cox REV LIV Trust, Cox Jack W & Joyce, Resolution No: S20050000059; 109-47-037-0 – Jack W & Joyce F Cox REC LIV Trust The, Cox Jack W & Joyce F Trustee, Resolution No: S20050000062; 101-42-048-4 – Velasco Luis F & Maria C, Resolution No: S20050000058; 132-03-070- 0 – Bejarano Frances A, Resolution No: S20050000023; 101-45-057-D-5 – Estrella Robert M & Guadalupe G, Resolution No: S20050000042; 103-23-002-9 – Vera Luis & Maria Jesus JT, Resolution No: S20050000025; 115-16-173-9 – Ton Q Elpidia, Resolution No: S20050000026; 102-19-005-0 – Ruiz Ignacio N/Renteria Olivia Etal, Resolution No: S20050000028; 103-23-231-7 – Gonzalez Julio & Guadalupe, Resolution No: S20050000032; 106-54-003-C-0 – Cota Maria/Tapia Ramon, Resolution No: S20050000010; 103-23-105-5 – Heredia Noriega H & Gloria, Resolution No: S20050000019; 105-20-035-0 – Lopez Ismael & Irma, Resolution No: S20050000018; 103-23-073-5 – Gomez Isabell Velasquez/Gomez Francisco Manuel, Resolution No: S20050000021; 115-03-039-6 – Hathaway Paul A & Earlene H Trustee, Hathaway Living Trust The, Resolution No: S20050000064; 106-27-069-7 – Puschner Susan E, Resolution No: S20050000013; 105-25-009-0 – Johnston Maria Olga, Resolution No: S20050000012; 103-23363-7 – Valles Brigida M, Resolution No: S20050000015; 115-09-313-9 – Peterson Paul & Florence M, Resolution No: S20050000044; 150-01-001-6 – Kino Springs Golf Course LLC, Resolution No: S20050000002; 112-45-012-8 – United States of America, Resolution No: S20050000006; 116-14-005-B-4 – Cordova Maria C, Resolution No: 20050000007; 101-25-208-A-2 – Peña Jose Luis & Carmen V, Velazquez Luz M , Resolution No: S20050000008 were approved as submitted by the County Assessor's Office. (JM/MR; c.u.)

BONDS FOR DUPLICATE WARRANTS #2-201007, payable to B.I.C.A.S., dated 9/7/05 in the amount of \$835, #2-203103 payable to Lelon Bley, dated 11/16/05 in the amount of \$109.32 and #2-

203028, payable to Maria Franco, dated 11/16/05 in the amount of \$75 were approved as submitted. (MR/JM; c.u.)

MONTHLY REPORT from the Building Department was approved as submitted. (JM/MR; .c.u.)

APPROVAL TO AUCTION OBSOLETE COUNTY VEHICLES AND EQUIPMENT: Vice-Chairman Ruiz made a motion to approve; second by Supervisor Maynard; motion carried unanimously.

The Board recessed the Regular Meeting to convene the Public Hearings published for 10:00 a.m. (MR/JM; c.u.)

PUBLIC HEARINGS

10:00 a.m.

FINAL PLAN FOR THE THREE CANYONS PLANNED AREA DEVELOPMENT (CASE NO. PAD-05-09: PARCEL NO. 110-42-001 PORTION): Community Development Department Director, Mary Dahl, stated that this Planned Area Development is situated on the West side of SR82, North of the Town of Patagonia, and is a part of the Three Canyons Subdivision; it encompasses 267 total acres with a total of 60 residential lots ranging in size from .6 acres to almost 28 acres; the average lot size is 4.44 acres consistent with both the underlying zoning district (GR) and the Comprehensive Plan designation (Ranch); private internal roadways are proposed to be built with 10-foot lanes that are designed to reduce the amount of required grading and cutting; it will be served by a constructive wetlands wastewater system and it is proposed to be served by a domestic water system that would be operated by a domestic water improvement district; the Planning & Zoning Commission recommended favorable consideration of the planned area development with conditions as listed in the staff report.

PUBLIC COMMENT:

Reed Menke, Patagonia resident, asked about the water considerations for the area; Ms. Dahl responded that this project is not situated in the Santa Cruz Active Management Area and therefore, not required to obtain a 100-year assured water supply; prior to recording the plat, the applicants are required to submit an application for water adequacy, which has already been done; the AZ Department of Water Resources will review the water adequacy report and will issue a water adequacy report indicating adequacy or inadequacy; preliminary indications from the AZ Department of Water Resources are that the report does demonstrate water adequacy; although not required to do so by law, the County will not record the plat until the water adequacy report has been received from the AZ Department of Water Resources.

FINAL PLAT FOR THREE CANYONS, A 189 LOT RESIDENTIAL SUBDIVISION:

Community Development Department Director, Mary Dahl, reported that this project is proposed to be developed in 4 phases, the 3rd phase will be the planned area development; all internal roads will be private and will be maintained by the homeowners association with a small portion of public road to be built on Stephens Canyon Road; the Planning & Zoning Commission approved the tentative plat in July with approximately 7 conditions; the conditions set by the Commission have been met with the submission of the final plat and improvement plans.

PUBLIC COMMENT: None

The Board adjourned the Public Hearings and reconvened the Regular Meeting. (JM/MR; c.u.)

ACTION ITEMS CONTINUED:

LAND DEVELOPMENT AGREEMENT AND ASSURANCE AGREEMENT FOR CONSTRUCTION OF SUBDIVISION IMPROVEMENTS FOR THREE CANYONS, LOT 1-189 AND COMMON AREA "A" (CASE #SUB-05-08): Supervisor Maynard made a motion to approve the Land Development Agreement and Third Party Trust Agreement with Patagonia Property Partnership III and VIII, both LLLPs, Lawyer Title Company of Arizona and the Three Canyons Domestic Water Improvement District for Three Canyons, Lots 1-189, a residential subdivision (Case #05-08); second by Vice-Chairman Ruiz; motion carried unanimously.

FINAL PLAN FOR THE THREE CANYONS PLANNED AREA DEVELOPMENT IN PORTIONS OF SECTIONS 17, 20, 21, 29, 30 & 32, TOWNSHIP 21 SOUTH, RANGE 16 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, SANTA CRUZ COUNTY, ARIZONA (CASE NO. PAD-05-09: PARCEL NO. 110-42-001 PORTION): Supervisor Maynard made a motion to approve the Final Plan documents for the Three Canyons Planned Area Development (Case No. PAD-05-09) as recommended by the Planning Commission; second by Vice-Chairman Ruiz; motion carried unanimously.

FINAL PLAT FOR THREE CANYONS, A 189 LOT RESIDENTIAL SUBDIVISION SITUATED IN A PORTION OF SECTIONS 17, 20, 21, 29, 30 & 32, TOWNSHIP 21 SOUTH, RANGE 16 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, SANTA CRUZ COUNTY, ARIZONA (CASE #SUB-05-08-PARCEL NO. 110-42-001 PORTION): Supervisor Maynard made a motion to approve the Final Plat for Three Canyons Subdivision, Lots 1-189 and Common Area A, a residential development (Case #SUB-05-08) and authorize the Chairman and Clerk to sign and that the Plat not be recorded until receipt of the water adequacy report; second by Vice-Chairman Ruiz; motion carried unanimously.

Meeting adjourned at 10:20 a.m.

Melinda Meek
Clerk of the Board

Robert Damon
Chairman