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BOARD OF SUPERVISORS
P.O. BOX 908
253 5TH STREET
CLIFTON, AZ 85533

DAVID GOMEZ
District 1

RON CAMPBELL
District 2

RICHARD LUNT
District 3

MEETING NOTICE and AGENDA

**Pursuant to Arizona Revised Statutes §38-431, et. seq.
and amendments thereto, the
GREENLEE COUNTY BOARD OF SUPERVISORS
also sitting as Board of Directors for
GREENLEE COUNTY PUBLIC HEALTH SERVICES DISTRICT
and
GREENLEE COUNTY FLOOD CONTROL DISTRICT
hereby gives notice that a
Regular Meeting
will be held on Wednesday, September 6, 2023 – 8:00 a.m.**

Audio/Visual Streaming of this meeting may be found at:

<https://www.youtube.com/@GreenleeCountyAZ>

**Board of Supervisors Meeting Room, 2nd floor Courthouse Annex, 253 5th Street,
Clifton, Arizona**

Current Total Spent to Date on Sheriff's Lawsuit: \$183,822.89

AGENDA AND MINUTES

In attendance: Board of Supervisors members: Richard Lunt, Chairman, David Gomez, Member (Via Telephonic), and Ron Campbell, Member. Also present were Gary Griffith, County Attorney, Derek Rapier, County Administrator, Austin Adams, HR Director, and Bianca Castañeda, Clerk of the Board

1.) Call to Order

Chairman Richard Lunt called the meeting to order at 8:00 a.m.

A. Pledge of Allegiance

Supervisor Gomez led those present in the pledge.

B. Call to the Public

No responses to call to the public.

- 2.) **PUBLIC HEALTH SERVICES DISTRICT – the Board of Supervisors will convene as the Board of Directors of the Greenlee County Public Health Services District and will reconvene as the Board of Supervisors following consideration of these items:**
- A. Consent Agenda**
- 1. Clerk of the Board: Consideration of approval of Public Health Services District expense warrants in excess of \$1,000.00**

Upon motion by Supervisor Campbell, seconded by Supervisor Gomez, and carried unanimously, the Board approved the Public Health Services District Consent Agenda as presented.

- 3.) **FLOOD CONTROL DISTRICT – the Board of Supervisors will convene as the Board of Directors of the Greenlee County Flood Control District and will reconvene as the Board of Supervisors following consideration of these items:**
- A. Consent Agenda**
- 1. Clerk of the Board: Consideration of approval of Flood Control District expense warrants in excess of \$1,000.00**

Upon motion by Supervisor Campbell, seconded by Supervisor Gomez and carried unanimously, the Board approved the Flood Control District Consent Agenda as presented.

- 4.) **PUBLIC HEARING – Request by Michael Strain to change the zoning district of Parcel Number 300-54-064A from RU-36 (rural, minimum lot area 36 acres) to MH-18 (mobile home, recreational vehicle parks, minimum lot area 1,800 sq. ft.)**

Upon motion by Supervisor Campbell, seconded by Supervisor Gomez and carried unanimously, the Board approved to go into Public Hearing.

The board reconvened as the Board of Supervisors

- 5.) **Haiden LaFoy, Planning and Zoning Planner**
- A. Discussion/Action for approval requested by Michael Strain to change the zoning district of Parcel Number 300-54-064A from RU-36 (rural, minimum lot area 36 acres) to MH-18 (mobile home, recreational vehicle parks, minimum lot area 1,800 sq. ft.)**

Ms. LaFoy explained where Mr. Strain would like to put the recreational vehicle park, it was tabled at the original P&Z meeting and was brought back to the commission and was approved unanimously with no issue and with some input from the public.

Upon motion by Supervisor Campbell, seconded by Supervisor Gomez and

carried unanimously, the Board approved the request as presented.

- 6.) PUBLIC HEARING - Request by Paul and Audrey Flores to change the zoning district of Parcel Number 300-13-065 from TR-18 (transitional, minimum lot area 18,000 sq. ft.) to MH-18 (mobile home, recreational vehicle parks, minimum lot area 1,800 sq. ft.)**

Upon motion by Supervisor Campbell, seconded by Supervisor Gomez and carried unanimously, the Board approved to go into Public Hearing.

The board reconvened as the Board of Supervisors.

- 7.) Haiden LaFoy, Planning and Zoning Planner**
A. Discussion/Action for approval requested by Paul and Audrey Flores to change the zoning district of Parcel Number 300-13-065 from TR-18 (transitional, minimum lot area 18,000 sq. ft.) to MH-18 (mobile home, recreational vehicle parks, minimum lot area 1,800 sq. ft.).

Ms. LaFoy stated no issues, it was unanimous approval from the commission to move forward with it.

Upon motion by Supervisor Campbell, seconded by Supervisor Gomez and carried unanimously, the Board approved the request as presented.

- 8.) PUBLIC HEARING - Request by Darrell and America Holliday to change the zoning district of Parcel Number 300-89-010 from TR-18 (transitional, minimum lot area 18,000 sq. ft.) to MH-18 (mobile home, recreational vehicle parks, minimum lot area 1,800 sq. ft.)**

Upon motion by Supervisor Campbell, seconded by Supervisor Gomez and carried unanimously, the Board approved to go into Public Hearing.

The board reconvened as the Board of Supervisors.

- 9.) Haiden LaFoy, Planning and Zoning Planner**
A. Discussion/Action for approval requested by Darrell and America Holliday to change the zoning district of Parcel Number 300-89-010 from TR-18 (transitional, minimum lot area 18,000 sq. ft.) to MH-18 (mobile home, recreational vehicle parks, minimum lot area 1,800 sq. ft.)

Ms. LaFoy stated no issues and no input from the public, the commission approved unanimously to move forward.

Upon motion by Supervisor Campbell, seconded by Supervisor Gomez and carried unanimously, the Board approved the request as presented.

10.) PUBLIC HEARING - Request by Lanora Lawrence to change the zoning district of Parcel Number 300-57-092A from RU-36 (rural, minimum lot area 36 acres) to TR-36 (transitional, minimum lot area 36,000 sq. ft.)

Upon motion by Supervisor Campbell, seconded by Supervisor Gomez and carried unanimously, the Board approved to go into Public Hearing.

The board reconvened as the Board of Supervisors.

**11.) Haiden LaFoy, Planning and Zoning Planner
A. Discussion/Action requested by Lanora Lawrence to change the zoning district of Parcel Number 300-57-092A from RU-36 (rural, minimum lot area 36 acres) to TR-36 (transitional, minimum lot area 36,000 sq. ft.)**

Ms. LaFoy, stated no public input and no issues. The commission unanimously approved the request and recommended to the Board of Supervisors.

Upon motion by Supervisor Campbell, seconded by Supervisor Gomez and carried unanimously, the Board approved the request as presented.

12.) PUBLIC HEARING - Request by The Hardcastle Trust to change the zoning district of Parcel Number 300-82-028 from SR-12 (single household, minimum lot area 1,200 sq. ft) to GB (general business, minimum lot area 6,000 sq. ft.)

Upon motion by Supervisor Campbell, seconded by Supervisor Gomez and carried unanimously, the Board approved to go into Public Hearing.

Paul Mikelonis, Planning and Zoning Commission responded and stated Loma Linda subdivision has been approved over the years by the county is to be a residential district completely, any such changes to that has to be approved by majority of the landowners. He stated at the P&Z meeting the commission rejected the request.

The board reconvened as the Board of Supervisors.

**13.) Haiden LaFoy, Planning and Zoning Planner
A. Discussion/Action for approval requested by The Hardcastle Trust to change the zoning district of Parcel Number 300-82-028 from SR-12 (single household, minimum lot area 1,200 sq. ft) to GB (general business, minimum lot area 6,000 sq. ft.)**

Ms. LaFoy stated after research and discovering there is a covenant on the land to remain residential, the commission cannot change a covenant that goes with the land by a zoning change. The commission denied the request.

Upon motion by Supervisor Campbell, seconded by Supervisor Gomez and carried unanimously, the Board denied the approval of request as presented.

- 14.) PUBLIC HEARING – Requested by The Hardcastle Trust to change the zoning district of Parcel Number 300-82-019 from SR-12 (single household, minimum lot area 1,200 sq. ft) to GB (general business, minimum lot area 6,000 sq. ft.).**

Upon motion by Supervisor Campbell, seconded by Supervisor Gomez and carried unanimously, the Board approved to go into Public Hearing.

Paul Mikelonis, Planning and Zoning Commission responded and responded the same, that Loma Linda subdivision has been approved over the years by the county is to be a residential district completely, any such changes to that has to be approved by majority of the landowners. He stated, at the P&Z meeting the commission rejected the request.

The board reconvened as the Board of Supervisors.

- 15.) Haiden LaFoy, Planning and Zoning Planner**
A. Discussion/Action for approval requested by The Hardcastle Trust to change the zoning district of Parcel Number 300-82-019 from SR-12 (single household, minimum lot area 1,200 sq. ft) to GB (general business, minimum lot area 6,000 sq. ft.)

Ms. LaFoy stated the parcel is in the same area as the previous item, and is also subject to the land covenant, the commission denied the approval.

Upon motion by Supervisor Campbell, seconded by Supervisor Gomez and carried unanimously, the Board denied the approval of request as presented.

- 16.) PUBLIC HEARING - A request by Deserae Daniels to change the zoning district of Parcel Number 300-82-029 from SR-12 (single household, minimum lot area 1,200 sq. ft) to GB (general business, minimum lot area 6,000 sq. ft.).**

Upon motion by Supervisor Campbell, seconded by Supervisor Gomez and carried unanimously, the Board approved to go into Public Hearing.

Paul Mikelonis, Planning and Zoning Commission responded and responded the same, that Loma Linda subdivision has been approved over the years by the county is to be a residential district completely, any such changes to that has to be approved by majority of the landowners. He stated, at the P&Z meeting the commission rejected the request.

The board reconvened as the Board of Supervisors.

- 17.) Haiden LaFoy, Planning and Zoning Planner**
A. Discussion/Action for approval requested by Deserae Daniels to change the zoning district of Parcel Number 300-82-029 from SR-12 (single household, minimum lot area 1,200 sq. ft) to GB (general business, minimum lot area 6,000 sq. ft.).

Ms. LaFoy stated this is the last parcel in line of the two previous parcels in the same subdivision and subject to the same covenant. The commission denied the request.

Upon motion by Supervisor Campbell, seconded by Supervisor Gomez and carried unanimously, the Board denied the approval of request as presented.

- 18.) Derek Rapier, County Administrator and Bianca Castañeda, Clerk of the Board**
A. Calendar and Events

Calendar and events were discussed.

- 19.) Consent Agenda**
A. Clerk of the Board: Consideration of approval of minutes to previous meetings:7/26/2023
B. Clerk of the Board: Consideration of approval of expense warrants in excess of \$1,000.00 – Voucher 7005
C. Emergency Management: Consideration of approval regarding permit agreement issued by the US Department of Agriculture Forest Service, needed for Greenlee County's communication site on Rose Peak.
D. Fair and Racing: Consideration of approval of Carnival Contract for 2023 Greenlee County Fair
E. Fair and Racing: Consideration of approval of Slash M Rodeo Stock Contract for 2023 Greenlee County Fair
F. Fair and Racing: Consideration of approval of Announcing Contract for 2023 Greenlee County Fair
G. Fair and Racing: Consideration of approval of Grand Canyon Pro Rodeo Association Sanction Agreement
H. Fair and Racing: Consideration of approval of Entertainment Provisional Contract for 2023 Greenlee County Fair
I. Fair and Racing: Consideration of approval of Entertainment Juggling Proposal for 2023 Greenlee County Fair
J. Fair and Racing: Consideration of approval of Audio Contract for 2023 Greenlee County Fair

K. Public Works Facilities: Consideration of approval of employee transaction form: J. Maher, Tech II. Corrected Employee Transaction Forms: J. Garcia, Tech II; M. Zamora, Tech II.

L. Sheriff: Consideration of approval of employee transaction form: S. Chavarria, Dispatcher, P.T.; B. Mortensen, Dispatcher

Upon motion by Supervisor Campbell, seconded by Supervisor Gomez and carried unanimously, the Board approved the Consent Agenda as presented.

20.) Supervisor Reports (Pursuant to A.R.S. §38-431.02(K), individual supervisors may present brief summaries of current events, but no discussion may occur, and no action may be taken regarding anything that is presented)

Supervisor Campbell discussed the visit of Congressman Juan Ciscomani to Greenlee County, Freeport McMoRan requested the county to host his visit. Great visit and great round table discussion attendees were both towns, school boards and Farm Bureau and Cattle Growers.

Supervisor Gomez also discussed the Congressman's visit, great discussion regarding housing.

Chairman Lunt attended a meeting with State Senator and discussed items coming up for next legislative session.

21.) EXECUTIVE SESSION - pursuant to Arizona Revised Statutes §38-431.03(A)(3) for discussion or consultation for legal advice with the Greenlee County Attorney in the matter of Southwest Gas Corporation v. Arizona Department of Revenue and Counties of Cochise, Gila, Graham, Greenlee, etc.

Upon motion by Supervisor Campbell, seconded by Supervisor Gomez and carried unanimously, the Board approved to adjourn into Executive Session

The Board reconvened as the Board of Supervisors

**22.) Gary Griffith, County Attorney
A. Discussion/Action regarding the lawsuit between Southwest Gas Corporation v. Arizona Department of Revenue and Counties of Cochise, Gila, Graham, Greenlee, etc.**

Mr. Griffith explained the offer of judgement needs to be accepted or denied by the 11th. His recommendation is that the board accept it.

Upon motion by Supervisor Campbell, seconded by Supervisor Gomez and carried unanimously, the Board approved to accept the offer of judgement as

presented.

23.) Adjournment

There being no further business to come before the Board of Supervisors, the meeting was adjourned at 9:35 a.m.

APPROVED: /s/ Richard Lunt, Chairman

ATTEST: /s/ Bianca Castañeda, Clerk of the Board

All agenda items are for discussion and/or action as deemed necessary. The Board reserves the right to consider any matter out of order. The Board may retire into Executive Session for any of the purposes that are allowed by law, including but not limited to legal advice and/or personnel matters; as authorized by A.R.S. §38-431.et.seq. Persons with a disability may request accommodation for special assistance by contacting Bianca Castañeda at 928-865-2072 (TDD 928-865-2632). Requests should be made as soon as possible to allow time for arrangement of the accommodation.