

DEREK RAPIER
County Administrator
(928) 865-2072

FACSIMILE (928) 865-9332



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, November 3, 2021 – 8:00 a.m.

Zoom Video Conferencing. To join the meeting enter the following URL into your
browser:

Join Zoom Meeting

**[https://us02web.zoom.us/j/84973216478?pwd=WXdwNmtzYTgxYkJKJ4bFJsd0FkUTA
vZz09](https://us02web.zoom.us/j/84973216478?pwd=WXdwNmtzYTgxYkJKJ4bFJsd0FkUTA
vZz09)**

Meeting ID: 849 7321 6478

Passcode: 856446

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

AGENDA AND MINUTES

**In attendance: Board of Supervisors members: Richard Lunt, Chairman, David Gomez
Member and Ron Campbell, Member. Also present were Jeremy Ford County Attorney;
Derek Rapier, County Administrator, Austin Adams, Deputy County Administrator and
Bianca Figueroa, Deputy 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

Jeremy Ford, County Attorney responded to Call to the Public to introduce Scott Adams, his new Chief Deputy.

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

- 3.) **PUBLIC HEARING – Consideration of request by Vanessa Helms to change the zoning district of Parcel Number 300-70-002J from RU-36 (rural, minimum lot area 36 acres) to RU-2 (rural, minimum lot are 2 acres)**

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

Mr. Ford explained the publication issue regarding these items from last meeting's agenda and stated the Planning & Zoning statutory ratification process was followed exactly. There were no comments from the public.

The Board reconvened as the Board of Supervisors

- 4.) **Discussion/Action regarding request by Vanessa Helms to change the zoning district of Parcel Number 300-70-002J from RU-36 (rural, minimum lot area 36 acres) to RU-2 (rural, minimum lot are 2 acres)**

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

- 5.) **PUBLIC HEARING - Consideration of request by Daniel & Kaylee Rodriguez to change the zoning district of Parcel Number 400-67-004B from RU-36 (rural, minimum lot area 36 acres) to RU-2 (rural, minimum lot area 2 acres)**

Upon motion by Supervisor Campbell, seconded by Supervisor Gomez, and carried unanimously, the Board approved to go into Public Hearing. There were no comments from the public.

The Board reconvened as the Board of Supervisors.

- 6.) **Discussion/Action regarding request by Daniel & Kaylee Rodriguez to change the zoning district of Parcel Number 400-67-004B from RU-36 (rural, minimum lot area 36 acres) to RU-2 (rural, minimum lot area 2 acres)**

Mr. Larson stated the action was supported by his office and passed unanimously by the commission board.

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

- 7.) **PUBLIC HEARING – Consideration of request by Armand & Brianna Morales to change the zoning district of Parcel Number 300-13-039A from TR-18 (transitional district, minimum lot area 18,000 square feet) to MR-A (multiple household residential)**

Upon motion by Supervisor Gomez, seconded by Supervisor Campbell, and carried unanimously, the Board approved to go into Public Hearing. There were no comments from the public.

The board reconvened as the Board of Supervisors

- 8.) **Discussion/Action regarding request by Armand & Brianna Morales to change the zoning district of Parcel Number 300-13-039A from TR-18 (transitional district, minimum lot area 18,000 square feet) to MR-A (multiple household residential)**

Mr. Larson stated his office was in favor and the commission board also in favor unanimously.

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

- 9.) **PUBLIC HEARING – Consideration of request by Michael and Paula Sweetser to change the zoning district of Parcel Number 500-01-081C from RU-36 (rural, minimum lot area 36 acres) to RU-2 (rural, minimum lot area 2 acres)**

Upon motion by Supervisor Campbell, seconded by Supervisor Gomez, and carried unanimously, the Board approved to go into Public Hearing. There were no comments from the public.

The Board reconvened as the Board of Supervisors

- 10.) Discussion/Action regarding request by Michael and Paula Sweetser to change the zoning district of Parcel Number 500-01-081C from RU-36 (rural, minimum lot area 36 acres) to RU-2 (rural, minimum lot area 2 acres)**

Mr. Larson stated non-controversial, his office recommended this request to commission which voted in favor unanimously.

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

- 11.) PUBLIC HEARING - Consideration of request by Kolby and Kelsey Hough to change the zoning district of Parcel Number 500-01-081B from RU-36 (rural, minimum lot area 36 acres) to RU-2 (rural, minimum lot area 2 acres)**

Upon motion by Supervisor Gomez, seconded by Supervisor Campbell, and carried unanimously, the Board approved to go into Public Hearing. There were no comments from the public.

The Board reconvened as the Board of Supervisors

- 12.) Discussion/Action regarding request by Kolby and Kelsey Hough to change the zoning district of Parcel Number 500-01-081B from RU-36 (rural, minimum lot area 36 acres) to RU-2 (rural, minimum lot area 2 acres)**

Mr. Larson stated the action was supported by his office and passed unanimously by the commission board.

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

- 13.) PUBLIC HEARING – Consideration of requested action to consider a request by Kolby and Kelsey Hough to change the zoning district of Parcel Number 500-01-081D from RU-36 (rural, minimum lot area 36 acres) to RU-2 (rural, minimum lot area 2 acres)**

Upon motion by Supervisor Gomez, seconded by Supervisor Campbell, and carried unanimously, the Board approved to go into Public Hearing. There were no comments from the public.

The Board reconvened as the Board of Supervisors

- 14.) Discussion/Action regarding requested action to consider a request by Kolby and Kelsey Hough to change the zoning district of Parcel Number 500-01-081D from RU-36 (rural, minimum lot area 36 acres) to RU-2 (rural, minimum lot area 2 acres)**

Mr. Larson stated his office was in favor and commission voted unanimously in favor without any discussion.

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

15.) PUBLIC HEARING – Consideration of request by William Sweetser to change the zoning district of Parcel Number 500-01-081E from RU-36 (rural, minimum lot area 36 acres) to RU-2 (rural, minimum lot area 2 acres)

Upon motion by Supervisor Campbell, seconded by Supervisor Gomez, and carried unanimously, the Board approved to go into Public Hearing. There were no comments from the public.

The board reconvened as the Board of Supervisors

16.) Discussion/Action regarding request by William Sweetser to change the zoning district of Parcel Number 500-01-081E from RU-36 (rural, minimum lot area 36 acres) to RU-2 (rural, minimum lot area 2 acres)

Mr. Larson stated the commission voted in favor unanimously.

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

17.) PUBLIC HEARING – Consideration of request by JLK Real Estate Investment Corporation to change the zoning district of Parcel Numbers 500-01-107, 500-01-095 and 400-18-015 from RU-36 (rural, minimum lot area 36 acres) to RU-2 (rural, minimum lot area 2 acres)

Upon motion by Supervisor Gomez, seconded by Supervisor Campbell, and carried unanimously, the Board approved to go into Public Hearing. There were no comments from the public.

The board reconvened as the Board of Supervisors

18.) Discussion/Action regarding request by JLK Real Estate Investment Corporation to change the zoning district of Parcel Numbers 500-01-107, 500-01-095 and 400-18-015 from RU-36 (rural, minimum lot area 36 acres) to RU-2 (rural, minimum lot area 2 acres)

Mr. Larson stated a letter was received asking for conditions to be placed on the approval of the zoning change. The Planning & Zoning commission considered the letter and after a short discussion concluded that requested the conditions were inappropriate. The commission unanimously recommended the request.

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

- 19.) **PUBLIC HEARING – Consideration of request by Jesse Stillman to change the zoning district of Parcel Numbers 500-26-001F and 500 26-007E from RU-36 (rural, minimum lot area 36 acres) to SR-43 (single household residential, minimum lot area 43,560 square ft)**

Upon motion by Supervisor Gomez, seconded by Supervisor Campbell, and carried unanimously, the Board approved to go into Public Hearing. There were no comments from the public.

The board reconvened as the Board of Supervisors

- 20.) **Discussion/Action regarding request by Jesse Stillman to change the zoning district of Parcel Numbers 500-26-001F and 500 26-007E from RU-36 (rural, minimum lot area 36 acres) to SR-43 (single household residential, minimum lot area 43,560 square ft)**

Mr. Larson stated Chairman Stillman recused himself from the discussion and voting on this item, the remaining commission board members voted unanimously.

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

- 21.) **PUBLIC HEARING – Consideration of request by Kyle Gibbs to change the zoning district of Parcel Numbers 500-26-001K, 500-26-001J and 500-26-001I from RU-36 (rural, minimum lot area 36 acres) to SR-43 (single-household residential, minimum lot area 43,560 square ft)**

Upon motion by Supervisor Campbell, seconded by Supervisor Gomez, and carried unanimously, the Board approved to go into Public Hearing. There were no comments from the public.

The board reconvened as the Board of Supervisors

- 22.) **Discussion/Action regarding request by Kyle Gibbs to change the zoning district of Parcel Numbers 500-26-001K, 500-26-001J and 500-26-001I from RU-36 (rural, minimum lot area 36 acres) to SR-43 (single-household residential, minimum lot area 43,560 square ft)**

Mr. Larson stated Chairman Stillman also recused himself entirely from this item, due to a land exchange between Mr. Stillman and Mr. Gibbs. The remaining commission members voted in favor unanimously .

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

- 23.) PUBLIC HEARING – Consideration of request by Bobby and Amalia Kuykendall for a variance to reduce the required minimum front yard for the purpose of installing a parking structure at 709 Hackberry Drive, Clifton, AZ. Parcel Number 300-87-108**

Upon motion by Supervisor Gomez seconded by Supervisor Campbell, and carried unanimously, the Board approved to go into Public Hearing. There were no comments from the public.

The board reconvened as the Board of Supervisors

- 24.) Discussion/Action regarding request by Bobby and Amalia Kuykendall for a variance to reduce the required minimum front yard for the purpose of installing a parking structure at 709 Hackberry Drive, Clifton, AZ. Parcel Number 300-87-108**

Mr. Larson stated the commission sets a high standard to get a variance approved but in this case that standard was met and the commission unanimously voted with a positive recommendation.

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

- 25.) PUBLIC HEARING – Consideration of request by Thomas Powers to change the zoning district of portions of Parcel Number 300-57-001A from RU-36 (rural, minimum lot area 36 acres) to SR-12 (single household residential, minimum lot area 12,000 square feet). The owner of Parcel Number 300-57-001A is Greenlee County Development Corporation**

Upon motion by Supervisor Gomez, seconded by Supervisor Campbell, and carried unanimously, the Board approved to go into Public Hearing. Thomas Powers addressed the Board on this and the next zoning change request which were both requested by Mr. Powers. Mr. Powers gave his thanks and appreciation to the Engineer department and the Planning & Zoning Commission. There were no other comments from the public.

The board reconvened as the Board of Supervisors

- 26.) Discussion/Action regarding request by Thomas Powers to change the zoning district of portions of Parcel Number 300-57-001A from RU-36 (rural, minimum lot area 36 acres) to SR-12 (single household residential,**

minimum lot area 12,000 square feet). The owner of Parcel Number 300-57-001A is Greenlee County Development Corporation

Mr. Larson stated that there was not too much discussion with the commission as they've been aware of this item for some time. He stated the commission was gave a positive recommendation for approval of the requested change. Mr. Larson presented to the board a map of the parcel.

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

27.) PUBLIC HEARING – Consideration of request by Thomas Powers to change the zoning district of a portion of Parcel Number 300-55-017A from RU-36 (rural, minimum lot area 36 acres) to SR-12 (single household residential, minimum lot area 12,000 square feet). The owner of Parcel Number 300-57-001A is Greenlee County Development Corporation

Upon motion by Supervisor Gomez, seconded by Supervisor Campbell, and carried unanimously, the Board approved to go into Public Hearing. Other than as noted on item #25 above, there were no other comments from the public.

The board reconvened as the Board of Supervisors

28.) Discussion/Action regarding request by Thomas Powers to change the zoning district of a portion of Parcel Number 300-55-017A from RU-36 (rural, minimum lot area 36 acres) to SR-12 (single household residential, minimum lot area 12,000 square feet). The owner of Parcel Number 300-57-001A is Greenlee County Development Corporation.

Mr. Larson stated the commission vote was unanimous with a positive recommendation.

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

**29.) Tim Sumner, County Sheriff
A. Discussion/Action to approve the purchase of excess vacation hours for Detention Officers prior to the end of the calendar year.**

Mr. Attaway, Jail Commander spoke on this item. He stated detention officers have accrued excess hours to help cover shift coverages due to several vacancies and would like to use the funds the vacancies have saved. This excess accrual of vacation hours is due to staffing shortages and not due to employees not taking accrued annual leave.

County Administrator, Derek Rapier, addressed the Board's questions on the policy and financial implications of this decision. He recommends that the Board should not adopt a policy of simply buying out unused vacation hours. Vacation is a necessary benefit to help employees be better prepared to work when they are scheduled. However, because it is a temporary situation and since in this case it was the department, not the employee, that caused the vacation hours to not be used, he recommends paying out the accrued vacation hours. The financial impact will be less than \$5,000 and likely closer to \$3,600.

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

30.) Derek Rapier, County Administrator
A. Discussion/Action - Review of latest Arizona Independent Redistricting Commission Draft Maps and possible submission of comments

Mr. Rapier explained redistricting at the state level is conducted by the Independent Redistricting Commission (IRC). He explained where the IRC is in the process and the criteria that they have considered included equal population, existing jurisdictions, communities of interest, using existing geographic features, and district competitiveness. He discussed all the proposed shifting that could happen and in which proposed districts Greenlee County will likely be in. Mr. Rapier presented to the board the congressional and legislative maps the IRC adopted. The board gave Mr. Rapier direction to prepare comments on behalf of the Board for submission to the IRC.

31.) Derek Rapier, County Administrator
A. County and State budget and legislative issues

Mr. Rapier discussed Becky Nutt's resignation; he explained the process for appointing a representative to fill that vacancy. He also discussed the uncertainty surrounding which county would make the appointment. He noted that after clarifying Ms. Nutt's residency, the Secretary of State notified Cochise County that they would need to make the appointment, rather than Greenlee County. He further explained the process for filling the vacancy.

B. Calendar and Events

Calendar and events were discussed.

32.) Consent Agenda
A. Clerk of the Board: Consideration of approval of minutes to previous meetings: 10-19-2021
B. Clerk of the Board: Consideration of approval of expense warrants in excess of \$1,000.00 – Voucher 5011

- C. Emergency Management: Consideration of approval and adoption Resolution No. 21-10-01 regarding the 2021 Greenlee County Multi-Jurisdictional Multi-Hazard Mitigation Plan**
- D. Sheriff: Consideration of approval for Employee Transaction form: L. Reynolds, Dispatcher**
- E. Sheriff: Consideration of approval to sign Governor's Office of Highway Safety Contract 2022-PTS-032.**

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

- 33.) 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 Gomez made comments on the busy week, he gave kudos to Erica Gonzalez from the Economic Development Department. He stated she put together a week's worth of work in two days. The group which consisted of representatives from NALCAB, Greenlee County Technical Assistant, SEAGO Program Manager and Economic Coordinator from SEAGO, Tierra Del Sol, Freeport McMoRan, Eastern Arizona College, toured the Town of Duncan, Town Hall, the South Annex and other places to possibly build homes and the FMI mine site. The round table discussion focused on housing and was a great dialogue. Chairman Lunt and Derek Rapier attended part of the activities and all three Supervisors were able to attend the Hispanic Chamber of Commerce mixer in the evening. Supervisor Gomez expressed his deep appreciation to all who made the event so successful.

Supervisor Campbell attended the International Mixer for the Hispanic Chamber of Commerce, he stated Ms. Gonzalez did a great job putting the event together, well attended and great event. He also attended the Mexica Wolf executive meeting, he stated there was a lot of conversation regarding the recovery plan litigation that will have an impact on the program and ECO will prepare comments on that.

Chairman Richard Lunt expressed his appreciation for Mr. Rapier preparing for the possible appointment for Becky Nutt's vacancy. Chairman Lunt stated he met with Representative Gail Griffin and discussed the legislation that will be proposed, the out of County Tuition. He stated she committed to help get the bill through the legislature. Chairman Lunt explained the legislative process and how this legislation will help county taxpayers. He also discussed redistricting, water issues, and new legislators. Chairmen Lunt joined the Western Interstate Region meeting call where they discussed the Arizona Recovery Plan Act.

- 34.) Adjournment**

There being no further business to come before the Board of Supervisors, the meeting was adjourned at 9:58 a.m.

APPROVED: /s/ Richard Lunt, Chairman

ATTEST: /s/ Bianca Figueroa
Deputy 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 Figueroa at 928-865-2072 (TDD 928-865-2632). Requests should be made as soon as possible to allow time for arrangement of the accommodation.