



PINAL COUNTY
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MINUTES OF REGULAR MEETING OF THE PINAL COUNTY TRANSPORTATION ADVISORY COMMITTEE (TAC)

Tuesday, September 22, 2015 at 2:30 p.m.

Ironwood Room (Northeast Multipurpose Room) No. 101
Pinal County Administrative Complex (1891 Historic Courthouse)
135 N. Pinal Street
Florence, AZ 85132

No.	Item	Attachment	Motion	Second	P/F/T
1.	Call to Order	None	None	None	None
	Chair Kevin Louis called the meeting to order at 2:30 p.m.				
2.	Roll Call	None	None	None	None
	Members present: Vice-Chair Maxine Brown, Members Gordon Brown, Jim Fabris, David Garcia, and Ted Hawkins, Chair Kevin Louis, and Members Paul Prechel and Tom Snider Members excused: Members Giao Pham and Harold Vangilder				
3.	Welcome & Introductions	None	None	None	None
	County staff present: Scott Bender, Kathy Borquez, Doug Hansen, Jim Higginbotham, John Kraft, Mark Langlitz, Joe Ortiz, Celeste Pemberton, and Angeline To				
4.	Call to the Public	Yes	None	None	None
	Chair Louis opened the call to the public and Kathy Borquez announced that Jim Boie requested to address the committee. Mr. Boie resides in District 4 and submitted a transportation project request to build up 1-mile of Amber Sunrise Drive in the Missile Base area. He stated that the road improvements would benefit approximately 50 homeowners and provide access to Cattle Tank Road which is already programmed for improvements on the 5-year plan. Mr. Boie closed by stating the roadway request does not involve state trust land and property owners located on the south side of Amber Sunrise Drive are willing to donate right-of-way (A copy of Mr. Boie's comments follow the minutes.).				
	Ms. Borquez announced that Maureen Shea requested to address the committee. Ms. Shea resides in District 5 in a rather large community in the San Tan Valley area. She stated that the area has many dirt roads such as Rolling Ridge, Hash Knife Draw, Stagecoach, Sagebrush, Jackpot, and Tombstone. Ms. Shea acknowledged that she has been working with Pinal County to get the roads paved for many years now but was unaware of the process and that the roads were private with private roadway easements. With assistance from Pan de Vida and Member Gordon Brown, a volunteer group was organized to gain community support for chip sealing the roadways and obtain the required easements. Ms. Shea stated that a major benefit of going through this process was the effective alliance between the community and Pinal County. She closed by saying that she wanted to draw				



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4.	Call to the Public (Continued)	Yes	None	None	None
	<p>attention to the dust problem because of the dirt roads in the community and asked the committee to take the roadway chip sealing under consideration (A copy of Ms. Shea's comments follow the minutes.).</p> <p>Ms. Borquez announced that Bob Erdman requested to address the committee. Mr. Erdman stated that he represents Cutler Repaving a paving contractor in Apache Junction. He wanted to make the committee aware that his company does hot in place recycling of asphalt roadways. Mr. Erdman stated that the recycling of asphalt is a good alternative to mill and fill maintenance operations. He further stated that hot in place recycling is less costly and more environmentally friendly.</p>				
5.	Discussion/Approval/Disapproval of the Minutes from February 24, 2015	Approved Minutes	Snider	Fabris	P
	<p>Vice-Chair Maxine Brown stated that there are 2-member Browns now on the committee and suggested that the Minutes reflect a distinction between the members. Ms. Borquez stated she would make the distinction (Vice-Chair Maxine Brown and Member Gordon Brown) in the Minutes.</p> <p>Member Prechel suggested adding the year to the title of the Minutes and Ms. Borquez agreed to make the correction.</p> <p>Member Snider made a motion to approve the Minutes (as corrected to include the year with the date) from the February 24, 2015 meeting and Member Fabris seconded the motion. The motion carried unanimously.</p>				
6.	Update on Arizona's Open Meeting Law	Attorney General's Agency Handbook on Open Meeting Law	None	None	None
	<p>Deputy County Attorney Mark Langlitz acknowledged that committee members were provided a copy of the Attorney General's Agency Handbook. He said that the handbook contains a lot of information, probably more than the committee wants or needs, but it is a good reference. Mr. Langlitz focused his presentation on the major points of the open meeting law since the committee was familiar with it. He stated that all meetings of a public body, boards and commissions, are open to the public because of governmental transparency. While the law allows the public the opportunity to attend and listen, he stated that it does not provide for public participation. Mr. Langlitz stated that a public body may provide for public comment during a "Call to the Public" if it is listed on the agenda but committee members are not permitted to dialogue with members of the public. He further articulated that public bodies may respond to criticism, request staff to look into the matter, and/or place the item on a future agenda. Mr. Langlitz advised that committee members need to be cognizant of actions that may circumvent the open meeting law. He stated that the most common issues are e-mail correspondence and/or conversations among a quorum of committee members.</p> <p>Member Garcia asked how many committee members make up a quorum and Mr. Langlitz</p>				



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6.	Update on Arizona's Open Meeting Law (Continued)	Attorney General's Agency Handbook on Open Meeting Law	None	None	None
	<p>responded with 6. Mr. Langlitz explained that a majority vote of the quorum is required for legal action on committee business.</p> <p>Member Gordon Brown asked how to prevent chain (splintering the quorum) communications among the committee members and Mr. Langlitz replied that the best way is to not propose or discuss business or actions of the committee with any members unless it is within a properly noticed meeting.</p> <p>Chair Louis asked if he would take specific questions on the subject of chain communications from committee members at a later date and Mr. Langlitz affirmed.</p> <p>Mr. Langlitz emphasized that the only items that can be discussed by the committee are those listed on the meeting agenda. He stated that the agenda has to be published at least 24 hours before the meeting so that the public has an opportunity to review and attend. Mr. Langlitz stated that "Current Events" are permitted because they are offered for general interest and typically benign. Another item that Mr. Langlitz mentioned was that committee members can participate in a meeting by teleconference.</p> <p>Mr. Langlitz closed the presentation by stating the penalties for violating the open meeting law can impose a civil fine not to exceed \$500. He cautioned the committee that some public bodies have allowed "Calls to the Board or Commission" where the board or commission members are permitted to address matters. Mr. Langlitz discouraged this practice because of the potential for problems with items not being listed on the agenda yet being discussed.</p>				
7.	Presentation on Public Right-of-Way Usage	ROW Presentation	None	None	None
	<p>Joe Ortiz, Engineering Support Division Manager, presented foundational information on public right-of-way usage. Mr. Ortiz's presentation highlighted right-of-way acquisitions, types, and usage. He stated that the initial right-of-way acquisition for Pinal County occurred in 1922 by a document called the Declaration of Roads. Mr. Ortiz said that in 1913 after statehood counties were given the authority to declare roadway right-of-way with a petition signed by 10 county residents. The presentation included the map of the 1922 Declaration Numbered Roads (petitioned existing roads) and designated Section Line Roads. He stated that the Declaration Section Line Roads were not existing roadways but preserved 33-feet of right-of-way on each side of the section line for future roadways.</p> <p>Member Gordon Brown asked why right-of-way was not preserved for the entire county and Doug Hansen responded that it was most likely due to the county's topography with available farm land and state trust land.</p> <p>Member Prechel asked if the section line right-of-way was automatic or was it acquired individually for each section and Mr. Ortiz replied that the section line acquisitions were declared in one transaction with townships, ranges, and sections identified.</p>				



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7.	<p>Presentation on Public Right-of-Way Usage (Continued)</p> <p>Chair Louis asked if the section line right-of-way was by easement and not by ownership (fee) and Mr. Ortiz affirmed.</p> <p>Member Prechel asked for a definition of right-of-way by fee and easement. Before answering Member Prechel's question on defining right-of-way, Mr. Ortiz reviewed the process on how Public Works staff acquires right-of-way today.</p> <p>He stated that the county acquires right-of-way through donation or by purchase. Property owners who wish to donate a strip of land for roadway purposes waive compensation according to Mr. Ortiz. First, his staff verifies ownership and confirms a clear title followed by preparation of the waiver and conveyance documents. Mr. Ortiz said once the documents are executed by the property owner, they are submitted to the Board of Supervisors for execution, acceptance, and recordation. To acquire right-of-way by purchase, Mr. Ortiz stated that it follows a similar process with verifying ownership and ordering a title report. Then his staff orders an appraisal to determine comparable pricing. Mr. Ortiz stated that staff then makes an offer and if the offer is accepted by the property owner, staff moves forward with preparation and execution of the conveyance documents for the Board's approval and recordation.</p> <p>Mr. Ortiz described the definition of right-of-way as a strip of land used for roadway purposes (and sometimes utility purposes) that is conveyed by easement or fee title. He stated that an easement is the right to use someone's property by grant and fee title is the unrestricted use of the property that is also known as ownership. Mr. Ortiz cautioned that sometimes there are overlapping easements such as roadway and utilities. He mentioned that this is troublesome for the area engineers when evaluating and implementing projects because they have to determine what easement grantee has prior rights and who bears the cost of utility relocations, if necessary.</p> <p>Mr. Ortiz also mentioned that most easements are used for transportation, construction or maintenance purposes and utility needs. He stated that if the county is not using the easement for the stated purpose, the property owner may continue to use the land (for fences or walls) until such time the county exercises its right to use it. Mr. Ortiz said that any costs to remove structures are typically borne by property owner.</p> <p>Member Prechel asked if the county could build a road with an easement as opposed to ownership and Mr. Ortiz affirmed.</p> <p>Member Gordon Brown asked if the county ever enters into an easement agreement for a specific period of time and Mr. Ortiz said that it was not realistic nor was he aware of any such arrangement.</p> <p>Member Fabris asked if easements are locked with the parcel and Mr. Ortiz confirmed that they are granted in perpetuity and carried with the property.</p>	ROW Presentation	None	None	None



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7.	Presentation on Public Right-of-Way Usage (Continued)	ROW Presentation	None	None	None
	<p>Mr. Ortiz asked if there were further questions and Ms. Maureen Shea asked for clarification if property owners are responsible for the costs to relocate fences should Pinal County decide to widen a roadway and Scott Bender replied that widening a roadway usually requires additional right-of-way and in those cases the county would bear the cost of fence relocations. Committee members continued the discussions on right-of-way and Chair Louis summarized what he understood from the information Mr. Ortiz presented and from the committee member discussions.</p> <p>Member Hawkins stated that the county maintains some roadways in which there is no roadway right-of-way and asked for clarification on the policy/legal implications with improving these roadways. Mark Langlitz stated that the state statute provides for the legal structure to improve roadways and maintain non-county highways in order to control dust. Mr. Ortiz stated in order for the county to make improvements to these roadways, the county would acquire the right-of-way. Chair Louis suggested that the area engineers should specifically address the right-of-way issues with future transportation projects so that committee members could make an educated decision when evaluating requests.</p> <p>Member Fabris asked if unimproved roads were created through a minor land division, would the county improve the roadways. Mr. Ortiz responded that if the county never maintained the roadways, the county would request that the roadways be brought up to a county standard. Committee members continued the discussion on minor land divisions and Chair Louis commented that the topic of minor land divisions would be a good future topic.</p>				
8.	Update on the 2015 5-Year Transportation Improvement & Maintenance Program	TIMP Presentation	None	None	None
	<p>Kathy Borquez presented a brief overview of the Transportation Improvement and Maintenance Program. Ms. Borquez said that this meeting marks the official kick-off of the transportation program and third planning cycle for this committee. She stated that the 3 pillars of the program are the funding, plan, and committee. Ms. Borquez said that the funding, the transportation excise tax, was approved by Pinal County voters in a special election in 2005. She stated the transportation program is Pinal County's near-term transportation plan. Ms. Borquez mentioned the committee is the 10-member panel appointed by the Board of Supervisors that is charged with updating and recommending the 5-year plan.</p> <p>She said that revenues (\$7.1 million for Budget Year 2014-2015) for the program are on the rise after a multi-year decline due to the economic collapse. Ms. Borquez stated that last budget year, the committee programmed and the board approved \$1 million for the dust abatement program, \$1 million for the safety program, \$2.2 million of pavement preservation projects, and \$2.5 million of new projects. According to Ms. Borquez, the program priorities are improving roadway safety and traffic flow, increasing paved mileage and promoting economic development. She explained that the plan has 2 moving parts: amendments, the changes to projects listed in years 1-4, and new projects, the requests added to year 5. Regarding project requests, Ms. Borquez stated that they can be submitted by anyone, must be submitted on-line, and all requests received by</p>				



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8.	Update on the 2015 5-Year Transportation Improvement & Maintenance Program (Continued)	T/MP Presentation	None	None	None
	<p>September 30th will be evaluated in the current planning cycle. She said that depending on the location of the proposed project, the request is assigned to one of the three Public Works area engineers.</p> <p>Ms. Borquez mentioned that the area engineers first determine if the proposed project is eligible for the program based on average daily traffic then they evaluate how the proposed project addresses such criteria as reduction in safety risks or reduces county maintenance costs. The evaluations and engineering recommendations are presented to a Public Works panel that determines a staff priority for the proposed projects followed by review by the committee according to Ms. Borquez. She stated that each committee member individually evaluates and prioritizes the projects considering staff recommendations, project details, and public comments. Ms. Borquez said that the projects are programmed based on available funding.</p> <p>She explained the committee planning cycle begins in September with the high point in November, and closes in February of the following year. As Ms. Borquez noted, the meeting schedule was approved in February 2015 by the committee but can be changed by majority committee vote. She closed by calling attention to the committee webpages for additional information and urging all to shop locally when possible, particularly purchasing your fuel in Pinal County, to increase transportation funding and support quality transportation projects.</p> <p>Member Gordon Brown asked if the county monitors the number of “hits” the county receives on the Transportation Program website and Ms. Borquez said she would get the information for the next meeting in November.</p> <p>Member Fabris thanked Pinal County elected and senior leadership and the Public Works Engineering staff for the work and commitment on the Hunt Highway project.</p>				
9.	Transportation Project Status Reports on projects currently listed in the 2015 Transportation Improvement & Maintenance Program for Budget Years 2014-2015 through 2018-2019	Transportation Project Status Reports	None	None	None
	<p>Specific questions and/or discussion on the Transportation Project Status Reports by the committee follows.</p> <p><u>Engineering Area 1 – Angeline To</u> Budget Year 2014-2015 - Redington Road, Veterans Memorial Boulevard to County Line Member Garcia asked for clarification on the dust palliative schedule and Ms. To stated that the first phase (3 miles) will be started this month and the environmental study for the second phase (5 miles) is underway with the dust palliative anticipated Fall 2016.</p> <p>Budget Year 2018-2019 – La Palma Road, Cornman Road to Selma Highway Chair Louis asked if the City of Coolidge intends to move forward with the project since they</p>				



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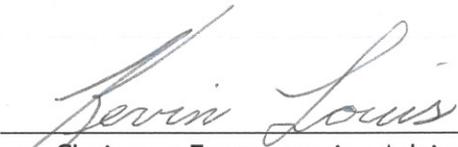
No.	Item	Attachment	Motion	Second	P/F/T
9.	<p>Transportation Project Status Reports on projects currently listed in the 2015 Transportation Improvement & Maintenance Program for Budget Years 2014-2015 through 2018-2019 (Continued)</p> <p>annexed the project area and Ms. To responded that she could not confirm.</p> <p><u>Engineering Area 2 – Celeste Pemberton</u> Budget Year 2014-2015 – Stagecoach Pass Avenue, Schnepf Road to Ghost Rider Street Member Snider asked how many residents are located within the project area and Ms. Pemberton stated approximately 200-250.</p> <p><u>Engineering Area 3 – John Kraft</u> General Mr. Erdman asked to clarify the term asphalt rock dust palliative and Mr. Kraft replied that it is a double-chip seal on native base.</p>	<p>Transportation Project Status Reports</p>	None	None	None
10.	<p>Discussion on amendments to the Pinal County Transportation Advisory Committee Bylaws pursuant to Article VII: Amendments of Bylaws</p> <p>Vice-Chair Maxine Brown stated that she reviewed the bylaws and met with Ms. Borquez on July 28, 2015 and does not have any changes at this time. Vice-Chair Brown mentioned that a committee member expressed that it would be helpful to allow for time to review the transportation project requests so options for the committee are to start the meeting times earlier or add a new regular meeting or a special meeting next year. Committee members discussed the special meeting in great detail and decided to place the option for a special meeting in January 2016 on the November agenda.</p>	<p>2015 Transportation Advisory Committee Bylaws</p>	None	None	None
11.	<p>Discussion on Claim for Reimbursement of Travel Expenses</p> <p>Ms. Borquez stated that if committee members needed a copy of the 2015 mileage claim for reimbursement form to pick up a copy after the meeting or the form can be downloaded from the committee webpage.</p>	<p>2015 Mileage Claim for Reimbursement Form</p>	None	None	None
12.	<p>Announcement on Upcoming Meetings: Tuesday, November 17, 2015 & February 23, 2016 in the Ironwood Room of the Pinal County Administrative Complex</p> <p>Chair Louis announced the upcoming scheduled meeting dates and restated the possibility of a special meeting in January 2016.</p>	None	None	None	None



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13.	Current Events	None	None	None	None
	<p>Vice-Chair Maxine Brown invited committee members to participate in the 28th Annual Pinal County Town Hall on October 22, 2015 at Poston Butte High School in San Tan Valley. Vice-Chair Brown mentioned that the theme of the town hall is "Where Your Tax Dollars Go".</p> <p>Member Fabris mentioned that Tim Kanavel, Pinal County's Economic Development Manager, stated that improving Hunt Highway has spurred interest and activity for economic development in the area.</p> <p>Doug Hansen invited committee members to provide comments on ADOT's Passenger Rail Study, Tucson-Phoenix. He stated that the Environmental Impact Statement and the preferred corridor documents are available for review and comment through October 30, 2015 at projects@az.dot.gov.</p> <p>Chair Louis asked if staff could provide a short presentation on all transportation funding that Pinal County has available. Ms. Borquez asked Scott Bender if that was possible and Mr. Bender affirmed.</p>				
14.	Adjournment	None	None	None	None
	<p>Chair Louis adjourned the meeting at 4:28 p.m.</p>				

MINUTES approved on the 17th day of November, 2015, by the Pinal County Transportation Advisory Committee.



 Chairman, Transportation Advisory Committee

ATTEST:



 Clerk, Transportation Advisory Committee

**PINAL COUNTY
TRANSPORTATION ADVISORY COMMITTEE (TAC)
PUBLIC COMMENT (CALL TO THE PUBLIC)**



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The chairman of the TAC may impose reasonable time, place, and manner restrictions on speakers. For example, the chairman may require speakers on the same side, with no new comments, to select a spokesperson.

Providing the following information is optional and is not required to address the TAC.

Date: 9/22/15

Name: Jim Boie

Address: [REDACTED]

Telephone No.: [REDACTED]

E-mail Address: _____

Subject: AMBER SUNRISE

My name is Jim Boie. My wife & I live in District 4 of Pinal County. I want to thank the voters who passed the 1/2¢ sales tax in 2005 to use for roads. I also want to thank the County Board for setting up this Transportation Advisory Committee in 2010. I am also aware of Pinal County's need to meet micro/macro federal air standards. I am confident the county's transportation plan will meet these standards, if they haven't been met already by reducing vehicle dust and that includes agricultural vehicles.

My request is to build up one mile of Amber Sunrise so the water can pass over the road where needed instead of running down the road as in a ditch. The approximate 50 homeowners in this area would have quick access to Cattle Tank roads 5.5 miles programed for completion in 2016. Cattle Tank provides the option to go north and access Hwy 79. If my request is accepted to the 5 year plan, ^{the} Cattle Tank project could be engineered to accept ^{the} Amber Sunrise project down the road. Also existing fences can be removed by local volunteers and property owners. This request involves no state trust land and I found no

property owners on the south side again
giving right of way easements for project

I also believe the county will get a bang for the buck with so many developed lots with water, power and ~~communication~~ in place.

Thank you for giving me this opportunity to express my views.

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Providing the following information is optional and is not required to address the TAC.

Date: 9/22/2015

Name: Maureen Shea

Address: [REDACTED]

Telephone No.: [REDACTED]

E-mail Address: [REDACTED]

Subject: The value of establishing an alliance between residents, communities with Pinal County to work towards improvements in our communities.

The cost benefit to Pinal County in chip sealing the dirt roads of Sun Valley Farms would be the what we as volunteers of our community are engaged in at this moment and have been since February of this year. As a community, we have a vested interest in going out and getting the property owners to agree to either donating Right of Way or granting Roadway Easement. Donating the Right of Way is a cost savings to the county. The fact that we, as a community of volunteers are committed to doing this rather than the county attempting the same. What is more effective in the community doing this is the fact that we all want our roads chip sealed and will do whatever it takes to make that happen. This is a cost savings to the county as well by eliminating the need to designate Pinal County employees to survey our area and gain the participation needed to move ahead to the next step in chip sealing our roads. As volunteers we don't accept a "no" response and give up. We talk to the property owners, asking them why they are saying no and address any of their concerns, sometimes needing to refer these concerns to our county rep for answers.

At this time, we have 100% participation on Jackpot and Tombstone and are two vacant properties away from 100% on Rolling Ridge. As for Hashknife, Sagebrush and Stagecoach, all the residents want the chip seal and are willing to either donate Right of Way or grant Roadway Easement. The properties that remain are either farm land, held by LLCs or out of state property owners that we have to contact by mail.

Sun Valley Farms is a very large area and generates too much dust. We are surrounded by subdivisions that are paved and also, even "Little Mexico" has been chip sealed, which has had a huge impact on our area by reducing the amount of dust generated.

Obviously, the community's greatest concern, greatest benefit would be the elimination of dust which affects us all health wise.

As a spokesperson for our community, I am asking that you seriously consider the cost benefits to Pinal County in chip sealing our area.

Thank you.

Maureen Shea

[REDACTED]

[REDACTED]

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Providing the following information is optional and is not required to address the TAC.

Date: 9-22-2015

Name: Bob ERDMAN, PE

Address: [REDACTED]

Telephone No.: [REDACTED]

E-mail Address: [REDACTED]

Subject: Hot IN PLACE Recycling of Asphalt ROADWAYS.

