

**BOARD OF SUPERVISORS**  
**GILA COUNTY, ARIZONA**

Date: April 25, 2006

**JOSÉ M. SANCHEZ**  
Chairman

**STEVEN L. BESICH**  
Clerk of the Board

**TOMMIE C. MARTIN**  
Vice-Chairman

By: Marilyn Brewer  
Deputy Clerk

**SHIRLEY L. DAWSON**  
Member

Gila County Courthouse  
Globe, Arizona

---

PRESENT: Jose M. Sanchez, Chairman; Tommie C. Martin, Vice-Chairman; Shirley L. Dawson, Member; Steven L. Besich, County Manager/Clerk; Marian Sheppard, Chief Deputy Clerk; and, Bryan Chambers, 2<sup>nd</sup> Chief Deputy County Attorney.

The Gila County Board of Supervisors met in Regular Session at 10:00 a.m. this date. Steve Owens led the Pledge of Allegiance, and Reverend Dan Lowe of the Maranatha Baptist Church delivered the Invocation.

In recognition of National County Government Week and Gila County's 125<sup>th</sup> Anniversary, Supervisor Dawson held an essay and coloring contest for students in Gila County. She stated that there were over 125 entries and the winners were invited to receive awards at today's meeting. Supervisor Dawson briefly spoke to the students and then the Board presented the coloring contest awards to the following students: Cassie Zimmer, Anthony Magliano, and Sarah Sprinkle all in the 4<sup>th</sup> grade at the Pine/Strawberry School; Grant Moul in Kindergarten from Holy Angels School; Veronica Cervantes and Lauren Gould of the Charles Bejarano School; Hector Lopez, 1<sup>st</sup> grade, Anjali Maya, 2<sup>nd</sup> grade, Alexis Sargeant, 2<sup>nd</sup> grade, Anisa Key, 3<sup>rd</sup> grade, Aaron Avent, 4<sup>th</sup> grade, and Sean Knox, 4<sup>th</sup> grade, (who was unable to attend) all from Copper Rim School; and, Rian Scott Willis from Wolf Den Pack 102, and Ben Harro, the

“Little Scout Buddy.” The Board then presented the essay contest awards to the following 8<sup>th</sup> grade students from Lee Kornegay Junior High School: Taylor Street, Heidi House and Ariel Asermelly. Each Board member expressed their appreciation to the students for their participation. Chairman Sanchez thanked Supervisor Dawson and her staff, as well as the parents, school staffs and organizations that participated.

Steve Besich, County Manager/Clerk, stated that sad news was received about the passing of City of Globe ex-councilman, Louis Aguirre, his long-time friend, and a person who devoted many hours to programs for the youth and the community. Mr. Besich told some humorous stories about Mr. Aguirre. Chairman Sanchez thanked Mr. Besich for his comments.

Malissa Buzan, Housing Services Program Manager, requested the approval of a Contract between the Gila County Health and Community Services Division and the Arizona Department of Environmental Quality accepting a grant award in the amount of \$258,300.00 for the implementation of the Gila County Ground and Surface Water Improvement Project, Phase II. She stated that the grant funds would be used to protect and preserve the groundwater in Gila County by replacing, repairing and upgrading current wastewater systems, illegal cesspools, pit privies and structurally unsound and failing septic systems. In doing so the current building, health and safety codes will be met, thereby protecting the existing groundwater table for the improved health and safety of County residents. Chairman Sanchez then called on Steve Owens, Director of the Arizona Department of Environmental Quality (ADEQ), who presented the grant check to the Board. He stated that ADEQ has had a close working relationship with this County on a variety of projects and this is one of the most important as it involves the protection of soil and groundwater up in the northern part of Gila County in the Christopher and Tonto Creek areas. He stated there is a situation in that area where there are a number of old private wastewater systems and old aging septic tanks that were installed before 1980, of all which are discharging partially treated waste

into the floodplain, which is eventually making its way into the banks of the creeks and into the water supply. Mr. Owens stated that last year for Phase I of this project, the County was granted \$252,764.00 and his office was more than happy to grant this additional funding to the County this year for Phase II. He stated that these programs are designed to help lower income people who don't have the resources to pay for these upgrades and rather than the burden falling on the County and taxpayers, this is a way for federal dollars to be placed in local communities where they can make the biggest impact and have the greatest benefit. Each Board member and Mr. Besich thanked Mr. Owens and Ms. Buzan for their efforts on this project. Upon motion by Vice-Chairman Martin, seconded by Supervisor Dawson, the Board unanimously approved the Contract with ADEQ and accepted the grant award in the amount of \$258,300.00.

At 10:44 a.m. a public hearing was held to adopt Resolution No. 06-04-03, approving Planning and Zoning Department Case No. Z-05-08, a request submitted by Ray Pugel to rezone tax parcel number 301-19-019C, from R1-D12 (Residential One District with a 12,000 square foot density) and TR (Transitional Residential District) to R3-w/PAD (Residential Three District with a Planned Area Development). Terry Smith, Community Development Division Deputy Director/Planning & Zoning Manager, read the staff report, which is as follows: The property is approximately 4.36 acres and is located in Pine, Arizona. The property to the north and east are zoned R1-D12 and TR, property to the south is zoned C2, property to the southwest is zoned R1L-D12 and property to the west is zoned R1-D12. The Comprehensive Plan designates this property as Multi-Functional Corridor. The proposed use is compatible with the designation. The land will be used to develop condominiums/town homes on the southern end of the property. Mr. Smith stated that out of the 18 notices sent out, the County received 2 letters of objection. Of the 2 objections received, 1 was within the 300 foot radius and the other was outside. On March 16, 2006, the Gila County Planning and Zoning

Commission unanimously recommended approval to the Board of Supervisors. He stated that if the rezoning is approved today, it will become effective in 30 days and then Mr. Pugel can proceed with preparation of the preliminary plat and go into the engineering which would require ADEQ approval and generally takes 6 months to a year for completion. Chairman Sanchez opened the public hearing and called for public comments; none were offered. He then called on Mr. Pugel, a resident of Pine, and the developer of the project. Mr. Pugel stated that the land is located between Highway 87 and the Old County Road in Pine and the purpose of the project is to insure that the entrance to Pine is aesthetically pleasing as traffic enters the Town of Pine. Chairman Sanchez closed the public hearing and entertained a motion. Upon motion by Vice-Chairman Martin, seconded by Supervisor Dawson, the Board unanimously adopted Resolution No. 06-04-03. **(A copy of the Resolution is permanently on file in the Board of Supervisors' Office.)**

At 10:48 a.m. a public hearing was held to adopt Resolution No. 06-04-02, approving Planning and Zoning Department Case No. CUP-05-4, a request submitted by Ray Pugel for a conditional use permit to construct a self storage facility on tax parcel number 301-19-019C. Mr. Smith stated this is the same parcel as the previous agenda item but this item refers only to the northerly 1 acre of this site. He then read the staff report, which is as follows: The property is approximately 4.36 acres and is located on Old County Road in Pine, Arizona. The property to the north and east are zoned R1-D12 and TR, property to the south is zoned C2, property to the southwest is zoned R1L-D12 and property to the west is zoned R1-D12. The Comprehensive Plan designates this property as Multi-Functional Corridor. The proposed use is compatible with the designation. Mr. Smith stated that he has received no letters of opposition. On March 16, 2006, the Gila County Planning and Zoning Commission unanimously recommended approval to the Board of Supervisors. Chairman Sanchez called for public comments; none were offered. He closed the public hearing and entertained a motion. Upon motion by Supervisor

Dawson, seconded by Vice-Chairman Martin, the Board unanimously adopted Resolution No. 06-04-02. **(A copy of the Resolution is permanently on file in the Board of Supervisors' Office.)**

Dixie Mundy, Director of Elections, requested the Board's acknowledgement of a change in the name of the Town of Diamond Star to the Town of Star Valley. She stated that the March 14, 2006, ballot included the question, "Should the name of the Town of Diamond Star be changed to the Town of Star Valley?" Of the votes cast, 515 or 81.1% were in favor of the name change and 120 or 18.90% were against the name change. Therefore, as a result of this election, the name of the community is now officially Star Valley. Chairman Sanchez thanked Ms. Mundy for her assistance in working with the Town of Star Valley. Upon motion by Supervisor Dawson, seconded by Vice-Chairman Martin, the Board unanimously acknowledged the change of the name of the Town of Diamond Star to the Town of Star Valley.

Jim Eskew, Sheriff's Office Jail Commander, requested the approval of an Inmate Telephone Service Agreement between FSH Communications, LLC and the Gila County Sheriff's Office to provide inmates at the Globe and Payson jails with pay telephone service and ancillary inmate communications for a period of three years with an automatic renewal for successive one-year periods. He stated that these services were previously provided by Qwest, which was purchased by FSH Communications in 2004. He stated that this is a very comprehensive combination of additional inmate products and services, as listed on pages 11 and 12 of the Agreement, that the County has never had before on the present system which has been in place for years. Upon motion by Supervisor Dawson, seconded by Vice-Chairman Martin, the Board unanimously approved the Inmate Telephone Service Agreement with FSH Communications, LLC.

Mr. Eskew requested the adoption of Resolution No. 06-04-09, which authorizes entering into a Municipal Lease-Purchase Agreement (No. 4185) with Multimedia Telesys, Inc. in the amount of \$191,110, over a 5-year term,

for the Video Arraignment/Visitation System to be used by the Sheriff's Office at the Gila County Jail. He stated that this new system will provide a closed circuit, in-house video visitation system. The system will be strictly used inside the jail. He stated that the current system is one of the most staff and labor intensive jobs for the detention officers because of the need to move inmates back and forth from their cells to the visitation areas up in front. Mr. Eskew stated that at best, only 3 people at one time can utilize the visitation cell. He stated that the Sheriff's Office has had many complaints, not only from the inmates, but from the families and community who come to visit and many leave without any visitation because the process takes so long. He explained that the new system will include 6 new booths installed in the reception area. The savings will allow for more labor on the safety and security of the facility. Mr. Askew concluded by stating that this upgraded system will lengthen the term of the existing facility for possibly another 5-10 years. Sheriff John Armer added that this project will be funded by Jail Enhancement Funds that come from the State for fines and forfeitures at the State level. Upon motion by Vice-Chairman Martin, seconded by Supervisor Dawson, the Board unanimously adopted Resolution No. 06-04-09. **(A copy of the Resolution is permanently on file in the Board of Supervisors' Office.)**

Mr. Eskew requested the adoption of Resolution No. 06-04-08 establishing an Inmate Health Services Fund, authorizing the Gila County Sheriff to charge each inmate who is committed to jail by competent authority a reasonable fee or co-payment of not more than ten dollars for each inmate initiated health service that is provided, for each medical visit to a physician that is referred by a physician, a physician assistant or nurse practitioner or for prescription drugs that a county jail health services agency dispenses, and authorizing an annual audit or financial review of the Inmate Health Services Fund. He stated that an account for these funds was set up on June 19, 2001; however, it has been determined that this account was never brought to the Board for approval. He stated that the balance in the account, as of today, is

\$15,614.65 and no funds have ever been withdrawn from the account. Mr. Eskew stated that when he uncovered this account, he contacted Bryan Chambers at the County Attorney's Office for assistance in officially straightening this out. He stated that a request for approval should have been presented to the Board when the policy to charge a medical co-payment to inmates was implemented. He reiterated that the account exists; it is just a matter of making sure it is audited annually and that it is approved by the Board. Supervisor Dawson inquired about the procedure when an inmate has no money. Mr. Eskew stated that those people are not charged. He stated that every inmate receives medical treatment regardless of their status. Chairman Sanchez inquired about the use of these funds. Mr. Eskew stated that the funds would be strictly used for medical services. Chairman Sanchez inquired who has the authority to authorize expenditures out of this fund. Mr. Eskew stated that he believes the County Attorney will agree with him that the Sheriff has the authority to authorize expenditures by statute. Bryan Chambers of the County Attorney's Office did not confirm Mr. Eskew's opinion. Mr. Eskew stated that he also wished to offer a special thanks to Marian Sheppard, Chief Deputy Clerk, for putting up with his frustration in getting some of these contracts completed and he appreciates her assistance. Sheriff Armer added his appreciation to Ms. Sheppard for staying on top of these contracts for his Office. Upon motion by Supervisor Dawson, seconded by Vice-Chairman Martin, the Board unanimously adopted Resolution No. 06-04-08. **(A copy of the Resolution is permanently on file in the Board of Supervisors' Office.)**

Upon motion by Supervisor Dawson, seconded by Vice-Chairman Martin, the Board unanimously approved consent agenda items 10A-H. (Note for the record: The agenda mistakenly reflects only items A-G; however, F was listed twice for two separate items, so there are actually items A-H, which the Chairman noted for the record.) The consent agenda items are as follows:

A. Approved the adoption of Resolution No. 06-04-07 to name a road in Young, Arizona, to be called Miranda Lane. (No objections have been submitted.)

**(A copy of the Resolution is permanently on file in the Board of Supervisors' Office.)**

- B. Approved a request by the Arizona Trappers Association to conduct its annual fur auction at the Fairgrounds Exhibit Hall on February 17, 2007.
- C. Approved Amendment No. 1 to Contract No. 006-06 between the Arizona Department of Commerce Energy Office and the Gila County Office of Community Services, Housing Services, to receive \$12,253.00 in LIHEAP funds and \$4,792.00 in DOE funds to provide services through the County's Low-Income Home Energy Assistance Program and Department of Energy Program for a grant total of \$17,045.00 to be spent by June 30, 2006.
- D. Acknowledged the appointment of Wesley E. Suhr as a member of the Pine/Strawberry Water Improvement District Governing Board with the term of office ending December 31, 2008.
- E. Approved the February 28, 2006, March 21, 2006, March 28, 2006, and April 4, 2006, BOS meeting minutes.
- F. Approval of the March 2006 monthly departmental activity reports submitted by the Clerk of the Superior Court and Recorder.
- G. Approved the personnel reports/actions for the week of April 24, 2006, as follows:

Hire to County Service:

- 1. Legal Clerk – Clerk of Superior Court – 04-24-06 – General Fund  
Samantha Philpot – replaces Judith Edwards
- 2. Legal Clerk – Clerk of Superior Court – 05-01-06 – General Fund  
Karen Rubalcava – replaces Stephanie Toot
- 3. Teen Pregnancy Prevention Specialist – Health Services – 04-24-06 –  
Grant Fund -Victoria Juvera – new grant funded position

Temporary Hire to County Service:

- 4. Clerk – Board of Supervisors – 04-13-06 – General Fund - Pat England
- 5. Assistant Audit Data Coordinator – Purchasing – 05-03-06 – General  
Fund - Don White

Departmental Transfer:

6. Legal Clerk – Clerk of Superior Court – 04-24-06 – General/Grant Fund  
Stephanie Toot – replaces Rachel Petty
7. Systems Administrator/Payroll Specialist to Accountant – Finance – 04-17-06 – General Fund – Kara Langley

Position Review:

8. Salary correction – Justice Court Clerk I – Globe Justice Court – 04-11-06 – General Fund – Melanie Fikus – Hired 02-06-06 below entry level
  9. Reclassification – Legal Secretary II to Receptionist – County Attorney – 06-05-06 – General Fund – Nancy McBride – Retiring effective 06-02-06 – Returning to work as receptionist no more than 19 hours per week
  10. Reassignment – Secretary – County Attorney – 04-17-06 – General Fund – Athena Boykin – Will no longer do Child Support work and has been assigned to County Attorney prosecution – Changes fund codes
- H. Approved the finance reports/demands/transfers for the week of April 24, 2006, (separate handout) as follows: \$355,515.88 was disbursed for County expenses by voucher numbers X150111, X150668 through X150740, X384898 through X385114. There were no hand issued warrants. **(An itemized list of vouchers is permanently on file with the Board of Supervisors.)**

At this time each Board member and the Chief Administrator were presented the opportunity to give a brief summary of current events as allowed by A.R.S. §38-431.02(K). No action was taken by the Board.

There being no further business to come before the Board, Chairman Sanchez adjourned the meeting at 11:33 p.m.

---

Jose M. Sanchez, Chairman

ATTEST:

---

Steven L. Besich, County Manager/Clerk