

BOARD OF SUPERVISORS
GILA COUNTY, ARIZONA

Date: May 2, 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, (participated via telephone conference call); Steven L. Besich, County Manager/Clerk; Marian Sheppard, Chief Deputy Clerk; and, Bryan Chambers, 2nd Chief Deputy County Attorney.

The Gila County Board of Supervisors met in Regular Session at 1:30 p.m. this date. Vice-Chairman Martin led the Pledge of Allegiance, and Reverend Lyle Johnston of St. Paul's United Methodist Church delivered the Invocation.

Chairman Sanchez apologized for the late meeting. He stated that funeral services for one of Gila County's long-time employees, Lenny Aceves, were held this morning.

Chairman Sanchez noted that Supervisor Dawson is on vacation; however, she would be participating in the meeting via a telephone conference call.

Linda Haught Ortega, Recorder, requested the approval to expend approximately \$25,000 of unbudgeted funds to purchase materials that will be needed to address Proposition 200-related issues regarding voter identification (ID) cards, early ballot request forms, etc. She stated that the voters of Arizona approved Proposition 200, which became law on January 24, 2005, and requires ID at the polls. Ms. Haught Ortega then presented the following

information about the required changes. The County is the link between the people and the laws, and there is much concern about this new law because no qualified voter should be left behind. After a meeting between Ms. Haught Ortega; Steve Besich, County Manager/Clerk; Daisy Flores, County Attorney; and, Dixie Mundy, Elections Director, it was determined that the best way to deal with the ID requirement was to issue new voter ID cards. The ID cards will have the registered voter's mailing address, plus their residence address, and will be listed the same way on the polling rosters. Without correct addresses, the voter would be required to cast a conditional ballot and would then have 3 days after a primary election to present correct identification in order for the ballot to be counted (5 days for a general election). Normally ID cards are issued just prior to a presidential election, but this issuance will be 2 years earlier. A media campaign will be conducted to encourage people to return to the post office any ID card that does not belong to them, and, if possible, provide a forwarding address or an obituary if the person is deceased. The post office will then return that item to the Recorder's Office and this will help clean up the County rolls. There is a process and procedure required by law for the Recorder's Office to follow in order to remove inactive voters from the rolls. Ms. Haught Ortega presented the Board with 2 flyers that will be mailed to the voters, written both in Spanish and English, explaining the new voter ID requirements. The costs for the new ID cards are as follows: a) 35,000 ID cards-- \$6,475.00; b) mailing of the ID cards (including flyer)-- \$3,930.00; c) postage (to mail approximately 30,000)--\$9,600.00; d) standard envelope--\$900.00, and e) programming at \$95.00 per hour--\$190.00. The total cost would be \$21,095.00. There are three additional costs as follows: 1) Proposition 200 Notification Flyer, which will be inserted into the mailing of the ID cards--\$1,344.00 and freight--\$40.00; 2) 20,000 Early Ballot Request Forms--\$575.00 and freight--\$40.00; 3) Proposition 200 Flow Chart in English--\$830.00 and in Spanish--\$415.00. Ms. Haught Ortega stated that an estimate of the total costs will be \$24,339.00. Supervisor Dawson stated that San

Carlos residents have post office boxes but do not have residence addresses and inquired about the residence addresses that will be used by the Recorder's Office. Ms. Haught Ortega stated that each resident's voting district information will be added to the Native American ID cards. Ms. Haught Ortega also explained how her Office is partnering with some libraries and towns within the County to establish a location where voters can present their ID in the event they need to cast a provisional ballot. Each Board member expressed appreciation for the proactive approach being taken on this new ID requirement. Upon motion by Supervisor Dawson, seconded by Vice-Chairman Martin, the Board unanimously authorized expending approximately \$25,000 of unbudgeted funds to purchase materials to address Proposition 200-related issues as noted above.

Daisy Flores, County Attorney, requested the approval of an Intergovernmental Agreement (IGA) (No. DES 06725-1) between the County Attorney's Office, Child Support Division, and the Arizona Department of Economic Security (ADES) in the amount of \$1,252,630.16 per year for the period October 1, 2005, to September 30, 2010, to provide child support services, and to approve a Revised Child Support Division Incentive Payout Plan. She stated that the Child Support IGA was not presented to the Board last year because there was a lapse on the State side so the Child Support Division has been operating under the old IGA. This new IGA is the same as past contracts with the exception that it is for a period of 5 years, rather than the typical one-year renewal. She explained that the IGA is separate from the Incentive Payout Plan, although the IGA has a provision included that provides for the funding of the Incentive Payout Plan, and requires that the money received for incentives is only used for the enhancement of the Child Support Program, as noted on page 14 of the IGA. Ms. Flores also explained that the Incentive Payout Plan is separate from the salary study that the County is conducting and does not utilize any County funds. She stated that Gila County's Child Support Division is audited annually and for this year's audit

the Division scored a 99.6 percent, which is exceptional. It was the highest score of the 15 offices that were audited Statewide. Gila County's per capita collections are much higher than the collections for other counties. Ms. Flores, with the assistance of Ramai Jarles, Deputy County Attorney, then provided a PowerPoint presentation to the Board on the Child Support Incentive Payout Plan, as follows: 1) Gila County's Ranking: a) Gila County Child Support Office receives an average audit score of 99.60% and b) the highest score of 15 offices that are reviewed statewide. 2) Collections Per Capita for Gila, Pinal, Maricopa Counties and the State. 3) Benefits to the County of Increased Collections per Capita: a) increased monies to be spent in Gila County and b) less children requiring public benefits. 4) Salary Comparison: a) Pinal County Caseworker with no experience earns \$37,283.00; b) State Caseworker with no experience earns \$39,656.00; c) Gila County Caseworker with 6 years of experience earns \$22,948; and, d) Gila County Caseworker makes 38 percent less than a Pinal County Caseworker and 42 percent less than a State Caseworker. 5) Current Incentive Payments: a) Teamwork Incentive: all employees receive \$550 per year; b) "Personal" incentive pay for Child Support "Support Staff" is \$1,100 per year; c) for Specialized Employees \$1,375.00 per year; d) for the Program Manager \$2,200 per year; and, e) for the Child Support Division Chief \$3,000 per year. 6) New (Proposed) Payout Plan: a) 100 percent increase in all areas; b) for Teamwork Incentive all employees will receive \$1,100 per year; c) for Personal Incentives the Child Support "Support Staff" will receive \$2,200 per year; d) the Specialized employees will receive \$2,750.00 per year; e) the Program Manager will receive \$4,400 per year; and, e) the Child Support Division Chief will receive \$6,000 per year. 7) Language of Contract requires that the monies shall be isolated and used solely for the enhancement of the Child Support Program. 8) Incentive Funds: a) In 2005, the Child Support Division in Gila County received \$139,642 in incentive payments from the State; b) these monies segregated into Fund 117; and, c) the balance as of March 31, 2006, was \$593,302. 9) Effect on the County Attorney's Budget: a)

does not require more money from the County to pay for these increases; b) all incentive payouts are reimbursed at 66 percent by the State; and c) reimbursement goes into a discretionary fund of the County Attorney. Ms. Flores concluded her presentation by stating that for employees to receive the incentive payments, there is specific criteria that must be met. Upon motion by Vice-Chairman Martin seconded by Supervisor Dawson, the Board unanimously approved the IGA (No. DES 06725-1) with ADES in the amount of \$1,252,630.16 per year for the period October 1, 2005, to September 30, 2010, to provide child support services, and approved a Revised Child Support Division Incentive Payout Plan.

Jim Eskew, Sheriff's Office Jail Commander, requested the approval of an Agreement with Norment Security Group, Inc., in the amount of \$58,774.00 to upgrade the existing closed circuit television system currently installed at the Gila County Jail. He stated that the funding for this system will come from the Jail Enhancement account. Note: A call for bids was not required on this transaction because Gila County has entered into an Intergovernmental Cooperative Purchasing Agreement with Maricopa County (#C-70-03-118-2), and Maricopa County has entered into an Agreement with Norment Security Group, Inc. (#s0766917/b060444/N1GP Codes 93939). Upon motion by Supervisor Dawson, seconded by Vice-Chairman Martin, the Board unanimously approved the Agreement with Norment Security Group, Inc., in the amount of \$58,774.00.

Steve Stratton, Public Works Division Director, requested the award of Call for Bids No. 030106-1 for the purchase of a used 4,000 gallon water truck to be utilized by the Consolidated Roads Department, and to authorize the Chairman's signature on the Contract. He stated that approval was given by Steve Besich during the February Forest Fire for an emergency rental on another water truck and since that time the County has continued to use this rental truck. He stated that one bid was received from Empire Machinery of Phoenix in the amount of \$87,729.39; however, rental payments will be

credited to the total price. Mr. Stratton stated that at the time of the bid 2 rental payments in the amount of \$4,752.00 each had been made and he believes a third payment has also been made; therefore, the County will either receive a credit of \$9,504.00 or \$14,256.00, whichever is applicable. He recommended awarding the contract to Empire Machinery. Upon motion by Vice-Chairman Martin, seconded by Supervisor Dawson, the Board unanimously awarded Call for Bids No. 030106-1 to Empire Machinery for the purchase of a used 4,000 gallon water truck in the amount of \$87,729.39, less the rental payments of either \$9,504.00 or \$14,256.00, whichever is applicable, and authorized the Chairman's signature on the Contract Award.

Mr. Stratton requested the award of Call for Bids No. 031306-1 for the construction of a County shop/fleet building, and to authorize the Chairman's signature on the Contract. He stated that the County is trying to build a new building in the area of the shop near the fuel tank in order to control access to the facility and to turn the old shop area in the Guerrero Building into a training room. The slab has been poured and the plumbing has been roughed in. He stated that Oddonetto Construction of Globe was the only bid received in the amount of \$89,217.31. Dream Pole Construction Company sent a letter stating that they were unable to compile a bid at this time; therefore, Mr. Stratton recommended awarding the contract to Oddonetto Construction. He stated that \$26,000 of the cost would be paid from General Funds and the remainder would be paid from HURF (Highway User Revenue Funds) dollars. Upon motion by Supervisor Dawson, seconded by Vice-Chairman Martin, the Board unanimously awarded Call for Bids No. 031306-1 to Oddonetto Construction for the construction of a County shop/fleet building in the amount of \$89,217.31 and authorized the Chairman's signature on the Contract Award.

Mr. Stratton requested the adoption of Resolution No. 06-05-01 in support of the Arizona Department of Transportation's (ADOT) Highway 60 Improvement Project from Florence Junction to Queen Creek urging the

membership of the Arizona State Transportation Board to fund this project in Fiscal Year 2007. He stated that for several years construction has been ongoing to improve Highway 60. There have been many fatalities, mostly in the Gonzales Pass area, that have affected local communities. He stated that at the current time ADOT is proposing to move this project back another year. The original cost has risen from \$39 million to \$57.6 million. Mr. Stratton stated that with this Resolution, the County will be urging ADOT to bid the project in 2007, which would begin July of this year. He stated that County personnel have been attending many of ADOT's public hearings and work sessions. Another hearing is scheduled for Thursday and Friday of this week, of which Mr. Stratton; Vice-Chairman Martin; Ingo Radicke, County Consultant; and other staff members will be attending. Mr. Stratton stated that Steve Lopez from the Town of Superior will also be attending the hearing as Mr. Lopez lost 3 generations of his family in a vehicular accident on Gonzales Pass. He concluded by stating, "We believe this project is well warranted and we are urging the Transportation Board as well as staff to go ahead and do this project." Chairman Sanchez requested that the Resolution be read into the record. Upon motion by Vice-Chairman Martin, seconded by Supervisor Dawson, the Board unanimously adopted Resolution No. 06-05-01. **(A copy of the Resolution is permanently on file in the Board of Supervisors' Office.)**

Mr. Stratton presented information to the Board regarding a Citizen's Petition requesting special assistance from the Town of Miami and Gila County. He stated that it has been the Public Works Division's policy to support the communities, but this particular request cannot be supported for various reasons. The most important reason is that a 404 permit would be required as the request is to lower the creek channel. He stated that it is quite a process and that the County is currently going through this process on the Tonto and Pinal Creeks. Mr. Stratton stated that the other restriction would be the utilization of HURF (Highway User Revenue Funds) dollars and half cent sales

tax funds, which are restricted to use on roads; therefore, it would not be eligible. Chairman Sanchez stated that he had requested this discussion. He stated that the petition in the Board packet was prepared by the Miami Town Manager and it contains no signatures because it is in the initial phases. He also clarified that Board action cannot be taken on this agenda item. If and when the Board takes favorable action, the petitions will then be circulated among the residents for support. He stated that the second part of the petition was written by Otto Santa Anna, who was present at the meeting.

At this time, Chairman Sanchez interrupted the meeting and requested, with Board permission, that the Board move to consent agenda item 10C as there were a group of high school students in the audience waiting to speak on that item and they needed to return to school. Upon motion by Supervisor Dawson, seconded by Vice-Chairman Martin, the Board voted unanimously to move consent agenda item 10C to the regular agenda for discussion.

Chairman Sanchez stated that item 10C is as follows: Request for approval of a Fireworks Display Application submitted by the Miami High School Senior Class Council to conduct a fireworks display on May 26, 2006, for a graduation ceremony. Chairman Sanchez then called on Paul Machula, Senior Class Sponsor at Miami High School. Mr. Machula introduced the 3 student representatives who were requesting approval of the application. He stated that the students desire to have a celebration as part of their graduation using fireworks. He stated that all of the paperwork was completed as required.

Upon motion by Supervisor Dawson, seconded by Vice-Chairman Martin, the Board unanimously approved the Fireworks Display Application. Chairman Sanchez thanked Mr. Machula and congratulated the students.

Chairman Sanchez then returned to agenda item number 8. Chairman Sanchez stated that he and Mr. Santa Anna have held discussions on this issue on several occasions. He stated that Mr. Stratton viewed the area in question several months ago. Chairman Sanchez then called on Mr. Santa

Anna to update the Board. Otto Santa Anna of Miami read his petition for the record. The purpose of this petition is as follows:

- 1) **To ask the County for help in cleaning the Pinal Creek from the road that starts at the entrance of the John Roberts property.**
- 2) **The creek travels east and meets the creek from Canyon Avenue, which drains into the Pinal Creek. The meeting of these two creeks has raised the floor of the main Pinal Creek several feet. The rising of the main creek floor has lessened the creek capacity, which makes this area very probable for flooding the eastern streets of the Town of Miami.**
- 3) **Several years ago Mr. Santa Anna contacted the Corps of Engineers to view Pinal Creek to see if the Corps of Engineers could clean up the whole creek. The Corps of Engineers did review the creek area, but the person in charge told the Town of Miami Mayor that they could not help and suggested that the only solution was to get all of the residents in the area to individually construct a five foot wall at the end of their property.**
- 4) **The petition requests that the County provide for the cleaning of this area and the lowering of the creek bed where the two creeks meet.**

Mr. Santa Anna also read the Citizen's Petition, which states the following:

We, the undersigned residents of the Town of Miami and the County of Gila, do hereby respectfully request the Town of Miami and Gila County's assistance in accomplishing the following described project, which is located within the corporate limits of the Town of Miami. We are requesting that the Town and Gila County combine their resources to clean the Bloody Tanks Wash from the Mackey Camp Bridge (west of Miami) to the creek's intersection with Highway 60 and Canyon Avenue. Over the past several years the elevation of the creek bed in this area has risen several feet, decreasing the capacity of the channel and making this area more vulnerable to neighborhood flooding. Recent runoff has also deposited numerous tree limbs, trash and other materials further decreasing the channel's capacity to carry normal runoff and flood waters. We anticipate that this project would include general cleaning, de-vegetation and a lowering of the existing creek bed to re-establish the channel's original capacity.

Mr. Santa Anna stated that he had cleaned this creek the last time it was cleaned with his dad's tractor so there wouldn't be a flood. He clarified that it is not his intention of having the entire creek cleaned, but the lowering of the creek floor where the two creeks meet. Chairman Sanchez then called on Mr. Stratton for his comments. Mr. Stratton stated that while he can sympathize

with the situation, the Corps of Engineers has jurisdiction of these creeks. He explained that if there is a tree in the wash, that tree can be cut and the stump pulled, but every bit of aggregate has to be removed from that stump prior to the stump being taken out of the channel or it becomes 'incidental fallback' and the court has jurisdiction on that. He stated the best thing the County could do for these citizens would be to give them the information to contact the County's 404 permitting consultant, Kathy Whitman of Westland Resources, who has experience in this area and request her assistance in finding a solution with the Town of Miami and the Corps of Engineers. Mr. Santa Anna agreed. After continued discussion by the Board, Mr. Besich stated that the County will work with Mr. Santa Anna and the Town of Miami and come back to the Board after everyone has had a chance to review the issues, with which Chairman Sanchez agreed. Chairman Sanchez thanked Mr. Santa Anna for his presentation and Mr. Stratton and Mr. Besich for their assistance. No action was taken by the Board.

Steve Besich, County Manager/Clerk, requested approval of three separate Memorandums of Understanding (MOU) between Gila County and the Take Pride Project/Fuel Reduction Program in Pine, Arizona; the Town of Payson; and, the Town of Star Valley whereby the County will provide \$50,000 of matching funds to the Town of Payson and the Take Pride Project/Fuel Reduction Program in Pine, Arizona, and \$50,000 to the Town of Star Valley of which said funding will be used to clean fire-fuel breaks within the Wildland Urban Interface areas surrounding Pine, Payson and Star Valley. He stated that the checks have been mailed; the memorandums are before the Board for approval; the work is underway; and, Vice-Chairman Martin and the fire teams are meeting weekly so there will be progress reports. Upon motion by Vice-Chairman Martin, seconded by Supervisor Dawson, the Board unanimously approved the three separate MOUs.

Upon motion by Supervisor Dawson, seconded by Vice-Chairman Martin, the Board unanimously approved Consent Agenda items 10A, 10B, 10D & 10E.

Vice-Chairman Martin requested to address agenda item 10F before voting although it didn't pertain to Fly-A-Way Travel specifically, but travel in general. She stated that in reviewing the bills for payment, she noticed that the County is paying 2/3 to 50 percent more for flight reservations made through travel agencies than for flights made online through the internet. Vice-Chairman Martin stated that in particular, she saw two people attending the same meeting, and reservation made through the travel agency was 50 percent higher, and wondered if it isn't time that the Board direct the staff to look into this and put together a policy on travel. Vice-Chairman Martin made the motion that the Board approve the payment of these services to Fly-A-Way Travel in the amount of \$327.50, and that the Board direct the staff to look into travel policies in general and bring a recommendation back to the Board. The motion was seconded by Chairman Sanchez and passed by a 2-0 vote. Supervisor Dawson abstained from voting because of a conflict of interest. The consent agenda items approved are as follows:

- A. Authorized the Chairman's signature on Escrow No. 72-72-05668 KB for the purchase of the Arizona Public Service property located at 1992 North Highway 88.
- B. Approved a Special Event Liquor License Application submitted by the Globe Lions Club, Arizona, Inc. to serve liquor at a National Rifle Association dinner to be held on June 30, 2006
- C. Approved a Fireworks Display Application submitted by the Miami High School Senior Class Council to conduct a fireworks display on May 26, 2006, for a graduation ceremony. **(Removed from the consent agenda and voted on separately. Item was unanimously approved by the Board.)**
- D. Approved personnel reports/actions for the week of May 1, 2006.

Departure from County Service:

- 1. Building Safety Assistant I – Community Development – 04-28-06 – General Fund - Betty Gallo – Hire 12-20-04 – Resigned – leaving area

Hire to County Service:

2. GEST Job Coach – Community Services – 04-24-06 – Grant Fund
Phillis Weaver – replaces Patricia Spurgeon

End Probationary Period:

3. Road Maintenance Laborer – Consolidated Roads – 05-01-06 – Road Fund - Arthur Alvarado
4. Road Maintenance Worker II – Consolidated Roads – 05-01-06 – Road Fund - Michael Moore
5. Building Maintenance Technician – Facilities Management – 05-15-06 – Internal Services Fund – John Perez

Position Review:

6. Anniversary Date Increase – 05-01-06 – Mike Golden, Thomas Homan, Clifford Horn, Esther Rios, Ruth Lopez
7. Anniversary Date Increase – 05-15-06 – Steven Besich, Jeremy Burk, Alfred Brent Cline, Cecelia Pat Wentz, Rebecca Rogers

Request Permission to Post:

8. Welder – Globe Auto Shop – position vacated by Frank Baca
9. Building Safety Assistant I – Community Development – position vacated by Betty Gallo

SHERIFF'S PERSONNEL ACTION ITEMS

Hire to County Service:

10. Detention Officer – Globe S.O. – 05-01-06 – General Fund - Adam Padilla – replaces Bonnie Burke
 11. Detention Officer – Globe S.O. – 05-01-06 – General Fund - Caroline Turner – replaces Derryl Meeks
- E. Approved the finance reports/demands/transfers for the week of May 1, 2006, (separate handout) as follows: \$211,387.22 was disbursed for County expenses by voucher numbers X150742 through X150778, X150781 through X150849, X150851, X159850, and X385117 through X386213. The hand-issued warrants listing is as follows: voucher number X150741

in the amount of \$50,000.00, X385116 in the amount of \$9,895.73, X150852 in the amount of \$1,080.00, and X150853 in the amount of \$155.00. **(An itemized list of vouchers is permanently on file with the Board of Supervisors.)**

F. Approved a payment for services in the amount of \$327.60 to Fly-Away-Travel.

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 3:13 p.m.

Jose M. Sanchez, Chairman

ATTEST:

Steven L. Besich, County Manager/Clerk