

BOARD OF SUPERVISORS
GILA COUNTY, ARIZONA

Date: May 23, 2006

JOSÉ M. SANCHEZ
Chairman

TOMMIE C. MARTIN
Vice-Chairman

SHIRLEY L. DAWSON
Member

STEVEN L. BESICH
Clerk of the Board

By: Marilyn Brewer
Deputy Clerk

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, 2nd Chief Deputy County Attorney.

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

Chairman Sanchez announced that he would be leaving the meeting before 11:00 a.m. to attend a funeral.

Fred Taylor, State Director of Your Right to Vote, made a presentation to the Board regarding the Arizona Vote by Mail Initiative. He passed out an informational sheet to the Board and stated that this Initiative is about creating the best voting system for Arizona. He then presented the following information. This Initiative has been modeled after the Oregon Initiative which has been officially used since 1999. In the 2004 election, Oregon voting rates were at 86.6 percent using Vote by Mail. The only thing that changes as this Initiative relates to Arizona is that each registered voter in the State would automatically receive a ballot in the mail. Under the Arizona Vote by Mail Initiative, all registered voters would have 3 options for voting, as follows: 1)

The registered voter would have 15-18 days to fill out the ballot and mail it; 2) the registered voter could fill out the ballot and drop it in one of the designated drop boxes in the area; or, 3) the registered voter could vote in the traditional method by casting a ballot at polling locations to be determined by the County Recorder. Over 35 cities in Arizona are currently using Vote by Mail with many more going that route. Mr. Taylor gave some of the statistics of the cities using Vote by Mail. He stated that many cities have drastically increased their voting statistics, lowered their costs, and were able to suspend voters that should not be listed on the voting rolls, which has also saved money for the County Recorders and those people running for office by reducing those extra mailings. He stated that one of the problems with the current voting system is that polling locations, many of which are located at churches and schools, are opting out of the system because of losing control of their campuses with the influx of unknown people. Another problem is the cost for the number of personnel required to run the Statewide elections. Mr. Taylor stated that Oregon was able to save \$3 million a year using Vote by Mail and because Arizona has a higher population, it is estimated Arizona could save \$6-7 million. He stated that the Maricopa and Pima County Recorders estimate that 60 percent of the voters in 2006 will use Vote by Mail, and these two Counties combined represent 76 percent of voters in the State. He stated that if there is a problem with any election, a hard copy of the ballot is available in the event of a process needing to be fixed, which is very important in an election. Mr. Taylor also explained that to prevent fraud, each ballot is verified against the voter's registration form on file with the County Registrar of voters. In conclusion, Mr. Taylor requested that the Board support this Initiative as it will be a system that will work for everyone, including the disabled, and it will be a cost effective and simple procedure. Chairman Sanchez inquired if this Initiative would be on this fall's ballot for approval. Mr. Taylor stated that it would be on this fall's ballot and if passed it will go into effect for the Presidential Election, which would allow the County elections departments

enough time to implement. Mr. Taylor stated that Rick Murphy is the State Chairman for this Initiative, which requires 122,000 signatures in order to be placed on the ballot. To date, 160,000 signatures have been gathered with a goal of 190,000. He stated that this is a bi-partisan effort, not a political issue, which will affect everyone in the State. Steve Besich, County Manager/Clerk, requested that Linda Haught Ortega, Recorder, give the Board her recommendation on this Initiative. Ms. Haught Ortega stated that she is in favor of the Initiative on the condition that polling places are still allowed as many people want to continue going to the polls. She stated that Gila County already has one-third of its voters that either vote early or vote by mail. She stated that because everyone is so busy and because of the cost savings to the County, this Initiative should definitely be considered. Vice-Chairman Martin inquired if voting by computer via the internet would be next. Mr. Taylor stated that he hopes not and this Initiative is not designed to be the forerunner for electronic voting. He stated that electronic voting would require so many telephone lines to be run that it would be a "hacker's heaven." With the ability of hackers to break into the Pentagon system, it will be years before a system is developed that can't be hacked into. He stated that the Vote by Mail Initiative system will provide a hard copy so in the event something goes wrong it can be fixed, which would not be available with electronic voting. Ms. Haught Ortega also explained that in reference to the verification of signatures, the employees who will be checking these signatures receive training and must be certified. Supervisor Dawson stated that of those who have endorsed this Initiative, Mr. Taylor did not mention the Native American population. Mr. Taylor apologized and stated that during the second week of the Initiative process, his group met with tribal councils and will continue to work with them. Chairman Sanchez thanked Mr. Taylor for his presentation and encouraged him to continue the information process in order to ensure that the voters are educated in the effort to change the method of voting. No action was taken by the Board.

Jay Spehar, Chairman of the Southern Gila County Economic Development Summit Steering Committee (SGCEDSSC), presented the final work product from the Southern Gila County Economic Development Steering Committee and requested approval of Gila County's funding in the amount of \$125,000 per year beginning with fiscal year 2005-2006 and continuing with fiscal year 2006-2007 and 2007-2008. He stated that this Summit, which began October 2005, has involved over 200 people. Mr. Spehar stated that he is here to present the Board with a broad-based consensus set of documents that he believes meets the criteria of the Board. He stated that at the initial Southern Economic Development Summit, a vision was established along with the process to implement the necessary economic development for Southern Gila County. He stated that through the combined efforts and countless hours dedicated to this vision, the final work product is being submitted for approval of funding for this vital economic effort. Mr. Spehar passed out a binder of information for the Board and explained the contents as follows: In the front jacket is a letter to the Board signed by Mr. Spehar on behalf of the Steering Committee members in which he wanted to brag about the devotion and dedication the group has made to this effort strictly as volunteers. Tab 1—Economic Development Summit—Item A) a Summit presentation that includes a list of items presented at the first meeting, including PowerPoint slides, that set forth the problems in Southern Gila County; Item B) a matrix that was prepared for community readiness in the process of being ready to grow; Item C) the primary objectives of the 9 working groups that were a result of the Summit. Tab 2—a list of requests that the Board of Supervisors has given to this group as listed in its April 4, 2006, meeting minutes. Tab 3—a business plan. Tab 4—2 proposed budgets—a conservative budget and an ideal budget with a goal of a \$249,160.00 annual budget. Tab 5—a job description for an economic development director. He stated the group received some very professional advice regarding the job description courtesy of the State Department of Commerce and Arizona Public Service Economic Development

Group. Tab 6—interviewing/hiring process which includes how to advertise this position, interview the candidates and make the final selection. Tab 7—a candidate evaluation matrix for how the evaluation process would be conducted. Tab 8—the bylaws of the Globe-Miami Regional Chamber of Commerce to show how the existing organization is governed. He stated that the economic development committee effort would be a subsidiary of the existing organization and that a new, permanent steering committee [Board of Directors] will be organized that would be fully responsible for the hiring, funding and day-to-day operations of the economic development effort. Vice-Chairman Martin stated it is interesting to look at what was started a year ago. She stated, “This is a great plan...to me the success is in the people staying actively involved in it and is what will make this successful.” She stated that when the motion is made, there are some items that need to be included in the Memorandum of Understanding (MOU) to help keep the process in place, as follows: 1) that the program be funded as long as the County has funding available and that the SGCEDSSC is still in place; 2) that the funds be provided annually and a presentation be made to the Board of the beginning objectives and what was actually achieved. Mr. Spehar suggested that a report could be done quarterly if the Board so desired. Vice-Chairman Martin stated that at the annual upcoming meeting in October, she would like the first day to be a review and evaluation of what has been accomplished during the past year; the second day would be to plan for the following year. Vice-Chairman Martin then asked the audience to give the Committee a hand for the countless hours, thoughts and wonderful effort. Supervisor Dawson wanted to add her thanks for all that has been done and hopefully with the upcoming motion of the Board, she stated, “We are going to give them funds that will initially get this on the way.” Chairman Sanchez applauded the efforts of all those committee members present at the meeting. He stated that there are people outside of Gila County that are also keeping an eye on this effort. He also congratulated Supervisors Dawson and Martin for their involvement. Upon

motion by Vice-Chairman Martin, seconded by Supervisor Dawson, the Board unanimously accepted and acknowledged the final work product presentation from the SGCEDSSC and approved funding in the amount of \$125,000 per year beginning with fiscal year 2005-2006 and continuing with fiscal year 2006-2007 and 2007-2008, which will be paid annually on the anniversary date if both are still in business, and this payment clause becomes part of the Agreement.

Vice-Chairman Martin and Mr. Besich requested that the Board move to Consent Agenda item number 13 to address those items before Chairman Sanchez had to leave the meeting. Upon motion by Supervisor Dawson, seconded by Vice-Chairman Martin, the Board unanimously approved Consent Agenda item numbers 13A-13I. Upon motion by Vice-Chairman Martin, seconded by Chairman Sanchez, the Board approved Consent Agenda item number 13J by a 2-0 vote. Supervisor Dawson abstained from voting because of a conflict of interest. The consent agenda items are as follows:

- A. Approval of an Intergovernmental Agreement (No. DES06726-1) between the Arizona Department of Economic Security and the Gila County Board of Supervisors, Family Law Commissioner's Office, in the amount of \$283,784.00 per year for the period October 1, 2005, through September 30, 2010, to provide child support enforcement services.
- B. Approval of a request by Vickie Wheeland to use the arena at the Fairgrounds for the Gila County Jr. Rodeo on June 3, 2006, with a waiver of fees.
- C. Approval of a Special Event Liquor License authorized by the Gila County Rodeo Committee to serve liquor at a Junior Rodeo on June 3, 2006.
- D. Authorization to accept the Ryan White, Title II, HIV Care Act Grant Award (No. HP652141-001) in the amount of \$65,814.00 beginning April 1, 2006, through March 31, 2007, with four one-year renewal options and to ratify the Chairman's signature on the Offer and Acceptance form.

- E. Adoption of Resolution No. 06-05-04 for the naming of three roads in Round Valley, namely Arthurs Hollow, King Court, and Crown Court, and one road in Pine, namely Wapiti Meadow Lane. **(A copy of the Resolution is permanently on file in the Board of Supervisors' Office.)**
- F. Authorization of the Chairman's signature on Amendment No. 3, Contract No. E6306015 between the Arizona Department of Economic Security and the Gila County Office of Community Services to receive \$261,184.00 to provide case management services and \$150,695 to provide community services to eligible citizens in Gila County for a Contract total amount of \$411,879.00 for the period July 1, 2006, to June 30, 2007.
- G. Approval of the April 2006 monthly departmental activity reports submitted by the Globe and Payson Regional Justices of the Peace.
- H. Approval of the personnel reports/actions for the week of May 22, 2006, as follows:

Departure from County Service:

1. Public Health Nurse I – Health – 05-26-06 – Health Services Fund -
Marguerite Loughran – Hire 05-09-05 – Resigned for personal reasons
2. Assessor's Aide – Assessor – 05-29-06 – General Fund - Patricia
Saunders – Hire 01-10-05 – Resigned for other employment
3. Executive Director – EECO/EACO – 05-12-06 – EECO/EACO Funds -
Clarence Bigalow – Hire 01-27-06 – Resignation
4. Network Technician – GCIT – 05-19-06 – Computer Services Fund -
Michael Bredenburg – Hire 06-25-03 – Resigned for other employment

Hire to County Service:

5. Legal Secretary I – County Attorney – 05-15-06 – General Fund - Linda
Willard – replaces Tammy Zappela
6. Legal Secretary I – County Attorney – 05-22-06 – General Fund- Debra
Holmes – replaces Patricia Johnson
7. Legal Secretary I – County Attorney – 05-18-06 – Deferred Prosecution
Fund - Pamela Newell – replaces Nancy McBride

Temporary Hire to County Service:

8. Administrative Assistant – School Superintendent – 05-15-06 – General Fund - Janis Gordon – New position – part-time
9. Transcriptionist – County Attorney – 05-15-06 – Cost of Prosecution Reimbursement Fund – Beth McCreary
10. Elections Assistant – Elections – 05-29-06 – General Fund - Beverly Hawkins

Departmental Transfer:

11. Risk Management Assistant to Emergency Planning & Operations Coordinator – Emergency Management – 05-29-06 – General Fund to Emergency Operations Planning Fund – Sarah White – Full time to part time
12. Emergency Planning & Operations Coordinator to Risk Management Assistant – Emergency Management – 05-29-06 – Emergency Operations Planning Fund to General/Emergency Operations Planning Fund – Debra Williams

Request Permission to Post:

13. Network Technician – Information Technology – position vacated by Michael Bredenberg

SHERIFF'S PERSONNEL ACTION ITEMS

Hire to County Service

14. Detention Officer – Globe S.O. – 05-22-06 – General Fund - Paul Kendall – replaces Robert River
- I. Approved the finance reports/demands/transfers for the week of May 22, 2006, (separate handout) as follows: \$692,697.52 was disbursed for County expenses by voucher numbers X151070 through X151187, X151189 through X151202, X387977 through X388070, and X388072 through X388224. The hand-issued warrant listing is as follows: voucher number X387726 in the amount of \$24,715.50. **(An itemized list of vouchers is permanently on file with the Board of Supervisors.)**

J. Approval of a payment for services in the amounts of \$370.10 and \$424.20 to Fly-A-Way Travel.

Chairman Sanchez stated that the agenda would be reversed so the next item to be addressed would be agenda item number 12. Susan Mitchell, Personnel Director, requested the renewal of the appointment of Mildred Wills to serve on the Gila County Personnel Commission through December 31, 2009. Chairman Sanchez stated that he received a Public Participation Form from Mildred Wills of Globe to address the Board. Ms. Wills advised Chairman Sanchez that a letter was attached to her Form requesting that her letter be read into the record. Chairman Sanchez read the following letter from Ms. Wills:

“I have received some feedback from some employees of Gila County that a certain supervisor does not want me participating on the Personnel Commission, for what reasons I do not know. It’s apparent that this supervisor is not a straight shooter, has a personal agenda, and is unprofessional. If my performance was not satisfactory then how can I or anyone else improve our performance if we have not been properly informed? Supervisors should use confidential constructive criticism without any personal agendas where needed. My resignation from the Gila County Personnel Commission is effective Tuesday, May 23, 2006. Thank you for your understanding.” Signed: Mildred Wills

Chairman Sanchez questioned how to handle this item with Ms. Wills’ resignation, as the Board was going to take action to appoint Ms. Wills. Mr. Besich suggested that an item be placed on next week’s Board agenda to acknowledge Ms. Wills’ resignation or the Board could choose to deal with it as written on the agenda. Bryan Chambers, 2nd Chief Deputy County Attorney, stated that the choice was up to the Board. Chairman Sanchez stated to Ms. Wills that her letter indicates she is resigning from the Personnel Commission. Ms. Wills stated, “Yes, I am because I got too much flack. I knew and figured the Board was going to ask me to resign so I went ahead and resigned.” Chairman Sanchez stated, “I will restate how I feel and how I operate, Ms. Wills. The only time--whatever happens to gossip, hearsay, or the media or whatever, I tell folks that what happens at this Board—that is when I make my

feelings known or express my opinion on whatever issue. Everything else doesn't matter. What happens here at the Board meeting is the only thing that matters as that's the official action of the Board. I'm sorry that you based your judgment obviously of me on hearsay. We've never had a conversation." Ms. Wills replied, "You won't speak to me. Last week when it [this item] was on the Consent Agenda for Ingo [Radicke], myself and David Hill, which his name was wrong—it was supposed to be Dan Hill, you said, 'Oh, I have a problem with one of these names.' Obviously, we had a..." (At this time Vice-Chairman Martin broke into the conversation.) Vice-Chairman Martin stated, "There were two names on there, David Christianson, who is dead, and Dan Hill who is now running for Justice of the Peace. I feel like I don't want to reappoint him because I don't feel it is appropriate. So that was the problem. Not only was it the wrong name, I also did not want to reappoint him so that's the problem I had." Chairman Sanchez made the motion to accept the resignation of Mildred Wills from the Gila County Personnel Commission. The motion was seconded by Vice-Chairman Martin. Supervisor Dawson stated that she wanted to comment before she voted. She stated that usually most appointments to any commission are listed on the Consent Agenda. She stated, "I hate to see anybody, any volunteer Board have difficulty with us, and I hope that when they do they will come to us individually if there is a problem because I think when people volunteer for serving on commissions we need to thank them for what they do and I appreciate the time Ms. Wills has served for Gila County." Chairman Sanchez stated, "Before we vote, let me refresh your memory on an appointment to the Industrial Development Authority Board that I believe was on the regular agenda, which you opposed and you voted in opposition to that appointment and you had your reason. The only thing I try to base my opinion, and my judgment and my decision on is what happens here at the Board meeting." The Board then voted unanimously to accept the resignation of Ms. Wills from the Gila County Personnel Commission.

In addressing agenda item number 11, Susan Mitchell, Personnel Director, requested the renewal of the appointment of Ingo Radicke to serve on the Gila County Personnel Commission through December 31, 2009. Julie Homan, Deputy Personnel Director, speaking on behalf of Susan Mitchell, stated that Mr. Radicke has served as a volunteer on this Commission since 1980. Upon motion by Supervisor Dawson, seconded by Vice-Chairman Martin, the Board unanimously approved renewing the appointment of Ingo Radicke to the Gila County Personnel Commission through December 31, 2009.

At this time, Chairman Sanchez left the meeting, and Vice-Chairman Martin presided over the remainder of the meeting.

In addressing agenda item number 10, Marian Sheppard, Chief Deputy Clerk, requested the approval of an application for a Series 9 – Liquor Store License, Gila County Order No. LL-06-03, submitted by Robert Powers for the Tonto Basin Marketplace, located at Tonto Basin, Arizona. She stated that this is an application to transfer the location of the liquor license as well as transfer the ownership of the license. She stated that all internal permitting requirements of Gila County have been met and she recommended the Board's approval. Supervisor Dawson inquired whether any objections were received, particularly from the nearby Baptist Church. Ms. Sheppard stated that no objections had been received. Upon motion by Supervisor Dawson, seconded by Vice-Chairman Martin, the Board approved the application by the Tonto Basin Marketplace for a Series 9 – Liquor Store License, Location/Person Transfer, Gila County Order No. LL-06-03.

In addressing agenda item number 9, Steve Stratton, Public Works Division Director, requested the award of Call for Bids No. 031906-1 for the purchase one or more new 4-door, 5-passenger sedan(s). Mr. Stratton stated that he came to the Board a few weeks ago to lend his expertise to the Re-Employment and Prelayoff Assistance Center (REPAC) to advertise a call for bids for the purchase of two vehicles. He recommended that the Contract be

awarded to Cobre Valley Motors in the amount of \$17,875.56 per vehicle as the vehicles would be available immediately. Upon motion by Supervisor Dawson, seconded by Vice-Chairman Martin, the Board awarded Call for Bids No. 031906-1 to Cobre Valley Motors in the amount of \$17,875.56 each for the purchase of 2 new 4-door, 5-passenger Chevy Impalas for use by REPAC. Mr. Stratton stated that the vehicles would be paid for out of grant funds awarded to REPAC.

In addressing agenda item number 8, Mr. Stratton requested authorization to advertise Call for Bids No. 041706-01 for the purchase of one (1) new 2006 loader-landscape tractor as specified by the Public Works Consolidated Roads Division. Mr. Stratton gave a brief description of the tractor desired and requested the opportunity to advertise and review the bids, which he anticipates to be in the \$60,000 to \$70,000 range. He advised that funds are available. Upon motion by Supervisor Dawson, seconded by Vice-Chairman Martin, the Board authorized the advertisement of Call for Bids No. 041706-01.

In addressing agenda item number 7, Mr. Stratton requested the approval and authorization of the Chairman's signature on the Community Development Block Grant (CDBG) Application form, Certifications, and Disclosure Report for the Payson Elevator in the amount of \$300,000 for the Design/Build Project, Removal of Architectural Barriers, at the Payson Courthouse Complex and to adopt Resolution No. 06-05-03 authorizing the submission of the Application for Fiscal Year 2006 CDBG State Special Project (SSP) funds. He thanked Diana Jones, Public Works Grant Writer, for her work on the grant in consultation with Gila Management. He stated that the cost estimate for work is coming in much higher than anticipated. Mr. Stratton stated that this Application is due to the State on June 1st and the County should be advised about the type of funding within a couple of months. Upon motion by Supervisor Dawson, seconded by Vice-Chairman Martin, the Board approved and authorized the Chairman's signature on the CDBG Application

and adopted Resolution No. 06-05-03 authorizing the submission of said Application. **(A copy of the Resolution is permanently on file in the Board of Supervisors' Office.)**

In addressing agenda item number 6, Mr. Stratton requested authorization of the Chairman's signature on the Lease between Arizona Public Service (APS) and Gila County for the land located at SR188 and Electric Drive, Globe, Gila County, Arizona, for the purpose of an impound lot for the Gila County Sheriff's Office. He stated that the County recently purchased a building adjacent to this impound yard. He stated that in the lease for this impound yard, APS has required there be an overlay done with Petromat. In reviewing the yard with the Sheriff's Office, Gila County Facilities Department, and APS, the concern is that cracks will reflect through just a normal overlay. Mr. Stratton stated that with the fencing constraints around the lot, it would be almost impossible to lay Petromat and keep it stretched out. Mr. Stratton stated that he told Sheriff Armer that his department does not want anything to do with a project of that type and suggested that the Sheriff obtain a bid from a local contractor. He also suggested that it might be cheaper to remove all the asphalt and replace it and bypass the use of Petromat, which was acceptable to APS. The bids received ranged from \$24,000 to \$42,000 and he understands that APS has a bid of \$18,000 from one of its contractors. Mr. Stratton stated that this is a 3-year lease, and due to the expense, he began looking for alternatives. He stated that for \$9,000, the County could purchase fencing and gates, which could be installed at the Armory by County employees with the help of trustees from the Sheriff's Office. Mr. Stratton stated that at this time it would be his recommendation to reject the lease from APS and to allocate \$9,000 to the Facilities Department for the County to build its own impound yard at the Armory. Mr. Stratton expressed his gratitude to APS in working with the County and he stated that this in no way reflects on APS; the alternative just appears to be a better use of taxpayer dollars. Bill Marshall, APS Area Supervisor, stated that APS has donated the lease of the building to

Gila County Search and Rescue for the past 4 years. He stated that in that period of time the asphalt has really deteriorated for lack of maintenance and weeds have grown up through cracks in the asphalt. Mr. Marshall was surprised at the prices in the bids as he had received a much lower bid; however, he understands the increase in costs with the high cost of gas. He requested an opportunity to again meet with Mr. Stratton to determine if something can be worked out to the County's benefit as well as APS in preserving the asphalt or looking at other options. Sheriff Armer stated that he also appreciates APS working with the Sheriff's Office on that building and parking lot. Sheriff Armer stated he would be amenable to continue working with APS. Vice-Chairman Martin asked Mr. Stratton to give the Board some direction. Mr. Stratton requested that the Board table this item. Mr. Besich also thought tabling the item would be appropriate at this time. Upon motion by Supervisor Dawson, seconded by Vice-Chairman Martin, the Board tabled the Lease with Arizona Public Service.

In addressing agenda item number 5, Steve Sanders, Public Works Division Deputy Director, requested to quit claim a portion of that alley in Inspiration Townsite that was vacated and abandoned by Resolution No. 81-3-04 on March 16, 1981, to Bueford and Peggye Howell. He stated that when the Quit Claim Deed was prepared it split the alley in a diagonal piece and not all of it was deeded to the Howells. He stated that this was not realized until the grandchildren of the Howells purchased the property and applied for a mortgage to build a home. The title report showed that the County still had a portion of the alley surrounded by the Howell's property. Mr. Sanders stated that in reviewing the Resolution, it was apparent that the intent was to completely vacate the alley, but the actual Deed only transferred a portion; therefore, a new corrected Deed has been prepared that will transfer ownership to the Howells. Upon motion by Supervisor Dawson, seconded by Vice-Chairman Martin, the Board approved the quit claim of a portion of that alley

in Inspiration Townsite that was vacated and abandoned by Resolution No. 81-3-04.

In addressing agenda item number 4, Mariano Gonzalez, Jr., Emergency Management Division Deputy Director, requested the adoption of Resolution No. 06-05-02 adopting the Gila County Multi-Hazard Mitigation Plan, hereinafter referred to as the 'Plan,' as the Official Plan for the Reduction of Hazard Risk to Gila County. He passed out an information packet to the Board and presented the following information. In 2000 Congress passed the Disaster Mitigation Act, now known as the Stafford Act Amendment, to establish a national program for pre-disaster mitigation. Because Congress had a concern that too much money was being spent on disaster response recovery, it requested that all local jurisdictions do an internal study from a risk point of view. The first page of the report gives the details of those processes. There are two types of disasters that can befall a jurisdiction—natural or manmade. Congress requested that a 5-year plan be provided to address these issues and how the jurisdiction would mitigate them. Funding was provided by a grant to the ADEM (Arizona Division of Emergency Management) through FEMA (Federal Emergency Management Agency) with the remaining 25% being paid for by ADEM. Utilizing a contractor, J.A. Fuller, Inc., the ADEM has gone to every jurisdiction in the State to assist in a self-analysis. This process was participated in by the local fire chiefs, law enforcement personnel, Sheriff's Office personnel, as well as the Native American tribes. The end result is a compilation of goals for the County. This Plan will be submitted to ADEM and then to FEMA where it will be kept in a database and over the course of 5 years the County has the option at any time to add, change or delete any goals that it deems necessary as far as dealing with or responding to disasters in Gila County. This also gives FEMA a large 'snapshot' of Gila County and would give FEMA a starting point, which would save time in a response mode. In researching old records, five of the most frequent disasters occurring in Gila County are flooding (flash flooding),

thunder storms and high winds, wildfires, HazMat incidents and transportation accidents. Having this information gives the County a baseline and a history of what the County has faced in the past. Mr. Gonzalez stated that all of the other entities within the County, such as the cities, towns and tribes, are also being required to provide the same Plan. He thanked all of the people who participated in putting this Plan together and requested that the Board consider adopting the Resolution. Supervisor Dawson commented on the need for the County to discuss with FEMA a solution for flooding in Gila County by allowing the cleaning out of all the washes instead of spending billions of dollars in restoration. She stated that the County needs to prevent what has happened historically. Vice-Chairman Martin stated that flash flooding is made more severe because of Federal policies and inquired if there is any language in this Plan whereby the County can turn those hazards back onto the government which has helped cause those natural disasters. Mr. Gonzalez replied that there is no such language within the scope of this Plan, but the dialog with ADEM and FEMA is improving and the County is allowed to insert language in the document if the Board feels there are additional points that should be made. Supervisor Dawson inquired about the cost of this program and Mr. Gonzalez stated that he would check with the State. Upon motion by Supervisor Dawson, seconded by Vice-Chairman Martin, the Board adopted Resolution No. 06-05-02. **(A copy of the Resolution is permanently on file in the Board of Supervisors' Office.)**

In addressing agenda item number 14, Steve Besich, County Manager/Clerk, requested an executive session, pursuant to A.R.S. §38-431.03(A)(3)(4) for the purpose of discussion or consultation for legal advice with Eric Walberg, Gila County's Attorney for the former maintenance yard in Star Valley/Chaparral Pines.

In addressing agenda item number 15, Bryan Chambers requested an executive session pursuant to A.R.S. §38-431.03(A)(3)(4) for the purpose of discussion or consultation to obtain legal advice to approve a joint

representation agreement with the Maricopa County Attorney's Office to represent Gila County in the following two election lawsuits: Gonzales v. Arizona, U.S. District of Arizona; and Chavez v. Brewer, CV 2006-007000 Maricopa County Super Court.

Upon motion by Supervisor Dawson, seconded by Vice-Chairman Martin, the Board convened into executive session at 11:34 a.m. to discuss both agenda item numbers 14 and 15.

Upon motion by Supervisor Dawson, seconded by Vice-Chairman Martin, the Board reconvened into regular session at 12:15 p.m.

In reference to agenda item number 14, Supervisor Dawson made the motion that the Board instruct its legal attorney, Eric Walberg, to respond to the April 19, 2006, letter with regard to the Star Valley/Chaparral Pines maintenance yard. The motion was seconded by Vice-Chairman Martin and approved by the Board.

In reference to agenda item number 15, Supervisor Dawson made the motion that the Board authorize the County Attorney to enter into a Cooperative Defense and Confidentiality Agreement with the Maricopa County Attorney's Office. The motion was seconded by Vice-Chairman Martin and approved by the Board.

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 12:19 p.m.

Jose M. Sanchez, Chairman

ATTEST:

Steven L. Besich, County Manager/Clerk