

BOARD OF SUPERVISORS

GILA COUNTY, ARIZONA

Date: June 20, 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 (participated via telephone conference call); Shirley L. Dawson, Member; Jacque Griffin, County Librarian/Assistant County Manager; Marian Sheppard, Chief Deputy Clerk; and, Daisy Flores, County Attorney.

The Gila County Board of Supervisors met in Regular Session at 10:00 a.m. this date. Daisy Flores led the Pledge of Allegiance, and Dixie Mundy delivered the Invocation.

Chairman Sanchez noted that Vice-Chairman Martin is in Washington D.C. today; however, she would be participating in the meeting via a telephone conference call. He noted that Steve Besich, County Manager/Clerk is in Phoenix attending the legislative sessions.

In addressing agenda item 2, Chairman Sanchez stated that our County was honored to have Lionel Ruiz, Pinal County Supervisor, here today to give a presentation on the services provided to Gila County residents by Pinal/Gila Long Term Care. He also thanked Supervisor Ruiz for his support on the Highway 60 Project through Gonzales Pass and for being a valuable member of the Central Arizona Association of Governments (CAAG), serving as Regional Chairman and taking an active role on the CAAG Budget Committee. Supervisor Ruiz thanked the Board for having the vision and foresight to partner with Pinal County for the past 5 years on the Pinal/Gila Long Term Care, which is an Arizona Long Term Care System (ALTCS) Program. He stated

that it is a \$50 million per year program for 5 years. He stated, "It's not so much the money, but it's the quality of life and being able to get local people to take care of local people." Supervisor Ruiz then introduced his staff and stated that they have done a fabulous job in putting the bid together and making sure that through this Program both Counties can accomplish its goals. Barbara Zwiener, who runs the Long Term Program, stated that Pinal County has been the Program contractor for the ALTCS Program in Pinal County since 1990 and in Gila County since 2001 and she is very pleased that ALTCS has selected Pinal/Gila County Long Term Care to be the contractor for both Pinal and Gila Counties for the next 5 years. She stated that the \$250 million over the next 5-year period adds up to a lot of services that can be provided for the people in both Counties. She thanked the Board for its support and stated that she looks forward to providing a great service for the residents of Gila County. Lisa Garcia, Assistant Pinal County Manager for Human Services, stated that she was honored to be able to serve the people of Gila County as she was born and raised in this area. She stated that the staff at Pinal/Gila Long Term Care do a good job on behalf of the elderly and disabled in both Counties. Ms. Garcia stated that running a health plan has become an extremely sophisticated business, and she's very proud that the infrastructure, management information systems, administration services and most importantly the clinical services are top notch and considered to be the premiere long term health care plan in the State of Arizona. Each of the Supervisors thanked Supervisor Ruiz and his staff for the work they do on behalf of Gila County. Chairman Sanchez stated that he would like to see more recognition for this Program and he plans to emphasize that during the coming years.

Steve Stratton, Public Works Division Director, requested the adoption of Resolution No. 06-06-06 extinguishing a right-of-way easement between Gila County and Inspiration Consolidated Copper Company dated July 31, 1978, and to accept an access easement between Phelps Dodge Miami, Inc., and Gila County for the entrance road to the Gila County Fairgrounds. He stated that the County received a traffic enhancement grant for the entrance to the

Fairgrounds; however, the road applied for in the grant was not funded and will become a County project. He stated that the easement the County currently has is not where the new road will be located; therefore, the County needs to extinguish the old easement and adopt the new easement so the 90 degree curve in the road can be removed and made into a sweeping curve, along with widening the road and performing some other safety standards. Upon motion by Supervisor Dawson, seconded by Vice-Chairman Martin, the Board unanimously adopted Resolution No. 06-06-06. **(A copy of the Resolution is permanently on file in the Board of Supervisors' Office.)**

Mr. Stratton requested authorization to advertise Call for Sealed Bids No. 042106-01 for the Water Tank Relocation Project. He stated that there are three water tanks in Pine, Arizona, currently owned by Brooke Utilities, Inc., which are going to be conveyed to Jim Richey. He stated that a verbal agreement has been made with Mr. Richey to demolish two of those water tanks and relocate a 300,000 gallon tank from Pine to Buckhead Mesa. Mr. Stratton stated that it is only a verbal agreement and work continues on a written version to submit to the County Attorney for approval. Mr. Stratton requested that the Board authorize advertising the relocation of that tank and changing the original advertising dates from June 28 and July 5 to July 5 and July 12, with the bids to be received on July 21, 2006. This will allow Mr. Stratton time to work out a written agreement with Mr. Richey. He also stated that it was estimated that the County could have built a new 100,000 gallon tank for about the price the County will be paying for relocating this 300,000 gallon tank and bringing it up to current standards. He stated that this will triple the capacity at Buckhead Mesa, which could then be a permanent batch site for the U.S. Forest Service for a slurry batch plant. Upon motion by Vice-Chairman Martin, seconded by Supervisor Dawson, the Board unanimously authorized advertising Call for Sealed Bids No. 042106-01 for the Water Tank Relocation Project.

Christina Throop, Community Services Deputy Program Manager, requested approval of an Intergovernmental Agreement (IGA) between Gila

County and Pima County to provide support and coordination of efforts in the provision of WIA (Workforce Investment Act) Dislocated Worker and Rapid Response Programs to persons and businesses within the REPAC Consortium counties and Pima County in the amount of \$100,000 for the period of July 1, 2005, through June 30, 2006. She stated that Gila County works very closely with Pima County in rapid responses because when there is a rapid response it affects both Counties. Chairman Sanchez inquired about the dates of the IGA and inquired if this is because there are funds that have to be expended prior to June 30th. Ms. Throop replied in the affirmative and stated that Pima County has exhausted its funding and sent a request to the entire State and Gila County wants to honor that request. Upon motion by Supervisor Dawson, seconded by Vice-Chairman Martin, the Board unanimously approved the IGA with Pima County in the amount of \$100,000.

Marian Sheppard, Chief Deputy Clerk, requested the approval of an application for a Series 6 – Bar License, Person Transfer, Gila County Order No. LL 06-04, submitted by Charlee Holley for Cactus Flats, Tonto Basin, Arizona. Ms. Sheppard requested that the Board refer to page 58 of the Board packet. She stated that the County has several internal departments that review liquor license applications, and one is the Building Permitting Department under Joe Mendoza, Community Development Division Director. She stated that the application was approved by the Building Permitting Department; however, before the establishment opens, the business will be revisited to ensure that all building permitting requirements have been met. It was noted that Mr. Thomas Holley, the applicant's husband, was present for any questions by the Board. Upon motion by Vice-Chairman Martin, seconded by Supervisor Dawson, the Board unanimously approved the application for a Series 6 – Bar License, Person Transfer, Gila County Order No. LL 06-04.

Upon motion by Supervisor Dawson, seconded by Vice-Chairman Martin, the Board unanimously approved Consent Agenda item numbers 7A through 7G. Supervisor Dawson commented that she hopes the Board will note the reports that show the difference in the Globe and Payson Constable's

activity for the month. She stated that \$555.00 was taken in for southern Gila County as compared to over \$3,000 for northern Gila County. The Consent Agenda items are as follows:

- A. Regarding Municipal Lease-Purchase Agreement No. 4185 entered into between Gila County and Multimedia Telesys, Inc., effective April 18, 2006, authorization is requested for the Board to acknowledge and accept a change in ownership of Multimedia Telesys, Inc., to Government Capital Corporation and in turn Government Capital Corporation has assigned all its right, title and interest in the Agreement, and in the equipment leased thereunder, and the right to receive payments thereunder to Old National Commercial Leasing.
- B. Approval of Amendment No. 1 to Contract No. HG561131 between Gila County Division of Health and Community Services and the Arizona Department of Health Services, increasing the Contract amount from \$75,000 to \$125,000, an increase in Teen Pregnancy Prevention funds for the period of July 1, 2006, to July 31, 2009.
- C. Approval of Amendment No. 1 to Contract No. HP561263-009, an extension of the Contract between the Gila County Division of Health and Community Services and the Arizona Department of Health Services for the period July 1, 2006, to June 30, 2007.
- D. Adoption of Resolution No. 06-06-07 naming a road in Pine, Arizona, to be called Wilderness Trail and the renaming of a road in the Copper Canyon Ranches from Copper Canyon Road to Wrangler Drive. **(A copy of the Resolution is permanently on file in the Board of Supervisors' Office.)**
- E. Approval of the May 2006 monthly departmental activity reports submitted by the Globe and Payson Regional Constables and the Globe Regional Justice Court.
- F. Approval of the personnel reports/actions for the week of June 19, 2006, as follows:

Departure from County Service:

1. Rural Addressing Assistant – Rural Addressing – 06-16-06 – General Fund - Diana Schaefer – Hire 12-01-04 – Resigned for personal reasons
2. Law Clerk – County Attorney – 06-23-06 – General Fund - Cary McCallister – Hire 03-01-06 – Did not become licensed attorney
3. Deputy Probation Officer – Probation – 06-08-06 – Juvenile Standard Fund - Elizabeth Simpson Smith – Hire 12-18-95 – Resigned without notice
4. Probation Aide II – Probation – 06-02-06 – Adult Probation Service Fees Fund - Daniel Friday – Temporary position

Hire to County Service:

5. Network Technician – Information Technology – 06-26-06 – Computer Services Fund – Tyler Solberg – Replaces Michael Bredenberg
6. Accounting Clerk – Community Services – 06-26-06 – Grant Fund - Karen George – Replaces Jenny Cole
7. Law Clerk – County Attorney – 06-19-06 – General Fund - Pascal Brown – Replaces Cary McCallister/John Franklin
8. Deputy Probation Officer – Probation – 06-19-06 – Adult Probation Service Fees Fund – Armand Casanova – Replaces Frank Pontier

Temporary Hire to County Service:

9. Facilitator – Pandemic Influenza Preparedness – Health Services – 06-19-06 – Grant Fund – Regina Curtis

Position Review:

10. Anniversary Date Increase – 05-29-06 – Charlene Becker
11. Anniversary Date Increase – 06-12-06 – Rebecca Baeza
12. Anniversary Date Increase – 06-26-06 - Patricia Chavez, Keith O’Camb, Diana Russell
13. Change Fund Codes – Operator II – Solid Waste Management – 06-26-06 – Enterprise Fund – William Seeley

Request Permission to Post:

14. Weatherization Technician – Community Services – Received additional grant funds to hire an additional Weatherization Technician

15. Rural Addressing Assistant – Rural Addressing – Position vacated by
Diana Schaefer

Sheriff's Personnel Action Items:

Hire to County Service:

16. Dispatcher II – Globe S.O. – 06-26-06 – General Fund - Constance Dude
– replaces Bonnie Marcenkowski

G. Approved the finance reports/demands/transfers for the week of June 19, 2006, (separate handout) as follows: \$537,060.27 was disbursed for County expenses by voucher numbers X151471 through X151485, X151487 through X151505, X151507 through X151565, X388987 through X389000, X389002 through X389027, X389029 through X389033, X389035 through X389042, X389044 through X389082, X389084 through X389105, X389108 through X389119, X389121 through X389134, X389136 through X389162, X389164 through X389232, X389234 through X389258, X389260 through X389266, X389270 through X389281, and X389283 through X389298. There were no hand-issued warrants. **(An itemized list of vouchers is permanently on file with the Board of Supervisors.)**

Chairman Sanchez stated that the Board would move to agenda item number 9 and then return to agenda item number 8 for the executive session. 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.

Chairman Sanchez addressed agenda item number 8 and upon motion by Supervisor Dawson, seconded by Chairman Sanchez, at 10:43 a.m. the Board voted to go into executive session pursuant to ARS §38-431.03 (A)(3) & (A)(4) to provide legal advice and seek the Board's direction in settlement negotiations and to authorize the Arizona Attorney General to negotiate a possible settlement of Southwest Gas Corporation v. Arizona Department of Revenue (ADOR), et al. Arizona Tax Court No. TX2000-00473; TX2002-00567; TX2003-000009; TX2003-000365; and TX2004-000998 (Consolidated). It was

noted that Ken Love, of the Arizona Attorney General's office, would be participating in the executive session via a telephone conference call. Vice-Chairman Martin did not participate in the executive session or the remainder of the meeting because she boarded an airplane.

Upon motion by Supervisor Dawson, seconded by Chairman Sanchez, the Board reconvened into the Regular Session at 11:02 a.m. Supervisor Dawson made the motion that the Board instruct the County Attorney and the Arizona Attorney General's Office to proceed with the settlement of the lawsuit between the various counties and Southwest Gas Corporation. Chairman Sanchez seconded the motion. County Attorney Daisy Flores stated to the Chief Deputy Clerk of the Board that, for the record, this directive is in the form of a resolution on behalf of the County to support the settlement as directed by the Arizona Attorney General's Office. Chairman Sanchez stated that Ms. Flores' statement would be a part of the motion. The Board then voted to approve the motion as noted above.

There being no further business, Chairman Sanchez adjourned the meeting at 11:03 a.m.

Jose M. Sanchez, Chairman

ATTEST:

Steven L. Besich, County Manager/Clerk