

BOARD OF SUPERVISORS
GILA COUNTY, ARIZONA

Date: August 8, 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; Shirley L. Dawson, Member; Jacque Griffin, County Librarian/Assistant County Manager; 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. Jacque Griffin led the Pledge of Allegiance, and Reverend Lyle Johnston of St. Paul's United Methodist Church delivered the Invocation.

Chairman Sanchez advised that Vice-Chairman Martin would not be participating in today's meeting as she was on a flight from a trip to the NACo (National Association of Counties) Annual Conference in Chicago, Illinois. Upon motion by Supervisor Dawson, seconded by Chairman Sanchez, the Board excused Vice-Chairman Martin from today's meeting.

Dixie Mundy, Elections Department Director; Linda Haught Ortega, Recorder; Josephine Goode, Elections Department Voter Outreach Coordinator; and, David Rogers, Elections Department Specialist, gave a presentation regarding identification at the polls, voter registration, voter outreach, and the TSX accessible voting system for the upcoming primary election on September 12, 2006. Ms. Mundy called on Ms. Ortega to begin the presentation. Ms. Ortega provided an update on voter registration and the Voter Outreach Program within her department. She stated that the County's efforts in educating the public about the new identification (ID) requirements because of

Proposition 200 are paying off and the voters are checking their ID cards. She stated that with all of the mailings of new voter ID cards from the Recorder's Office and the yellow cards mailed from the Elections Department notifying voters of their polling locations, the response has been great. Ms. Ortega presented the Board with some updated statistics by stating that 620 ballots have been requested to date for early ballots, with early voting beginning on August 10th. Caroline Brown, the Recorder's Office Voter Outreach Assistant, has increased voter registration in the following areas since 2004: 226 new registered voters on the San Carlos Indian Reservation with active voters totaling 2,479; 88 new registered voters in Canyon Day with active voters totaling 545; and, 24 new registered voters in Carrizo Creek. Ms. Ortega advised that Ms. Brown has done a good job in coordinating with the tribal offices and she has also been active in cleaning up the voter registration rolls of deceased tribal members. Ms. Ortega stated that her office is required to follow Title 16 statutes in order to clean up the rolls. Chairman Sanchez thanked Ms. Ortega for her efforts and working with the Elections Department to ensure the integrity of the ballots and the voting. Ms. Mundy called on Ms. Goode, who presented a handout to the Board on the Voter Outreach Program along with a CD, which Ms. Goode and Ms. Brown have recorded in the Apache language to inform the Apache-speaking voters of the new ID voting requirements. Ms. Goode explained that the Voter Outreach Program was established to work with the San Carlos, Canyon Day, Cedar Creek and Carrizo Creek communities. It was determined that Gila County is subject to the bilingual election requirements. Based on the particular situation and the needs of the local Apache communities, the goals for developing and implementing the Voter Outreach Program have been available through various voter education programs and election training using written materials or oral presentations to acquaint eligible voters with the electoral process. She stated that the Apache language translation project has been the major part of the program. The voter education and election information provided to tribal people in English and in the Apache language are as follows: translating election materials into the

Apache language; publicity in English and the Apache language through local and White Mountain radio broadcasts; election information through local newspaper and White Mountain newspaper resources; demonstration of the voting system; polling places information; voting hours; special assistance for the elderly and disabled voters; community posting; and, instruction in the Apache language to cover voter registration, polling place notices, election pamphlets, actual casting of the ballot and development of an audio tape in the Apache language explaining ID at the polls. She also stated that 4 interpreters have been hired and will be trained to serve at the polls. Ms. Goode also provided the Board with a list of 111 voting words translated from English into Apache, which was used in a pamphlet for the 2004 elections. The pamphlet is continually being updated with new words as the need arises. For the last election, Ms. Goode completed the first translation of all the propositions into the Apache language. She explained to the Board some of her objectives and goals and stated that every effort is being made for the tribal people to understand the electoral process. Chairman Sanchez and Supervisor Dawson thanked Ms. Goode for her hard work and continued efforts in preserving the Apache language. Ms. Mundy called on Mr. Rogers to demonstrate and explain all of the features on the touch screen voting machine. Ms. Mundy gave the Board a brief summary on the background of how the County acquired these machines. As a requirement of the Help America Vote Act, each polling place is required to have at least one accessible voting unit on election day and one in each permanent early voting site accessible to the disabled. Anyone can vote on the machine, but it is primarily for use by a voter who would have needed assistance in marking or reading their ballot and it provides them the opportunity to vote independently and in private. The accessible voting machines were provided to Gila County by federal funds as mandated by the Help America Vote Act in the amount of \$267,000, which paid for 48 of the TSX machines. Supervisor Dawson inquired if the lawsuit trying to block the use of these machines was still ongoing. Ms. Mundy stated that the lawsuit has been dismissed by the judge as being an invalid lawsuit. Mr. Rogers then gave a

presentation on all of the features of the touch screen unit and he demonstrated how they are designed to be tamper proof. Ms. Mundy concluded the presentation by stating that the Secretary of State staff came last week and tested 4 of the units, which was primarily to test the program that would be used for the touch screens. She also stated that efforts will continue in working closely with the media up to the time of the Primary Election to ensure that all voters are knowledgeable about the new ID voting requirements. Chairman Sanchez thanked Ms. Mundy and staff for their presentations.

Steve Sanders, Public Works Division Deputy Director, requested that the Board accept or reject a Citizen's Petition to begin the process to establish Outlaw Lane, which is located in Tonto Basin, as a Country Dirt Road. He stated that the County received a Citizen's Petition from the residents along Outlaw Lane to bring this road into the County's Country Dirt Road Maintenance System. The Petition is valid and the road will meet the requirements for a Country Dirt Road. He stated that based on statute and the requirements of the Citizen's Petition, the Board needs to either accept or reject the Petition. Mr. Sanders stated that if the Board chooses to accept the Petition, the County will begin the process to bring the road into the Country Dirt Road Maintenance System. After the road is reviewed and driven by the County, residents living along the road will be asked to sign an easement deeding the subject road to the County. Once that is accomplished, a public hearing will be scheduled to take place at a regular Board meeting at which time the Board may choose to accept the road into the County's Country Dirt Road Maintenance System. He stated that it is the Engineering Department staff's recommendation that the Board accept the Petition. Upon motion by Supervisor Dawson, seconded by Chairman Sanchez, the Board accepted the Citizen's Petition.

Steve Stratton, Public Works Division Director, requested the approval of Professional Contract No. 108-433/7-2006 for the Water Tank Purchase-Removal Project in Pine, Arizona. He stated that for quite some time

negotiations have been ongoing with Jim Richey and Mr. Hardcastle of Brooke Utilities, Inc. There are 3 tanks, one of which is 300,000 gallons and it is usable and in good shape; however, it is an open tank without a top. The other two tanks are not in good shape and need to be scrapped. Mr. Stratton stated that the first time talks were held with Mr. Richey, he was requesting \$20,000 as well as requiring that the County move the other two tanks and fill the holes in which those tanks resided; however, the County refused his request. Mr. Stratton stated that both the County and Mr. Richey now agree upon the terms of the Contract. A quote was obtained from a junk dealer and at the time of the quote the cost was \$3,600 to scrap the 2 unusable tanks. Since that time, there has been a dip in the scrap metal price, so it is expected that the cost will be somewhat higher but still under \$5,000. The cost to purchase the other tank from Mr. Richey is \$5,000. Mr. Stratton recommended that the Board approve the Contract. He advised that the following agenda item addresses the next step to be taken with regard to the 300,000 gallon tank. Upon motion by Supervisor Dawson, seconded by Chairman Sanchez, the Board approved Professional Contract No. 108-433/7-2006 with Jim Richey in the amount of \$5,000.00.

Mr. Stratton requested the award of Call for Bids No. 042106-1 for the Water Tank – Dismantle, Remove, Relocate and Re-erect Project. He stated that this item is in regard to the same tank approved for purchase in the previous agenda item. This 300,000 gallon tank will be dismantled, cut into 12 pieces and taken to Buckhead Mesa and re-erected at a cost of \$94,000. Mr. Stratton believes that the tank does need a top put on, and the cost for same is attached as an addendum to this bid in the amount of \$50,000. Mr. Stratton stated that Cashion Tank and Steel Company of Buckeye, Arizona, was the low bidder and having previously worked with this company in California, he knows they are reputable and will do a good job; therefore, he recommended that the Board approve the Contract with Cashion Tank and Steel Company. Supervisor Dawson inquired about the advantage of having this 300,000 tank placed at Buckhead Mesa. Mr. Stratton replied that there are several

advantages. Currently the County has a 10,000 gallon tank and would like to do more dust control. The large tank would also allow the site to be used as batch plant site for the U. S. Forest Service for slurry as it will have adequate water and adequate space. He stated that the site for relocating the tank has been approved by the U. S. Forest Service. Upon motion by Supervisor Dawson, seconded by Chairman Sanchez, the Board awarded Call for Bids No. 042106-1 to Cashion Tank and Steel Company in the amount of \$94,000.00 and approved an addendum to the Contract to add a tank top in the amount of \$50,000.00.

Upon motion by Supervisor Dawson, seconded by Chairman Sanchez, the Board approved Consent Agenda item numbers 6A-6G, as follows:

- A. Approval of an Addendum to Contract No. 072505-1 executed on September 27, 2005, with Payson Concrete and Materials, Inc., to allow for a price increase for oil that is needed for the production of asphalt. The increase will go from \$43.50 to \$55.00.
- B. Approval of an Addendum to Contract No. 072505-2 executed on November 22, 2005, with Rinker Materials to allow for a price increase for oil that is needed for the production of asphalt. The increase will go from \$40.00/ton for the 19.0 mm mix and 9.5 mm mix to \$49.25/ton for the 19.0 mm mix and \$49.98/ton for the 9.5 mm mix.
- C. Authorization for the Chairman to sign a closeout report for CDBG (Community Development Block Grant) Contract No. 105-04 between the Gila County Office of Community Services and the Arizona Department of Housing as all monies have been expended, all revenues have been received and, the terms and conditions of the Contract have been completed.
- D. Approval of the August 1, 2006, BOS emergency meeting minutes.
- E. Approval of the July 2006 monthly departmental activity report submitted by the Globe Regional Constable.
- F. Approval of personnel reports/actions for the week of August 7, 2006, as follows:

Departure from County Service:

1. Teen Pregnancy Prevention Specialist – Health – 08-04-06 – Grant Fund -
Victoria Juvera – Hire 04-24-06 – Resigned – reason unknown
2. Public Health Nurse I – Health – 08-07-06 – Health Services Fund -
Sabine Sorgalla – Hire 04-03-06 – Resigned for personal reasons
3. Collections Officer – Globe Regional Justice Court – 08-25-06 – General
Fund - Daniel Alonzo – Hire 12-01-03 – Resigned for personal reasons
4. Supervisor I – Consolidated Roads – 08-19-06 – Road Fund - Mike Horta
– Hire 07-18-77 – Retirement

Hire to County Service:

5. Personnel Assistant – Personnel – 08-14-06 – General Fund -
Rebecca Jaimah – replaces Angelo Cutter
6. Animal Control Officer III – Rabies Control – 08-07-06 – Rabies Control
Fund - Mark Boyd – replaces Jason Philpot
7. Supervisor’s Staff Specialist – Board of Supervisors – 08-14-06 – General
Fund - Connie Callaway – replaces Liza Carillo
8. Sanitarian – Community Development – 08-28-06 – General Fund -
Kellie Duncan – replaces Greg Teague
9. Administrative Clerk – Administrative Services – 08-07-06 – General
Fund - Julie Kidd – replaces Janeen Harmon

Temporary Hire to County Service:

10. Recorder Clerk – Recorder – 08-02-06 – General Fund - Jolene McDaniel
11. Early Voting Clerk – Recorder – 08-01-06 – General Fund - Dani Anesin
12. Early Voting Clerk – Recorder – 08-01-06 – General Fund - Christine
Randall

Departmental Transfer:

13. Building Safety Assistant I to Code Compliance Officer – Community
Development – 08-07-06 – General Fund – Patsy Clayton – replaces
Randy Saban

End Probationary Period:

14. Landfill Equipment Operator II – Solid Waste Management – 07-24-06 –
Enterprise Fund – Gerald Nenninger

Position Review:

15. Reduction in hours – Court Clerk I – Payson Regional Justice Court – 08-14-06 – General Fund – Amy Wacker – changing from 40 to 32 hours weekly

Request Permission to Post:

16. Building Safety Assistant I – Community Development – position vacated by Patsy Clayton
17. Administrative Clerk – Community Services – position vacated by Stephanie Cruz
18. Solid Waste Services Worker – Payson Solid Waste – position vacated by Claudia Brooks

SHERIFF'S PERSONNEL ACTION ITEMS:

Departure from County Service:

19. Detention Officer – Payson S.O. – 08-08-06 – General Fund - Travis Ziegler – Hire 05-08-06 – Resigned for other employment

- G. Approval of the finance reports/demands/transfers for the week of August 7, 2006, as follows: \$463,232.32 was disbursed for County expenses by voucher numbers X152398 through X152463, and X390962 through X391222. The hand-issued warrant listing is as follows: voucher number X390678 in the amount of \$229.85; voucher number X152312 in the amount of \$150.00; voucher number X390679 in the amount of \$325.00; and, voucher number X390684 in the amount of \$28.78. **(An itemized list of vouchers is permanently on file with the Board of Supervisors.)**

Bryan Chambers, 2nd Chief Deputy County Attorney, requested a discussion regarding Citizens Telecommunications Co., et al., versus Arizona Department of Revenue, et al., Case No. TX 98-00716 (Consolidated), Arizona Tax Court. Chairman Sanchez inquired if this item would be held in executive session. Mr. Chambers replied that it would be discussed in regular session as the Board would need to take action in the regular session. He stated that this matter was previously brought before the Board in order to get direction on how to resolve the lawsuit and this settlement basically follows the direction

that the Board previously gave to the County Attorney's Office. He stated that the action would be for the Board to decide whether or not to approve the proposed lawsuit settlement. Upon motion by Supervisor Dawson, seconded by Chairman Sanchez, the Board approved the final proposed Settlement Agreement dated June 20, 2006.

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 11:26 a.m.

Jose M. Sanchez, Chairman

ATTEST:

Steven L. Besich, County Manager/Clerk