

**BOARD OF SUPERVISORS**

**GILA COUNTY, ARIZONA**

Date: August 15, 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

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

The Gila County Board of Supervisors met in Regular Session at 10:00 a.m. this date. Claudia Dalmolin led the Pledge of Allegiance, and Father Jay Luczak of Our Lady of the Blessed Sacrament Church delivered the Invocation.

Vice-Chairman Martin addressed agenda item number 2, a presentation related to the proposed management of the United States Forest Service (USFS) "Inventoried Roadless Areas" in Arizona. She stated that Dr. Larry Stephenson, Executive Director of ECO/ECCO (Eastern Arizona Counties Organization/Environmental Economic Communities Organization) would be making the presentation. Dr. Stephenson stated that the issue of roadless areas has been circulated around the State for the last 2 months to gather local comments. He stated that because Gila County has an inventory of roadless areas within its jurisdiction, it's appropriate that the Board consider this issue. He gave a brief history going back to 2001 when the USFS promulgated a nationwide rule about all of the roadless areas in the country for all national forests. Dr. Stephenson stated that the rule generated some controversy and last year the USFS took a different approach. Instead of the federal

government dictating the rule for all states, it has been opened up on a state-by-state basis allowing each state to petition the USFS to develop a special rule just for that state. That is the process that Arizona Governor Napolitano entered into with the USFS and she asked the Arizona Game and Fish Department (AGFD) to lead the process. He noted on a map the locations of the only 2 official roadless areas within Gila County, which are next to Hell's Gate Wilderness Area south of Kohl's Ranch and east of Green Valley on Highway 260. With one exception, there are no roads in the roadless area. Dr. Stephenson then introduced Bob Broscheid, AGFD Habitat Branch Chief, who has been charged by Arizona Governor Napolitano to lead this effort. Mr. Broscheid presented informational brochures to the Board. He gave a more detailed PowerPoint presentation about the Roadless Rule Petition as he felt it was important for the public and local governments to understand the reason that the Governor is running a USFS process with a petition that will be submitted by November 13, 2006, to the secretary of the U.S. Department of Agriculture (USDA). Mr. Broscheid explained that all of the forests in the State are currently going through 3 plan revisions, which makes it confusing, so he explained the purpose of each plan. The purpose the first plan, the Travel Management Rule, is to identify motorized travel systems for Arizona's national forests. The second plan, the Forest Plan Revision, is to update the overall management plan for each of the 6 Arizona national forests. The third plan, the Roadless Rule Petition, which Mr. Broscheid is addressing, will be to determine the future direction of the Inventoried Roadless Areas (IRAs) and this petition may require amending the USDA Forest Service plans if the USDA Secretary accepts the petitions. Mr. Broscheid provided a detailed history of how the IRAs came about. He explained that the Roadless Area Conservation Rule prohibits new road construction and reconstruction in IRAs on National Forest System lands with some exceptions such as health, safety and environmental issues. The Rule also prohibits the cutting, sale and removal of timber in IRAs, also with a few exceptions. The Roadless Rule protects 58.5 million acres, or 31% of the National Forest System land, about 2% of the total

land base of the United States and the scope of the IRA covers 1.1 million acres in Arizona. He explained about the biological diversity in that the IRAs provide benefits to over 220 wildlife species listed as either threatened or endangered, as well as providing undisturbed areas for native terrestrial and aquatic sensitive plants. Mr. Broscheid stated that implementation of the Roadless Rule would decrease the amount of timber harvested by 2 percent, as well as slightly affecting some of the total oil and gas production from the National Forest System. Upon conclusion of his presentation, Mr. Broscheid advised that the federal government has provided the funding to the State to complete this process. He requested that all comments and concerns be received in his office by August 31, 2006, by either mailing them to the Arizona Game and Fish Department, Attention: Roadless Petition Comment, 2221 W. Greenway Road, Phoenix, Arizona 85023, or by e-mailing comments to [roadless@azgfd.gov](mailto:roadless@azgfd.gov). Mr. Broscheid stated that upon receipt of all the comments, his office will begin drafting the recommendations for submittal of the petition by the Governor to the USDA on November 13, 2006. He stated that additional information is available at the following websites: <http://www.azgfd.gov> or <http://www.roadless.fs.fed.us>. Supervisor Dawson inquired about the possibility of this petition further restricting grazing and mineral rights. Mr. Broscheid stated that the Roadless Area Conservation Rule is more restrictive with regard to road construction and timber harvest and any permits currently in place will remain. Vice-Chairman Martin stated that there may only be one grazing permittee that is involved in Gila County's Roadless area and she is going to ensure that the grazing permittee has made comment on this as she believes those comments should carry more weight because of the possibility of how it could affect the grazing permittee's business. She also inquired about the comments Mr. Broscheid received from those who attended his meeting in Payson. He stated that the comments were very mixed and a lot of the concern and comments were from highway vehicle committees in regard to roads being closed down. Vice-Chairman Martin stated that there is not much timber in that area, but she would like there to be more health

functioning and productivity rather than a small diameter/large diameter tree ethic. She stated, "We are too hung up on [tree] size and not nearly hung up enough on functioning health, productivity and how to get into the area to make that happen...It's fine to say roadless; it's fine to say wilderness, but we tend to then think we can take a snapshot and the forest will look like that forever and not bring active management that is still necessary to those areas." She questioned several items such as the meaning of "small diameter" in reference to the trees; the reason it is limited to the ponderosa pine ecosystem; the correct definition of a road according to the USFS - i.e., legal roads or routes, trails, etc.; in reference to law enforcement, how deputies would have access into these areas for emergencies; and, where the grazing permittees should send their comments to ensure they were received. Mr. Broscheid stated these were great questions and they are questions that his department is also asking and he hopes will be resolved in this petition. He stated that the address was noted on the informational brochure and would go directly to his desk. Chairman Sanchez inquired about what action, if any, the Board wanted to take on this item. Dr. Stephenson stated that they are approaching this on a county by county basis and ECO/EECO is just helping to facilitate the presentations. Dr. Stephenson stated that he is available to help draft comments that are county specific if that was desired. Mr. Besich stated that if the Board wanted to make a motion to jointly send a comment, then someone like Dr. Stephenson could work with the Board to come up with some specific comments to prepare a joint response. Chairman Sanchez agreed. Supervisor Dawson questioned whether this IRA included the O.W. Ranch. Vice-Chairman Martin replied that it did not include the O.W. Ranch. Supervisor Dawson explained a problem that the O.W. Ranch is having with washed out roads. Vice-Chairman Martin stated that a comment on that particular item could be included with the Board's response. Vice-Chairman Martin made the motion that with the Board's permission, she would begin working on Board comments in conjunction with Dr. Stephenson and that she would return them to the Board for review before the August 31<sup>st</sup> deadline. The motion was seconded by

Supervisor Dawson and unanimously approved by the Board. Chairman Sanchez thanked Dr. Stephenson and Mr. Broscheid for the presentations.

Steve Craig, Sheriff's Office Task Force Commander, requested approval of the Byrne Justice Assistance Grant (Drug Control and System Improvement Grant ACJC No. AC-07-110) in the amount of \$322,820 that has been awarded to the Gila County Sheriff's Office by the Arizona Criminal Justice Commission for the period July 1, 2006, through June 30, 2007. Chairman Sanchez stated that this item was placed on the agenda for approval by the Board; however, the grant was already awarded to the Sheriff's Office, but had not been previously submitted to the Board for authorization at the time of application. He stated that the Countywide policy adopted by the Board, even for renewals of grants, requires that all grant applications prior to being submitted must be approved by the Finance Department Director so he is aware of the application and can ensure that any matching funds or any type of County resources will be budgeted and charged to the appropriate account. Chairman Sanchez stated that the grant application must also receive Board approval prior to be submitted and he just wanted to remind everyone of the grant application policy. Mr. Besich stated that in regard to this particular grant there were 3 options for meeting the County's cash match requirement of \$64,787. He inquired of Mr. Craig if the cash match was being made from the general funds, RICO funds or the Sheriff's undercover funds. Mr. Craig replied that the cash match would probably come from all three funds depending on the amount of money in the undercover fund. Mr. Besich stated that he was not recommending that approval of the grant be held up, but he was recommending that the Finance Department meet with the Sheriff's Office to decide from which account the matching funds would be drawn. He also requested that the Sheriff's Office comply with the internal grant approval process if a grant application is to be made for these funds next year. Chairman Sanchez stated that he was trying to stress in his opening comments that all questions must be addressed before these recurring grant applications are submitted. Supervisor Dawson stated that there is a process to follow, but

she wanted to ensure that the Board wasn't putting a restriction on these grant applications as the Board was very supportive of these efforts. Chairman Sanchez stated that the Board does have a process, but it was bypassed in this instance. Mr. Craig explained that it is hard to explain the cash match requirements to the Finance Department until the process is completed as the cash requirement is based on the amount of the grant, which changes from year to year. He stated that the requirement would never be over 25%, but the dollar figures are not known until the grant is awarded and the State doesn't award the grants until after the County has already started its budget process. Mr. Besich stated that since there are 3 options for funding the cash match requirement, the Finance Departments could "ballpark" a cash contribution figure into the budget. Vice-Chairman Martin inquired if there was a not-to-exceed gross amount that the Sheriff's Office would receive and then 25% of that would give the Finance Department a budget figure. Mr. Craig stated that he had applied for a \$700,000 grant and only received \$322,000, but for the past 4 years it had been \$377,000; however, he agreed to work with the Finance Department. Chairman Sanchez thanked Mr. Craig for working to bring these funds into the Sheriff's Office. Upon motion by Supervisor Dawson, seconded by Vice-Chairman Martin, the Board unanimously approved the Byrne Justice Assistance Grant awarded to the Sheriff's Office in the amount of \$332,820 and as noted above.

Steve Stratton, Public Works Division Director, requested approval of Professional Consulting Services Contract No. 108-435/7-2006 between Mike Ploughe of Highland Water Resources Consulting and the Gila County Public Works Division in an amount not to exceed \$10,000 for services related to the Buckhead Mesa Well Project. He stated that the County needs to either deepen the current well or put in a new well at Buckhead Mesa as the current well only provides 5 gallons per minute. He stated that Mr. Ploughe is a consultant for many projects in northern Gila County and because of his proven track record, Mr. Stratton requested that this Contract be approved. Chairman Sanchez inquired if there is an existing well at Buckhead Mesa. Mr. Stratton replied in

the affirmative and stated that the existing well is approximately 100 feet deep and it is anticipated that a new well would have to be approximately 1,000 feet deep. He stated that this project will be in conjunction with the 300,000 gallon water tank project that will be relocated to this area in order to assist in making this a permanent batch site for the USFS slurry for forest fires. Chairman Sanchez inquired as to the type of service Mr. Ploughe will be providing to the County. Mr. Stratton stated that Mr. Ploughe will assist the County in locating the drill site, selecting the best drilling company that would have experience in the type of soils that will be encountered, recommending the necessary types of casings, selecting the type of pump, assisting with sizing the line and also selecting the correct type of line between the pump and the new water tank. Supervisor Dawson stated that she appreciated the fact that a limit on the maximum amount of this consultant's contract was set at \$10,000. She noted that on page 23 of the contract it states that the consultant may request video inspection and/or borehole geophysical logging of the well and Mr. Ploughe has designated that he will be using Southwest Exploration, LLC. She further noted that on item 230 of Phase II, Mr. Ploughe states that he will be obtaining a qualified pumping equipment contractor. Supervisor Dawson stated, "Last week we approved \$5,000 for the storage tank and \$140,000 for moving and constructing the storage tank. Now we're adding \$10,000 for Mr. Ploughe and then by the time we get through with this process, probably another \$200,000 with the well and the pump. So although right now it appears we're spending \$10,000, we're laying the groundwork for another \$200,000 and when we start talking about how much money we are spending someplace, or when the folks tell us that we don't spend any money helping them, we are nearing a half million dollars on this one little process of fire prevention/fire protection. Am I correct?" Mr. Stratton stated that she was correct and added that the County also utilizes the water for dust control for the landfill as the current system does not adequately control the dust. He stated that it is a multiuse process; however, the main reasoning for the size of the tank and the deepening of the well is for fire protection. Chairman Sanchez

inquired if the tank was open and if a helicopter could get water out of the tank or if it would have to be pumped into a reservoir. Mr. Stratton replied that water would be drawn off of the tank for the USFS batch plant and the tank would have a top on it. He stated that there are also 2 ponds available at the landsite for dipping by the helicopters. Chairman Sanchez inquired if there is a water source available at 150 feet. Mr. Stratton stated that it is believed that water is available; however, it is around 1,000 feet deep. Vice-Chairman Martin recommended contracting with Mr. Ploughe stating that he has had more success in bringing in wells than anyone else she knows. She stated that because of Mr. Ploughe's track record, he will be saving the County money in the long run. Supervisor Dawson questioned where the \$210,000-\$250,000 will come from. Mr. Stratton stated that a portion of the funding will come from the solid waste enterprise fund and the remainder from the general fund, but the percentages of how much will be spent from each fund and the availability of the funds has not been determined so he could not project if the drilling would be done this year or next year. Chairman Sanchez questioned if the Board approves this \$10,000 contract, Mr. Ploughe would not be able to contract with other companies without Mr. Stratton's or the Board's approval. Mr. Stratton confirmed that Chairman Sanchez's statement was correct and that Board policy must be followed. Mr. Stratton also stated that Mr. Ploughe's actual estimate was \$8,000; however, Mr. Stratton requested that it be increased to \$10,000 because he wanted to add the additional duties of consulting with Mr. Ploughe on the pipeline. Supervisor Dawson reiterated that the groundwork was being laid for the spending of future drilling money and additional expenses. Mr. Stratton stated that was correct. Supervisor Dawson stated, "I will again comment that I believe this Board needs to have a meeting where we discuss what is our [the County's] master plan and what are our objectives. We keep coming up with what I think are pretty sizeable expenses and we don't say, 'Gee, this is what our roadmap is that we're leading towards.'" Supervisor Dawson stated that she receives taxpayer phone calls about the high costs of using the County landfill and questioning why the

landfill doesn't pay for itself. She stated that it's because the landfill is paying for other things and that needs to be addressed for the benefit of the taxpayers. Chairman Sanchez moved the conversation back to the agenda item stating that Supervisor Dawson's discussion may be something the Board would consider at a future meeting and he would welcome her suggestion to put a master plan together. Upon motion by Vice-Chairman Martin, seconded by Chairman Sanchez, the Board voted to approve the Professional Consulting Services Contract No. 108-435/7-2006 with Mike Ploughe of Highland Water Resources Consulting in an amount not to exceed \$10,000. The motion passed by a 2-1 vote. Supervisor Dawson voted nay.

Mr. Stratton requested authorization to advertise Request for Sealed Bids No. 080106-1 for the purchase of MC-800TR tire rubber chip seal oil as needed by the Gila County Public Works Consolidated Roads Department. He stated that the County utilizes various types of oil and that this particular oil contains 9 percent rubber for putting on the millings to help hold them together. He stated that attached to the request was an estimated amount of usage by County area so the suppliers could bid delivery to those particular areas. Upon motion by Supervisor Dawson, seconded by Vice-Chairman Martin, the Board unanimously authorized the advertisement of Request for Sealed Bids No. 080106-1.

Mr. Stratton requested authorization to advertise Request for Qualifications (RFQ) No. 072406-01 for the Multi-Modal Racetrack Facility Project. He stated that Mr. Besich had previously advised the Board that this item would come back for Board approval by September 1<sup>st</sup>, so Mr. Besich chaired a committee consisting of several County departments as well as private citizens. This is the third or fourth draft of an RFQ that the committee felt was appropriate for the Board's approval. Chairman Sanchez requested that Mr. Stratton explain this process as the Board had requested a Request for Proposal (RFP); however, this was an RFQ. Mr. Stratton explained that an RFQ would hopefully provide the County with a qualified developer for the project to ensure the developer has the necessary qualifications and experience

to venture into this type of project. The RFQ would then be reviewed by the committee and, if approved, would be brought to the Board for final approval. Chairman Sanchez inquired how potential developers would be made aware of the specifications for the project. Mr. Stratton stated that the specifications were left a little vague in order to try to attract as many developers as possible. He stated that the studies that the County has already paid for such as the Thomas Warren and Associates engineering study are available on a disk to anyone wishing to entertain the notion of submitting an RFQ. Vice-Chairman Martin inquired about who would follow up on the project. Mr. Stratton stated that Mr. Besich as County Manager would assign a County employee responsibility for overseeing the project. Upon motion by Vice-Chairman Martin, seconded by Supervisor Dawson, the Board unanimously authorized the advertisement of Request for Qualifications No. 072406-01.

Bryan Chambers, 2<sup>nd</sup> Chief Deputy County Attorney, requested the approval of a Victim Assistance Grant No. VA-07-020 between the Arizona Criminal Justice Commission and the Gila County Attorney's Office in the amount of \$19,600 with a \$19,600 cash match requirement of which the total amount of \$39,200 will be used to fund a Victim/Witness Advocate position from July 1, 2006, through June 30, 2007. He stated that the Board previously authorized the submittal of an application for this grant. The grant has now been received and Mr. Chambers requested authorization to accept the grant award. He stated that the County's required matching funds are built into the budget to pay for the Victim/Witness Advocate position, which is very helpful in the criminal prosecution procedures. Vice-Chairman Martin inquired if this program is as effective as it sounds. Mr. Chambers explained the program and stated that he believes it is very effective. Upon motion by Supervisor Dawson, seconded by Vice-Chairman Martin, the Board unanimously approved the Victim Assistance Grant No. VA-07-020 in the amount of \$19,600 with a \$19,600 cash match requirement of which the total amount of \$39,200 will be used to fund a Victim/Witness Advocate position from July 1, 2006, through June 30, 2007.

Upon motion by Supervisor Dawson, seconded by Vice-Chairman Martin, the Board unanimously approved Consent Agenda item numbers 8A-8I, as follows:

- A. Approval of a request by Ronald Holewinski on behalf of the U-Fli Flyball - Howlin' to Run organization to rent the Fairgrounds Exhibit Hall for a Flyball Tournament to be held on March 3-4, 2007.
- B. Approval to appoint the following individuals to serve on the Gila County CAP (Community Action Program) Advisory Board: Mr. Robert Closs as a representative of the private sector and Mr. Nolberto Waddell as a representative of the low income sector.
- C. Approval of the Chairman's signature on Key Government Finance, Inc. Exhibit 5 – Acceptance Certificate in order to close the escrow account on Master Tax-Exempt Lease/Purchase Agreement between Key Government Finance and Gila County, which relates to the purchase of telecommunications equipment and services from Cisco Systems Company, Inc.
- D. Approval of the Order designating polling places for the September 12, 2006, Primary Election.
- E. Approval of the Order appointing election workers for the September 12, 2006, Primary Election.
- F. Approval of the August 1, 2006, BOS meeting minutes.
- G. Approval of the June 2006 monthly departmental activity report submitted by the Globe Regional Justice of the Peace.
- H. Approval of personnel reports/actions for the week of August 14, 2006, as follows:

Departure from County Service:

- 1. Community Health Worker – Health – 08-04-06 – Health Services Fund - Denise Lopez – Hire 10-31-05 – Resigned – reason unknown
- 2. Building Safety Assistant I – Community Development – 06-18-06 – General Fund - Linda McGill – 08-03-06 – Failure to complete probationary period

3. Health Educator – Health – 08-08-06 – Health Services Fund -  
Tracy Miller – Hire 09-27-04 – Resigned – reason unknown

Hire to County Service:

4. Animal Control Officer II – Rabies Control – 08-21-06 – Rabies Control  
Fund - Kevin Ward – Replaces Dennis Harger

End Probationary Period:

5. Operator II – Solid Waste Management – 08-07-06 – Enterprise Fund -  
William Seeley

Position Review:

6. Change fund code – Attorney – 07-31-06 – Justice Enhancement Fund to  
Drug Prosecution Grant Fund – Khurram Karim
7. Rescind resignation – HIV Program Coordinator/BT Assistant – Health –  
08-11-06 – Health Services Fund – William Hyer – reinstate to original  
hire date of 12-08-03 – no break in service

Request Permission to Post:

8. Road Worker II (Sweeper) – Consolidated Roads – Budgeted vacant  
position
9. Public Fiduciary Assistant – Public Fiduciary – position vacated by Lara  
McGee
10. Building Safety Assistant I – Community Development – position  
vacated by Linda McGill
11. Teen Pregnancy Prevention Specialist – Health Services – position  
vacated by Victoria Juvera
12. Public Health Nurse I – Health Services – position vacated by Sabine  
Sorgalla
13. Community Health Worker – Health Services – position vacated by  
Denise Lopez

**SHERIFF'S PERSONNEL ACTION ITEMS:**

Departure from County Service:

14. Deputy Sheriff – Globe S.O. – 08-18-06 – General Fund - Robert  
Jackson – Hire 01-20-00 – Resigned for other employment

15. Detention Officer – Globe S.O. – 08-12-06 – General Fund –  
Adam Padilla – Hire 05-01-06 – Resigned for other employment

Hire to County Service:

16. Detention Officer – Globe S.O. – 08-21-06 – General Fund - Edward  
Reyes – replaces Paul Cruz

17. Deputy Sheriff Cadet – Payson S.O. – 08-21-06 – General Fund –  
Peter Licavoli – New position

Departmental Transfer:

18. Deputy Sheriff Cadet to Deputy Sheriff – Payson S.O. – 08-21-06 –  
General Fund - Daniel Adams – graduated from the academy 07-13-06

- I. Approval of the finance reports/demands/transfers for the week of August 14, 2006, (separate handout) as follows: \$963,081.58 was disbursed for County expenses by voucher numbers X152464 through X152550, X152800, X391227 through X391371, X391373 through X391469, X391471, X391473 through X391476. The hand-issued warrants are as follows: voucher number X390961 in the amount of \$3,838.69 and voucher number X391226 in the amount of \$165.06. **(An itemized list of vouchers is permanently on file with the Board of Supervisors.)**

Mr. Chambers requested a discussion or consultation, which may be held in executive session pursuant to A.R.S. §38-431.03 (A) (3) (4), regarding the lawsuit of the Arizona League of Cities and Towns, et al. versus Brewer, et al., to instruct the attorney as to the Board's position regarding the lawsuit. Upon motion by Vice-Chairman Martin, seconded by Supervisor Dawson, the Board convened into executive session at 11:35 a.m. Upon motion by Supervisor Dawson, seconded by Vice-Chairman Martin, the Board reconvened into the regular session at 11:56 a.m. Vice-Chairman Martin made the motion to authorize Steve Besich, County Manager/Clerk, to accept the service of the above entitled lawsuit as the Clerk of the Board of Supervisors and directed the County Attorney to proceed with this lawsuit as a nominal party. The motion was seconded by Supervisor Dawson and the Board unanimously approved the motion.

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 11:34 a.m.

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Jose M. Sanchez, Chairman

ATTEST:

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Steven L. Besich, County Manager/Clerk