

BOARD OF SUPERVISORS
GILA COUNTY, ARIZONA

Date: September 26, 2006

JOSÉ M. SANCHEZ
Chairman

STEVEN L. BESICH
Clerk of the Board

TOMMIE C. MARTIN
Vice-Chairman

By: Marian Sheppard
Chief Deputy Clerk

SHIRLEY L. DAWSON
Member

Gila County Courthouse
Globe, Arizona

PRESENT: José M. Sanchez, Chairman; Tommie Martin, Vice-Chairman (via telephone conference call); Shirley L. Dawson, Member; Jacque Griffin, Assistant County Manager/County Librarian; 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. Bryan Chambers led the Pledge of Allegiance and Reverend Dan Lowe of Maranatha Baptist Church delivered the Invocation.

Steve Stratton, Public Works Division Director, requested the approval of an Intergovernmental Agreement (IGA) between the City of Globe regarding construction of a new bridge in Ice House Canyon to replace the existing bridge and to realign a widened Six Shooter Canyon roadway. Mr. Stratton stated, "This issue was on the Board's agenda a few weeks ago and I thought we'd lose this project; however, the Globe City Council approved the IGA." He handed out a Memorandum of Understanding (MOU) that was signed by Steve Besich, County Manager/Clerk, on September 14, 2006, and Manoj Vyas, Globe City Manager, on September 18, 2006. The MOU reads as follows: **PURPOSE – The County and the City jointly agree to participate together regarding the long-term project of Broad Street Extension Phase II. Specifically, the County and the City agree to work together on an additional crossing of**

Pinal Creek prior to the confluence of Six Shooter and Ice House tributaries. The County and the City agree to each match up to \$50,000 (fifty thousand), dollar for dollar, in additional funding to construct a Six Shooter tributary crossing of Pinal Creek, which is to be included in the Broad Street Extension Phase II. The crossing will be constructed to current County standards and furthermore, the additional funding cannot be utilized for any purpose other than the aforementioned crossing. These allocated funds are above and beyond any funds that have been committed to by the County or the City prior to the date of this MOU. In addition, the County will proceed to discuss straight-line acquisition with property owners with a goal to acquire enough property for quality traffic improvements as funds are available. The City will grant to the County the specific requested right-of-way easement for the County's Ice House Bridge project. EFFECTIVE DATE – The MOU is effective upon signature of the parties and will remain in effect unless and until terminated. AMENDMENTS – This MOU may be modified or amended by written agreement among the parties hereto. Mr. Stratton advised that in addition to the IGA being presented for approval today and the MOU entered into by both the City and County, a Quit Claim Deed has also been issued by the City to the County for the new right-of-way. All of these executed documents allow the County to move forward with the Ice House Canyon Bridge Replacement Project. (For the record, in past Board of Supervisors' agendas and minutes, this project has also been referred to as the Six Shooter Canyon Bridge Replacement Project; however, it is the same project.) Supervisor Dawson inquired if the MOU is related to the Walliman Road project and Mr. Stratton replied that the project for Broad Street Extension Phase II is the Walliman Road project. Mr. Stratton advised that he notified the Arizona Department of Transportation's HELP Loan Department that this IGA has been signed by the City and the County, which will secure the County's HELP loan for the Ice House Canyon Bridge Replacement Project. Upon motion by Vice-Chairman

Martin, seconded by Supervisor Dawson, the Board unanimously approved the IGA with the City of Globe.

Steve Sanders, Public Works Division Deputy Director, addressed the public sale of an unnecessary public roadway shown as a cul-de-sac off of Standage Drive, which provides access to lots 89-92 in Tonto Village Two, Official Map No. 245, Gila County Records. He advised that Tonto Village Two is located east of Payson and it is in Supervisorial District One. He also advised that this roadway was never constructed and the owners of property that abuts this public roadway approached the Engineering Department to abandon the unnecessary roadway. Mr. Sanders stated that A.R.S. §28-7204 requires that a public sale be held to convey the land within the roadway or portion of the roadway by quit claim deed and the statute also dictates that abutting owners have preference rights. The notice of public sale was advertised at least sixty days prior to today. David and Janice Reed, abutting land owners, submitted a purchase offer of \$50 for lots 89 and 90 of the subject property, and Christine Manning, another abutting land owner, submitted a purchase offer of \$50 for lots 91 and 92 of the subject property. Mr. Sanders recommended that the Board accept the offers. Once that has been done, he will prepare a resolution and quit claim deeds deeding the subject property to David and Janice Reed and Christine Manning that will be presented to the Board for approval at a future meeting. Upon motion by Supervisor Dawson, seconded by Vice-Chairman Martin, the Board unanimously accepted the \$50 purchase offer submitted by David and Janice Reed for lots 89 and 90, and the \$50 purchase offer submitted by Christine Manning for lots 91 and 92.

Mr. Sanders addressed the public sale of an unnecessary public roadway shown as a 27 foot wide roadway adjacent to the easterly side of lot 7, Caballero Casas, Official Map No. 298, Gila County Records. He advised that the same statute requirements apply to this sale as in the previous agenda item. He advised that this public roadway also abuts a property owner that

has submitted a purchase offer. The property is also adjacent to national forest land and on the other side is Houston Mesa Road, and it is located in Supervisorial District One. Mr. Sanders advised that there is no use for this roadway. Toby and Keri Egbert, abutting land owners, submitted a purchase offer in the amount of \$50 and Mr. Sanders recommended the Board's acceptance of this offer. If the Board accepts this offer, Mr. Sanders will prepare a resolution and quit claim deed that will be presented to the Board for approval at a future meeting. Upon motion by Vice-Chairman Martin, seconded by Supervisor Dawson, the Board unanimously accepted the \$50 purchase offer submitted by Toby and Keri Egbert.

Mr. Sanders addressed the public sale of an unnecessary public roadway shown as Arizona Street in Arlington Heights Subdivision, Official Map No. 31, Gila County Records. He advised that the same statute requirements apply to this sale as in the previous two agenda items. He advised that this public roadway also abuts a property owner that has submitted a purchase offer. The subject roadway is located in Supervisorial District Two and Arlington Heights Subdivision is located on the west side of Globe. Mr. Sanders advised that this roadway was platted; however, it could not be built due to the steepness of the land. There is one owner, who owns property on both sides of the subject roadway. Karen and Micah Arney, abutting land owners, submitted a purchase offer in the amount of \$50 and Mr. Sanders recommended the Board's acceptance of this offer. If the Board accepts this offer, Mr. Sanders will prepare a resolution and quit claim deed that will be presented to the Board for approval at a future meeting. Upon motion by Supervisor Dawson, seconded by Vice-Chairman Martin, the Board unanimously accepted the \$50 purchase offer submitted by Karen and Micah Arney.

Richard Gaona, Finance Division Director, requested approval to amend Article 1.0 Purchasing Procedures of the Gila County Purchasing Policy, as follows: Section GC2-7-106 – Statutory Provisions and Limitations-Board

Policy, paragraphs A and B; and, Section GC2-7-111 – Bid/Proposal Request Routing Form and Instructions. Paragraph A of Section GC2-7-106 has the following added language: **All supplies, materials, equipment and contractual services, except professional services exceeding \$50,000. (ARS §11-254.01) The Gila County Attorney will determine “Professional Services” on a case-by-case basis. See GC2-7-101, para. 18, for description of professional services.** Paragraph B of Section GC2-7-106 has the following added language: **All purchases requiring a Purchase Order (over \$4,999.99) will be presented to the Purchasing Department and Board of Supervisors for approval prior to any product being ordered. This is without exception. Oral and/or written quotations will accompany the Purchase Requisition. All prices are inclusive of taxes and freight.** The only revision being made to Section GC2-7-111 is the amount has been changed from \$35,000 to \$50,000. Upon motion by Supervisor Dawson, seconded by Vice-Chairman Martin, the Board unanimously approved changes to Article 1 Purchasing Procedures as stated above.

Chairman Sanchez addressed agenda item 7, which reads: Information/Discussion/Action regarding Terra Star Valley 40, LLC v. Benjamin CV 2005-177 lawsuit. Possible executive session under A.R.S. §38-431.03(A)(3) for legal consultation with the Board’s attorney regarding the lawsuit. Chairman Sanchez asked Mr. Chambers if he wanted to address this item in the regular session or if it was necessary for the Board to go into executive session. Mr. Chambers advised the Board to go into executive session so that he could provide legal advice to the Board. Upon motion by Supervisor Dawson, seconded by Vice-Chairman Martin, the Board voted to go into executive session at 10:23 a.m.

At 10:58 a.m., Vice-Chairman Martin moved to reconvene into the regular session. Supervisor Dawson seconded the motion and the motion carried with a unanimous vote.

Upon motion by Supervisor Dawson, seconded by Vice-Chairman Martin, the Board unanimously authorized the County Attorney's Office to file a motion to dismiss Gila County from the Terra Star Valley 40, LLC v. Benjamin CV 2005-177 lawsuit. While making the motion, Supervisor Dawson also stated the reason for said motion was "because Gila County no longer has jurisdiction in this lawsuit and there was no alleged claim against Gila County."

Upon motion by Supervisor Dawson, seconded by Vice-Chairman Martin, the Board unanimously approved Consent Agenda items A-B, as follows:

A. Approval of personnel reports/actions for the week of September 26, 2006, as follows:

Hire to County Service:

1. Administrative Clerk Senior – Health – 09-25-06 – Health Services Fund - Sharon Heller – replaces Denise Hansen
2. Juvenile Detention Officer Trainee – Probation – 09-18-06 – General Fund - Mellie Marin – Emergency Hire
3. Accountant – Finance – 09-25-06 – General Fund - Stacie Allison – replaces Kara Langley

Temporary Hire:

4. Laborer – Constituent Services II – 09-25-06 – Constituent Services II Fund - Manuel Gonzales, Jr., Ruben Avalos

Departmental Transfer:

5. Accountant to Senior Accountant – Finance – 09-25-06 – General Fund - Kara Langley – underfill Senior Accountant position
6. Lube Specialist to Vehicle & Equipment Mechanic Lead – Globe Shop – 09-18-06 – Auto/Equipment Maintenance Fund – Art Epperson – replaces Mike Sermenio
7. Records Clerk to Records Clerk Senior – Recorder – 09-18-06 – General Fund - Carla Smith – replaces Vicki Pena

Position Review:

8. Correct Step placement for implementation of PSPC Salary Study – Deputy Probation Officer 2 Probation – 09-04-06 – State Aid Enhancement Fund – Brenda Newton – was not given credit for five years of service on previous authorization
9. Correct Step placement for implementation of PSPC Salary Study – Deputy Probation Officer 2 – Probation – 09-04-06 – A.I.P.S. Fund – David Jones – was not given credit for five years of service on previous authorization
10. Promotion – Deputy Probation 1 to 2 – Probation – 09-04-06 – A.P.S.F./J.P.S.F. Funds – Linda Proffitt – has completed two years of service as an Officer 1 and is eligible to become an Officer 2
11. Promotion – Juvenile Detention Officer Trainee to Juvenile Detention Officer – Probation – 09-04-06 – General Fund – Anthony Torrez – has served as a Trainee for one year and is eligible to become a Juvenile Detention Officer

SHERIFF’S PERSONNEL ACTION ITEMS

Departure from County Service:

12. Deputy Sheriff Cadet – Payson S.O. – 09-11-06 – General Fund
James A. Eskew – Hire 09-05-06 – Failure to complete probationary period

B. Approval of finance reports/demands/transfer for the week of September 26, 2006, as follows: \$506,755.44 was disbursed for County expenses by voucher numbers X153006 through X153163, X153165 through X153189, X392660 through X392762, and X392764 through X392969. The hand-issued warrants listing is as follows: Voucher number X392458 in the amount of \$1,708.37 and voucher number X392657 in the amount of \$94.36. **(An itemized list of vouchers is permanently on file in the Board of Supervisors’ Office.)**

At this time each Board member presented a brief summary of current events as allowed by A.R.S. §38-431.02(K). No action was taken on any items that were presented.

There being no further business to come before the Board of Supervisors, Chairman Sanchez adjourned the meeting at 11:26 a.m.

José M. Sanchez, Chairman

ATTEST:

Steven L. Besich, County Manager/Clerk