

BOARD OF SUPERVISORS

GILA COUNTY, ARIZONA

Date: November 21, 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; 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. Vice-Chairman Martin led the Pledge of Allegiance, and Father Jay Luczak of Our Lady of the Blessed Sacrament Catholic Church delivered the Invocation.

Daisy Flores, County Attorney, presented the Quarterly Officer Recognition Award to the members of the Gila County Narcotics, Violent Crime, Gang Task Force. She stated that this would be the first time in Gila County to recognize a full unit rather than single individuals. She stated that the Task Force has been quite busy the past year with 326 arrests, the removal off the streets of over 2,000 pounds of marijuana and 547 grams of methamphetamines, the apprehension of 339 subjects who were unlawfully present in the country, the confiscation of numerous vehicles that were used in the transportation of drugs or illegal immigrants and at least 21 drug identification and crime prevention programs were conducted. Ms. Flores stated that in the past the Task Force was more covert and worked under cover. Task Force members are now involved in community programs and they

have a more public presence in the schools in an effort to prevent youth from using drugs. The Task Force has also been responsible for the eradication of at least 24 marijuana fields in Gila County with a street value of \$52 million. The Task Force has been in existence for 18 years and is comprised of members of the Gila County Sheriff's Office and the Arizona Department of Public Safety and it functions through support from various sources of funding as well as from the County, local communities and the State. Ms. Flores then recognized each member of the Task Force. She concluded by stating that the County Attorney's Office very much appreciates the work of the members of the Task Force. Chairman Sanchez stated that he was very impressed with the fine work of Ms. Flores, her staff and the ladies and gentlemen that comprise the Task Force. He also spoke about the anti-methamphetamine program known as the Southern Gila County Network, which is a coalition of many organizations working together to combat use of this drug. There is also a program through the State of Arizona in which \$8 million has been appropriated by the Legislature for anti-methamphetamine education and prevention programs. Vice-Chairman Martin, Supervisor Dawson and Steve Besich, County Manager/Clerk, thanked the Task Force members for the work they do within the County.

Dixie Mundy, Elections Department Director, requested the Board's canvass of the November 7, 2006, General Election. Ms. Mundy advised that Sadie Dalton, Acting Chief Deputy Recorder, would first present some information to the Board from the Recorder's Office outlining her department's involvement with the election. Ms. Dalton shared the official results of the early ballots cast, as follows: 8,160 early ballots were sent out and 7,607 were returned, which equals a 93.22% rate of return. There were 1,554 walk-in voters to the Recorder's Office. Ballots were mailed to military personnel stationed in Hungary, Germany and Bosnia, and 3 overnight ballots were sent to other countries. Chairman Sanchez thanked Gila County Recorder Linda Ortega, Ms. Dalton and the Recorder's Office staff for their role in the election process. Vice-Chairman Martin stated that she appreciates how smooth the

elections were run this year. Ms. Mundy distributed a report to the Board of the official results of the elections. The first section of the report contained the hand count certification. She stated that the November 2006 General Election was the first election in which Arizona counties were required to perform a hand count and it will be required for all future State elections. The purpose of the hand count was to compare the results of the machine count and the touch screen count with the hand count to make sure the machines were counting correctly. She briefly reviewed the requirements as mandated by the Secretary of State for the hand count, which must begin within 24 hours after the polling places are closed. She stated that the 2 voting precincts selected by lot for the hand count were Hayden and Payson No. 4. After the hand count was completed the figures exactly matched the machine count. Ms. Mundy then provided a brief summary of the election, which showed that there were 16,953 votes cast in Gila County resulting in a 64.7% voter turnout. Of that number, there were 8,855 polling place ballots, 561 provisional ballots with 66 rejected, along with the early ballots that were cast. She advised of another requirement that was implemented a week prior to the election that was issued by a court order. Polling places are now required to keep a tally of all voters who were not allowed to cast a regular ballot because they did not provide proper identification at the polling place and refused to vote a conditional provisional ballot. A total of 13 individuals in Gila County did not vote a conditional provisional ballot when presented the opportunity. Other summaries included the total cumulative votes in Gila County and a summary of precinct by precinct voting. The Board members reviewed these reports. Supervisor Dawson stated that the San Carlos Apache Reservation was conducting its election of tribal council members at the same time, which required tribal members to go to the chapter houses to vote in the tribal election and then go to a County polling place to vote in the General Election. She inquired if there was any possibility in the next election of the polling places being at the same location. Ms. Mundy explained that for Gila County there is just one San Carlos voting precinct, so there is only one polling place for the entire precinct;

whereas, the Reservation itself is divided up into 4 districts, not including Bylas and Peridot, and there is a polling place in each district. She stated that they had presented the idea of combining the County voting place with one of the tribal polling places such as Burdett Hall, which at the time was a familiar location, but the idea was not received well by the Tribe. She stated that she could check to see whether that would presently be the same perspective. Supervisor Dawson was advised that transportation to/from the chapter houses was offered at the Reservation; however, voters were not offered transportation to the polling place for the General Election. Chairman Sanchez stated that the subject of transportation would be a Reservation issue and it should not involve the County. Supervisor Dawson inquired if Ms. Mundy could find out if the County could actually have more than one polling place in a precinct. Vice-Chairman Martin also inquired of Ms. Mundy to advise what the extra costs would be for having a polling place in each precinct. Ms. Mundy advised that she would research the requests. The Board, Mr. Besich and Mr. Chambers all complimented Ms. Mundy, her staff and volunteers for their diligent work and how smoothly the elections were run in Gila County. Mr. Besich also thanked Ms. Flores and Mr. Chambers for their work on the new voter identification requirements of Proposition 200, as well as the County employees who worked at all the polls in Gila County during both the Primary and General Elections. Vice-Chairman Martin inquired if the results from the early voters and those from the regular voters were any different. Ms. Mundy advised that it did not seem to change the final results. Chairman Sanchez inquired as to the amount of money paid to poll workers. Ms. Mundy stated that the inspectors, those in charge of the polling place for the day, were paid \$135.00 per day and the regular poll workers were paid \$100.00 per day, which is in the middle of the pay scale compared to other counties. Upon motion by Vice-Chairman Martin, seconded by Supervisor Dawson, the Board unanimously approved the results of the canvass and declared the November 7, 2006, General Election returns official. **(A copy of the election results is permanently on file in the Board of Supervisors' Office.)**

Steve Besich presented an update to the Board on facilities planning for Gila County. He reviewed the discussion with the Board from the previous week's meeting. In general, County staff is conducting an evaluation of the current jail and detention facilities that are located in northern and southern Gila County and trying to plan for additional building space that is needed. Mr. Besich stated that he and Mark Reader of Stone & Youngberg LLC talked about a ballot initiative for a \$10 million general obligation bond, which would be secured by a property tax at a rate of \$.16 per \$100 of assessed valuation. The second question on the ballot would be whether or not to form a jail district that would be funded by a one-half cent sales tax, which equates to \$3 million per year in revenues. One and one-half million dollars of the \$3 million would allow for bond debt services totaling \$17 million and allow \$1.5 million for general maintenance and operations of the facilities. The total spending program would be \$27 million; \$10 million generated by property taxes and \$17 million generated by a one-half cent sales tax. He passed out a proposed time line related to this issue. Mr. Besich stated that he would be bringing 3 items back to the next Board meeting for approval, as follows: 1) a request to adopt a citizen's bond facilities review committee comprised of 18 members - 3 from each of the tribes, 1 from each of the municipalities and 3 members appointed by each Board member; 2) a request to authorize staff to recommend a facilitator to manage this committee including all of the associated costs; and, 3) a request to appoint Stoneberg and Young, Mr. Reader's firm, as the financial advisor. He also requested that between now and November 28th the Board put together its 9 member appointees for the committee because there may be people that have conflicts and can't participate. If the Board is leaning toward approving this concept, Mr. Besich advised that there needs to be a pool of potential volunteers who can be quickly organized into a committee. Mr. Besich advised that kick-off meetings should start by the 3rd week of December and community meetings would need to begin by the middle of January, which he believes is a "tight" schedule. Vice-Chairman Martin stated that she thinks it's very important that this committee visit all of the

communities; however, she thinks it's even more important for them to visit all of the County facilities. She also believes that part of their instruction should be that if they are a Payson appointee, it is just as important for them to walk through all of the southern Gila County facilities and vice-versa to get a first-hand look at the needs in all of the facilities. Supervisor Dawson stated that Coconino County scheduled community open house trips through its jail facilities, which they believed was one of their most effective tools in getting a bond passed, so that might be something the Sheriff's Office could anticipate. Chairman Sanchez thought Mr. Besich's recommendations from last week's presentation were "right on" in order to lead to a successful election.

Steve Stratton, Public Works Division Director, requested the award of Statement of Qualifications (SOQ) No. 061306-1 for Automated Vending Machine Services and to authorize the Chairman's signature on the Contract award document. He stated that in September 2006 some inquiries were received about the County's vending machines. An SOQ was prepared and approved by Mr. Chambers of the County Attorney's Office. Mr. Stratton advised that one of the current vendors responded to the SOQ by submitting a letter stating that he could not afford the minimum rate of \$80 per square foot and that he wished to negotiate a lower rate with the County. An SOQ was also submitted by Swire Coca-Cola USA (Swire) and Swire agreed to pay the rate. Swire proposed to service the Payson County facilities out of Flagstaff and to service the Globe County facilities out of Safford. All of Swire's documents have been reviewed and are in order. Mr. Stratton advised that there was one problem with Swire requesting to place a vending machine in the Sheriff's Office in Globe; however, the Sheriff requested that no machine be put in there as it causes problems with housekeeping and such. He stated that other than not placing a vending machine at the Sheriff's Office in Globe, he recommended that the Board award the Contract to Swire. He also requested that the current vendor have until the first of the year to remove their machines at which time the new vending machines would be installed. Upon motion by Supervisor Dawson, seconded by Vice-Chairman Martin, the Board

awarded the Contract for Automated Vending Machine Services to Swire Coca-Cola USA in the amount of \$80 per square foot per year and authorized the Chairman's signature on the Contract award document.

Steve Sanders, Public Works Division Deputy Director, requested the adoption of Resolution No. 06-11-03 adopting the Final Report of the Gila County Small Area Transportation Study (SATS) dated October 2006, which evaluated Gila County's unincorporated transportation needs to accommodate growth and assist in the development of a capital improvement program that will identify potential projects for the near and mid/long-term future. He stated that in the past there have been transportation studies conducted for the Globe-Miami and Payson areas; however, transportation studies have not been conducted for any of the unincorporated areas of the County such as Tonto Basin, Young, Gisela, and Roosevelt. The Arizona Department of Transportation (ADOT) made funds available up to \$135,000 or 80% of the contract to local agencies, cities, towns, counties, tribal governments, etc. to perform transportation studies. Gila County entered into an Intergovernmental Agreement with ADOT in January 2005 in order to access funds to perform the Study. The consulting firm of Lima & Associates was selected with the help of ADOT at a cost of \$165,000 of which ADOT paid \$132,000. At the same time a technical committee was put together with members from Gila County, ADOT, U.S.D.A.-Tonto National Forest, and Central Arizona Association of Governments to provide guidance to the consultant. Numerous public meetings were held in Payson and Globe to obtain input from citizens as well as from cities, towns and the County. This Study was concluded in October 2006. The Final Report of the Gila County SATS is a planning tool to guide the County for the next 20 years in developing and implementing a transportation plan, and identifying funding sources or a lack of funding for necessary improvements. Mr. Sanders stated that the executive summary and the complete report were provided to the Board 20-30 days ago for its review and he requested that the Board accept and adopt the Final Report of the Gila County SATS. Chairman Sanchez thanked Mr. Sanders and inquired if there

was any one significant need identified in the Study. Mr. Sanders advised that it was determined that the Cutter/San Carlos Airport would require some type of aviation study, and another area that was identified was the lack of available public transportation. There is the Dial-A-Ride Program, which only operates in southern Gila County. The Final Report also identified the lack of connectivity between the north and south and to the Tucson and Phoenix areas, although it didn't specify how to develop that connectivity. He stated that there are specific transit studies that could be performed in the future in a partnership with ADOT. Chairman Sanchez inquired about the funding sources for some of these programs and Mr. Sanders gave some examples of funding and advised that the funding is detailed in the Final Report. He stated that the Final Report is broken down into 2 parts: 1) recommendations for the first phase for the next 5 years and 2) long-term projects, which is a planning tool that can be updated to reflect current needs. He then introduced Mr. Rob Bohanan, the Transportation Planner with Lima & Associates, to answer specific questions. Mr. Bohanan stated that basically the Final Report provided a planning level overview. In conclusion, there is not yet a capacity problem on any County roads; however, State highways are going to incur capacity problems unless some of the highways are widened. County roads, as feasible, should continue to be paved as they become busier, etc. There is a definite need to address the withdrawal of the Greyhound bus service along the 60-70 corridor and a regional need for transit between Globe and Payson. Supervisor Dawson inquired if the list in Phase 2 is prioritized as it includes State Route 87 and the Payson Bypass Project. Mr. Bohanan stated that the priorities are broken down into Phase 1 and Phase 2, but are not prioritized within the phases because there are different types of funding for the various projects with different dates of funding availability. Supervisor Dawson also inquired about Forest Roads (FR), particularly FR 512, from Young to Highway 60, as she did not see any Forest Roads in the Final Report. Vice-Chairman Martin pointed out to Supervisor Dawson where the Forest Roads were located in the Final Report. Mr. Bohanan stated that it is a priority to pave FR 512 as

that is an important piece of the infrastructure. Supervisor Dawson was concerned about the dollar figures being too low to pave the road from Young to Highway 60. Mr. Bohanan replied that the figures are “rough” and they may have been underestimated. He added that a follow-up study, environmental study, etc. would need to be conducted. Chairman Sanchez thanked Mr. Bohanan for the report. Upon motion by Vice-Chairman Martin, seconded by Supervisor Dawson, the Board unanimously adopted Resolution No. 06-11-03. **(A copy of the Resolution is permanently on file with the Board of Supervisors.)** Chairman Sanchez advised that public hearings were held to obtain input from citizens, so he felt that it was important to share the results of the Study with the public. Mr. Sanders stated that he would have the Final Report placed on the County website.

Sheriff John Armer requested approval to add a Peterbilt tractor that was seized in a forfeiture under the RICO Act to the Sheriff’s fleet of vehicles. He advised that approximately 2-1/2 years ago the Sheriff’s Office was the recipient of a Homeland Security grant in the amount of \$250,000. The money was used to build and maintain a mobile emergency operation center that is contained on a 40-foot mobile trailer. Sheriff Armer advised that the mobile emergency operation center has functioned well up to this point with the exception of communications. He cited an example of when the center was used during major fire incidents that occurred primarily in the northern part of the County. Communications were the biggest stumbling block as the Sheriff’s Office couldn’t communicate with the other agencies and vice-versa. Even though this mobile emergency operation center has the capacity of setting up and running everything from one site, Sheriff Armer emphasized the need to quickly mobilize the center to the area where the emergency has occurred. During the few times the center has been mobilized, the Sheriff’s Office has relied on the Public Works Division to provide a tractor to transport the center. Sheriff Armer stated, “When the center is transported to the site of an incident it is very likely that it's going to remain there for the duration of the incident and it may be potentially moved from one location to another so the tractor, the

means of transporting it from one location to another, is going to have to be fairly close or with the center.” Sheriff Armer stated that last spring, through the efforts of the Gila County Narcotics Task Force, this Peterbilt tractor was seized in a drug bust and has been forfeited for use by Gila County. Sheriff Armer’s proposal is to add this tractor to the Sheriff’s fleet of vehicles to be used not only to stand with and transport the mobile emergency operation center, but wherever it needs to be deployed and to act as other transport for emergency equipment like dozers and graders. He advised that it will cost approximately \$5,000 for repairs on the tractor and \$7,500 for repairs on the trailer’s airbrake system, to be paid from the revenue stream that public safety generates through the seizures of illegal aliens, drugs, etc. and the forfeiture and the sale of those vehicles. Future yearly operational expenses will not be in excess of \$4,000. Mr. Besich stated that the question before the Board is whether or not to add the Peterbilt tractor to the Sheriff’s fleet and that the funding could be handled administratively by affecting a budget amendment that would add the costs to the Sheriff’s budget. Supervisor Dawson stated that she believes the Peterbilt tractor could probably sell at an auction for \$100,000 or more. Even though she would not want a disaster to occur and require the use of the vehicle, her concern is the “luxury of owning a \$100,000 plus vehicle that's going to sit, but have ongoing operational costs and maintenance.” Chairman Sanchez and Vice-Chairman Martin made comments about being in favor of adding the Peterbilt tractor to the Sheriff’s fleet. Mr. Besich advised that Gila County has entered into mutual aid agreements with other counties that have been established as one region under the Homeland Security Act Master Plan. As an example, he advised that the tractor with the command center and possibly some of the County’s officers may at times be needed to assist other counties such Graham, Greenlee, Apache or Navajo, for an undetermined length of time. In that event, he advised that a problem may occur in the future if the Public Works trailer needed to be transported and at the same time it was needed by that Division for its own uses. Upon motion by Vice-Chairman Martin, seconded by Supervisor Dawson, the Board

unanimously approved the addition of the Peterbilt tractor to the Sheriff's fleet of vehicles.

Claudia DalMolin, Sheriff's Office Chief Administrative Officer, requested authorization of the Chairman's signature on a U. S. Department of Justice Federal Assistance SF-424 Methamphetamine Program Grant Application to support the fight against methamphetamines in the community. The grant is in the amount of \$99,600, of which \$79,600 will be used for equipment and \$20,000 for overtime with no matching funds required. Upon motion by Supervisor Dawson, seconded by Vice-Chairman Martin, the Board unanimously approved authorization of the Chairman's signature on the U.S. Department of Justice Federal Assistance SF-424 Methamphetamine Program Grant Application in the amount of \$99,600.

David Fletcher, Health and Community Services Division Director, requested the approval of Contract No. DE071137 between Gila County and the Arizona Department of Economic Security to provide employment services utilizing Workforce Investment Act (WIA) Title V money in the amount of \$10,744.00 for the period July 1, 2005, through March 31, 2008. He stated that funding would be earmarked towards participants that are training in the medical fields such as nursing, medical assistants, etc. and the focus will be on dislocated homemakers who have been impacted negatively and forced to get back into the work force. Upon motion by Vice-Chairman Martin, seconded by Supervisor Dawson, the Board unanimously approved Contract No. DE071137.

Marian Sheppard, Chief Deputy Clerk, requested the approval of an application for a Series 9 – Liquor Store License, Location Transfer, Gila County Order No. LL-06-06, submitted by Cinthyan L. Maack for Ponderosa Market, Pine, Arizona. She stated that this is an application to transfer the location of the liquor license from Hard Scrabble Road to 3594 North Highway 87 in Pine. She stated that all internal permitting requirements of Gila County have been met and she recommended the Board's approval. She stated that if the Board approved the application, it would then be sent to the Arizona Department of Liquor Licenses and Control for final review and approval. Upon

motion by Supervisor Dawson, seconded by Vice-Chairman Martin, the Board approved the application by Cinthyan L. Maack for Ponderosa Market, Pine, Arizona, for a Series 9 – Liquor Store License, Location Transfer, Gila County Order No. LL-06-06.

In addressing Consent Agenda item numbers 11A-11E, Supervisor Dawson stated that she had a problem with Consent Agenda item number 11E, approval of the finance reports/demands/transfers for the week of November 20, 2006, and she would be voting against the payment to Harry Jones. Upon motion by Vice-Chairman Martin, seconded by Chairman Sanchez, the Board approved Consent Agenda item numbers 11A-11E by a 2-1 vote. Supervisor Dawson voted “nay.” The Consent Agenda items are as follows:

- A. Approval of the Amendment to the Cooperative Law Enforcement Agreement (Forest Service Master Agreement No. 06-LE-11031200-002) between the Gila County Sheriff’s Office and the U. S. Department of Agriculture, U. S. Forest Service, Tonto National Forest in the amount of \$63,000 for the period October 2006 through September 30, 2007.
- B. Approval to appoint Curtis A. Ward, James C. McCawley, Norma Lea Fallers, Dale Richard Kasl, Kenneth C. O’Dell, Robert W. Hibbert, Ruth An Juracka and Diane Sexton as Precinct Committeemen to the Gila County Republican Committee.
- C. Approval of the October 2006 monthly departmental activity report submitted by the Globe Regional Constable.
- D. Approval of personnel reports/actions for the week of November 20, 2006, as follows:

Departure from County Service:

- 1. Chief Deputy Recorder – Recorder – 12-22-06 – General Fund - Nancy Duke – Hire 10-30-92 – Resigned for personal reasons
- 2. Law Clerk – Child Support – 11-13-06 – General Fund - Kevin Earp – Hire 11-13-06 – Declined position

3. Rural Addressing Assistant – Rural Addressing – 11-17-06 – General Fund - Dawn Van Hassel – Hire 09-06-06 – Resigned for other employment
4. Custodian Lead – Facilities Management – 10-27-06 – Internal Services Fund - Rita Dibble – Hire 07-03-01 - Retirement

Hire to County Service:

5. Community Service Worker – Community Services – 10-30-06 – Grant Fund - Patricia Rocha Spurgeon – Part time position – temporary to regular status

Temporary Hire to County Service:

6. Clerk – Public Fiduciary – 11-13-06 – General Fund - Kari Hibbert

Departmental Transfer:

7. Recorder Office Supervisor to Acting Chief Deputy Recorder – Recorder – 11-13-06 – General Fund – Sadie Dalton – Replacing Nancy Duke

Position Review:

8. Extend probationary period – Legal Secretary I – County Attorney – 11-13-06 – General Fund – Regina Contreras – Extended to 01-01-07

Request Permission to Post:

9. Executive Administrative Assistant – Public Works – position vacated by Kathy Binegar

SHERIFF’S PERSONNEL ACTION ITEMS:

Hire to County Service:

10. Deputy Sheriff Cadet – Globe S.O. – 12-11-06 – General Fund - Ray Van Buskirk – replaces Robert Lewing
11. 911 Dispatcher – Payson S.O. – 12-11-06 – General Fund - Deniece Linton – replaces Darrell Johnson

Departmental Transfer:

12. Deputy Sheriff to Deputy Sheriff Detective – Payson S.O. – 10-24-06 – General Fund – Jamie Garrett – replaces Brian Havey

End Probationary Period:

13. Detention Officer (Sgt.) – Globe S.O. – 11-27-06 – General Fund -

Christine Duarte

E. Approval of the finance reports/demands/transfers for the week of November 20, 2006, (separate handout) as follows:

\$640,747.99 was disbursed for County expenses by voucher numbers X153882 through X153955, X153957 through X153980, X395161 through X395275, X395277 through X395288, X395290 through X395304, and X395307 through X395710. The hand-issued warrants listing is as follows: voucher number X153880 in the amount of \$967.65; voucher number X153881 in the amount of \$149.92; voucher number X395072 in the amount of \$800.00; voucher number X395157 in the amount of \$752.88; voucher number X395158 in the amount of \$87.00; voucher number X395159 in the amount of \$140.00; and, voucher number X395160 in the amount of \$4,305.63. **(An itemized list of vouchers is permanently on file with the Board of Supervisors.)**

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 of Supervisors, Chairman Sanchez adjourned the meeting at 11:59 a.m.

Jose M. Sanchez, Chairman

ATTEST:

Steven L. Besich, County Manager/Clerk