

BOARD OF SUPERVISORS

GILA COUNTY, ARIZONA

Date: April 10, 2007

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; and, Bryan Chambers, Chief Deputy County Attorney.

The Gila County Board of Supervisors met in Regular Session at 10:00 a.m. this date. Darryl Griffin led the Pledge of Allegiance and Lt. Norma Rogers of the Salvation Army delivered the Invocation.

Sheriff John Armer requested approval of the Sheriff's Office market salary adjustments. He stated that for the past year discussions have been ongoing about the vacancy factor and the inability to attract qualified and successful applicants to the Sheriff's Office. Currently there are 7 field deputies in southern Gila County, 10.5 deputies in northern Gila County and 10.5 vacancies. Sheriff Armer stated that the Sheriff's Office cannot continue to lose its qualified and experienced personnel. Within the last 3-1/2 months, 2 veteran officers resigned from the Sheriff's Office to accept employment with the Gila River Indian Police Department and the Arizona Department of Public Safety because of better pay, which Sheriff Armer stated was a big loss to his Office. He stated that Steve Besich, County Manager/Clerk, was contacted and a request was made for market salary adjustments for the Sheriff's Office to be conducted by Public Sector Personnel Consultants (PSPC) (a consulting firm hired by the County in 2006 to conduct a marketing salary survey of all County positions and to review additional adjustment requests for 2007). Sheriff

Armer stated that PSPC's recommendation was to move all Deputy Sheriff positions to grade 41 of the salary survey, approximately a 7.7% increase, which would also be his recommendation and would at least give the Sheriff's Office a starting point to get back into the competitive market. Mr. Besich stated that for clarification, PSPC's reference pages being requested for approval were pages 2-4 in the Board packet and were the salary grades listed under the "Recommended" column. Chairman Sanchez inquired if the recommended increases were department wide. Sheriff Armer stated that the increases were for the "sworn" positions. (Note for the record: As listed on page 4, there were 3 positions also recommended for increases that were not sworn positions, which included the following: Administration Manager, Detention Commander and Bureau Commander.) The Sheriff and the Board also discussed ways of recruiting employees for the Sheriff's Office. Upon motion by Vice-Chairman Martin, seconded by Supervisor Dawson, the Board unanimously adopted the salary grade increases for the Sheriff's Office at a total cost of \$246,265 and as recommended by PSPC on page 2 of the Board packet, as follows: 1) Cadet from grade 32 to grade 35; 2) Deputy Sheriff from grade 38 to grade 41; 3) Sergeant from grade 46 to grade 50; 4) Lieutenant from grade 55 to grade 59; 5) Undersheriff from grade 60 to grade 64; 6) Commander (Task Force) from grade 58 to grade 62; and, 7) 3 non-sworn positions of Administrative Manager from grade 43 to grade 47; Detention Commander from grade 58 to grade 62; and, Bureau Commander from grade 58 to grade 62.

Jacque Griffin, Assistant County Manager/County Librarian, requested approval to revise Rule 13.3-Classification Administration of the Gila County Merit System Rules and Policies to allow for an increase in pay upon reclassification. She stated that the requested changes were noted in bold print and then read aloud a portion of the paragraph in Rule 13.3 that refers to the reclassifications, as follows:

A reclassification may result in one of four actions: (1) no change; (2) a change in classification specification with no change made to pay grade; (3) change in pay grade upward; (4) change in pay grade downward. If a classification action

results in a change in pay grade ***upward***, the corresponding change in the incumbent's salary will be ***the greater of*** the new grade at their current pay rate ***step minus one step*** or at step 1 of the new grade, whichever is higher. ***A lower step within the grade may be assigned at the discretion of the Appointing Authority. Upon successful completion of the promotional probation, the incumbent is eligible for a one step increase.***

Ms. Griffin gave further explanation by providing 3 examples, which she reviewed for the Board. Supervisor Dawson stated that her concern is that the County will end up regressing to where it was before the PSPC (Public Sector Personnel Consultants) survey was done, so she wanted to note that the Board is only doing what PSPC has recommended in the way of changes. Vice-Chairman Martin stated that the Board is matching the policy to PSPC's determination and recommendation. Ms. Griffin stated that under the County's current plan and policy, PSPC determines that a job has a substantial enough change in duties to warrant reclassification or when an employee goes from a one job to another job that is graded at a higher value. This revision to the policy ensures that an employee is compensated for that greater responsibility. Chairman Sanchez requested that Ms. Griffin read aloud the first paragraph of the personnel manual, page 15, which explains the process for the Position Description Questionnaires, which are utilized for reclassification requests, as follows:

"Individuals scheduled for reclassification review will be required to complete a Gila County Position Description Questionnaire completed by the incumbent or immediate supervisor if the position is vacant, and reviewed and signed by the Elected Official, County Manager, Deputy/Assistant County Manager or Department Director. Position Description Questionnaires will be accepted in the Personnel Department no earlier than February 1st and no later than March 31st of each year. Position Description Questionnaires will be forwarded to an independent professional consulting firm for review and recommendation at the expense of the requesting department or elected official."

Mr. Besich advised the Board and members of the public that the County is well into the review process with PSPC and Mr. Pacheco of PSPC will be finalizing his report and those requests will be presented during the preliminary budget discussions and will also be shared with the individuals and the elected officials involved. Chairman Sanchez thanked Ms. Griffin for

her report. Upon motion by Supervisor Dawson, seconded by Vice-Chairman Martin, the Board unanimously approved the revision to Rule 13.3- Classification Administration of the Gila County Merit System Rules and Policies to allow for an increase in pay upon reclassification.

Steve Sanders, Public Works Division Deputy Director, requested that the Board accept or reject a Citizen's Petition to begin the process to establish El Paso Way as a Country Dirt Road. He stated that El Paso Way, which is approximately 500 feet long and serves 8 properties, is located in Ice House Canyon. He advised that by accepting the Citizen's Petition, survey work can be done by the County to ensure that the subject road will qualify as a Country Dirt Road. He also advised that a public hearing date will be established at which time a final decision to establish El Paso Way as a Country Dirt Road will be made by the Board. Upon motion by Vice-Chairman Martin, seconded by Supervisor Dawson, the Board accepted the Citizen's Petition to begin the process to establish El Paso Way as a Country Dirt Road.

Mr. Sanders requested the adoption of Resolution No. 07-04-01, which authorizes the placement of stop signs at Tonto Village, Units I, II, and III, Official Map Nos. 188, 245, 565 and 565A, Gila County Records, Gila County, Arizona, at the following intersections: A) Standage Drive and Oak Circle; B) Standage Drive and Woodland Circle; C) Standage Drive and Village Circle; D) Standage Drive and Cedar Circle; E) Standage Drive and Haught Avenue; and, F) Thompson Road and Matthews Lane. He explained that Tonto Village is east of Payson near Tonto Creek and is a rather large community. All of the above named roads are public roads within the County's Maintained Roadway System and Standage Drive is one of the main collectors through the area. Mr. Sanders stated that the side roads accessing Standage Drive at this time do not have stop signs. The County Engineer has performed an engineering warrant study on these intersections and has recommended that stop signs be placed at the locations listed above. Upon motion by Supervisor Dawson, seconded by Vice-Chairman Martin, the Board unanimously adopted Resolution No. 07-04-

01. (A copy of the Resolution is permanently on file in the Board of Supervisors' Office.)

Mr. Sanders requested the adoption of Resolution No. 07-04-03 officially accepting Sumac Drive, Strawberry Knolls, Unit III, Tract A of the Official Map No. 316, Gila County Records, Gila County, Arizona, and more particularly described in Fee #2006-014291, Gila County Records, Gila County, Arizona, in to the Gila County Maintained Roadway System. He stated that Sumac Drive, located in Strawberry, is a loop road off of Highway 87 that accesses numerous homes, businesses and a church. In the past the road was private, but in 2006 the property was deeded to the State of Arizona for non-payment of property taxes and later purchased by Gila County. Mr. Sanders stated that the residents along the road have requested that the County maintain the road. The County has evaluated the road and would have no problem maintaining same. Culverts are needed for the road and the residents have offered to pay for the culverts if the County will accept the road into its Maintained Roadway System. He stated that Sumac Drive does not qualify as a Primitive or Country Dirt Road because a portion of the road is paved and it does not qualify as a public road either, so the road is just being brought in as a public road that the County will maintain. Supervisor Dawson inquired if culverts are needed on a Country Dirt Road, and if adjacent homeowners are willing to pay for the culvert, would the culvert be installed by the County? Mr. Sanders stated, "If the homeowners will pay for the culvert, we would be happy to install it when we take in the road as a Country Dirt Road." Mr. Besich stated, "When the County is working on those kinds of deals, it is a Countywide policy and we'll do it for anybody if they put up the money for the culvert." Mr. Sanders replied that was correct, but that it really isn't a County policy. He stated that when the County is working on a major road project, the County provides the culvert as part of the project; however, any new driveway should have a right-of-way permit. When the driveway attaches to a County road, that right-a-way requires a culvert, which if paid for by the owner will be installed by the County to ensure the culvert is installed to grade and that water will flow through it.

Mr. Besich clarified that his point was to state for the record that the option is available to everybody in Gila County, not just for specific projects. Steve Stratton, Public Works Division Director, also wanted to clarify for the record that it is not up to the homeowner to decide the size of the culvert; it is up to the County Floodplain Engineer according to the hydrology in a particular area and the County would specify what size of culvert is needed in a particular driveway. Mr. Sanders added that County standards require a minimum of 18" driveway pipe and sometimes that is impractical to keep from creating humps, so the County reviews each site. Upon motion by Vice-Chairman Martin, seconded by Supervisor Dawson, the Board unanimously adopted Resolution No. 07-04-03. **(A copy of the Resolution is permanently on file in the Board of the Supervisors' Office.)**

Mr. Stratton requested the award of Call for Sealed Bids No. 010507-1 for the sale of the Gila County building/property located in Hayden. He explained that the appraisal was \$30,000, which means that by statute the lowest bid amount the County can accept is \$27,000 or 90% of the appraisal. He stated that in February 4 bids were received, as follows: 1) The Globe-Miami Regional Chamber of Commerce, Economic Development Corporation (GMRCC-EDC) (a/k/a the Southern Gila County Economic Development Corporation--\$30,000); 2) Prudenciano Lara--\$30,100; 3) Iglesia Pentecostal del Dios de la Montana (Alfredo Tirado)--\$29,010; and, 4) Hayden Development Company (G. A. Wilt, Jr.)--\$35,712.59, the highest bid. Chairman Sanchez called for questions and then entertained a motion. Supervisor Dawson made the motion to reject all bids on this property. She added, "We have received letters suggesting the building could be used and volunteer labor donated if we don't sell the building, so my motion is that we reject all bids." The motion died for lack of a second. Chairman Sanchez entertained another motion. Vice-Chairman Martin made the motion to award the Call for Bids No. 010507-1 for the sale of the Gila County building/property located in Hayden to Hayden Development Company for the price of \$35,712.59. Chairman Sanchez seconded the motion. Supervisor Dawson asked if she could discuss the

matter, which Chairman Sanchez allowed. She stated, "I feel that the economic development people have asked for this. This is in my (supervisory) district. The buildings that have been purchased in that area by this company (Hayden Development Company) have been boarded up and to my knowledge none of them are being used." She stated that the GMRCC-EDC is willing to provide all of the labor for the building cleanup and the short-term plans for the building may include a teen center, an outpatient drug and rehabilitation facility or a domestic violence facility. She stated that the long-term objectives are to come up with something that would add to the economic development of the Hayden area, which she stated, "...has not been the practice of the bidders in this case." Chairman Sanchez stated that some of the items listed in paragraph 2 of the GMRCC-EDC bid letter concerned him such as the statement that the terms of the payment will be negotiated. He inquired as to the usual payment terms. Mr. Stratton stated that the terms for payment include submitting cash or a cashier's check. Chairman Sanchez also noted that GMRCC-EDC is requesting that Gila County pay for the cost of a mold inspection and any remediation. In addition, it is being requested that the County provide and/or pay for the cost for a dumpster for the building cleanup and dumping. Supervisor Dawson stated that if she had known there would be a problem with this agenda item, she would have had people here from Hayden to speak to the Board as there are people willing to volunteer in almost all of those areas of concern. Mr. Stratton stated that the generator mentioned in the GMRCC-EDC letter is not owned by Gila County. It is owned by the Town of Hayden for their sewer lift station, which is adjacent to the County property. Supervisor Dawson inquired if it would be possible to table this item in order to ask Hayden representatives to be present to discuss these items with the Board. Vice-Chairman Martin inquired if there were any other properties available in Hayden that the GMRCC-EDC may be interested in purchasing. She stated, "I don't know how we can bid a property as we've always done in the past to the highest bidder and get a high bid and simply farm it out for other considerations if it wasn't posted that way to start with...The way it was

posted, we now have 4 bids made in good faith and one of them is higher than the rest.” Vice-Chairman Martin stated that since she has been on the Board, as a matter of course, “We have posted bids and we have taken the highest bidder. I don’t know how we can change in the middle of this. The ethical thing to do is to go on with this bid...even though I can so appreciate wanting that building to be put to use.” Supervisor Dawson stated that the building wouldn’t be put to use. Vice-Chairman Martin stated that the Board can’t force that issue as, “It falls outside our purview.” Supervisor Dawson inquired if the Board could seek legal counsel on rejecting the bids. Bryan Chambers, Chief Deputy County Attorney, recommended that the Board convene into Executive Session to seek legal advice regarding this issue. Upon motion by Supervisor Dawson, seconded by Vice-Chairman Martin, the Board convened into Executive Session at 11:00 a.m. At 11:30 a.m., Chairman Sanchez reconvened the meeting into Regular Session. Mr. Stratton stated, “For the record before the Board votes, I would like to let the Board know that we did record as easement for the Town of Hayden 15 feet wide that was for their sewer from the cemetery fence 15 feet toward our current Hayden building. Also, we did put an addendum in the bid that preserves the tower site for the Sheriff’s Office on a small 6 foot by 6 foot space at the base of the tower for a cabinet and telephone line and that is to remain there until we find another site and there is no time limit on that. We also have access to that at any give time that we deem necessary. I just wanted that entered into the record.” Chairman Sanchez inquired if that has been completed. Mr. Stratton stated that a notice was put out and the easement has been recorded. Vice-Chairman Martin inquired if there was anything else on the property that does not belong to the County. Mr. Stratton stated that he believes there is nothing remaining on the property that does not belong to Gila County. Supervisor Dawson again encouraged the Board to reject all bids, stating, “I feel strongly that this building should be put to use and I believe that we have some suggested possibilities of use. We legally, on the notice for bids, notified that we could reject all bids and I urge that we reject all bids.” Chairman Sanchez asked for

any further discussion and none was received. He then entertained a motion. Vice-Chairman Martin stated that a motion and second were already made and she restated her motion to award this bid to the Hayden Development Company for \$35,712.59. Chairman Sanchez replied that he had seconded the motion, which was then approved by a 2-1 vote. Supervisor Dawson voted nay and then added that she very strongly voted nay. She stated, "I feel this is a slap to the people of Hayden and the economic development. I want the record to show that the Hayden Development Company has boarded up buildings. We received this fax (from the Hayden Development Company) saying that there was a group going to be in the area doing work. I will certainly supply that to the Town of Hayden. I think they would be very interested in knowing that any of those buildings are going to be worked on. I further object strongly to this organization that locks up playgrounds in any community and puts 'no trespassing' signs and allow weeds to grow and windows to be broken out of buildings because of a playground that has been opened 24 hours a day since I was a child and was in full use and now it's chain locked away from the youth of this community and I think this is a travesty."

In reference to agenda item number 8, the Consent Agenda action items, Supervisor Dawson made the motion to move Consent Agenda item number 8D to the regular agenda for discussion, which was for the approval of a request from Fred Barcon for reappointment to the Gila County Industrial Development Authority Board of Directors for a term from May 2007 to May 2013. The motion died for lack of a second.

Upon motion by Vice-Chairman Martin, seconded by Chairman Sanchez, the Board, by a 2-0 vote, approved moving Consent Agenda item number 8J to the regular agenda, which was to approve a payment for services in the amount of \$446 to Fly-A-Way Travel. Supervisor Dawson did not vote.

Upon motion by Vice-Chairman Martin, seconded by Chairman Sanchez, the Board approved Consent Agenda item number 8J by a 2-0 vote. Supervisor Dawson abstained from voting because of a conflict of interest.

Upon motion by Vice-Chairman Martin, seconded by Chairman Sanchez, the Board approved Consent Agenda item numbers 6A-6I by a 2-1 vote.

Supervisor Dawson voted nay. The Consent Agenda items are as follows:

- A. Approval to adopt Resolution No. 07-04-02 in support of a grant application being submitted by the Gila County Safe Home Network to the Arizona Department of Health Services to continue to provide domestic violence services. **(A copy of the Resolution is permanently on file in the Board of Supervisors' Office.)**
- B. Approval of a revised Public Works Division Policy No. DPW02-13, Purchasing Limits and Approvals.
- C. Approval of Amendment No. 4 to an Intergovernmental Agreement (Contract No. HP461413-014) between the Gila County Health Department and the Arizona Department of Health Services to extend Community Health Nursing Program services at the current cost reimbursement rate.
- D. Approval of a request from Fred Barcon for reappointment to the Industrial Development Authority Board of Directors for a term from May 2007 to May 2013.
- E. Approval of the Chairman's signature on Amendment No. 2 to an Intergovernmental Agreement (ADOT JPA File No. 04-001 – AG Contract No. KR04-1724TRN) between Gila County and the Arizona Department of Transportation due to an increase of the construction project material costs from \$515,000 to \$620,000 with the County continuing to be responsible for its proportionate share of fifty percent of the total cost of the Star Valley Turn Lane Project.
- F. Approval of the March 27, 2007, BOS meeting minutes.
- G. Approval of the March 2007 monthly departmental activity report submitted by the Globe Regional Constable.
- H. Approval of the personnel reports/actions for the week of April 9, 2007, as follows:

Departure from County Service:

- 1. Legal Secretary – County Attorney – 03-29-07 – General Fund - S. Ellen

- Farnham – Hire 06-29-06 – Failure to complete probationary period
2. Career & Employment Specialist – Community Services – 04-13-07 – Grant Fund - Tina Chaffin – Hire 12-02-96 – Resigned for other employment
 3. Mobile Crew Worker – Community Services – 03-26-07 – Grant Fund
Jessie Valdez – Temporary position
 4. Clerk/Receptionist – Health Services – 01-11-03 – Health Services Fund - Erin Neal – Temporary position (to close payroll record)
 5. Registered Engineer – Health Services – 05-16-05 – Health Services Fund - Todd Christensen – Temporary position (to close payroll record)

Hire to County Service:

6. Recorder’s Office Supervisor – Recorder – 04-16-07 – General Fund – Dawn Caldera – Replaces Vonnie Dickison
7. Mapping Technician – Assessor – 06-11-07 – General Fund – Terrice Jones – Replaces Jeremy Burk
8. Animal Regulation Enforcement Officer – Rabies Control – 04-16-07 – Health Services Fund – Dustin VanZwol – Reinstatement to position with original hire date 01-22-06
9. Accounting Clerk – Finance – 04-09-07 – General Fund
Sylvia Martinez – New position

End Probationary Period:

10. Community Health Educator – Health Services – 04-16-07 – Grant Fund - Lexie Nosie
11. Community Service Worker – Health Services – 04-30-07 – Grant Fund - Ed Reede
12. Housing Rehab Specialist – Community Services – 04-16-07 – Grant Fund - Karl Sanchez

Position Review:

13. Renew temporary status & increase pay rate – Road Maintenance/Equipment Operator – Consolidated Roads – 04-16-07 – Consolidated Road Fund - Tom Mann

14. Change fund percentages – Administrative Clerk – Health Services – 04-16-07 – Health Services Fund – Karin Gilbert

Request Permission to Post:

15. Public Fiduciary Assistant – Public Fiduciary – position vacated by Samantha Philpot

SHERIFF’S PERSONNEL ACTION ITEMS

Hire to County Service:

16. Deputy Sheriff Cadet – Globe S.O. – 03-29-07 – General Fund - Ronald Escobedo – Reinstate to position with original hire date 02-26-07

I. Approval of the finance reports/demands/transfers for the week of April 9, 2007, (separate handout) as follows:

\$660,922.73 was disbursed for County expenses by voucher numbers X040893, X155894 through X156010, X156012 through X156016, X156018 through X156022, X300714, X400671 through X400713, X400715 through X400780, X400782 through X400810, X400812 through X400877, and X400879 through X400942. The hand-issued warrants listing by voucher number and amount is as follows: X156011 - \$261.18.

(An itemized list of vouchers is permanently on file with the Board of Supervisors.)

J. Approval of a payment for services in the amount of \$446 to Fly-A-Way Travel.

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. Supervisor Dawson left the meeting during the summary by the other Board members.

There being no further business to come before the Board of Supervisors, Chairman Sanchez adjourned the meeting at 11:51 a.m.

Jose M. Sanchez, Chairman

ATTEST:

Steven L. Besich, County Manager/Clerk