

BOARD OF SUPERVISORS
GILA COUNTY, ARIZONA

Date: June 19, 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 (via telephone conference call); Steve Besich, County Manager/Clerk; Marian Sheppard, Chief Deputy 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. Steve Stratton led the Pledge of Allegiance and Dixie Mundy delivered the Invocation.

Chairman Sanchez stated that Supervisor Dawson would be joining the meeting via a telephone conference call from Utah. He also requested that agenda item numbers 8 and 9 be moved to the beginning of the agenda as Dixie Mundy, Elections Department Director, needed to leave to attend to County business in Phoenix. Following those 2 items would be agenda item number 3 as Rick Powers of the Arizona Department of Transportation also needed to leave to address a work-related emergency.

In addressing agenda item number 8, Ms. Mundy requested that the Board review the petition verification and adopt Resolution No. 07-06-05 establishing the Canyon River Ranch County Improvement District. Ms. Mundy stated that the petition before the Board was presented by Justin Roylance and his attorney, John G. Gliege of Gliege Law Offices, PLLC, who

were both present at the meeting to answer any questions. She stated that the petition contains signatures of 100% of the owners represented and according to Arizona Revised Statutes if 100% of the property owners petition for the establishment of a County Improvement District, the petitioning process as far as the public hearing and those particular activities that would follow a petition in process are waived, which is the circumstance in this instance. Ms. Mundy stated that Mr. Roylance has provided a \$500 bond as required by statute. In the event the District is not established, the bond would cover any expenses incurred by the County. She stated that the Gila County Assessor's Office has verified that Mr. Roylance is an owner in the 2 areas of the Taylor Flat Ranch, LLC and Simonton Flat, LLC and both LLCs have been confirmed with the Arizona Corporation Commission and also through the Assessor's Office. Upon an inquiry by Vice-Chairman Martin, Ms. Mundy explained that a County Improvement District is usually filed for the purpose of improving streets/roads for the most part. She stated that the long term plan is to develop the Baby Doll Ranch so the County Improvement District would then have a tax base once it is established, primarily for road improvements. Upon motion by Vice-Chairman Martin, seconded by Supervisor Dawson, the Board unanimously reviewed the petition verification and adopted Resolution No. 07-06-05 establishing the Canyon River Ranch County Improvement District. **(A copy of the Resolution is permanently on file in the Board of Supervisors' Office.)**

In addressing agenda item number 9, Ms. Mundy requested that the Board review the petition verification and adopt Resolution No. 07-06-06 establishing the Canyon River Ranch Domestic Water Improvement District. She stated that this petition was also presented by Justin Roylance and the Resolution will establish a Domestic Water Improvement District and will include the initial appointment of 3 members to the board of directors. An election for future board members will take place at the next general election and then every 2 years thereafter. She stated that the local city or town must be consulted if a proposed Domestic Water Improvement District is within 6

miles of the city or town boundary. Mr. Roylance consulted with the Town of Payson whereby the Town advised that it would not provide water to this development (a copy of said letter was provided to the Board in the agenda packet). Ms. Mundy advised that Mr. Roylance is the statutory agent for both the Simonton Flat and the Taylor Flat Ranches, which are the 2 areas included in the legal description that has been confirmed by the Assessor's Office and Mr. Roylance. Upon motion by Supervisor Dawson, seconded by Vice-Chairman Martin, the Board unanimously reviewed the petition verification and adopted Resolution No. 07-06-06 establishing the Canyon River Ranch Domestic Water Improvement District and approving a 3-member board of directors. **(A copy of the Resolution is permanently on file in the Board of Supervisors' Office.)**

In addressing agenda item number 3, Steve Stratton, Public Works Division Director, presented a Gila County Transportation update. He began by calling on Rick Powers, Globe District Engineer for the Arizona Department of Transportation (ADOT), who gave a PowerPoint presentation on the ADOT projects. Mr. Powers presented a tentative 2008-2012 Five-Year Transportation Facilities Construction Program, the goal of which is to meet the citizens' transportation needs in the Globe District due to the significant amount of growth, which he stated will be a real challenge. He explained that the priority programming process chart was broken down into highway projects and airport projects. The next item shown was a chart of a summary of the funding to be spent in each county for the 5-year period, which reflects Gila County's projects at \$87 million with zero projected for 2012. The next chart showed the resource allocations consisting of system preservation, system management and system improvements. The next group of photos showed a current project on US 70—Salt Creek Emergency Project—where the 15.5 foot pipes under the highway eroded and quick action has been taken to repair them. The 5-year transportation facilities construction program showed the projects planned in the Globe District for the next 5 years. The traffic data

chart showed significant increases in the traffic volume, which ADOT is addressing. The next chart showed the current projects under development followed by a map of all the projects in the 5-year construction plan. The next group of photos and charts pertained to the US 60—Corridor Planning (Gonzales Pass), which is the largest project in the Globe District. This also included the segment funding for construction and a map of the US 60 corridor from Florence Junction to Globe, with Mr. Powers noting that the final phase for the Superior segment has not been funded and phase 5, the Silver King segment, is only partially funded. The following map showed the US 60 corridor for the proposed climbing lane project from Devil’s Canyon to the Oak Flats area and down to the Pinto Bridge for a slope stabilization program and eastbound passing lane in which ADOT is working with the BHP Copper-Pinto Valley Mining Division to make adjustments to the intersection at the Pinto Valley Mine. The next page showed the estimated project funding for 2008 at \$14.6 million, which is short by \$7.4 million. The following set of photos showed the SR 77 Project—Christmas Segment, which is estimated at \$17.3 million and short in funding by \$6.3 million. Future projects included a map of the minor projects, projects eligible for programming, and projects requested to be scoped. The planning and engineering studies consist of the following: 1) small area transportation studies of Gila County (completed), Pinal County (completed), Superior, the White Mountain Regional area, which is pending, and 2) a design concept report of US 60 Superior to Globe (pending) and SR 260 Heber-Show Low (coming soon). The next section shown was about the final feasibility report for the road project on US 60 from Superior to Globe. Mr. Powers stated that nothing has been decided on this project. ADOT is still looking at the most economical and viable routes to get through the mountains and numerous public hearings will be held. The maps that followed showed the project limits of this project, which will begin at MP (mile post) 226 in Superior and end at MP 252 in Globe, and also showed the study segments for the proposed 4-lane divided highway at a proposed cost of \$673 million. With

today's cost of inflation, Mr. Powers stated it will probably reach \$1 billion before the project is completed, which will be difficult to fund. A map of the regional profile studies was shown that includes the White Mountains, the Rim Country and the Gila Valley, of all which are currently on a 90-day hold. Next, Mr. Powers explained the transportation profile studies and stated that Move Arizona is a plan initiated by Governor Napolitano and that plan basically drives any projects in Arizona. If the projects he just reviewed do not show up in Move Arizona, they are not discussed, so the profile studies are basically what populates Move Arizona and are very important. He concluded his report by showing a Pinal regional transportation profile—corridor definition study and the Lordsburg to Phoenix (US 70/US 60 Corridor). Mr. Powers stated that further information is available at the ADOT website at

<http://www.azdot.gov/districts/globe>. The Board thanked Mr. Powers for his presentation and the work that he's doing for the County. Vice-Chairman Martin spoke about the possibility of getting funding to improve the road to Young, Arizona. Mr. Stratton then called on Steve Sanders, Public Works Division Deputy Director and a representative of the CAAG (Central Arizona Association of Governments) Transportation Committee, to give an update on the upcoming projects through CAAG. Mr. Sanders stated that the County just completed the HURF (Highway User Revenue Funds) exchange project on the Six Shooter Canyon Road and in May 2008 the request for proposals will be advertised for the next segment, which will be the new bridge across Ice House Canyon and the approaches to same. He stated that safety money and bridge replacement money will tie those two projects together. Later this summer the County will advertise a request for proposals for the second phase of Fossil Creek in Strawberry. The City of Globe is preparing to do Phase 2 of the Broad Street Project, which will extend Walliman Road out to the railroad trussel and will be followed by Phase 3 in 2012 and tie the Six Shooter/Ice House Canyon projects together. Plans for the Pine Creek Canyon Road in the Payson area are underway. In the Pine area the cemetery road will be reconstructed and

realigned providing for better access and removal of some curves. Mr. Stratton stated that the County will be involved in working with ADOT on the Pinto Valley Turnoff Project because by the end of the month the mines in that area will be at full employment creating a lot of traffic on that road, so the County is working with the mine to try to resolve ADOT's shortfall of \$7 million for the completion of that project. He stated that on the Highway 77 project, the County is working with Phelps Dodge to see if some of the rift raft from that project can go to the mine area as well as some being brought back to this area for storage. Mr. Stratton then gave a PowerPoint presentation on some of the Gila County projects, which he began by stating that Gila County maintains about 732.5 miles of roadway, of which 148.58 miles are paved and 573.64 miles are unpaved. Also, 376.16 of the total miles are Forest Service roads. The next page, the HURF analysis, showed that Gila County has a net gain from 2005 to 2006 of +44.27 miles; roads accepted into the County's Maintained Roadway System are +2.58 miles; Forest Service agreement 2007 changes/additions include +67.89 miles; and, the loss of roads from Star Valley are -11.36 miles. He then showed photos of the 1.5 mile Six Shooter Canyon Project during construction and after completion, and the dedication ceremony. The next photos shown were of the Arcadia Drive Project during construction and upon completion. Upcoming projects include Monroe Street, which includes lowering the grade from the Guerrero Complex to Monroe Street; the Fairground entrance; the Ice House Canyon Bridge; Fossil Creek-Phase 2; Cemetery Road; and, Pine Creek Canyon Road. He concluded with photos of the US 60 Gonzales Pass Groundbreaking Ceremony that was held on June 7, 2007, which will be a \$40 million safety and widening improvement project for nearly 10 miles of US 60 through Gonzales Pass beginning in July 2007. Dennis Lloyd, a resident of Strawberry, inquired about the work to be done on Fossil Creek Road. Mr. Sanders reviewed the work to be done for Mr. Lloyd. Mr. Lloyd inquired if the County owned any land along that road. Mr. Sanders stated that the County only owns the right-a-way on which the road is

located. Mr. Stratton then requested that Ingo Radicke, a County consultant and previous member of the Arizona Department of Transportation Board of Directors, update the Board on other projects. Mr. Radicke updated the Board on the Little Green Valley Project, which is 60% complete and ADOT will be accepting bids in April 2008 and is budgeted at \$27 million. Another upcoming project is the Doubtful Canyon Section, projected at a budget of \$42 million. There are also issues being discussed pertaining to Highway 87, which includes a 3-mile passing lane between Pine and Strawberry. Also, between Payson and Pine some work will be done to widen the road in some areas and make improvements on some of the curves. On Highway 87, a new road will be constructed at the Tonto Natural Bridge, which will be a State Parks and ADOT combined project. For the Lions Springs Section, there is only funding in the way of design for the road in 2009 and lobbying is needed to ensure the construction funding for that road. Mr. Radicke also spoke on some of the issues being reviewed by the Legislature that pertain to funding for other road projects, which he hopes the Governor will address. Vice-Chairman Martin stated that the road between Payson to the Iron Springs Section as well as the Payson to Star Valley road is being redone. Mr. Radicke stated that a local committee is being formed for the purpose of sharing information and coordinating lobbying efforts, which relate to these projects. A meeting is scheduled tomorrow at 1:30 p.m. at the Globe-Miami Chamber of Commerce building. Mr. Stratton stated that the project Vice-Chairman Martin was referring to in Payson includes a turn-lane into the County's Star Valley yard for safety reasons and the County contributed \$325,000 toward that project. He also wanted to state for the public's knowledge that the majority of the projects discussed today have been accomplished with the ½ cent sales tax for transportation and without that funding the County wouldn't have been able to do as many projects. Chairman Sanchez stated, "The benefits have been super because of the wisdom of our residents when they voted to tax themselves that ½ cent sales tax for roads because there are many counties that haven't been

able to do that.” The Board thanked Mr. Stratton, Mr. Sanders and Mr. Radicke for their presentations and efforts, and particularly Mr. Radicke’s work on the Gonzales Pass Project. Upon inquiry from Chairman Sanchez, Mr. Radicke stated that the cost for new roads is \$10 million per mile in the mountain areas; however, roads in the local area can be done for approximately \$2 million per mile, which is up 30-40% from 5 years ago. Vice-Chairman Martin stated that some of the planning isn’t as good as it could have been on some of these projects and she’s not sure how to address that issue. She advised that the actual cost of some projects was twice the amount of the proposed bid amount. Vice-Chairman Martin stated, “I realize that some of that is from increased costs, but some of it was from the management side and I feel substantial dollars could be saved on the management side.” Vice-Chairman Martin also stated that she wonders if it’s time to readdress the low bids and she thinks sometimes “you pay for accepting the low bids” and she feels that society- wide and state-wide there needs to be some “hard” conversations on that issue. Mr. Radicke stated that ADOT is now actually reviewing the bids from the various companies that submitted bids on the same projects. As a result, some bids have been rejected where the costs were totally underestimated and ADOT has gone to the next lowest bidder.

At this time, Ms. Mundy and Steve Besich, County Manager/Clerk, left the meeting to attend to County business in Phoenix.

At 11:13 a.m., a public hearing was held to address agenda item number 2 regarding proposed rate increases at the Russell Gulch and the Buckhead Mesa Landfills. Mr. Stratton turned the meeting over to Sharon Radanovich, Director of Solid Waste, who stated that she wanted to discuss the County’s current landfill rates and proposed rate increases as costs have increased by 20% with no rate increases in the past 4 years. She then called on Rich Petrus, Vice-President of Hydro Geo Chem and a County consultant, to speak to the issue. Mr. Petrus stated that he has been working on the Solid Waste Master Plan for the County since 2000 and in 2003 a 10% rate increase was

approved along with recommended rate increases for future years, which to date have not been implemented. He stated that the Plan that was revised in 2003 called for tipping fees to be \$5-\$6 higher than they are currently, so revenue has not been generated as planned. Upon inquiry from Chairman Sanchez, Mr. Petrus advised that the landfill program is supposed to be self-sustaining in order to provide for future expansions and purchases, which includes a new landfill in the upcoming years. He then reviewed some graphs and charts with the Board. He stated that going into fiscal year (FY) 2007-2008 there is a \$650,000 surplus, which was slated to be used for an expansion at the Buckhead Mesa Landfill this year; however, due to the decreased volume of waste, that expansion is not required right now, which is both good and bad. Money is not required for the expansion; however, the Buckhead Mesa Landfill is also not generating any revenue because one of the major disposers, Waste Management, has moved its waste disposal to its landfill in the Phoenix area, which amounts to about 40% of the waste that was previously going to the Buckhead Mesa Landfill. In addition, Russell Gulch Landfill waste has increased slightly and the expected life projected to 2019 has now been reduced to 2017 at which time additional funds will be needed to purchase land for a new landfill. He noted that the Russell Gulch Landfill cannot be expanded because of too many constraints on land that surrounds the Landfill. Mr. Petrus advised that by utilizing the current rates, the Landfill will be just barely "in the black." If the proposed rate increase is approved, when prorated over the municipal and industrial/commercial waste, it would be approximately a \$1.20/ton increase. If the rate increase is not approved, the County will not have any buffer room in the event any environmental problems arise or there is a need to purchase any equipment. Referring to the chart, Mr. Petrus pointed out that leading into 2008 there is a \$650,000 surplus; however, there is a projected loss of revenue for 2008 whereby the surplus will be at approximately \$230,000 with the proposed 3% rate increase. Without the 3% rate increase, the County will end up with \$180,000 in

surplus. In continuing through the future years, Mr. Petrus noted that another additional 3% increase is projected for fiscal years 2011 and 2013 for 2 expansions at Buckhead Mesa Landfill, which will cause the County to go into the red slightly for 2013; however that amount will be recovered in fiscal year 2014. From 2015 forward, the County will need to search for new land to replace the Russell Gulch Landfill, which is estimated to cost \$1.5 million for the land purchase and actual construction costs. He recommended that the proposed rate increases be continued from now into the future in order to provide for future landfill expansions at both landfills. Mr. Stratton stated that the County was going to purchase land for the Buckhead Mesa Landfill from the U.S. Forest Service several years ago, but the County held off so those funds have not been expended. He stated that if the County had not sold the landfill transfer stations, a request for rate increases would have been proposed last year. Mr. Stratton stated the sale of the transfer stations saved the County \$100,000 a year in losses and it is his understanding that the transfer station private haulers are doing very well. He stated that the 20% rising cost of fuel has impacted costs and he reiterated Mr. Petrus's statement about the need for the County to put aside some money for future expansions as the Solid Waste Department is set up as an enterprise fund so there is no burden to the taxpayer. Vice-Chairman Martin expressed a concern that even if this proposed rate increase is approved today, that a request would be made for future increases in 3-4 years. Mr. Petrus explained that the graph shows a 3% increase from now until the year 2017. Mr. Stratton stated that Mr. Petrus was only providing projections. Mr. Stratton recommended that the Board be annually apprised of the financial status of both landfills at which time the Board could decide whether any future increases are necessary. At this time Chairman Sanchez opened the public hearing portion of the meeting and called for comments from the public; none were received. He questioned if this increase could possibly cause the County to experience the same loss of revenue that the Buckhead Mesa Landfill experienced when Waste

Management pulled out. Mr. Petrus stated that it wouldn't be as severe at the Russell Gulch Landfill as it was at the Buckhead Mesa Landfill. Mr. Stratton also explained that should the amount of waste being sent to the landfills decrease that would extend the life of the County's landfills, which would allow more time to accumulate funds for future expansion. Chairman Sanchez inquired about the adopted schedule and the present status of the County. Mr. Stratton stated that if the County had followed the rate increase schedule that the Board adopted many years ago, the current rate would be \$51/ton or \$5/ton more than what is currently being proposed. Mr. Stratton added that the rate for green waste was reduced by half, which significantly reduced the income amount. The reason the rate was reduced was to encourage residents to remove green waste in order fireproof their homes. Vice-Chairman Martin stated that at least the County won't have that expense with Renergy Company removing the green waste and hauling it out of the Buckhead Mesa Landfill. Mr. Stratton affirmed that the County won't have the labor of either burning or trucking it out. Chairman Sanchez closed the public hearing portion of the meeting and entertained a motion for approval or disapproval. Upon motion by Vice-Chairman Martin, seconded by Supervisor Dawson, the Board approved a 3% rate increase effective July 1, 2007, for the Russell Gulch and the Buckhead Mesa Landfills from \$37.51 per ton to \$38.64 per ton for residential and commercial residential haulers-household; the rates for all other waste will be increased from \$44.77 per ton to \$46.11 per ton.

On behalf of Mr. Besich, Mr. Stratton addressed item number 4, the approval of Professional Services Contract No. 112-185/6-2007 between Gila County and E+I Architects for architectural services for the Conceptual Design Plan for the Globe and Payson Jail/Criminal Justice Facilities in the amount of \$47,700 for the period June 19, 2007, to a tentative completion date of July 30, 2007. He stated that years ago the County hired Gila Management to conduct a long-range facilities study to project County facilities, by size and number that would be needed in the future. This Contract with E+I would be

the next step of that process to have the modeling, conceptual drawings and designs done. Supervisor Dawson stated that she has been asking about additional space for the courts and also questioning the value of making the jail in Payson so large and wondered if the conceptual plans will follow what has previously been discussed as she wasn't sure what the company has been told to build. She questioned if E+I Architects has been told to build a 96-bed jail in Payson and 2 courtrooms in Payson and in Globe. Mr. Stratton stated that in reference to the courtrooms, he and the consultants looked at the possibility of adding 2,100 additional square feet to both criminal justice centers, which would accommodate another courtroom, judge's chambers and associated space. In reference to the jail in Payson, Mr. Stratton stated that a 96-bed jail facility is proposed. He advised that the process not only includes the design and modeling, but also the cost validation. Mr. Stratton stated that he worked with Gila Management on the cost of the projects using several methods and part of the contract with E+I Architects would be to validate those costs by square footage and by the number of beds and advise if the costs are on track. Vice-Chairman Martin inquired if this contract also included checking the traffic flow, determining if there is adequate parking as well as ample space for the "footprint" that is being recommended. Mr. Stratton advised that all of those considerations will be addressed. Upon an inquiry by Chairman Sanchez, Mr. Stratton explained that this would be a conceptual model and the architects will design same. Supervisor Dawson reiterated her opposition to the proposed size of the jail in downtown Payson and she also expressed a concern that the Board is moving forward with this Agreement to prepare the design and modeling of the proposed facilities, in spite of the fact that she is not in agreement with the size of the proposed Payson jail facility. Chairman Sanchez advised of the process that has been undertaken by the County to get to this point in time and he agreed that providing a model of the proposed facilities would be an excellent way to provide information and education to the public. Mr. Stratton agreed with Chairman Sanchez and he

stated, "This is a working model; nothing is cast in stone at this point; this is purely conceptual and will help move the County into the next phase." Upon motion by Vice-Chairman Martin, seconded by Chairman Sanchez, the Board approved Professional Services Contract No. 112-185/6-2007 between Gila County and E+I Architects by a 2-1 vote. Supervisor Dawson voted nay.

At 11:39 a.m., a public hearing was held to adopt Resolution No. 07-06-02 approving Planning and Zoning (P & Z) Department Case No. CPA-07-01, a request by Travis & Lorie Stodghill to amend the Gila County Comprehensive Master Plan on tax parcel number 301-05-013A. The owner is requesting Mixed Use from Residential 1-2 dwelling units per acre to allow their trucks to pull through their property. Bob Gould, Community Development Division Director, stated that the Stodghills own a piece of property at the intersection of Wagon Wheel and Fossil Creek Roads in Strawberry. The current zoning is R1-D12, which allows single family residential development on minimum 12,000 square-foot lots. The Stodghills are currently operating an excavating and leach field materials business at this intersection on a triangular piece of land that is zoned C3, which does allow this particular use to occur. The Stodghills are requesting to change the zoning on the property to the north, which is the R1-D12 property. He stated that regardless of whether or not the application is approved today, the Stodghills will continue with their business operation at this particular intersection on the 9,000-square-foot portion of the triangular piece of property on which they are currently operating. The surrounding property in the area there is zoned a combination of Transitional/Residential (TR) and R1-D12. TR is a mixed use type of zoning that allows minor commercial activities as well as residential uses to be mixed in together. Mr. Gould stated that when the application was first accepted, it was in hopes that some of the concerns could be mitigated such as traffic monitoring, buffering, etc. However, there is a lot of concern from the surrounding property owners with 14-15 letters of objection received from property owners residing within 300 feet of the subject property and other

letters that were submitted are from residents that live within the neighborhood. All residents are opposed and have listed a multitude of reasons for their concerns, some of which are as follows: the area is predominantly residential and this is too heavy of a commercial use; heavy truck traffic; the heavy truck traffic is hazardous to the children, who catch a bus nearby; the roadway is not appropriate for this type of traffic; this would negatively impact the historic Strawberry schoolhouse, etc. Mr. Gould stated that the P & Z Commission met and discussed this application on May 17, 2007, to review and listen to the citizens' concerns and the P & Z Commission recommended that the Board of Supervisors not approve the application to amend the Comprehensive Master Plan for the County. At this time, Chairman Sanchez opened the public hearing portion of the meeting and called for comments from the public. He called on Travis and Lorie Stodghill, the applicants, who are residents of Pine. Mr. Stodghill presented maps of the subject property to the Board, which showed the existing C3 zoned area, the small triangular parcel. Mr. Gould explained that the 1.31 acres is all one lot including the triangular parcel; however, Mr. Stodghill purchased the triangular parcel at a different time and then consolidated the parcels so it is a multi-zoned lot, which is normal in these older areas and they are requesting that the R1-D12 area be amended. Mr. Stodghill explained that they wanted to change the other property to C3 zoning because they don't have enough room for their business. They have tried to locate other property in Strawberry but have been unable to locate any that would already be zoned to accommodate their needs. He stated that the land where their current business is located has been in the family for many years so they thought if they could rezone the remainder of the property it would give them more room to build an office and allow for additional space to park equipment and stockpile gravel. He stated, "We requested an application, but it hasn't worked out." Mr. Stodghill believes there is a lot of confusion as to what they were planning. He reviewed the map with the Board and suggested that if they could get the zoning changed on half

of the property or 50 feet it would give them better access and allow for less congestion by accessing their property via Fossil Creek Road. He stated that their company only operates out of this area 3-4 days per week so it is not continual in and out traffic. Lorie Stodghill explained that currently their trucks drive down Fossil Creek Road and turn on Wagon Wheel, pull forward and then back their trucks onto their property. She stated that for safety purposes if they could come down Fossil Creek Road and turn into their property, they could eliminate part of the congestion on Wagon Wheel, which was their main goal. She stated, "We don't know what our options are. We do know that we have to do an amendment to the Comprehensive Master Plan in order to move forward on any of this property so that's our main goal today. After that then we are willing to sit down with whomever to come to an agreement on the extra part that we would make commercial so that we could drive through the property or if we even need to. I don't know if we could drive through the front at mixed use." Chairman Sanchez inquired of Mr. Gould if that would be an appropriate question to try to answer today. Mr. Gould replied that State law requires that whenever there is a rezoning, the rezoning has to be in compliance with the Comprehensive Master Plan and rezoning at this point without amending it is much more work. He stated that if the Board was to approve this Resolution today against the recommendation of the P & Z Commission, that could be done and his staff would go back to the rezoning to see if there is a way to mitigate the concerns. It all depends on the Board's decision. Chairman Sanchez called on Dennis Lloyd, a resident of Strawberry. Mr. Lloyd presented various photos to the Board which included pictures of his home, and photos taken directly across the street from his home showing the property being utilized in this commercial venture including the dirt piles and equipment. He stated that the dirt, noise, etc. is totally incompatible with the residential neighborhood. He stated, "I am really torn because I like Travis and his father and my father were friends and his dad, who helped build my father's cabin that I have since inherited, but I have to stand here and defend

my rights to enjoy my home in a residential setting and protect it from this commercial venture across a tiny 2-lane road. I truly believe the Stodghills have the best intentions to try to mitigate and keep their impact to a minimum, but the issue is once the zoning is approved, they could sell the property or do whatever they wanted and once they have the zoning it can't be taken away. The problem is that this little commercial triangle that was grandfathered in a long time ago does not belong in this neighborhood." Mr. Lloyd stated that he felt that the answer was for Mr. Stodghill to find a piece of flat land elsewhere to grow his business. He questioned if there was anything the County could do to help Mr. Stodghill as Mr. Stodghill had donated some of his land to the County for Fossil Creek Road improvements. He also requested the County's assistance in mitigating this issue with the residents because he feels that this commercial business doesn't belong in this residential neighborhood. He showed additional photos of the large stockpiles of dirt and gravel and the nearby old historic Strawberry Schoolhouse, noting that it can't be moved because it's a national historic site. Chairman Sanchez called on Linda Lloyd, a resident of Strawberry. Ms. Lloyd stated that changing the zoning would negatively impact the property values of all of homes in the area due to the noise, dust, and being unsightly, which she feels would ruin the serene environment. She explained that in reading the public hearing notice regarding this issue, the notice listed the meaning of mixed use land, light industrial use and heavy industrial use, which she reviewed for the Board. She believes with the heavy truck traffic that discharges noise and dust and other issues, along with the views of the gravel and rock that this use should be considered heavy industrial. Chairman Sanchez then called on Dean Werner a resident of Mesa, who owns a recreational cabin in the area. Mr. Werner stated that when he bought his cabin a year ago, he really enjoyed the serene nature, but it's not an industrial park. The Stodghill's business is not compatible with the Comprehensive Master Plan and he suggested that the reason the Stodghills have not been able to locate a larger lot already zoned for

commercial purposes was probably just a matter of price and that Mr. Stodghill doesn't want to pay the asking price. Mr. Werner stated this is heavy industrial use and is not appropriate and he felt the P & Z Commission's recommendation should be followed. Mrs. Stodghill commented that the existing C3 zoned area with the dirt and gravel piles has been there for almost 30 years or longer and hasn't changed in the past year, so the gentleman who purchased his property a year ago had to drive by their property. She reiterated that the intent of this change is to find more space for easier access to their property, which is not a huge change. She stated that there is mixed use all along Fossil Creek Road. Chairman Sanchez closed the public hearing portion of the meeting. Vice-Chairman Martin inquired if there was any way to apply a conditional use permit to this property. Mr. Gould replied that under the current zoning ordinance there are no such provisions. He explained that other options were also reviewed including a TR district if the amendment was approved, which would allow small commercial and office-type uses which would help the Stodghills to expand their business and still be compatible with the Comprehensive Master Plan. He explained that if this amendment was approved, changing the language designation to Mixed Use would allow for rezoning the property to TR, but not to C3 because that is not allowed under Mixed Use. He stated, "We sympathize with these people. We believe this activity is probably in the best location that it could be, but we're caught between a rock and hard place. This use is there and it's established. This particular lot was rezoned by a petition back in 1979 or 1980 to C3, so it's been there for almost 30 years now. That was the intent, but we just didn't come up with any solutions so that's why the Board has a recommendation to deny." Vice-Chairman Martin inquired if there were any other avenues because she didn't see the C3 zoning going away. Mr. Gould replied that with Proposition 207 "lingering out there", he didn't see the possibility of down-zoning anyone's parcel, so C3 is there to stay. He stated that as far as the solution goes, approving the Plan Amendment didn't solve Mr. Stodghill's

problem completely because he still needs to get the rezoning. He stated that if the County went through a TR district, then he could go through the development plan and work with the neighbors to see if they could mitigate some of the concerns. Mr. Gould stated that he thinks what the neighbors need to understand, and maybe they don't, is that this business activity is going to continue in the awkward manner that it is right now. He felt there could be ways to make it less awkward; however, nobody seems to have a solution to solve that dilemma. He stated that if the Board did not want to deny the application, it could be remanded to the P & Z Commission rather than not accepting its recommendation. Supervisor Dawson stated that once the Plan is amended, the homeowners in that area would have no protection. Vice-Chairman Martin stated that she would like to remand this application to the P & Z Commission as she would like to have more time on this issue. Vice-Chairman Martin wasn't aware of this issue until she received numerous opposition letters last week and she feels that possibly many of the concerned citizens don't necessarily understand the reasons the Stodgills have requested this change. She would like some time to visit with those people to arrive at a better solution. Supervisor Dawson made the motion to table this item, which died for lack of a second. Vice-Chairman Martin explained that she would not second the motion because she didn't want the conversation to stop, which she felt could happen by tabling the item; however, remanding the item to the P & Z Commission would keep the conversation going. Upon motion by Vice-Chairman Martin, seconded by Supervisor Dawson, the Board unanimously remanded this item to the P & Z Commission for more discussion to see if there are alternate solutions.

At 12:11 p.m., Chairman Sanchez called for a brief recess.

At 12:22 p.m., Chairman Sanchez reconvened the meeting at which time a public hearing was held to adopt Resolution No. 07-06-03 designating Detroit Drive as a County Highway, as shown on Official Map No. 144, Gila County Records, Gila County, Arizona, and accepting said road into the Gila County

Maintained Roadway System. Steve Sanders, Public Works Division Deputy Director, stated that Detroit Drive is the main road into East Verde Estates. It is a Forest Service road up to Highway 87 and once inside the subdivision, it is the County's intention to pave Detroit Drive up to the intersection of Joan Drive, which is 1,000 feet in length and must be a County Highway before it can be paved. This road meets the requirements for a County Highway. At this time, Chairman Sanchez opened the public hearing portion of the meeting and called for comments from the public; none were received. Chairman Sanchez then closed the public hearing portion of the meeting and entertained a motion. Upon motion by Supervisor Dawson, seconded by Vice-Chairman Martin, the Board unanimously adopted Resolution No. 07-06-03 designating Detroit Drive as a County Highway and accepting said road into the Gila County Maintained Roadway System. **(A copy of the Resolution is permanently on file in the Board of Supervisors' Office.)**

At 12:24 p.m., a public hearing was held to adopt Resolution No. 07-06-04 designating El Paso Way as a Country Dirt Road and accepting said road into the Gila County Country Dirt Road Maintenance System, and to authorize the Chairman's signature on the Country Dirt Road Easement. Mr. Sanders stated that El Paso Way is a small 20 foot wide road by 600 feet in length off of Ice House Canyon Road south of Globe that serves 6-8 properties in the area and crosses 4 properties. All property owners along the road have signed an easement. There are 2 buried gas lines under the road and he has met with the El Paso Natural Gas Company, which is in favor of the County accepting this road into its Country Dirt Road Maintenance System. There will be no cutting or digging in said road; however, the El Paso Natural Gas Company has requested that a company representative be present when the County places fill on the road if approved. He stated that the road meets all of the requirements for a Country Dirt Road and he recommended accepting said road into the Gila County Country Dirt Road Maintenance System. Mr. Stratton stated for the record that at the current time the El Paso Natural Gas

Company supports this request; however, his concern is that if any easement or higher needs are requested by the El Paso Natural Gas Company, that the monetary needs be borne by the El Paso Natural Gas Company and not Gila County. At this time, Chairman Sanchez opened the public hearing portion of the meeting and called for comments from the public; none were received. Chairman Sanchez then closed the public hearing portion of the meeting and entertained a motion. Upon motion by Vice-Chairman Martin, seconded by Supervisor Dawson the Board unanimously adopted Resolution No. 07-06-04 designating El Paso Way as a Country Dirt Road and accepting said road into the Gila County Country Dirt Road Maintenance System, and authorized the Chairman's signature on the Country Dirt Road Easement. **(A copy of the Resolution is permanently on file in the Board of Supervisors' Office.)**

Upon motion by Supervisor Dawson, seconded by Vice-Chairman Martin, the Board unanimously approved Consent Agenda item numbers 10A-10F as follows:

- A. Approval of Amendment No. 4 to Contract No. 0008-0444 between the Gila County Division of Health and Community Services and the Pinal-Gila Council for Senior Citizens, Area Agency on Aging, Region V, in the amount of \$18,000 to conduct minor home repair and medical modifications for Gila County senior citizens and disabled for the period July 1, 2007, through June 30, 2008. (Note for the record: The original contract number and for Amendments 1, 2, and 3 was No. 0006-0444.)
- B. Approval of Amendment No. 12 to Contract RFQVA No. DDD-704011 between Gila County (GEST Program) and the Arizona Department of Economic Security to revise Sections 2, 6 and 9 of the Contract; and, approval of Amendment No. 2 to Contract RFQVA No. DDD-704015 between the same entities to revise Sections 2, 6 and 9 of the Contract.
- C. Approval of a revision to the Gila County Article 1.0 Purchasing Procedures to include the addition of A.R.S. §41-2536 – Sole Source Procurement.

D. Approval of the May 2007 monthly departmental activity reports submitted by the Payson Regional Constable and the Globe Regional Justice of the Peace.

E. Approval of the personnel reports/actions for the week of June 18, 2007, as follows:

Departure from County Service:

1. Public Health Communications Systems Specialist – Health – 08-08-07 – Grant Fund – Trena Grantham – Hire 01-02-03 – Resigned for other employment
2. Road Maintenance/Equipment Operator – Consolidated Roads – 06-11-07 – Public Works Fund – Robert Amburgey – Hire 01-24-07 – Failure to complete probationary period
3. Teen Court Secretary – Probation – 06-01-07 – Juvenile Diversion Fees Fund - Dominique Woods – Hire 07-10-06 – Resigned to attend school
4. Business Services Representative – Community Services – 06-13-07 – Grant Fund – Gloria Moreno – Temporary position

Hire to County Service:

5. Automotive Mechanic – Public Works – 06-18-07 – Public Works Fund Merle Ray – Replaces James Boehm
6. Teen Court Secretary – Probation – 06-11-07 – Juvenile Diversion Fees Fund - Jessica Thorsted – Replaces Dominique Woods

Temporary Hire to County Service:

7. Road Maintenance/Equipment Operator – Consolidated Roads – 06-04-07 – Public Works Fund – Kenneth Clark
8. Clerk – Public Works – 06-11-07 – Public Works Fund - Samantha Gaona
9. Laborer – Public Works – 06-18-07 – Public Works Fund - Joel McDaniel

End Probationary Period:

10. Administrative Clerk – Administrative Services – 06-11-07 – General Fund - Bertha Gutierrez

11. Road Maintenance/Equipment Operator – Consolidated Roads – 06-11-07 – Public Works Fund – Arthur Alvarado
12. Administrative Clerk Senior – Probation – 06-11-07 – Court Improvement/CASA/Adult Probation Service Fees/Juvenile Probation Services Funds – Josie Castillo
13. Public Works Roads Supervisor – Consolidated Roads – 06-11-07 – Public Works Fund – Melvin Warbington
14. Nutrition Services Manager – Health – 06-25-07 – WIC/CSFP/Nutrition Funds – Ursula Donovan
15. Community Health Assistant – Health – 06-25-07 - WIC/CSFP/Nutrition Funds – Jamilyn Anderson
16. Community Health Assistant – Health – 06-25-07 – WIC/CSFP Funds
Judy Leitner
17. Deputy Probation Officer 1 – Probation – 06-25-07 – Juvenile Standard Fund – Kimberly Bittner

Position Review:

18. Reduction in hours – Deputy County Attorney Principal – County Attorney – 06-05-07 – General Fund – June Ava Florescue – 30 hours/week
19. Reduction in hours – Accounting Clerk – Community Services – 05-28-07 – Grant Funds – Sandy Lautigar – 30 hours/week
20. Interim appointment – Epidemiologist/Co-E.M. Operation Director – 06-18-07 – Bio-terrorism/Emergency Management Fund – Matthew Bolinger – replaces Mariano Gonzalez
21. Interim appointment – Risk Management Analyst/Co-E.M. Operation Director – 06-18-07 – Emergency Management/Fairgrounds Funds – Debra Williams – Replaces Mariano Gonzalez
22. Interim appointment – Administrative Clerk Senior/Interim Risk Assistant – 6/18/07 – Emergency Management – Vicki DeAnda – temporary assigned duties with Risk Management

23. Interim appointment – Health Programs Coordinator – 6/18/07 – Maternal and Child Care, Health Start, Teen Pregnancy Preventative Services, Emergency Management - Paula Medina – increased duties and responsibilities during fire season

SHERIFF’S PERSONNEL ACTION ITEMS

Departure from County Service:

24. Detention Officer – Globe S.O. – 06-05-07 – General Fund

Paul Kendall – Hire 05-22-06 – Resigned for other employment

Hire to County Service:

25. Administrative Clerk – Globe S.O. – 06-25-07 – General Fund

Esther Klinger – Replaces Barbara Nancarrow

F. Approval of the finance reports/demands/transfers for the week of June 18, 2007 (separate handout) as follows:

\$1,030,114.11 was disbursed for County expenses by voucher numbers X156925 through X157003, X403474 through X403560, and X403562 through X403852. The hand-issued warrants listing by voucher number and amount is as follows: X403293 - \$311.04, X403461 - \$277.89, X403462 - \$948.53, X403463 - \$450.00, X403464 - \$1,483.00, X403465 - \$3,380.11, X403467 - \$1,000.00, X403470 - \$2,550.20, X403468 - \$29,816.80, X403471 - \$540.00, X403472 - \$1,175.00, and X403473 - \$300.00. A second set of hand-issued warrants listed by voucher number and amount is as follows: X157004 - \$331.73, X157005 - \$331.73, X157006 - \$331.73, X157007 - \$331.73, X157008 - \$107.50, X157009 - \$107.50, X157010 - \$107.50, X157011 - \$107.50. **(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 12:41 p.m.

Jose M. Sanchez, Chairman

ATTEST:

Steven L. Besich, County Manager/Clerk