

**BOARD OF SUPERVISORS MINUTES
GILA COUNTY, ARIZONA**

Date: October 9, 2007

JOSÉ M. SANCHEZ
Chairman

STEVEN L. BESICH
Clerk of the Board

TOMMIE C. MARTIN
Vice-Chairman

By: Marian Sheppard
Chief Deputy Clerk

SHIRLEY L. DAWSON
Member

Gila County Courthouse
Globe, Arizona

PRESENT: Jose M. Sanchez, Chairman; Tommie C. Martin, Vice-Chairman; Shirley L. Dawson, Member; Steve Besich, County Manager/Clerk; Marian Sheppard, Chief Deputy Clerk; and, Jefferson Dalton, Deputy County Attorney.

Item 1 – Call to Order – Pledge of Allegiance – Invocation

The Gila County Board of Supervisors met in Regular Session at 10:00 a.m. this date. Vice-Chairman Tommie Martin led the Pledge of Allegiance and Captain Gary Smith of the Salvation Army delivered the Invocation.

Item 2 - Information/Discussion/Action to adopt Resolution No. 07-10-01 in support of Senate Bill S1862 and House of Representatives Bill HB3301, proposed legislation for the Southeast Arizona Land Exchange and Conservation Act of 2007.

Steve Besich, County Manager/Clerk, presented this item. He advised that a lot of effort has been put forth by many individuals, companies and government agencies in support of the Southeast Arizona Land Exchange and Conservation Act of 2007 so that Resolution Copper Company will be able to develop an underground copper mine near Superior, Arizona. Mr. Besich read aloud the opening and ending statements of the Resolution and he then introduced Mr. John Rickus, President of Resolution Copper Company. Mr. Rickus provided the names of the senators and congressman who are in support of this proposed legislation. He advised that there is a small percentage of people that are opposed to this proposed legislation and he requested that people contact the Arizona delegation in Washington, D.C. to voice their support. Supervisor Dawson advised that one of the areas she represents within her supervisorial district is the San Carlos Apache Reservation and she acknowledged that the San Carlos Apache Tribe is the group which has voiced opposition to this proposed legislation. Supervisor Dawson stated that the main objection of the San Carlos Apache Tribe and other local tribes is to ensure that the Apache Leap area is protected and that the tradition of gathering acorns in the Oak Flats area will continue. She stated that when this proposed legislation was initially introduced more than a year ago, she spoke with several members of the San Carlos Apache Tribe and asked them if they had knowledge of the location of Oak Flats, where acorns are traditionally gathered. Many members did not know the location of Oak Flats. She concluded by stating that the Tribe's

objection that Tribal members will no longer be allowed to gather acorns in the Oak Flats area is invalid because Resolution Copper Company has made accommodations for future acorn gathering. She also mentioned creating an historical museum for the San Carlos Apache Tribe to honor the 75 Apache warriors that leapt off Apache Leap. Mr. Rickus confirmed that the Apache Leap area would not be damaged in any way. He pointed out that he has been making that statement publicly ever since this proposed legislation was first introduced. Mr. Rickus advised that he recently met with the Chairmen of the San Carlos Apache Tribe and the White Mountain Apache Tribe. He stated, "I told them that my main concern about employment is not employing, but it is the fact that we want to make sure they (Tribal members) don't get injured during the distances to and from work." He mentioned possibly implementing a program to bus workers between San Carlos and the mine site. He also mentioned that Resolution Copper Company is very involved in offering educational opportunities, such as college scholarships that are offered to Tribal members and earth science and geology classes that are offered to teachers. At present 50% of the teachers currently enrolled in the classes are San Carlos teachers. Each Supervisor offered their continued support of Resolution Copper Company. Chairman Sanchez also acknowledged Mr. Adam Hawkins, who was present at the meeting and who is the government and public relations representative for Resolution Copper Company. Upon motion by Vice-Chairman Martin, seconded by Supervisor Dawson, the Board unanimously adopted Resolution No. 07-10-01. **(A copy of the Resolution is permanently on file in the Board of Supervisors' Office.)**

Item 3 - Information/Discussion/Action to adopt Proclamation No. 07-04 to declare October 2007 as Domestic Violence Awareness Month in Gila County.

Shana Schank, Supervisor of the Gila County Safe Home, presented this agenda item and she requested the Board's support of this Proclamation. She advised that the Gila County Safe Home is offered through Horizon Human Services, a non-profit 501 (C) (3) organization. Ms. Schank advised that the Safe Home provides many services to individuals experiencing domestic violence such as crisis intervention, temporary safe emergency shelter, advocacy, case management and transportation. She introduced members of her staff that were present at the meeting, as follows: Gwen Carroll and Stephanie Dowd. Chairman Sanchez thanked Ms. Schank for her presentation and then asked for a motion from the Board. Upon motion by Supervisor Dawson, seconded by Vice-Chairman Martin, the Board unanimously adopted Proclamation No. 07-04. **(A copy of the Proclamation is permanently on file in the Board of Supervisors' Office.)**

Item 4 - Information/Discussion/Action to adopt Proclamation No. 07-05 to declare October 30, 2007, as Weatherization Day in Gila County.

Malissa Buzan, Housing Services Program Manager, presented this agenda item. Ms. Buzan thanked the Board for endorsing this Proclamation and for its support of all the programs offered by the Gila County Housing Services Department. She introduced members of her staff that were present at the meeting. Ms. Buzan advised that the Housing Services Department serves on average 30 housing units per year; however, this year that amount will be doubled due to the newly built Pine View Manor apartments located in Payson, Arizona, which will house eligible low income senior citizens. In recognition of this nationally recognized day, Ms. Buzan advised that everyone present at today's meeting would receive an energy saving fluorescent light bulb,

which lasts approximately 5 to 7 years. The Board and Ms. Buzan entered into a brief discussion on the value of energy saving light bulbs, which have proven to save an average of \$30 to \$40 over the lifetime of the bulb. It was mentioned that the cost of the energy saving light bulbs has been reduced in recent years; therefore, the light bulbs are now more affordable. Each Supervisor provided a brief comment on the overall value of energy saving light bulbs. Upon motion by Vice-Chairman Martin, seconded by Supervisor Martin, the Board unanimously adopted Proclamation No. 07-05. **(A copy of the Proclamation is permanently on file in the Board of Supervisors' Office.)**

Item 5 - Information/Discussion/Action to accept a Gila County Economic Development Grant Application submitted by Community Bridges in order to bring a Level IV Stabilization Facility for Alcohol and Substance Abuse treatment to the Globe, Arizona area.

Steve Stratton, Public Works Division Director, presented this agenda item. He advised that recently several County staff have been investing a considerable amount of time and effort to help Community Bridges with this project. Mr. Stratton advised that the two acres of County-owned land that Community Bridges will purchase for the treatment facility has been appraised at \$45,000 and in accordance with Arizona Revised Statutes, the County may not sell the land for less than 90% of the appraised land value, which is \$40,500. Mr. Stratton recommended that the Board award the grant to Community Bridges. For the record, this agenda item is for the Board to only **accept** the Gila County Economic Development Grant Application submitted by Community Bridges, which is reflected in the motion made by Supervisor Dawson, as follows, "I make the motion to accept a Gila County Economic Development Grant Application submitted by Community Bridges in order to bring a Level IV Stabilization Facility for Alcohol and Substance Abuse treatment to the Globe, Arizona area in the amount of \$40,500." Vice-Chairman Martin seconded the motion and this agenda item passed with a unanimous vote of the Board.

Item 6 - Information/Discussion/Action to approve Contract No. GR 07-003 between the Arizona Department of Commerce, Greater Arizona Development Authority (GADA) and Gila County to accept a grant award from GADA in the amount of \$14,000 that will be used for the design of the Gila County Courthouse front entrance.

Mr. Stratton presented this agenda item. He advised that a portion of grant funds will be used to make the front entrance of the Courthouse ADA compliant with respect to accessibility and the other portion of funds will be used to implement a flow for two-way traffic in front of the Courthouse and to rehabilitate the stairs and sidewalks. He also advised that the agenda item should read "up to an amount of \$14,000" rather than "in the amount of \$14,000." There was no Board discussion of this agenda item. Upon motion by Vice-Chairman Martin, seconded by Supervisor Dawson, the Board unanimously approved Contract No. GR 07-003 in an amount up to \$14,000. After the Board approved the Contract, Mr. Stratton clarified that the Elections Department received a grant award from the U.S. Department of Justice and those grant funds will be used for any changes that will be required in order to make the front entrance of the Courthouse ADA compliant. He advised that no County funds will be expended for that portion of the project. For the record, the Elections Department did not receive a grant award from the U.S. Department of Justice. The grant award received by the Elections Department are funds

issued by U.S. Department of Health and Human Services (through the Help America Vote Act), which are sent to the Secretary of State. Through an application process, the Secretary of State awards those grant funds to other entities that intend to improve polling places by making them handicapped-accessible. The Gila County Elections Department received a grant award because the Gila County Courthouse is used a polling place.

Item 7 - Public Hearing – Information/Discussion/Action to adopt Resolution No. 07-10-02, approving Planning and Zoning Department Case No. AGCHO-07-01, which amends/deletes sections of the Gila County Hearing Officers Rules of Procedure, as follows: Amend Rule 2, Delete Rule 2A and Amend Rules 3-24.

Bob Gould, Community Development Division Director, advised that the Gila County Hearing Officer Rules of Procedure (officially referred to as Gila County Ordinance 05-01) was adopted by the Board of Supervisors and implemented over one year ago. The changes being presented today are basically to incorporate other existing Gila County codes and ordinances into Ordinance 05-01. Mr. Gould advised that when the Rules of Procedure was initially developed, the primary focus was to support the County’s building and zoning codes; however, more regulations are now being added to the Rules of Procedure by incorporating other areas such as the Floodplain Management Ordinance, wastewater regulations, etc. He stated that by expanding the regulations outlined in the Rules of Procedure, it will cause an additional workload on his staff. Mr. Gould expressed his appreciation to the following members of his staff that oversee the enforcement of County-wide codes, as follows: William (Bill) Hanna, Code Compliance Specialist; Patsy Clayton, Code Compliance Officer; Margarita (Margie) Chapman, Code Compliance Supervisor; and, John (Jake) Garrett, Environmental Engineering Manager. Ms. Chapman and Mr. Garrett briefly addressed the Board. Ms. Chapman advised that since last September, the Code Enforcement Department has 623 open cases and 674 cases have been closed. Chairman Sanchez opened the public hearing at this time; no comments were offered so he closed the public hearing. Upon motion by Supervisor Dawson, seconded by Vice-Chairman Martin, the Board unanimously adopted Resolution 07-10-02. **(A copy of the Resolution is permanently on file in the Board of Supervisors’ Office.)**

Item 8 - Information/Discussion/Action to approve Professional Engineering Services Contract No. 6500.341.514/9-2007 between Gila County and C. L. Williams Consulting, Inc., whereby engineering services will be provided for the Old State Route 188 Pinal Creek Drainage Improvement Project in the amount of \$12,253 for the period from the date of the Contract to the end of the project.

Steve Sanders, Public Works Division Deputy Director, presented this agenda item. He advised that the location of the proposed project will be on the Old State Route 188 at the location of Murry Wash in the Wheatfields area. Mr. Sanders advised that during rainstorms, runoff from Murry Wash crosses the highway and recently large boulders have been appearing at the Pinal Creek Group Water Treatment Plant, which is adjacent to Murry Wash. Some damage has occurred to the Plant, which is owned by the Pinal Creek Group. The Pinal Creek Group consists of 4 mining companies, of which Phelps Dodge Miami Mining, Inc. is part owner. Representatives of Phelps Dodge recently approached the County to discuss a remedy. Mr. Sanders advised that Phelps Dodge has verbally agreed to share the cost to hire a contracting company for the Old State Route 188 Pinal Creek Drainage Improvement Project with the

condition that the County pay the entire cost to hire an engineering service to design the project. Upon motion by Vice-Chairman Martin, seconded by Supervisor Dawson, the Board unanimously approved Professional Engineering Services Contract No. 6500.341.514/9-2007.

Item 9 - CONSENT AGENDA ACTION ITEMS:

- A. Approval for the renewal of an Intergovernmental Agreement (Contract No. HG861141) between the Gila County Division of Health and Community Services in the amount of \$212,833 to continue to provide WIC (Women, Infants and Children) services to the population of Gila County for the period October 1, 2007, through September 30, 2012.**
- B. Approval for the renewal of an Intergovernmental Agreement (Contract No. HG861159) between the Gila County Division of Health and Community Services and the Arizona Department of Health Services in the amount of \$4,344 to continue to provide Commodity Supplemental Food Program services to the population of Gila County, for the period October 1, 2007, through September 30, 2012.**
- C. Approval for the renewal of an Intergovernmental Agreement between Gila County and the Office of Manufactured Housing within the Arizona Department of Fire, Building and Life Safety to enforce the installation standards of the Office of Manufactured Housing for manufactured/mobile homes and factory-built buildings for the period September 16, 2007, through September 16, 2012.**
- D. Ratification of the Board's approval of Amendment No. 1 to a Consultant Agreement between Gila County and Ingo Radicke to renew the Agreement for an additional twelve months, from January 1, 2007, through December 31, 2007, as outlined in the Agreement that was approved by the Board on January 17, 2006.**
- E. Approval of Amendment No. 10 to a Management Operating Agreement between Gila County and ARAMARK Correctional Services, LLC (formerly ARAMARK Correctional Services, Inc.) to increase meal pricing at the Gila County Jail, effective for the period August 17, 2007, through August 16, 2008.**
- F. Approval of the Applications for Amendment to the Letters of Credit, (numbers 9474 and 9475), with Zions First National Bank to adjust the amount of the Letters of Credit to reflect the increasing balance in the escrow administered by Sunstate Bank. Said Letters of Credit are required so that the Buckhead Mesa and Russell Gulch Landfills comply with closure and post-closure regulations established by the Arizona Dept. of Environmental Quality. (For the record, Sunstate Bank is now Great Western Bank and the escrow referred to in this agenda item is administered by Great Western Bank.)**
- G. Approval of the updated Election Pay Plan to increase the pay for polling place inspectors; polling place judges, clerks and marshals; and, early board and central board election officers effective November 6, 2007. (A copy of the Election Pay Plan is permanently on file in the Board of Supervisors' Office.)**

- H. Approval of Amendment No. 14 to an Intergovernmental Agreement (Contract No. E5706004) between the Gila County Health and Community Services Division and the Arizona Department of Economic Security to increase the WIA (Workforce Investment Act) Contract amount from \$4,548,957 to \$4,648,957, a \$100,000 increase in set-a-side funds that will be used for computer-related expenses at the Casa Grande Comprehensive One-Stop Center.**
- I. Approval of a 12-month Document Conversion Services Contract between Gila County and Lin-Cum, Inc. in the amount of \$862.28 per year to continue to provide microfilm services for the Clerk of the Board and Elections Departments. This Contract provides for 12-month renewal options.**
- J. Approval of Delegation Agreement No. 06-0020 between the Gila County Community Development Division, Gila County Health and Community Services Division and the Arizona Department of Environmental Quality (ADEQ) to delegate functions of ADEQ statutes, rules and policies for water quality and solid waste management functions and duties for the period 30 days after ADEQ approves said Contract to June 30, 2011.**
- K. Adoption of an Order appointing early ballot, poll, and central board workers for the purpose of conducting the November 6, 2007, Special Election.**
- L. Approval of the September 18, 2007, and September 25, 2007, BOS meeting minutes.**
- M. Approval of the September 2007 monthly departmental activity report submitted by the Globe Regional Constable.**
- N. Approval of personnel reports/actions for the weeks of October 2, 2007, and October 9, 2007, as follows:**

October 2, 2007

Departure from County Service:

1. Career and Employment Specialist – Health and Community Services/Administration Department – 9-28-07 – WIA Fund – Jack Grogg – 03-05-07 – Accepted another position

Hire to County Service:

2. Animal Regulation Enforcement Officer – Health and Community Department - 10-01-07 – Rabies Control Fund – Anthony S. Puskaric – Replacing Kevin Ward
3. Animal Regulation Enforcement Officer – Health and Community Department – 10-01-07 – Rabies Control Fund – Heather M. Taylor – Replacing Forrest Miller

Temporary Hires to County Service:

4. Administrative Clerk – Administrative Services Department – 09-25-07 – General Fund – Kim Rust

Department Transfers:

5. From Administrative Clerk – Administrative Services Department – To Administrative Clerk part time – Administrative Services Department – 10-01-07 – General Fund – Bertha L. Gutierrez

6. From Administrative Clerk – Elections Department – To Account Clerk – Schools Department – 10-01-07 – General Fund – Margaret Lopez (Velasquez)

End Probationary Period:

7. Legal Secretary – County Attorney Department – 10-02-07 – General Fund – Lana Dever

Request Permission to Post:

8. Career and Employment Specialist – Health and Community Services /Administration Department – Position vacated by Jack Grogg
9. Animal Regulation Enforcement Officer Senior – Rabies Control Department – Position vacated by Mark Boyd

SHERIFF'S PERSONNEL ACTION ITEMS

Departure from County Service:

10. Detention Officer – Sheriff's Office/Globe – 09-19-07 – General Fund – Sabrina M. Hlebichuk – 09-03-07 – Failure to complete probationary period

October 9, 2007

Departure from County Service:

1. Recorder's Clerk – Recorder's Office – 09-28-07 – General Fund – Crystal Slaughter – 06-13-05 – Resigned
2. Community Services Worker – Health and Community Services – 10-05-07 – GEST Fund – Jackie Duckett – 08-21-95 – Resigned
3. Personnel Director – Personnel Department – 10-08-07 – General Fund – Susan Mitchell – 02-13-86 – Retired
4. Court Operations Supervisor – Clerk of Superior Court – 09-21-07 – General Fund – Raquel Dunman – 09-23-02 – Resigned found other employment

Temporary Hires to County Service:

5. Administrative Clerk – Elections – 10-09-07 – General Fund – William T. Rogers

End Probationary Period:

6. Director Computer Services – Computer Services – 10-01-07 – General Fund – Darryl Griffin
7. Senior Accountant – Finance – 09-10-07 – General Fund – Lynda Koury
8. Legal Secretary – County Attorney – 10-15-07 – General Fund – Jonette Curl

Request Permission to Post:

9. Community Services Worker – Health and Community Services – Position vacated by Jackie Duckett

SHERIFF'S PERSONNEL ACTION ITEMS

Departure from County Service:

10. Detention Officer Part Time – Sheriff's Office/Globe – 09-28-07 – General Fund – Freddie Ramos – 09-03-03 – Resigned
11. Task Force Sergeant – Sheriff's Office/Globe – 11-03-07 – Narcotics Task Force/Globe Fund – Dennis Buller – 07-03-02 – Resigned

Hire to County Service:

12. Detention Officer – Sheriff's Office/Globe – 10-15-07 – General Fund – Ross A. Dirshinski – Replacing Nethanjah Childers
13. Deputy Sheriff Recruit – Sheriff's Office/Globe – 10-29-07 – General Fund – Darcia C. Miner – Replacing Robert Corn

14. Administrative Clerk – Sheriff’s Office/Globe – 10-08-07 – General Fund – Aaron M. Begay – Replacing Esther Klinger

O. Approval of the finance reports which lists disbursements that will be issued during the weeks of October 2, 2007, and October 9, 2007. (separate handout)

October 2, 2007:

\$1,739,182.69 was disbursed for County expenses by check numbers 2265 through 2452.

October 9, 2007:

\$2,305,544.21 was disbursed for County expenses by check numbers 2453 through 2628. **(An itemized list of disbursements is permanently on file in the Board of Supervisors’ Office.)**

Prior to making a motion to approve the Consent Agenda, Supervisor Dawson addressed Consent Agenda item 9F (above). The agenda item mentions the escrow being administered by Sunstate Bank and because the name of the bank recently changed, she was concerned that it would affect the Board’s motion for approval. Marian Sheppard, Chief Deputy Clerk, explained that the agenda item addresses the approval for the applications for amendments to the Letters of Credit with Zions First National Bank, not the escrow administered by Sunstate Bank. She offered to verify this information with the department that submitted this agenda item and to reflect the new bank’s name in the meeting minutes. For the record, the name of the bank has been noted in Consent Agenda item 9F (above). Supervisor Dawson made a motion to approve Consent Agenda items 9A through 9O, which was seconded by Vice-Chairman Martin and unanimously approved by the Board.

Item 10 - At any time during this meeting pursuant to A.R.S. §38-431.02(K), members of the Board of Supervisors and the Chief Administrator may present a brief summary of current events. No action may be taken on issues presented.

Each Board member and Mr. Besich presented information on current events.

There being no further business to come before the Board of Supervisors, Chairman Sanchez adjourned the meeting at 11:16 a.m.

APPROVED:

Jose M. Sanchez, Chairman

ATTEST:

Steven L. Besich, County Manager/Clerk