

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

Date: November 20, 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; Steve Besich, County Manager/Clerk; Marian Sheppard, Chief Deputy Clerk; and, Bryan Chambers, Chief 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 Martin led the Pledge of Allegiance and Pastor Lyle Johnston of St. Paul’s United Methodist Church delivered the Invocation.

Chairman Sanchez advised that Supervisor Shirley Dawson would be absent from the meeting as she is out of the country. Upon motion by Vice-Chairman Martin, seconded by Chairman Sanchez, the Board excused Supervisor Dawson from today’s meeting.

Item 2 - Presentation of the quarterly Officer Recognition Award to Officer Vern Havens of the Arizona Department of Public Safety.

Daisy Flores, County Attorney, advised that an Officer Recognition Award is presented to a law enforcement officer on a quarterly basis to recognize those officers who have demonstrated a commitment to go above and beyond the scope of their job responsibilities. Ms. Flores provided a brief professional background for Officer Havens and she stated that he began his law enforcement career as a reserve DPS (Department of Public Safety) officer and he worked in the Payson area providing assistance to the County Attorney’s office until May 2006 at which time he transferred with DPS to the Oracle-Oro Valley area; however, he continued to provide support to Ms. Flores’s Office. She cited a DUI (driving under the influence) court case whereby Officer Havens continued to help the County Attorney’s Office by diligently working to secure DNA evidence for the case, transporting the perpetrator to Arizona for trial from out of state, and testifying in that case which led to a conviction of

felony manslaughter. She stated that it was her privilege to recognize Officer Haven's achievements today. Ms. Flores presented the award to Officer Havens. Officer Havens thanked Ms. Flores for the award and made a few brief comments. He advised that this was a very difficult case and he publicly recognized the work of prosecutors, and he thanked Ms. Flores and several of her Payson staff.

Item A - Information/Discussion/Action to present information regarding the Signal Peak Community Foundation and to request a letter of support from the Board of Supervisors regarding the concept of said Foundation.

Russ Fetterman, President of the Signal Peak Community Foundation (hereinafter referred to as Foundation), presented this agenda item. He provided the Board with several handouts, which replaced information previously included in the Board's informational packets. A PowerPoint presentation was given by Mr. Fetterman that outlined the purpose and activities to date for the Foundation, a non-profit organization. In summary, the Foundation in cooperation with the Globe Unified School District (GUSD) is working to open a multi-use community center in Globe, Arizona that will serve citizens of southern Gila County. GUSD via a lease of land and buildings has provided its old junior high school consisting of 32,000 square feet for the community center which was officially renamed the Mofford Activity Center (MAC) on September 28, 2007, in honor of former Arizona Governor Rose Mofford. The Foundation has entered into a memorandum of understanding with GUSD regarding the use of the building. Mr. Fetterman advised that the Foundation intends to hire an administrator to oversee the functions of the MAC and to help run its programs. The MAC will house a computer lab/technology training room, library or book center on site, meeting and training rooms available to clubs, businesses and work force development, activity/recreation room, college preparatory academy and coffee/sandwich shop. The MAC is currently home to several organizations including the Gila Community College Wellness Center and the Foundation intends to keep its current tenants in addition to using the MAC for other programs. Mr. Fetterman advised that the concept of a multi-generational community center was raised at the first Southern Gila County Economic Development Summit that was held a couple of years ago and that Chairman Sanchez has been promoting this idea for many years. At the conclusion of the presentation, Mr. Fetterman and the Board entered into a brief discussion on the funding that is needed to operate the MAC. Ms. Flores, a Foundation governing board member, thanked the Board for allowing Mr. Fetterman to present this information today. She advised that the Board of Supervisors is today being asked to write a letter of support for the Foundation's efforts for the MAC. The Foundation intends to have its grant writer apply for grants and the Foundation will also seek donations and the support of other organizations and businesses by making similar presentations and requesting letters of support in order to bring this project to fruition. Mr. Fetterman stated that the

Foundation hopes to open the MAC within the next 8 months. Each Board member thanked Mr. Fetterman and Ms. Flores. The Board also thanked Dr. Timothy Trent, Superintendent Globe Unified School District and Chris Martin, Executive Director of the Southern Gila County Economic Development Corporation, for supporting this endeavor and attending today's meeting. The Board briefly discussed the sample support letter that was provided by Mr. Fetterman. Vice-Chairman Martin stated that she would like the Board's letter of support to be specific to supporting the concept of the MAC and for it to be brief. Upon motion by Vice-Chairman Martin, seconded by Chairman Sanchez, the Board authorized that a letter be signed by the Chairman on behalf of the Board of Supervisors in support of the concept of the MAC.

Chairman Sanchez advised that agenda item 9 would be addressed at this time so that Ms. Flores could present this item and then return to her other duties.

Item 9 - Information/Discussion/Action to approve a Memorandum of Understanding between Gila County, the Town of Payson and the Town of Star Valley, whereby Gila County will provide funds in an amount not to exceed \$25,000 from the DEA Federal Asset Sharing Account, Fund 215-301, to the Town of Payson for the purchase of one police vehicle for the Town of Payson to use in the Town of Star Valley.

Ms. Flores advised that the Town of Payson (Payson) and the Town of Star Valley (Star Valley) have previously entered into an intergovernmental agreement whereby Payson provides police services for Star Valley. Gila County wishes to provide up to \$25,000 of its DEA (Drug Enforcement Agency) Federal Asset Sharing funds for the purchase of a vehicle that will benefit Payson and Star Valley. The vehicle will be used by Payson for the duration of its intergovernmental agreement with Star Valley, which is a period of two years. If the agreement is not renewed at the end of the two years, ownership of the vehicle would revert to Star Valley. This agreement would most likely only end if Star Valley forms its own police department and in that event, Star Valley would then have one vehicle on hand. Ms. Flores advised that a seizure was made several years ago and this money is the County Attorney's portion of those seizure funds. She further advised that expending these funds on a police vehicle is in line with the allowed expenditures for said funds. Vice-Chairman Martin asked Ms. Flores to write a press release on this issue so that it can be released to the public along with pictures of the new vehicle. She feels that more effort must be made for the County to "toot its own horn" for the good being done by Gila County that the public may not be aware. Chairman Sanchez referred to the Memorandum of Understanding (MOU) and asked Ms. Flores to clarify the Board of Supervisors' involvement. Ms. Flores clarified that an MOU is being presented to the Board for the Chairman's signature; however, she does not need the Board's permission to spend these funds as they are directly issued to her Office. Upon motion by Vice-Chairman

Martin, seconded by Chairman Sanchez, the Board approved the Memorandum of Understanding.

Item 3 - Information/Discussion/Action to canvass the results of the November 6, 2007, General Obligation Bonds and Excise Sales Tax Election and declare the results official.

Dixie Mundy, Elections Director, presented this agenda item. She provided the Board with a bound booklet entitled "Election Canvass of November 6, 2007". She then reviewed each of the following four sections of the booklet: ballots tabulated, results, write-in tally and hand count. Of a total of 28,558 registered voters, 7,470 people voted during this election for an overall voter turnout of 26.16%. In total there were four issues on the ballot. The issues and results are as follows: 1) County bond issue for the jail and court facilities: total votes cast = 7,360; for the bonds = 1,824 votes or 24.78%; and against the bonds = 5,536 votes or 75.22%; 2) County jail district excise tax: total votes cast = 7,301; for the tax = 1,760 votes or 24.11%; against the tax = 5,541 votes or 75.89%; 3) Whiteriver Unified School District No. 20 question: total votes cast = 47; budget increase, yes = 42 votes or 89.36%; budget increase, no = 5 votes or 10.64%; and, 4) Tonto Village Domestic Water Improvement District governing board members: 390 total votes cast; John R. Digman = 70 votes or 17.95%; Daryl Kilbourne = 74 votes or 18.97%; Jerry Lewinson = 59 votes or 15.13%; Gary Martin = 71 votes or 18.21%; Linda Stailey = 50 votes or 12.82%; DeWayne Stewart = 51 votes or 13.08%; and, 15 write-in votes. Ms. Mundy advised that the Tonto Village Domestic Water Improvement election was held to elect the District's first governing board. The governing board will be comprised of 5 members. Ms. Mundy reviewed the write-in section and 12 votes were cast for James Widger as a governing board member. Lastly, she reviewed the hand count section. A new State statute went into effect beginning in 2006 that requires hand counts to be conducted on 2 precincts selected at random. For this election the Central Heights and Payson 3 precincts were randomly selected. Ms. Mundy reviewed the hand count for each precinct of which both precincts matched the numbers calculated by the automated voting machines. The Board thanked Ms. Mundy and her staff for all of their hard work during this election. Ms. Mundy then thanked the more than 300 people that worked this election of which many were County employees. Upon motion by Vice-Chairman Martin, seconded by Chairman Sanchez, the Board canvassed the results of the November 6, 2007, election and declared the results official. **(The election results are permanently on file in the Board of Supervisors' Office.)**

**Item 4 - Information/Discussion/Action for the Board of Supervisors to:
A. Acknowledge the receipt of petitions to organize the Central Heights-Country Club-Midland City Street Lighting Improvement District.**

- B. Per A.R.S. § 48-905A, set the date for a public hearing on the establishment of the Central Heights-Country Club-Midland City Street Lighting Improvement District.**
- C. Request that the County Assessor verify the total number of owners of real property located within the boundaries of the proposed district; verify the total area of real property located within the boundaries of the proposed district; verify the number of owners of real property represented on the petitions; verify the total area represented on the petitions; and, provide to the Clerk of the Board, on or before the date of the public hearing, a certificate of verification.**

Steve Besich, County Manager/Clerk, addressed this agenda item and agenda item 5 simultaneously. He advised that a group of people have been working on the establishment of these two proposed street lighting improvement districts for a very long period of time. Mr. Besich further advised that earlier this morning the petitions for both proposed street lighting improvement districts and a \$500 security bond for each proposed district were officially presented to Marian Sheppard, Chief Deputy Clerk of the Board, and accepted on behalf of the Clerk of the Board. Mr. Besich advised that earlier this morning he met with John and Mary Stemm, the coordinators for these two proposed street lighting improvement districts; Dixie Mundy, Elections Director; and, Larry Huffer, Chief Appraiser. He stated, "The Assessor's Office is in the process of providing names of the owners and verifying districts as it's laid out before you." He stated that a date must be set for the Board of Supervisors to conduct a public hearing for each of the proposed districts, either December 28th or 31st, in order to meet the statutory deadline of 40 days from the date the petitions are officially presented to the Clerk of the Board. He suggested that the Board meet in special session to conduct the public hearings. He also stated, "If we go past the December 31st date, then you meet the lien date with ADOR (Arizona Department of Revenue); then it's actually 1½ years before you set a budget and establish a tax rate." Mr. Besich stated that his past experience in working with people to establish street lighting improvement districts, APS (Arizona Public Service) has always engineered the construction and determined the needed equipment. He advised that Bill Marshall, APS District Manager, was present and that he could provide a tight cost estimate for these proposed districts which is needed in order to set the tax rate and levy for the following year. Chairman Sanchez called on Mr. Marshall to speak. Mr. Marshall stated that the establishment of these proposed districts is very important to the community and he expressed his appreciation to Gila County for diligently bringing this matter forward. He also publicly recognized the efforts of John and Mary Stemm and stated that they are "pillars of leadership in this County." He advised that previous presentations have been made by APS to the Board of Supervisors on the need to establish street lighting improvement districts in Gila County and that this information has been presented to the public via radio and newspapers. Chairman Sanchez also expressed his appreciation to Mr. and Mrs. Stemm.

Mary Stemm advised that the Board is allowed by statute to waive the option to have the Assessor verify the petitions by property owner and property area; the Board may accept the petitions without Assessor verification. Mrs. Stemm advised that she has done her own verification of those people that signed the petitions by researching and assigning Assessor's parcel numbers to many of the addresses. She stated, "We probably have 60% of owners that have signed and 63% of the property involved that have signed. We only need 50% plus 1." Vice-Chairman Martin addressed Mrs. Stemm's statement that the Board may accept the petitions without the Assessor's verification. Bryan Chambers, Chief Deputy County Attorney, acknowledged that there is no statutory requirement that the signatures must be verified by the Assessor. Vice-Chairman Martin made a motion to approve agenda items 4A-C and 5A-C as stated on the agenda and to set a public hearing date of December 28, 2007, at 10:00 a.m. to address both agenda items during a special session of the Board of Supervisors. The motion was seconded by Chairman Sanchez and approved by the Board.

Item 5 - Information/Discussion/Action for the Board of Supervisors to:

- A. Acknowledge the receipt of petitions to organize the Claypool-Lower Miami Street Lighting Improvement District.**
- B. Per A.R.S. § 48-905A, set the date for a public hearing on the establishment of the Claypool-Lower Miami Street Lighting Improvement District.**
- C. Request that the County Assessor verify the total number of owners of real property located within the boundaries of the proposed district; verify the total area of real property located within the boundaries of the proposed district; verify the number of owners of real property represented on the petitions; verify the total area represented on the petitions; and, provide to the Clerk of the Board, on or before the date of the public hearing, a certificate of verification.**

Note: Agenda items 4 and 5 were addressed at the same time with one motion made to approve both agenda items. See item 4 (above).

Item 6 - Information/Discussion/Action to approve an Intergovernmental Agreement between Gila County and the Town of Payson establishing a coordinated paper recycling program within the Town of Payson in order to enhance efficiencies and reduce costs for the period November 20, 2007, through November 1, 2008, and shall automatically be renewed for successive one-year periods unless terminated by either party with a 30-day written notice.

Sharon Winters, Solid Waste Department Manager, presented this agenda item. She advised that since the County began its recycling program in 2003, 1,500 tons of paper have been recycled, which has saved 19 days of landfill life. There is currently one recycling bin located in Payson and by implementing

this Agreement, two more bins will be added in Payson at a mutually agreed upon location. The bins will be paid for by the Town of Payson. Gila County will staff and manage the recycling process by picking up full bins; taking those bins to a recycling plant and emptying them; and, maintaining the bins in a clean and healthful condition, as well as their surrounding areas. The County will retain all funds collected from the disposal of the contents of the recycling bins. Vice-Chairman Martin is pleased that the program is being expanded into Payson. Ms. Winters advised that hopefully the Town of Star Valley will be added to this recycling program within the next year. Upon motion by Vice-Chairman Martin, seconded by Chairman Sanchez, the Board approved the Intergovernmental Agreement.

Item 7 - Information/Discussion/Action to award Call for Bids No. 101207-1, an annual contract for all advertising, publications and printing required to be done or made by all departments within Gila County government for the period January 1, 2008, through December 31, 2008.

Marian Sheppard, Chief Deputy Clerk, advised that there is a statutory process whereby the Board of Supervisors must annually go out for bid for its newspaper publications contract. The selected newspaper will be responsible for publishing all publications of Gila County to include legal ads, classified ads, display ads, etc. Ms. Sheppard advised that there is a statutory requirement that the successful bidder must be admitted for at least one year to the United States mail as second-class matter. At present only the Arizona Silver Belt and the Payson Roundup newspapers meet that requirement. She advised that each bidder is sent a sample publication with a request to submit a per column inch rate for that sample publication and the total cost to print the sample publication. She advised that the Arizona Silver Belt submitted a per column inch rate of \$2.58 and the total sample publication cost was \$75.00 including tax. The Payson Roundup submitted a per column inch rate of \$2.50; however, their cost to print the sample publication was \$101.10 including tax. She explained the reason for the Payson Roundup's higher total cost is that 4 columns were used to print the sample publication versus 3 columns being used by the Arizona Silver Belt. Upon motion by Vice-Chairman Martin, seconded by Chairman Sanchez the Board awarded the annual newspaper contract to the Arizona Silver Belt newspaper at a price of \$2.58 per column inch for the 2008 calendar year.

Item 8 - CONSENT AGENDA ACTION ITEMS:

- A. Ratification of the Chairman's signature on the Third Amendment to the Statute of Limitations Tolling Agreement between Gila County and Chaparral Pines Investors, LLC, whereby paragraph 2 has been amended to extend the term of the Agreement. Said Agreement is dated November 9, 2007.**

- B. Authorization of the Chairman's signature on the closeout report for the Housing Trust Fund Program Contract No. 551-06 between the Gila County Division of Health and Community Services and the Arizona Department of Housing because all terms and conditions have been carried out and completed in accordance with the Contract.**
- C. Approval of Amendment No. 2 to a Consultant Agreement between Gila County and Ingo Radicke to renew the Agreement for an additional twelve months, from January 1, 2008, through December 31, 2008, as outlined in the Agreement that was approved by the Board on January 17, 2006.**
- D. Approval of Amendment No. 2 to the Change Order #700287483 for the Arizona Public Service Energy Wise Low-Income Weatherization Program and updated Energy Wise Weatherization Program Agreement, which increases the compensation \$58,000 (from \$144,999 to \$203,499) for the period July 1, 2006, through December 31, 2007. (A grant award from APS)**
- E. Approval of Amendment No. 3 to the Change Order #700287483 for the Arizona Public Service Energy Wise Low-Income Weatherization Program and updated Energy Wise Weatherization Program Agreement, which increases the compensation \$19,140 (from \$203,499 to \$222,639) for the period July 1, 2006, through December 31, 2007. (A grant award from APS)**
- F. Approval of the October 2007 monthly departmental activity reports submitted by the Globe Regional Justice of the Peace.**
- G. Approval of personnel reports/actions for the week of November 20, 2007.**

Departure from County Service:

1. Recorder Clerk – Recorder – 11-09-07 – General Fund – Sandra Rose – 06-04-07 Failure to complete probationary period
2. Deputy Probation Officer 2 – Probation General – 11-09-07 – General Fund – Linda Proffitt – 09-13-04 – Resigned

Hire to County Service:

3. Community Services Worker – Health and Community Services – 11-28-07 – GEST Fund/Special Revenue Fund – Angelo Valadez – Grant funded position
4. Community Services Worker – Health and Community Services – 11-28-07 – GEST Fund/Special Revenue Fund – Karen Hooper – Replacing Jackie Duckett
5. Collections Officer - Globe Justice of the Peace Court – 11-26-07 – General Fund Daniel Alonzo – Rehired to original position

Departmental Transfer:

6. From Legal Secretary – County Attorney – To Court Services Supervisor – Clerk of Superior Court – 11-05-07 – General Fund – Lana Dever

End Probationary Period:

7. CAP Program Manager – Health and Community Services – 11-26-07 – CAP Department Fund – DeeJaye Poarch
8. Building Maintenance Technician – Public Works/Facilities Management - 11-12-07 – Facilities Management Fund – Branden Trobaugh
9. Juvenile Detention Officer – Juvenile Detention – 11-12-07 – General Fund – Adam Mancha

Position Review:

10. Change fund percentages – Housing Services Program Manager – Health and Community Services – 11-12-07 – From CAP Department Fund – To Housing Department Fund - Malissa Buzan
11. Change fund percentages – Housing Services Assistant – Health and Community Services – 11-12-07 – From CAP Department Fund – To Housing Department Fund – Estelle Belarde
12. Change fund percentages – Housing Rehab Specialist – Health and Community Services – 11-12-07 – From CAP Department Fund – To Housing Department Fund – Gabriel Eylicio
13. Change fund percentages – Housing Rehab Specialist – Health and Community Services – 11-12-07 – From CAP Department Fund – To Housing Department Fund – Karl Sanchez

Request Permission to Post:

14. Building Maintenance Technician – Public Works/Facilities Management – Position vacated by Billy Stevens

SHERIFF'S PERSONNEL ACTION ITEMS

Request Permission to Post:

15. Deputy Sheriff/Sergeant – Sheriff's Office/Payson – 11-12-07 – General Fund – Brian Havey

H. Approval of the finance reports which lists disbursements that will be issued during the week of November 20, 2007. (separate handout)

\$2,024,442.97 was disbursed for County expenses by check numbers 203332 through 203365; 203466 through 203467; 203471 through 203765; and, 203767 through 203917. **(An itemized list of disbursements is permanently on file in the Board of Supervisors' Office.)**

Upon motion by Vice-Chairman Martin, seconded by Chairman Sanchez, the Board approved Consent Agenda items 8A-8H.

Item 9 – This item was addressed after item A.

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 11:47 a.m.

APPROVED:

Jose M. Sanchez, Chairman

ATTEST:

Steven L. Besich, County Manager/Clerk