

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

Date: February 5, 2008

**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

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PRESENT: Jose M. Sanchez, Chairman; Tommie C. Martin, Vice-Chairman (via telephone conference call); Shirley L. Dawson, Member; 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. Bryan Chambers led the Pledge of Allegiance and Reverend Barbie Morton of the First Christian Church delivered the Invocation.

**Item 2 - Presentation of information by Barbara Zwiener, CEO of Pinal/Gila Long Term Care, for Pinal/Gila Long Term Care to establish an acute care AHCCCS health plan in Gila County and to seek the Board of Supervisors' endorsement of same.**

Barbara Zwiener, CEO of Pinal/Gila Long Term Care (PGLTC), presented this agenda item. She advised that PGLTC has been providing ALTC (Arizona Long Term Care System) health plan services to Pinal County since 1989 and to Gila County since 2001. ALTC provides services to the frail elderly and the disabled. At present there are a total of 1,350 clients being served in both counties. Ms. Zwiener advised that PGLTC has achieved the best diabetic outcomes in the State and higher than average State statistics for those enrollees that are being served in their homes or in assisted living facilities. Over 70% of enrollees receive in-home or assisted living care. She stated that there are 4 skilled nursing facilities in Gila County and she believes another factor for PGLTC's success is due to the outreach given to physicians and other providers. She stated that claims are paid within 18 days, which sets PGLTC apart from previous health plan providers. The proposed plan is to provide acute care AHCCCS (Arizona Health Cost Care Containment System) health plan services to low income women and children. At present there are 35,000

AHCCCS-eligible enrollees in Gila and Pinal Counties of which 8,000 enrollees are from Gila County. The current combined award contract to provide acute care AHCCCS health plan services is held jointly by Health Choice and Phoenix Health Plan for a total of \$48M. Ms. Zwiener stated that PGLTC is in a good position to offer acute care AHCCCS services because a solid infrastructure and management team are already in place and if the acute care AHCCCS contract is awarded to PGLTC, only additional staff would be needed. Lisa Garcia, Assistant County Manager for Health and Human Services for Pinal County, provided some information on the proposal. She advised that one of the reasons that Pinal County is submitting a proposal for this contract is that it will allow PGLTC to have greater local control over Gila and Pinal Counties' health care system and the goal is to generate more business to be able to develop and retain the workforce in both counties so people don't have to travel distances to see a doctor and obtain health care. At present the physician to provider ratio is 1 to 5,000 in Globe and Pinal Counties; whereas, the ratio throughout the State is 1 to 2,000. PGLTC has already developed a concept for the health plan design, which is to focus on "before the cradle to the grave"; a concept that is not currently held by other health care plan providers. This contract will be on a five-year award cycle beginning on October 1, 2008. The Request for Proposals (RFP) was issued on February 1, 2008, and all bids must be submitted by March 28, 2008. On March 28, 2008, PGLTC will be hosting a conference on the health care delivery system to explore partnerships with the universities and health care economists and to look at ways to become more proactive in the development of the health care delivery system. Ms. Garcia advised that an invitation to each Board member will be forthcoming. Chairman Sanchez inquired as to the contract amount and Ms. Garcia replied that would depend on the number of people that AHCCCS will allow to be served under the contract. Supervisor Dawson expressed a concern for low income individuals who don't qualify for AHCCCS or ALTCS, yet don't earn enough income to afford good health care. She was especially interested in finding a way for families to care for elderly members in a home setting rather than place them in a nursing home. Chairman Sanchez advised that all Board members and staff are constantly working with legislators to assure that quality services are provided to residents of rural communities. He offered the Board's support and that of County staff for this proposal. Steve Besich, County Manager/Clerk, advised that he would draft a resolution of support from the Board of Supervisors to be presented and adopted at a future Board meeting and Board members agreed with Mr. Besich's suggestion. The resolution would then be submitted with Pinal County's RFP. On behalf of the Board, Chairman Sanchez thanked Ms. Zwiener and Ms. Garcia for their presentation.

**Item 3 - Public Hearing – Information/Discussion/Action to adopt Resolution No. 08-02-02 approving Planning and Zoning Department Case No. Z-07-05, a rezoning request submitted by Randy Gross to rezone a proposed Climbing Rock Estates Subdivision from General Unclassified to**

**Rural Residential with a Planned Area Development in order to develop 204 residential lots in Winkelman.**

Bob Gould, Community Services Division Director, presented this agenda item. The property is located on State Highway 77 approximately 8 miles north of the town of Winkelman. The request is to rezone tax parcel 101-02-002B, which consists of 241 acres, from GU to RR with a Planned Area Development (PAD) in order to build a 204 residential lot subdivision in 3 phases. The average lot size is 0.55 acres in size with a density of less than one unit per acre. There are 89 acres of open space and recreation trails and 2.5 acres of neighborhood commercial property. Mr. Gould considers the change in zoning to be a “down-zoning.” The proposed subdivision is dissected by 2 major drainage systems, which means that 21 acres of the 241 acres most likely cannot be developed. The Gila County Comprehensive Master Plan allows for .4 to 1 dwelling unit per acre under the GU category, so this proposal is within County requirements. Mr. Gould advised that a citizen’s participation meeting was held on November 20, 2007, and he cited some of the concerns that were voiced at that meeting, as follows: the need to fence the property for the protection of the homeowners and wildlife; adequacy of State Highway 77 to meet the additional traffic demand; emergency response time by the Sheriff’s Office and fire departments; and, increased property taxes for surrounding homeowners. Mr. Gould advised that additional concerns were submitted to his office this past week. He advised that the Planning and Zoning Commission reviewed this request on January 17, 2008, and recommended the Board’s approval of the rezoning with the following conditions: require a public water system, require low profile signage, require 2 points of ingress and egress, maintain the open space area, and provide a commercial area on the north side of the highway, which will be the same side as the proposed subdivision. The Planning and Zoning Department agrees with the Planning and Zoning’s recommendation and conditions; however, in addition to the conditions outlined by the Planning and Zoning Commission, Mr. Gould recommended that the applicant be required to sign a Proposition 207 waiver. Mr. Gould stated, “This proposition allows a person to be sued for anything that decreases the property value.” Mr. Gould also mentioned some other issues the Board may want to consider, such as regulating the colors of homes in the subdivision, regulating the building height, and requiring measures to provide much greater water conservancy, for example, eliminating lawns. Mr. Gould does not believe that the color of homes needs to be regulated, but he did agree with the other issues. The Board and Mr. Gould discussed the information further. The Board’s major concern was the emergency response time for the Sheriff’s Office and fire department as the proposed subdivision is not presently covered by any fire district. The Board also felt strongly about the commercial area being located on the same side of the highway as the proposed subdivision. Chairman Sanchez mentioned that he spoke with Canyon Fire District Chief Frank Dalmolin and that District would charge for any response and a response would only be given if there were enough available personnel. He also stated that it would be quicker for a

fire department located in Hayden or Winkelman to respond rather than a fire department located in the Globe area. Chairman Sanchez called on Randy Gross, the applicant and developer, to address the Board before opening the meeting for public comment. Mr. Gross assured the Board that he commissioned two studies of the subject property to determine whether there is a sufficient water supply and one that won't affect neighboring wells. Both studies affirmed that an adequate water supply exists and there would be no impact to neighbors' nearby wells, even after 100 years of pumping. He also addressed the density issue and he advised that there is a misconception that building the subdivision would turn this area into an urban setting. He stated that most developments contain 4 houses per acre; whereas, this proposed subdivision will have only 1 home per acre. He also advised that he is not requesting the maximum allowed density; the smallest lot size will be 100 feet by 200 feet. He also addressed some written comments submitted last week by a neighboring property owner who lives to the south of the proposed subdivision. He stated, "The (proposed) zoning gives more protection to that property than not having zoning." Mr. Gross advised that he already signed and submitted a 207 waiver to the Planning and Zoning Department and if it can't be located, he would be willing to sign another one. He acknowledged that fire protection is problematic in that area and he has met with the Canyon Fire District several times. Mr. Gross indicated to the District that he would like to join the Canyon Fire District. As far as having 2 points of ingress and egress to the subdivision, Mr. Gross felt that was not a problem. Chairman Sanchez opened the public hearing and called on Beverly Green. Ms. Green was primarily concerned about the increased traffic flow on Highway 77 as she lives along that highway and feels that the current situation is dangerous. Mr. William A. Brownlee, Jr., who represented the Burkes Conservancy, LLC, addressed the Board. He advised that the Burkes Conservancy is located south of the subject property. He advised that Mr. Gould addressed most of his concerns today except that of the rifle range which is located on the Conservancy property. He acknowledged that the rifle range will be lost because it is located within a quarter mile of the proposed subdivision and he feels that the Conservancy should be compensated for that fact in the way of facilities not money. He advised that the Conservancy is used for camping and recreation. In exchange for losing the rifle range, Mr. Brownlee requested the developer to provide a water tap access through a public water supply created on the subject property. He advised that this proposition has been discussed in writing with the developer. He also expressed a concern regarding fire protection and stated that issue needs to be resolved. Mr. Gould advised that the zoning would not affect the rifle range; however, the shooting may be affected by other laws within the County. Mr. Brownlee advised that the Conservancy is owned by 16-17 individuals. The Board further discussed the issue of the subject property not currently being in a fire district and the amount of time it would take to respond to any type of emergency. In ending the discussion, Vice-Chairman Martin stated, "We will have a lot more discussion in the future on these issues." Chairman Sanchez closed the public

hearing and asked for a motion from the Board. Upon motion by Supervisor Dawson, seconded by Vice-Chairman Martin, the Board unanimously adopted Resolution No. 08-02-02 approving Planning and Zoning Department Case No. Z-07-05 with the condition that the applicant/developer sign a 207 waiver. **(Copies the Resolution and Staff Report are permanently on file in the Board of Supervisors' Office.)**

**Item 4 - Information/Discussion/Action to approve 4 Election Services Agreements between the Gila County Recorder and the following entities: City of Globe, Town of Miami, Town of Payson and Town of Star Valley whereby the Recorder will provide election services for each respective city's or town's city/town mayoral/council primary and general elections on March 11, 2008, and May 20, 2008.**

Linda Haught-Ortega, Recorder, advised that these agreements being presented for the Board's approval are routine contracts entered into between her Office and cities and towns for elections. Supervisor Dawson expressed a concern that the public is not aware of election fees that are charged until a person or entity is in the midst of an election. She asked Ms. Ortega to work with Dixie Mundy, Elections Director, to prepare an informational brochure outlining the various fees that are charged. Steve Besich asked Ms. Ortega if the fees could be placed on the County's website for the public. Ms. Ortega replied that she would work with Ms. Mundy on assembling an informational brochure and she agreed with placing the information on the website. Upon motion by Vice-Chairman Martin, seconded by Supervisor Martin, the Board unanimously approved the 4 Election Services Agreements with the City of Globe, Town of Miami, Town of Payson and Town of Star Valley for election services on March 11, 2008, and May 20, 2008.

**Item 5 - Information/Discussion/Action to adopt Resolution No. 08-02-01 opposing the proposed Forest Service Travel Management Plan for the Apache-Sitgreaves National Forests in support of Greenlee County and other eastern Arizona counties.**

Steve Besich requested the adoption of this Resolution, which he said is a policy statement from the Gila County Board of Supervisors. Other elected officials and State legislators are submitting similar resolutions objecting to Forest Service plans that create additional restrictions on the forests. The Board entered into a discussion on restricted roads that would be outlined in the Travel Management Plan for the Tonto National Forest which is located in Gila County. Supervisor Dawson requested that a similar resolution be presented to the Board next week opposing any road restrictions being imposed on the Tonto National Forest. Upon motion by Supervisor Dawson, seconded by Vice-Chairman Martin, the Board unanimously adopted Resolution No. 08-02-01. **(A copy of the Resolution is permanently on file in the Board of Supervisors' Office.)**

**Item 6 - Information/Discussion/Action to authorize the Gila/Pinal Workforce Investment Board to advertise and release a Request for Proposals for Program Year 2008-2009 WIA Title I Youth Programs for Gila and Pinal Counties.**

Barbara Valencia, WIA Program Coordinator, presented this agenda item on behalf of the Gila/Pinal Workforce Investment Board. The purpose of this Request for Proposals is to identify qualified providers that would provide youth services to Gila and Pinal Counties as defined in the Workforce Investment Act (WIA). Ms. Valencia advised that the estimated contract amount is \$500,000; however, that amount may change on June 30<sup>th</sup> when the State issues revised WIA workforce investment area allocations. In that event, the contract language states that the amount of the contract may be changed. Upon motion by Vice-Chairman Martin, seconded by Supervisor Dawson, the Board unanimously authorized the advertisement of Request for Proposals for Program Year 2008-2009 WIA Title I Youth Programs for Gila and Pinal Counties.

**Item 7 – CONSENT AGENDA ACTION ITEMS:**

- A. Approval of Amendment No. 1 to Contract No. 061306-1, Automated Vending Machine Services, whereby the Contract expiration period will be extended from 11/21/07 to 11/21/08.**
- B. Approval of 3 Special Event Liquor License Applications submitted by the Gila County Rodeo Committee to serve liquor at the following events: 4/26-27/08 – Gila County Rodeo; 9/12/08 – Southwest Professional Bull Riding Competition; and, 9/13/08 – Gila County Junior Rodeo.**
- C. Approval of 6 requests to utilize various Fairgrounds facilities with a request to waive fees for each event, as follows:**
  - Gila County Rodeo Committee:**  
4/26-27/08 – Exhibit Hall for a Dance/Rodeo Queen Orientation and rodeo arena for rodeo; 5/17/08 – Rodeo Arena for the Rodeo Committee’s Gymkhana #5 and awards presentation; 5/24/08 – Exhibit Hall and Rodeo Rrena for the Gila County Rodeo Queen Pageant; 9/12/08 – Rodeo Arena for the Southwest Professional Bull Riding Competition and Businessmen’s Calf Dressing events; and, 9/13/08 – Rodeo Arena for the Gila County Kids Rodeo.
  - Gila County 4-H Rabbit Club:** 5/17/08 – Exhibit Hall for the Gila Hoppers 4-H Rabbit Show.
- D. Approval to use the Gila County Payson Complex parking lot for charity events, as follows: 5/24-26/08 – 10th Annual Mountain High**

**Arts and Crafts Bazaar; and, 10/4-5/08 - 11th Annual Zane Gray Days Festival.**

**E. Approval of the December 2007 monthly departmental activity report submitted by the Clerk of the Superior Court.**

**F. Approval of personnel reports/actions for the week of February 5, 2008.**

Departure from County Service:

1. Legal Transcriptionist – County Attorney – 01-15-08 – General Fund – Yvonne Weiland – DOH 05-19-97

Hires to County Service:

2. Animal Regulation Enforcement Officer – Health and Community Services – 02-04-08 – Rabies Control Fund – Mark Boyd – Replacing Jerry Garlinghouse
3. Juvenile Detention Officer – Probation – 01-21-08 – General Fund – Marilyn Hinrichs – Replacing Johnny Martinez
4. Public Agency/Court Liaison – County Attorney – 02-04-08 – General Fund – Sharon Listiak – Replacing William Wright
5. Public Health Nurse – Health and Community Services – 02-04-08 – Health Services Fund – Evelyn Polk - Replacing Marquerite Loughran
6. Juvenile Detention Officer Trainee (PT) – Probation – 01-29-08 – General Fund – Charles Schreck – Replacing Eloy Garcia

Departmental Transfers:

7. From Accounting Clerk Specialist – Clerk of Superior Court – To Court Clerk – Clerk of Superior Court – 02-04-08 – From General Fund To Drug Enforcement Fund – Karla Cassa
8. From Court Clerk – Clerk of Superior Court – To Courtroom Clerk – Clerk of Superior Court – 02-04-08 – From Drug Enforcement Fund – To General Fund – Karen Yanez
9. From Deputy Probation Officer 1 – Probation - To Deputy Probation Officer 2 – Probation – 01-21-08 – Juvenile Standards Probation Fund – Kimberly Bittner

End Probationary Period:

10. Deputy Court Administrator – Superior Court – 01-07-08 – General Fund – Jacque Durbin
11. Personnel Director – Personnel – 02-04-08 – General Fund – Berthan DeNero
12. Officer Supervisor – Probation – 01-07-08 – General Fund – Barbara Waddell
13. Office Supervisor – Probation – 01-07-08 – General Fund – Anita Zaragoza

Position Review:

14. Reclassification – From Accounting Clerk Specialist – To Office Supervisor – Probation – 07-09-07 – General Fund – Anita Zaragoza

15. Reclassification – From Administrative Clerk Specialist –To Office Supervisor – Probation – 07-09-07 – General Fund – Barbara Waddell
16. Reclassification – From Administrative Office Manager – To Deputy Court Administrator – Superior Court – 07-09-07 – General Fund – Jacque Durbin
17. Extension of Probationary Period – Courtroom Clerk – Clerk of Superior Court – 02-04-08 – General Fund – Josie Cademartori
18. January Step Increase – Deputy Court Administrator – Superior Court – 01-07-08 – General Fund – Jacque Durbin
19. January Step Increase – Office Supervisor – Probation – 01-07-08 – General Fund – Barbara Waddell
20. January Step Increase – Officer Supervisor – Probation – 01-07-08 – General Fund – Anita Zaragoza
21. Interim Appointment – From Fairgrounds Caretaker - Fairgrounds – To Interim Fairgrounds Foreman – Fairgrounds – 02-04-08 – General Fund – Ernest Marcanti
22. Fund Change – Administrative Manager From Emergency Management 74% - Professional Services 17% - Fairgrounds 9% - To Emergency Management 100% - 02-04-08 – General Fund – Linda Rodriguez

Request Permission to Post:

23. Building and Grounds Maintenance Supervisor – Fairgrounds – Position vacated by Fred Casillas
24. Building and Grounds Maintenance Worker – Fairgrounds – Position vacated by Ronnie Sanchez

**SHERIFF’S PERSONNEL ACTION ITEMS:**

Departure From County Service:

25. Detention Officer – Sheriff’s Office/Globe – 01-25-08 – General Fund – Heather Talkalai – DOH 1-25-08 – No Show

Hire to County Service:

26. Detention Officer – Sheriff’s Office/Payson – 02-04-08 – General Fund – Dennis Tomerlin – Replacing Deborah Steward
27. Detention Officer – Sheriff’s Office/Globe – 02-04-08 – General Fund – Cynthia Reid – Replacing – Cindy Salas
28. Administrative Clerk – Sheriff’s Office/Globe – 01-28-08 – General Fund – Misty Allinson – Replacing Frances Avalos

**G. Approval of the finance reports which lists disbursements that will be issued during the week of February 5, 2008. (separate handout)**

\$351,795.67 was disbursed for County expenses by check numbers 205620 through 205623 and 205625 through 205760. **(An itemized list of disbursements is permanently on file in the Board of Supervisors’ Office.)**

Prior to making a motion, Supervisor Dawson advised that there is a very strong movement in the County at present against drugs and alcohol and she

expects to receive comments on consent agenda item 7b with regard to serving liquor at the Gila County Junior Rodeo. Upon motion by Supervisor Dawson, seconded by Vice-Chairman Martin, the Board unanimously approved consent agenda action items 7A-7G.

**Item 8 - At any time during this meeting pursuant to A.R.S. §38-31.02(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 12:14 p.m.

**APPROVED:**

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Jose M. Sanchez, Chairman

**ATTEST:**

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Steven L. Besich, County Manager/Clerk