

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

Date: August 4, 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 video conferencing); 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. Steve Besich led the Pledge of Allegiance and Dixie Mundy delivered the Invocation.

**Item 2 - Public Hearing - Information/Discussion/Action notifying Gila County taxpayers of Gila County's intention to raise its primary property taxes over last year's level.**

John Nelson, Deputy County Manager, stated that the tentative Gila County budget for fiscal year 2008-2009 was adopted two weeks ago by the Board and upon further review by elected officials and department heads, the same budget is being proposed for adoption today. He then explained that this year's proposed budget requires the County to publish a Truth in Taxation (TNT) public hearing notice in the official County newspaper per statutory requirements because primary property taxes are being increased from last year's level. He stated, "The assessed value on existing property has increased. The tax rate has come down, but it's not in direct correspondence as it was last year with no tax increase, so we have done a Truth in Taxation notice, noticing our taxpayers of a primary property tax increase of \$792,524." As an example, the proposed tax increase will cause Gila County's primary property taxes on a \$100,000 home to increase from \$376.56 to \$392.00, an increase of \$15.44. Mr. Nelson explained that when the budget process began this year, the intent was to complete the budget without having to do a TNT notice; however, there will be an increase in property taxes as a direct result of the State's budget deficit. The State's bailout to Gila County is \$776,526, and consequently it is

necessary to pass those costs to the taxpayers. Supervisor Dawson addressed the costs for the State Crime Lab which are also being passed to the counties, of which the projected cost for Gila County will be \$111,750. Mr. Nelson explained that the Sheriff has been asked to hold non-personnel costs level with the amount budgeted last year. Considering the rising cost of fuel and other items, it was felt that the Sheriff's Office could not absorb any additional costs, so those costs have been set aside to come out of the County's General Fund. Vice-Chairman Martin stated that it appears that the total amount to be increased is approximately one-half of inflation. Mr. Nelson replied that if you consider a two-year period, with no tax increase last year and the proposed 4.1% increase this year, the increase will be approximately one-half of inflation. As this was a public hearing, Chairman Sanchez called on Ted Thayer to speak as Mr. Thayer submitted a public participation form. Mr. Thayer read aloud a letter he presented to the Board which pertained to his concerns. In summary, Mr. Thayer believes the budget is 11% higher than last year, which he stated is three times inflation; the fact that Supervisor Dawson did not vote on the adoption of the tentative budget two weeks ago; the budget was "secret" until such time it was presented to the Supervisors for adoption on July 21<sup>st</sup>; and, he requested that the budget not be adopted at this time to allow it to be further reviewed by staff. Mr. Besich then addressed Mr. Thayer's comments. He stated, "I know the Board has been accused of hoarding money, hoarding taxpayer dollars, which is the most ridiculous comment I have ever heard." Mr. Besich then listed some of the major accomplishments of this Board, such as the ongoing efforts and success in having open communications with other local governing agencies; the Board's support and efforts being made to ensure that the Gila County Provisional Community College District will someday become a community college district; the measures taken and funds committed to ensure forest health; and, continuing involvement with local, state, federal and private agencies to ensure a continued water supply for all citizens of Gila County, with specific emphasis on the Blue Ridge water issues. Chairman Sanchez asked for any other public comments and there being none, he closed the public hearing. No Board action was taken on this item.

**Item 3 – Motion to convene as the Gila County Library Board of Directors. Information/Discussion/Action to adopt the 2008-2009 fiscal year budget for the Gila County Library District.**

Upon motion by Supervisor Dawson, seconded by Vice-Chairman Martin, the Board convened as the Gila County Library Board of Directors.

Jacque Griffin, Assistant County Manager/Librarian, referred to page 9 of the budget book, which outlines the Library District budget. She advised that the budget amount of \$1,206,247 remains unchanged from the tentative budget. In summary, there was a 9% increase in library assistance to libraries to help offset each library's increased costs to provide services to users. Each Supervisor thanked Ms. Griffin for her efforts to ensure the excellent work being done by librarians throughout Gila County. Upon motion by Supervisor

Dawson, seconded by Vice-Chairman Martin, the Board unanimously adopted the Library District 2008-2009 fiscal year budget in the amount of \$1,206,247.

Upon motion by Supervisor Dawson, seconded by Vice-Chairman Martin, the Board reconvened as the Gila County Board of Supervisors.

**Item 4 – Information/Discussion/Action to adopt Resolution No. 08-08-02, which authorizes the adoption of the 2008-2009 fiscal year budget for Gila County. Motion shall be made by roll call vote.**

Mr. Nelson advised of the statutory requirements which pertain to adopting the budget. He advised that the budget amount of \$91,170,013 remains unchanged from the tentative budget, which is an increase of \$8,259,000 or 9.9% from last year's budget. Mr. Nelson pointed out some significant increases from last year's budget. Five-million dollars will be borrowed for facilities, jail and court facilities and additional amounts of \$1,100,000 and \$300,000 have been budgeted for law enforcement and judicial services. The County was also successful in obtaining additional grant funds this year, which includes an additional \$300,000 for the WIC (Women, Infants and Children) Program, a Transportation Enhancement Grant in the amount of \$336,000, and \$125,000 for the Cross Boundary Pilot Program to fire-proof communities within Gila County. Excluding those extraordinary changes, the overall budget increase is 1.65% and that compares to inflation at 3.1% or about one-half of inflation. Mr. Nelson stated, "I know we had testimony earlier today, but since this Board has taken over, the budget increases you presided over is 34%. When I look at that and try to compare apples to apples, and excluding a one-time \$5,000,000 of borrowing that we're forced to put into our budget for this year, and provided that the calculator on my cell phone works, what we're looking at since this Board has taken over is a 24% increase in the budget. That compares to an increase in population and inflation in this County over that same period, an increase of 21%. Now that 24% is excluding a portion of the budget. I ran those numbers including reserves and including the total budget this Board has adopted. Since this Board has presided, the total increase in the budget is 22%. That compares to population and inflation increases of 21%. I don't intend to apologize that our budget increase is more than population and inflation; in fact it is something that I will take pride in. That is not in the General Fund; that is not what is paid for by property taxes, but is the aggressive nature of this Board and this staff in obtaining grants..." In response to Mr. Thayer's comment about Supervisor Dawson not voting on the tentative budget, Supervisor Dawson clarified that she met with Mr. Besich to carefully review the budget prior to the July 21<sup>st</sup> Board meeting, so she was in favor of adopting it. She further clarified the reason she stepped out of the meeting on July 21<sup>st</sup> just prior to the Board's vote on the budget was to meet with House of Representatives Rios and McGuire regarding the ASARCO copper mine, as she was representing a group of people living in the Hayden-Winkelman area. She proceeded to thank Mr. Nelson; Richard Gaona, Finance Director; and, Mr. Besich for their work on this budget. Vice-Chairman Martin

also thanked Mr. Dennis Miller, a financial consultant to Gila County, in addition to those mentioned by Supervisor Dawson. Chairman Sanchez reiterated the comments made by Supervisors Dawson and Martin and he also publicly recognized the many elected officials who were present at today's meeting. Chairman Sanchez called on Ann Ferguson to speak because she submitted a public participation form on this agenda item. Ms. Ferguson was concerned that those employees who have use of a County vehicle only use that vehicle for County-related business. Chairman Sanchez replied that per County policy, County vehicles cannot be used for personal use and Supervisor Dawson provided an example of County vehicles being used at night or on weekends to check on floodways during heavy rains such as occurred this past weekend. Ms. Ferguson also questioned an increase to the fleet management and fuel management budget line items. Mr. Nelson explained that a certain amount of money has been included in those line items for vehicle replacements. He stated, "We're building a fund balance to replace our fleet so it won't come out of property taxes or other means. We need to keep the Sheriff's vehicles in great shape and a majority of that (funding) is with the Sheriff's department right now." At the conclusion of the discussion, Chairman Sanchez asked for a motion. He asked Marian Sheppard, Chief Deputy Clerk, to take the vote by roll call. Each Supervisor unanimously voted to adopt the 2008-2009 fiscal year budget for Gila County in the amount of \$91,170,013.

**Item 5 – Information/Discussion/Action to approve Amendment No. 1 to Professional Services Contract No. 108-430/3-2007 between Gila County and Hydro Geo Chem, Inc. to reflect new fees and changes in the scope of work for landfill consulting services.**

Sharon Winters, Recycling and Landfill Management Department Manager, advised that Hydro Geo Chem, Inc. provides landfill consulting services for the County's Russell Gulch and Buckhead Mesa Landfills to ensure ADEQ (Arizona Department of Environmental Quality) compliance. This Amendment primarily outlines increased fees for work to be performed by Hydro Geo Chem, Inc. and changes to the scope of work section of the Contract which relate to semi-annual groundwater monitoring and statistical analysis. Upon motion by Supervisor Dawson, seconded by Vice-Chairman Martin, the Board unanimously approved Amendment No. 1.

**Item 6 - Information/Discussion/Action to award Request for Bids No. 120307-2 for pavement marking on various roads in Gila County.**

Steve Stratton, Public Works Division Director, advised that pavement marking is needed on those roads that have been chip-sealed and/or paved by the County. He recommended that the contract be awarded to Traffic Safety, Inc. of Prescott Valley, Arizona, in the amount of \$84,172.46 as the low bidder on this bid solicitation. Upon motion by Vice-Chairman Martin, seconded by Supervisor Dawson, the Board unanimously awarded the contract for pavement marking to Traffic Safety, Inc. in the amount of \$84,172.46.

**Item 7 - Information/Discussion/Action to approve Gila County Order No. LL-08-02, a liquor license application submitted by Gary Werlinger on behalf of Landmark at the Creek, LLC for a new Series 6 license at the Landmark at the Creek located in Payson, Arizona.**

Marian Sheppard presented this agenda item and advised that she had not received any written or verbal opposition to this application, so she recommended the Board's approval. Upon motion by Supervisor Dawson, seconded by Vice-Chairman Martin, the Board unanimously approved Order No. LL-08-02. This application will be forwarded to the Arizona Department of Liquor Licenses and Control for a final decision.

**Item 8 - Information/Discussion/Action to approve Gila County Order Nos. LL-08-03 and LL-08-04, liquor license applications submitted by Kathryn L. Waters on behalf of Waters Food Services, LLC which apply to the Mogollon Steakhouse and Lounge located in Strawberry, Arizona, as follows:**

**LL-08-03 – application for a person to person transfer of a Series 6 liquor license with an interim permit to operate**

**LL-08-04 – application for a new Series 12 restaurant license**

Ms. Sheppard advised that she had not received any written or verbal opposition to these applications, so she recommended the Board's approval. Upon motion by Vice-Chairman Martin, seconded by Supervisor Dawson, the Board unanimously approved Order Nos. LL-08-03 and LL-08-04. These applications will be forwarded to the Arizona Department of Liquor Licenses and Control for a final decision.

**Item 9 – CONSENT AGENDA ACTION ITEMS:**

- A. Approval of the appointment of Paul Julien as Justice of the Peace Pro Tempore for the Payson Regional Justice Court for the period September 1, 2008, to August 31, 2009.**
- B. Approval of the Order appointing early ballot, poll and central board workers for the September 2, 2008, Primary Election.**
- C. Approval of the Order designating the polling places within the 39 election precincts for the September 2, 2008, Primary Election.**
- D. Pursuant to A.R.S. §16-822(B), approval of the Order cancelling certain elections for the office of precinct committeeman and appointing to the positions those candidates who filed nominating petitions.**
- E. Approval to appoint Darlene Weslowski-Wetherinton as a precinct committeeman to the Gila County Republican Committee.**

- F. Approval of Amendment No. 1 to an Intergovernmental Agreement (Contract No. HG861123) between the Arizona Department of Health Services and the Gila County Division of Health and Community Services in the amount of \$2,500 to continue providing services under the Folic Acid Services Program from July 1, 2008, through June 30, 2009.**
- G. Approval of Amendment No. 1 to an Intergovernmental Agreement (Contract No. DE081297001) between the Arizona Department of Economic Security and the Gila County Division of Health and Community Services to add \$54,000 of business outreach set-aside funds for a total contract amount of \$1,515,242 whereby these funds must be expended by June 30, 2009.**
- H. Approval of the FY 2009 Edward Byrne Memorial Justice Assistance Grant Agreement (ACJC Grant No. DC-09-026) in the amount of \$344,288 awarded to the Gila County Sheriff's Office by the Arizona Criminal Justice Commission for the period July 1, 2008, through June 30, 2009.**
- I. Approval to adopt Resolution No. 08-08-01, which amends Resolution No. 06-10-01 – a resolution of the Board of Supervisors to charge in civil cases a \$2.00 fee for every writ services on behalf of the Justice of the Peace to be deposited into the Constable Ethics Committee Fund. On July 1, 2008, the Board of Supervisors took action to increase the writ fee to \$5.00; however, a related resolution was not presented at that time.**
- J. Approval to ratify the Chairman's signature on two Grant Applications submitted to the Constable Ethics Standards and Training Board by the Globe Regional Constable in order for the Constable and Deputy Constable to attend mandatory training as required under A.R.S. §22-137 (D), as follows: 1) \$1,298.38 for training at Laughlin, Nevada on January 7-9, 2009; and, 2) \$1,370.65 for training at Tucson, Arizona on March 31-April 4, 2009.**
- K. Approval to ratify the Chairman's signature on two Grant Applications submitted to the Constable Ethics Standards and Training Board by the Payson Regional Constable, as follows: 1) \$1,768.80 for the purchase of two ballistic vests to be used by the Constable and Deputy Constable; and, 2) \$713.76 in order for the Constable to attend mandatory training as required under A.R.S. §22-137 (D) at Laughlin, Nevada on January 7-9, 2009.**

**L. Approval for Gila County Cooperative Extension to utilize the Fairgrounds on August 19, 2008, for a 4-H Pre-Fair Steer Showmanship event with a waiver of fees.**

**M. Approval for the Gila County Cooperative Extension to utilize the Fairgrounds' grandstand area, livestock shed 'A' and small animal barn on August 9, 2008, for the 4-H Judging Day event with a waiver of fees.**

**N. Approval of the July 15, 2008, BOS meeting minutes.**

**O. Approval of the June 2008 monthly departmental activity reports submitted by the Recorder and Payson Regional Justice of the Peace.**

**P. Approval of personnel reports/actions for the weeks of July 29, 2008, and August 4, 2008.**

**Week of July 29, 2008:**

Departure from County Service:

3. Deputy Probation Officer 2 – Probation – 07-07-08 – Globe Safe Schools Fund – Robert Vindiola – DOH 01-08-01 – Resigned

Hire to County Service:

4. PT Clerk – Constable Office – 07-21-08 – General Fund – Dawn L. VanHassel – Replacing Kim Rust

End Probationary Period:

5. Public Agency/Court Liaison – County Attorney – 08-04-08 – General Fund – Sharon K. Listiak

Position Review:

6. Change fund codes – Deputy Probation Officer 2 – Probation – 07-21-08 – From 100% Globe Safe Schools Fund – To 100 % State Aid Enhancement – David Franquero

7. Change fund codes – Deputy Probation Officer 2 – Probation – 07-21-08 – From 100% State Aid Enhancement Fund – To 100% Adult Probation Services Fee Fund – Cheryal Taylor

8. Change fund codes – Surveillance Officer – Probation – 07-21-08 – From 100% Juvenile Intensive Probation Supervisor Fund – To 50% Adult Intensive Probation Supervisor Fund - 50% Juvenile Intensive Probation Supervisor Fund – Celina Corona

**SHERIFF'S PERSONNEL ACTION ITEMS**

Departure from County Service:

9. Detention Officer – Sheriff's Office/Payson – 07-15-08 – General Fund – Ivor Buller – DOH 02-03-03 – Separated without prejudice

Hire to County Service:

10. Detention Officer – Sheriff's Office/Globe – 08-04-08 – General Fund – Guy Jones – Replacing Joy Curtice

11. Detention Officer – Sheriff’s Office/Globe – 08-04-08 – General Fund –  
Elois A. Corn – Replacing Erin Perkins

Position Review:

12. Change in status from unclassified to classified – Detention LT –  
Sheriff’s Office/Globe – 07-21-08 – General Fund – Violetta Johnson
13. Change in status from unclassified to classified – Detention LT –  
Sheriff’s Office/Globe – 07-21-08 – General Fund – Justin Solberg
14. Change in status from unclassified to classified – Detention LT –  
Sheriff’s Office/Payson – 07-21-08 – General Fund – William Carlson
15. Change in status from unclassified to classified – Detention LT –  
Sheriff’s Office/Globe – 07-21-08 – General Fund – Sandra Estrada

**Week of August 4, 2008:**

Departure from County Service:

1. Community Health Assistant Coordinator – Health and Community  
Services – 08-05-08 – Teen Pregnancy Prevention Service Fund – Nancy  
Mach – DOH 11-13-06 – Resigned
2. Temporary Laborer – Public Works Engineers – 07-31-08 – Public Works  
Fund – Arthur Epperson III – DOH 06-16-08 – Going back to School

Hire to County Service:

3. Administrative Clerk – Administrative Services – 07-14-08 – General  
Fund – Kim Rust – Replacing Bertha Gutierrez

End Probationary Period:

4. Animal Regulations Enforcement Officer – Health and Community  
Services – 08-04-08 – Rabies Control Fund – Mark Boyd
5. Animal Care Worker – Health and Community Services – 08-18-08 –  
Rabies Control Fund – Willow Raven

Position Review:

6. Status change from Exempt to Non-Exempt – IT Administration and  
Support Senior – Library District – 05-26-08 – Library Assistance Fund –  
Yodona Pennell

**Q. Approval of the finance reports which lists disbursements that will be issued during the weeks of July 29, 2008, and August 4, 2008. (separate handout)**

**July 29, 2008:**

\$1,916,734.90 was disbursed for County expenses by check numbers 210080 through 210281.

**August 4, 2008:**

\$209,854.06 was disbursed for County expenses by check numbers 210282 through 210361. **(An itemized list of disbursements 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 action items 9A-9Q.

**Item 10 - 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 11:47 a.m.

**APPROVED:**

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Jose M. Sanchez, Chairman

**ATTEST:**

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Steven L. Besich, County Manager/Clerk