

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

Date: October 14, 2008

**JOSÉ M. SANCHEZ**

Chairman

**STEVEN L. BESICH**

Clerk of the Board

**TOMMIE C. MARTIN**

Vice-Chairman

By: Marilyn Brewer  
Deputy Clerk

**SHIRLEY L. DAWSON**

Member

Gila County Courthouse  
Globe, Arizona

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PRESENT: Jose M. Sanchez, Chairman; Shirley L. Dawson, Member; Steve Besich, County Manager/Clerk; Marilyn Brewer, Deputy Clerk; and, Jeff 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. Steve Stratton led the Pledge of Allegiance and Jeff Dalton delivered the Invocation.

Chairman Sanchez advised that Vice-Chairman Martin was unable to participate in today's meeting because of a doctor's appointment. Upon motion by Supervisor Dawson, seconded by Chairman Sanchez, the Board excused Vice-Chairman Martin from today's meeting.

**Item 2 – Motion to convene as the Gila County Flood Control District Board of Directors. Information/Discussion/Action to consider a floodplain variance request from Ruben and Cecilia Lopez on parcel no. 102-23-004 that is located on Ice House Canyon Road in Globe.**

Upon motion by Supervisor Dawson, seconded by Chairman Sanchez, the Board convened as the Gila County Flood Control District Board of Directors. Steve Sanders, Public Works Division Deputy Director, stated that the Flood Control Department, through the Public Works Division, received a variance request from Ruben and Cecilia Lopez for a 30 foot by 40 foot detached garage. Mr. & Mrs. Lopez feel that elevating the garage to bring it out of the floodplain is cost prohibitive and they have requested a variance to install the garage within the floodplain. Mr. Sanders presented the Board with a copy of the criteria to be met as requested by the Flood Control Department to which Mr. and Mrs. Lopez have agreed in order to build within the floodplain. He stated that based upon Mr. & Mrs. Lopez agreeing to those stipulations, the Public Works Division and the Flood Control Department support this variance

request. He requested that if the Board chose to approve this variance, that the criteria to be met would be included as a part of the record. Chairman Sanchez requested that Mr. Sanders read aloud the criteria to be met for the record, which is as follows: 1) The garage is constructed in the location as shown on the site drawing; 2) The garage is used only for parking and storage; 3) The garage is constructed of flood resistant materials below the regulatory flood elevation; and, 4) The garage has flood vents with a net opening of 8.4 square feet with half on the west and half on the east walls of the building, with the bottom of the vents no more than one foot above the ground. Upon motion by Supervisor Dawson, seconded by Chairman Sanchez, the Board approved the flood plain variance request submitted by Ruben and Cecilia Lopez, contingent upon the variance request including the four required conditions as outlined above.

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

**Item 3 - Motion to convene as the Gila County Library District Board of Directors. Information/Discussion/Action to review, approve and sign the State Grants-In-Aid Application so that the Gila County Library District may receive 2009 State fiscal year funds in the amount of \$23,000 from the Arizona State Library, Archives and Public Records, Library Development Division, which will assist Gila County libraries.**

Upon motion by Supervisor Dawson, seconded by Chairman Sanchez, the Board convened as the Gila County Library District Board of Directors. Jacque Griffin, Assistant County Manager/Librarian, stated that this is a routine item that is presented to the Board for approval each year, whereby Gila County has been designated to receive \$23,000 to assist the County's 8 affiliate libraries in the 2009 fiscal year to support library services within the communities. The funding is part of the \$651,000 that the Arizona State Library, as appropriated by the State Legislature, doles out to the counties and large city libraries. It is a non-competitive grant process, which means that once the paperwork is completed and submitted the funding becomes available. Ms. Griffin explained that each of the 8 affiliate libraries will receive \$2,000 each for special projects, summer reading programs, etc. The Library District will keep \$7,000 to be used for mileage and conference registration for staff/librarians to attend the Arizona Library Association annual conference; support for the rotating audio and large print books; the Wilson Standard Catalog 5-Pack database used by librarians for cataloging and ordering new books; access fees for the ProQuest Ancestry website for genealogy searches; Learning Express Database for approximately 50 practice tests online to practice for the actual college entrance SAT, PSAT, GRE, etc. tests; and, a movie license for showing movies in the libraries in lieu of having to pay royalties. Supervisor Dawson inquired about showing movies and Ms. Griffin advised that these are not theatre quality movies, but rather like those for home use from a video store. Ms. Griffin also advised that no additional

matching funds are required as long as the County is running a Library District. Supervisor Dawson emphasized that these additional grant funds go into the General Fund; however, providing these services is not costing the County any money. Mr. Besich stated that these funds don't count against the County's expenditure limit, but have to be budgeted in order to legally spend those funds. Ms. Griffin also noted that the original budget adopted by the Board shows that \$45,000 was budgeted for grants, which will allow her to receive up to \$45,000 in grant funding. Upon motion by Supervisor Dawson, seconded by Chairman Sanchez, the Board approved the State Grants-In-Aid Application so that the Gila County Library District may receive 2009 State fiscal year funds in the amount of \$23,000 from the Arizona State Library, Archives and Public Records, Library Development Division.

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

**Item 4 – Information/Discussion/Action to approve 4 separate Grant Agreements between the Gila County Sheriff's Office and the State of Arizona Department of Homeland Security as follows:**

- **Agreement # 333305-01 for the Gila/Graham/Greenlee County Microwave Bridge Project in the amount of \$175,000 (7/1/07 through 7/31/09).**
- **Agreement # 333305-02 for the 2007 BZPP (Buffer Zone Protection Plan) Roosevelt Dam Project in the amount of \$75,000 (7-1-07 through 3-31-10).**
- **Agreement # 4447307-01 for the Arizona Public Safety VHF Spectrum Realignment/Acquisition and Narrow Band Transition Project in the amount of \$85,000 (10/1/08 through 9-30-09).**
- **Agreement #4447307-02 for the Gila County Sheriff's Office Tactical Team Support in the amount of \$179, 400 (10/1/08 through 9/30/09).**

Adam Shepherd, Undersheriff, stated that this paperwork represents 2 grant cycles—2007 and 2008—due to a change in the Arizona Homeland Security process; however, his office was not aware of the change. The first project is ongoing and the County has been spending funds on this project since 2003, which will link all of the eastern rack counties together on a microwave link for communications. Unfortunately, this requires the Arizona Department of Public Safety (ADPS) to modernize its part of the project before this can be completed. The explanation given for the second grant also applies to the fourth grant. Expending Homeland Security funds is now tied to terrorism and one of the County's critical infrastructures has been identified as the Roosevelt Dam, so any major expenditure through that project must be used for protection of the Dam. This second grant is with the Arizona Counter Terrorism Information Center, where one of the Sheriff's officers was sent for training to become a part of the terrorism network throughout the State and the funds will be used for the purchase of equipment to support that officer's

work in the County. The third grant is for funding all racks in Arizona, outside of the large metropolitan areas, for a joint project to realign the VHF spectrum. Radio frequencies were divided out in the past without planning for future digital communications and now those frequencies have to be reallocated. The fourth grant is a joint project with ADPS because the Sheriff's Office doesn't have its own tactical team; hence, these funds will be used for tactical training and equipment. Supervisor Dawson noted that these grants will add approximately \$500,000 to the County's budget, "our extravagant budget increases as they have been called and as one who believes in being extravagant, I see a need for these." She thanked Mr. Shepherd for getting these grants in order to have this type of protection in our County. Mr. Besich questioned Mr. Shepherd as to the person who would be in charge of the daily operations of these grants. Mr. Shepherd replied that on the paperwork, it is noted that they will be divided between himself and Tom Melcher, Chief Deputy, as the contact persons to the State. Mr. Besich inquired who would be responsible for reporting, reimbursement and financial management for these grants. Mr. Shepherd replied that Claudia DalMolin, Chief Administrative Officer, would handle the financial part. Mr. Besich inquired who would be in charge of the grants management and in charge of providing documents to the auditors when these Homeland Security grants are audited. Mr. Shepherd advised that Ms. DalMolin would also provide that information. Mr. Besich stated that he is not bringing this up to be hard on anybody, "but this County cannot afford to spend money and then not get reimbursed, so there has to be some strings attached as far as what the Board is authorizing and how things are reported and reimbursed. We can't be sitting on \$500,000 of expenditures and have nobody responsible for getting the reimbursements back to the County. I just want that to be clear in the Board's mind because we are talking about \$500,000." Mr. Besich then inquired if Mr. Shepherd was positive that the amount allocated for each one of these projects is enough to complete the project or will the County be expected to make up any overages that might occur? Mr. Shepherd stated that the Sheriff's Office keeps an accounting current as the project progresses and he knows that it has been less than \$1,000 for any past overages, which was because of additions to invoices such as sales tax. Mr. Besich inquired of Mr. Shepherd about how long before he is prepared to spend these funds and how long it will be before these 4 grant contracts are closed out. Mr. Shepherd stated that it is his understanding that as soon as the contracts are signed and sent back to the State, the funds will be available for spending. The funding for the first project is already planned out. The expenditures for the second project are also already planned. The funds for the third project go into a pool with the other racks for ADPS to complete the project. The fourth contract is the only one with specific expenditures for equipment and similar items and that was just awarded so there are no plans to spend that money at the moment. Chairman Sanchez inquired if the County's Finance Department needed to be made aware of the items involved in this item. Mr. Besich explained that the Sheriff's Office will submit various purchase orders for equipment and/or other expenditures. The County has to spend the money first and then be reimbursed based on the

documentation that the County must provide. He stated that in reading some of the contracts, the Arizona Department of Homeland Security (ADHS) can get real picky about the proper documentation and may send all data back and deny the funding, which ends up trading paper back and forth. There is a lot of responsibility for accurate reporting at both the Sheriff's Office and at ADHS to ensure that both agencies don't make errors. Mr. Shepherd reiterated that he and Mr. Melcher will submit the projects, handle the purchases and attend to all other details and that Ms. DalMolin will account for all of the finances. Upon motion by Supervisor Dawson, seconded by Chairman Sanchez, the Board approved the 4 separate Grant Agreements between the Gila County Sheriff's Office and the State of Arizona Department of Homeland Security as noted above.

**Item 5 – Information/Discussion/Action to approve an Arizona Mutual Aid Compact between Gila County and the Arizona Department of Emergency and Military Affairs.**

Matt Bolinger, Director of the Emergency Management and Health Preparedness Division, explained that the State wants to have one standard Arizona Mutual Aid Compact and the goal is to get all 15 counties, tribes and all incorporated cities and towns to sign same. This would allow Gila County to request assistance directly from other participating entities if the County's resources during an emergency were to be exhausted and also the County could go directly to the State and request assistance from the other participants in this Compact. Requests for assistance such as emergency management-type assets and personnel could also be requested of Gila County by other participating entities, but would be strictly voluntary. Through this Compact the County can also request reimbursement of costs incurred in assisting these other entities. This Compact is for a period of 10 years and to date, 3 counties (Apache, Graham and Greenlee) and the Town of Payson have signed the Compact. Upon inquiry by Chairman Sanchez, Mr. Bolinger advised that Gila County has in the past requested assistance from the Arizona Department of Emergency Services and Military Affairs, and has also assisted other entities, particularly during fire season. Basically this Compact provides a vehicle for Gila County to assist other jurisdictions with or without the State's involvement and to be reimbursed for all costs incurred. Supervisor Dawson inquired if the Indian tribes have signed the Compact. Mr. Bolinger advised that to date no tribes have signed; however, this is a rather new program from the State. Upon motion by Supervisor Dawson, seconded by Chairman Sanchez, the Board approved the Arizona Mutual Aid Compact between Gila County and the Arizona Department of Emergency and Military Affairs.

**Item 6 - Information/Discussion/Action approve a First Amendment to Lease for the renewal of a lease between the Gila County Attorney's Office and Payson Place, LLC in the amount of \$700 per month plus 2.4%**

**privilege tax for office space located 616 S. Beeline Highway, Payson, for the period September 1, 2008, through August 30, 2009.**

Jeff Dalton, Deputy County Attorney, speaking in the absence of Bryan Chambers, Chief Deputy County Attorney, who was scheduled to present this item, stated that he could not supply any additional details about this item as he was only substituting today for Mr. Chambers. Mr. Besich advised that he believes this amendment to the Lease is just a renewable option to continue leasing office space for the County Attorney's Offices in Payson for \$700 per month plus 2.4% for sales tax. Upon motion by Supervisor Dawson, seconded by Chairman Sanchez, the Board approved this First Amendment to Lease.

**Item 7 - Information/Discussion/Action to award Request for Sealed Bids No. 070108-1 for the Russell Road/Hospital Drive Extension Project.**

Steve Stratton, Public Works Division Director, stated that a bid review meeting was held last Monday with staff and the design engineer. A phone call was made to the low bidder for the purpose of asking some questions so as to be more comfortable with the bid as it is significantly less and actually 25.8% under the engineer's estimate and almost 50% of what Mr. Stratton actually budgeted for the project. He recommended that the bid be awarded to Combs Construction Company, Inc. from Phoenix in the amount of \$655,816.76. Mr. Stratton also requested authorization allowing him to sign change orders and make the necessary adjustments. He advised the Board that the project would be completely funded by HURF monies and no General Fund money would be involved. Supervisor Dawson stated that she is sad for companies trying to stay afloat, but at the same time she's grateful that so many companies bid and that the bids came in low. Chairman Sanchez advised that 8 bids were received with a large range between them. Mr. Stratton stated that the project will take months to complete and upon completion he will request authorization from the Board to limit the size and weight of vehicles on Roberts Drive, including the County's equipment and vehicles, and move that traffic over to Hospital Drive and Russell Road. Upon motion by Supervisor Dawson, seconded by Chairman Sanchez, the Board awarded the contract to Combs Construction Company, Inc. in the amount of \$655,816.76.

**Item 8 - CONSENT AGENDA ACTION ITEMS:**

**A. Approval of an Agreement for Election Services between Gila County and the Town of Payson whereby the Recorder will provide election services to the Town for a November 4, 2008, Special Election.**

**B. Approval of an Intergovernmental Agreement (Contract No. DE091083) between the Gila County Health and Community Services Division and the Arizona Department of Economic Security to continue providing employment services utilizing WIA Title V funds in the amount of \$6,573 for the period July 1, 2008, through June 30, 2009.**

**C. Approval of an Intergovernmental Agreement (Contract No. HG852277) between the Gila County Health and Community Services Division and the Arizona Department of Health Services to continue providing HIV Prevention Program services for the period January 1, 2008, through December 31, 2009.**

**D. Approval of an Addendum to the Intergovernmental Agreement between Gila County and the Arizona Department of Revenue to extend the Agreement from September 30, 2008, to December 31, 2008, in order to continue to provide limited data processing services for property tax purposes.**

**E. Approval of personnel reports/actions for the week of October 14, 2008.**

Departure from County Service:

1. Rachelle Baird – Probation – Teen Court Secretary – 08-29-08 – Diversion Consequences Fund – DOH 11-26-07 – Resignation
2. Cheryal Taylor – Probation – Deputy Probation Officer 2 – 10-10-08 – Adult Probation Service Fees Fund – DOH 02-03-03 – Separated without prejudice

Hire to County Service:

3. LeRoy Bagwell – Probation – Deputy Probation Officer 1 – 10-14-08 – Adult Probation Service Fees Fund – Replacing Cheryal Taylor – Safety sensitive position
4. Nicole Goebel – Probation – Administrative Clerk – 10-06-08 – Diversion Consequences Fund – Replacing Rachelle Baird – State funded position
5. Brandon Lord – Fairgrounds – Building and Grounds Maintenance Worker – 10-13-08 – General Fund – Replacing Joshua Becker – Position vacant as of 06-17-08

End Probationary Period:

6. Nicole Mobley – Recorder – Clerk Senior – 09-25-08 – General Fund
7. Jolene Myers – Clerk of Superior Court – Accounting Clerk Specialist – 10-13-08 – General Fund

**F. Approval of the finance reports which lists disbursements that will be issued during the week of October 14, 2008. (separate handout)**

\$946,994.98 was disbursed for County expenses by check numbers 212218 through 212372. **(An itemized list of disbursements is permanently on file in the Board of Supervisors' Office.)**

Upon motion by Supervisor Dawson, seconded Chairman Sanchez, the Board approved Consent Agenda action items 8A-8F.

**Item 9 - 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 11:04 a.m.

**APPROVED:**

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Jose M. Sanchez, Chairman

**ATTEST:**

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Steven L. Besich, County Manager/Clerk