BOARD OF SUPERVISORS MINUTES
GILA COUNTY, ARIZONA

Date: October 21, 2008

JOSÉ M. SANCHEZ
Chairman

TOMMIE C. MARTIN
Vice-Chairman

SHIRLEY L. DAWSON
Member

STEVEN L. BESICH
Clerk of the Board

By: Marilyn Brewer
Deputy Clerk

Gila County Courthouse
Globe, Arizona

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 Stratton led the Pledge of Allegiance and Reverend Bill Marshall of the Miami Church of Christ delivered the Invocation.

Chairman Sanchez announced that Vice-Chairman Martin would participate in today's meeting via video conferencing from her office in Payson.

Item 2 - Presentation of information pertaining to the Arizona Pioneers' Home located in Prescott, Arizona.

Dale Sams, Admission Coordinator for the Arizona Pioneers' Home, gave a PowerPoint presentation to the Board on the Arizona Pioneers' Home. The Arizona Pioneers' Home (Home) located in Prescott, Arizona, is a continuing care retirement home offering independent living, with intermediate and skilled care nursing available if necessary and is an agency funded by the State of Arizona. The Home was established by a 1909 Territorial Act for those who helped develop the State of Arizona, as well as miners. Also presented were the current requirements for living in the Home and the amenities that are offered. Mr. Sams presented a history of the Home by giving a brief tour through photos from the past and at the present time. The Home also manages the cemetery on Iron Springs Road in Prescott. In 2011, the Home will be celebrating its 100th Anniversary. Mr. Sams concluded his presentation by stating that currently there are 115 residents, but the home can accommodate 150 so if anyone is interested, more information is provided on the website located at

http://www.azph.gov. Each Board member thanked Mr. Sams for the presentation.

Item 3 - Public Hearing - Information/Discussion/Action to adopt Resolution No. 08-10-05 for the approval of Planning and Zoning Dept. Case No. CUP-08-05, a conditional use permit request submitted by John Calkins, an authorized agent for Edward Esparza, to construct an 8' x 16' outdoor advertising sign on Assessor's parcel number 205-01-006H located in Globe, Arizona.

Bob Gould, Community Development Division Director, stated that this is a request for a conditional use permit (CUP) for a 128 square-foot, double-faced sign to be located on a vacant, C3 (Commercial Three District) zoned, 1.37 acre parcel located by Guayo's Restaurant. The property was rezoned to C3 in 1971 and affected all property within 400 feet of the right-of-way for the State highway. The zoning on the north, east and south sides of the property is C3; however, property across the street is zoned for mining. Certain County regulations must be met for a CUP and this proposal does meet those requirements. The Planning and Zoning Commission held 2 hearings on this CUP request. At the first hearing there was debate as to whether this was a scenic highway, as Gila County regulations do not allow billboards on scenic highways, so the item was tabled until research could be completed. It has been determined that this is a not a scenic highway as noted on the map provided. There are several easements affecting the property, but none that should affect the placement of this sign. Planning and Zoning Department staff made recommendations to the Planning and Zoning Commission to approve the CUP provided that several conditions be met and failure to comply with those conditions would negate the CUP; however, at a second hearing, after it was determined this was not a scenic highway, the Planning and Zoning Commission recommended to the Board of Supervisors approval of this application without any conditions. Mr. Gould noted that the applicants have obtained a permit from the Arizona Department of Transportation and he does have a copy of same. Supervisor Dawson stated that this highway should be designated as a scenic highway; however, she doesn't have an objection to 1 or 2 billboards, but it seems to her that when 1 goes up there ends up being 10 more. Chairman Sanchez inquired as to the reason a CUP is required. Mr. Gould stated that it is a requirement for a C3 zoning district as specified under Section 104.2 of the Gila County Zoning Ordinance. Vice-Chairman Martin stated that there are other industrial businesses in the area with signs, so she didn't have a problem approving this request. At this time, Chairman Sanchez opened the public hearing portion of the meeting for public comment; none were received. Chairman Sanchez closed the public hearing and entertained a motion. Upon motion by Supervisor Dawson, seconded by Vice-Chairman Martin, the Board unanimously adopted Resolution No. 08-10-05 approving a CUP request submitted by John Calkins, an authorized agent for Edward Esparza, to construct an 8' x 16' outdoor advertising sign on Assessor's parcel

number 205-01-006H located in Globe, Arizona. **(A copy of the Resolution is permanently on file in the Board of Supervisors' Office.)**

Item 4 - Motion to convene as the Gila County Library District Board of Directors.

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

A. Information/Discussion/Action to authorize the Chairman's signature on a Dedicated Internet Access Service Agreement between the Gila County Library District and Network Services to provide Internet access for the Hayden Public Library beginning December 1, 2008, at a cost of $385 per month.

Jacque Griffin, Assistant County Manager/Librarian, stated that historically the Gila County Library District (District) has contracted with Copper Net to provide internet activity to the Hayden Public Library for the District's integrated online library system. Ms. Griffin proposed that the provider be changed from Copper Net to Network Services as this company already provides access to the District Office and 5 of the 8 affiliated libraries with the exception of Hayden, Young and San Carlos Public Libraries. Ms. Griffin noted 2 relevant items. The first one is that the proposed contract is for an increased dollar amount from $109 per month with Copper Net to the proposed amount of $385 per month with Network Services. Copper Net was only providing 756 mbps bandwidth and Network Services will provide a T1 line or 1500 mbps, so the bandwidth for access will be doubled. The second issue is that within the District, application is made for the E-Rate, which is a federally funded rebate program for providing internet access to students in the schools, public access to the libraries and limited access to hospitals in rural areas. At the present time, Copper Net is 18 months behind in refunding the District's E-Rate funds and there doesn't seem to be any progress in obtaining same. The process for securing E-Rate funds includes the District applying for the E-Rate, both the provider and the County complete and submit the necessary paperwork, the County pays for the phone bill upfront and is then reimbursed by E-Rate through the provider for approximately 85% of the cost. The District is getting ready to go into a new funding cycle for the E-Rate program and Network Services does reimburse the E-Rate funds back to the District so in the long run it will be cheaper for the District. Upon motion by Vice-Chairman Martin, seconded by Supervisor Dawson, the Board unanimously authorized the Chairman's signature on a Dedicated Internet Access Service Agreement with Network Services.

B. Information/Discussion/Action to approve Library Service Agreements between the Gila County Library District and the following libraries to cooperate in the provision of library services to the citizens of the District for the period July 1, 2008, through June 30, 2009: Globe

Public Library, Hayden Public Library, Isabelle Hunt Memorial Library, Miami Memorial Library, Payson Public Library, San Carlos Public Library, Tonto Basin Public Library and Young Public Library.

Ms. Griffin advised that each fiscal year she presents the Library Services Agreements to the Board for approval of the funds to be distributed to each of the 8 affiliate libraries located within the Gila County Library District (District). She advised that funding is distributed to libraries located in Globe, Hayden, Miami, Payson and San Carlos on a 50-50 cash match basis, with a maximum amount allowed to be allocated to each library. The Isabelle Hunt Memorial Library, Tonto Basin Library and Young Library are not required to match funds as they are small private non-profit organizations and do not receive financial support from other sources. Ms. Griffin advised that the only changes in the contracts are the dollar amounts. Approval of this item will apply to all of the library contracts and as they are returned to the District they will be signed by the Chairman, recorded and filed. To date only 3 agreements have been received. Upon motion by Supervisor Dawson, seconded by Vice-Chairman Martin, the Board unanimously authorized the Library Services Agreements, as follows: Globe Public Library – match up to $116,750; Hayden Public Library – match up to $52,100; Miami Memorial Library – match up to $43,600; Payson Public Library – match up to $226,375; Isabelle Hunt Memorial Library - $104,750; Tonto Basin Public Library - $60,950; Young Public Library - $57,661; and, San Carlos Public Library – match up to $32,918 for the period July 1, 2008, through June 30, 2009.

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

Item 5 - Information/Discussion/Action to adopt Resolution No. 08-10-06 for the roadway exchange of a portion of Six Shooter Canyon Road, Pinal Subdivision, as shown on Official Map No. 296, Gila County Records, at the request of Gila County and to authorize the Chairman's signature on the related Quit Claim Deed to Veronica H. Edwards for said exchange and transfer of ownership.

Steve Sanders, Public Works Division Deputy Director, stated that this roadway exchange goes along with the County's recently completed Six Shooter Canyon road improvement project. Part of the County's right-a-way that was not needed went into the yard of Ms. Edwards. The other side of her property came out into the roadway and was needed by the County for a retaining wall. Approval of this Resolution will allow the County to clean up the right-a-way along Six Shooter Canyon adjacent to Ms. Edwards' property. Upon motion by Vice-Chairman Martin, seconded by Supervisor Dawson, the Board unanimously adopted Resolution No. 08-10-06 for the roadway exchange of a portion of Six Shooter Canyon Road, Pinal Subdivision, as shown on Official Map No. 296, Gila County Records, and authorized the Chairman's signature

on the related Quit Claim Deed to Veronica H. Edwards. **(A copy of the Resolution is permanently on file in the Board of Supervisors' Office.)**

Item 6 - Information/Discussion/Action to begin the process of disposing of unnecessary public roadways and alleys as shown inside Inspiration Townsite, Official Map No. 39, Gila County Records.

Mr. Sanders stated that this item refers to the Claypool area. A petition to vacate a roadway was received from a Mr. Palmer. There are multiple owners in the area. There has been an encroachment into public roadways and the County Attorney has been involved. The roads were never constructed and will never be constructed; they would serve no purpose. The County has taken a large area and is proposing to begin the process of disposing of these roads that were never built. Hopefully, this action will prevent continued feuding between the neighbors. If this petition is approved, this will be the first step to dispose of these unnecessary public roadways and alleys. Upon motion by Supervisor Dawson, seconded by Vice-Chairman Martin, the Board unanimously approved the petition to begin the process of disposing of unnecessary public roadways and alleys as shown inside Inspiration Townsite, Official Map No. 39, Gila County Records.

Item 7 - Information/Discussion/Action to approve Professional Services Contract No. 90308 between Gila County and Cooper Aerial Survey Company whereby flight mapping will be done for Control and Colcord Roads in the amount of $22,900. Contract period will run from date approved until end of project.

Mr. Sanders stated that previously presented to the Board were the requirements for Control and Colcord Roads in order to change the surface and apply asphalt to improve these roads. At that time a contract was approved for a Class III Cultural Resources Survey and aerial mapping must also be attached. This contract is for the aerial mapping portion of that project. Upon inquiry from Chairman Sanchez, Mr. Sanders stated that the funding for this project would be from HURF funds, not the general fund. Upon motion by Vice-Chairman Martin, seconded by Supervisor Dawson, the Board unanimously approved Professional Services Contract No. 90308 with Cooper Aerial Survey Company to flight map Control and Colcord Roads in the amount of $22,900.

Item 8 - Information/Discussion/Action to review a sealed bid submitted for the purchase of Assessor's tax parcel 206-23-109, which is owned by the State of Arizona.

Marian Sheppard, Chief Deputy Clerk, requested the Board's review of a sealed bid for the purchase of the subject parcel, which has a total lien in the amount of $605.70. She showed the Board a map and photo of said parcel. Ms. Sheppard then opened the sealed bid and stated that Joe C. and Florene Lopez

have submitted a bid in the amount of $605.70 for the subject parcel. Upon motion by Supervisor Dawson, seconded by Vice-Chairman Martin, the Board unanimously accepted the bid from Joe C. and Florene Lopez in the amount of $605.70 for the purchase of tax parcel number 206-23-019.

Supervisor Dawson requested that the Board move to agenda item number 10 and 11 before convening into Executive Session for agenda item number 9, to which the Board agreed.

Item 10 - CONSENT AGENDA ACTION ITEMS:

A. Approval of the August 2008 monthly departmental activity report submitted by the Clerk of the Superior Court and the September 2008 monthly departmental activity reports submitted by the Globe Regional Justice of the Peace, Payson Regional Constable and Clerk of the Superior Court.

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

Departure from County Service:

1. Randy Burkhalter – Fairgrounds – Building and Grounds Maintenance Worker – 10-20-08 – General Fund – DOH 08-11-93 – Retirement
2. Richard Quigley – Public Works/Auto Equipment Maintenance – Lube Specialist – 10-08-08 – Public Works Fund – DOH 02-21-00 – Resigned

Request Permission to Post:

3. Public Works/Consolidated Roads – Road Maintenance Worker – Position vacated by John Garcia – Availability Date 10-21-08
4. Public Works/Auto Equipment Maintenance – Lube Specialist – Position vacated by Richard Quigley – Availability Date 12-08-08

SHERIFF'S PERSONNEL ACTION ITEMS

Departure from County Service:

5. Trudy Warrick – Sheriff's Office/Payson – Emergency Communication Service Manager – 10-31-08 – General Fund – DOH 10-30-95 - Retirement

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

$1,654,740.15 was disbursed for County expenses by check numbers 212373 through 212525. **(An itemized list of disbursements is permanently on file in the Board of Supervisors' Office.)**

Upon motion by Vice-Chairman Martin, seconded by Supervisor Dawson, the Board unanimously approved Consent Agenda action items 10A-10C.

Item 11 - 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.

At this time the Board returned to agenda item number 9.

Item 9 - Information/Discussion/Action to review two claims by Maricopa Medical Center (#08103-00059 and #08135-01849) for court ordered Gila County mental health patients petitioned in Maricopa County. The Board of Supervisors may vote to go into executive session to receive legal advice from its attorney and to instruct its attorney regarding its position for settling these claims pursuant to A.R.S. §38-431.03(A)(3)-(4).

Upon motion by Supervisor Dawson, seconded by Vice-Chairman Martin, the Board convened into Executive Session at 11:18 a.m.

Upon motion by Vice-Chairman Martin, seconded by Supervisor Dawson, the Board reconvened into Regular Session at 11: 40 a.m.

No action was taken by the Board on agenda item number 9.

There being no further business to come before the Board of Supervisors, Chairman Sanchez adjourned the meeting at 11:41 a.m.

APPROVED:

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Jose M. Sanchez, Chairman

ATTEST:

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Steven L. Besich, County Manager/Clerk