

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

Date: March 24, 2009

**SHIRLEY L. DAWSON**  
Chairman

**STEVEN L. BESICH**  
Clerk of the Board

**TOMMIE C. MARTIN**  
Vice-Chairman

By: Marilyn Brewer  
Deputy Clerk

**MICHAEL A. PASTOR**  
Member

Gila County Courthouse  
Globe, Arizona

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PRESENT: Shirley L. Dawson, Chairman; Tommie C. Martin, Vice-Chairman (via video conferencing); Michael A. Pastor, 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 Reverend Rula Colvin of St. Paul’s United Methodist Church delivered the Invocation.

**Item 2 - Public Hearing – Information/Discussion/Action to adopt Resolution No. 09-03-09 approving Planning and Zoning Department Case No. SO-08-01, amending the Gila County Subdivision Ordinance by allowing the process for smaller subdivisions (twenty or fewer lots) to be eligible for this expedited review process.**

Bob Gould, Community Development Division Director, stated that the addition of Article 11, Small Subdivisions, to the Subdivision Regulations Ordinance, allows an individual who owns a tract of land to create 20 or fewer lots and go through an expedited review process by eliminating the final plat process. It is geared more to the person who might have 40 acres who just wants to divide it and not go through the expensive, normal subdivision process where the Arizona Department of Environmental Control (ADEQ) and Arizona Department of Water Resources (ADWR) are involved. This process does not need to amend the Zoning Code or the Comprehensive Plan and would not be for developing in the 100-year floodplain. The fees charged for this small subdivision would be the same as the fees for a preliminary plat, plus the cost to record. The plat will still be sent to the utility companies and fire districts for approval and once that is complete, it would go to the Planning and Zoning Commission for recommendation to the Board of Supervisors. He stated that the Planning and

Zoning Commission have requested one additional item and that is to add Section 1105.00--Green Building Incentives. If the applicant implements green building concepts such as the addition of solar power, reuse of grey water and water harvesting strategies or landscaping with vegetation common to the area, then the applicant would be eligible for up to a 20% density bonus or potentially up to 24 lots, which would be at the discretion of the Board of Supervisors. Upon inquiry by Vice-Chairman Martin as to the reason all the applications are not expedited, Mr. Gould stated that when the owner has to install a public water system or sewer system and ADEQ or ADWR are involved, there is no way to shorten the process as those agencies take a long period of time for their process to be completed. The whole purpose of this proposal is to expedite the process. Chairman Dawson opened the public hearing and called for public comments; none were received. Mr. Besich referenced the Green Building Incentives and inquired if that wording is structured clear enough so the County will not get involved in arguments with the property owners. Mr. Gould stated that the wording includes “may” grant the incentives so the County is not automatically obligated to grant a particular incentive. He stated that if the Board desired he could take this ordinance back and clarify the list of items that would qualify for incentives as there could be some future issues. Mr. Besich stated that he would prefer to avoid any technicalities that could lead to arguments over what qualifies and what doesn't. Supervisor Pastor agreed that the statement was too general. Mr. Besich stated that it should be explained to the developer at the beginning of the process that if they intend to apply for the incentive, the applicant must provide a detailed concept of green building at that time or prior to making the request so it is clear what the developer's responsibility is before it is brought to the Board for approval. Chairman Dawson inquired if Mr. Gould would like to pull this item. Mr. Gould stated that because the only issue pertains to the Green Building Incentives, he requested that the Board remove Section 1105.00 and adopt the remainder of the Ordinance. Chairman Dawson requested that Mr. Gould bring this Ordinance back to the Board with the revised Section 1105.00 before County Government Week, which is the first week in May, because the County Government Week theme this year is “Greening Our Counties-Greening the Future.” Mr. Gould agreed to bring the item back within the time limit. Chairman Dawson closed the public hearing and entertained a motion. Vice-Chairman Martin also requested that this issue presented to the Board immediately. Upon motion by Vice-Chairman Martin, seconded by Supervisor Pastor, the Board unanimously adopted Resolution No. 09-03-09 approving Planning and Zoning Department Case No. SO-08-01, amending the Gila County Subdivision Ordinance to include Article 11, Small Subdivisions (twenty or fewer lots), to be eligible for this expedited review process, on the condition that Section 1105.00—Green Building Incentives would be excluded and not adopted at this time. **(A copy of the Resolution is permanently on file in the Board of Supervisors' Office.)**

**Item 3 - Information/Discussion/Action to adopt Proclamation No. 09-01 proclaiming April 2009 as Child Abuse Prevention Awareness Month and Court Appointed Special Advocate (CASA) Volunteer Recognition Month in Gila County.**

Cecelia Gonzales, CASA Coordinator, presented a packet of information to the Board, which included the April CASA Newsletter, gold/blue pin, pass-along cards, blue ribbons, lapel pin, a flyer on the recognition of the CASA volunteers and notice of a book signing to be held at the Book Bank in Miami on April 4, 2009, at 5:00 p.m. by Dr. Elizabeth Jacobs, author of the book entitled "When Will I See You Again?" She requested that the Board wear the color blue for public awareness of child abuse during the month of April. Ms. Gonzales presented the Board with information and facts concerning child abuse and the increased number of child abuse cases that occur each year. She also wanted to recognize the CASA volunteers, whose sole purpose is to represent these neglected children in the court system because they do not have a voice. She also encouraged the community to step up and become part of the solution along with the courts and law enforcement in helping to prevent child abuse. She requested that the Board proclaim April 2009 as Child Abuse Prevention Awareness Month and CASA Volunteer Recognition Month in Gila County. Each Board member thanked Ms. Gonzales and the volunteers for the work they do and the importance of recognizing both of these programs. Upon motion by Supervisor Pastor, seconded by Vice-Chairman Martin, the Board unanimously adopted Proclamation No. 09-01 proclaiming April 2009 as Child Abuse Prevention Awareness Month and CASA Volunteer Recognition Month in Gila County.

**Item 4 - Information/Discussion/Action to authorize the Chairman's signature on a letter of support for the Gila County Safe Home of which said letter will accompany a grant application being submitted by the Safe Home to the Arizona Department of Health Services for additional funding.**

Gwen Carrol, House Supervisor for the Gila County Safe Home (GCSH), addressed the Board regarding this item and she introduced Lorraine Woody, a staff member. She advised the Board that the GCSH is a non-profit organization and a part of Horizon Human Services. She requested a letter of support from the Board to assist in obtaining a grant award that would help cover costs of staff training, adult education and for providing awareness of domestic violence. The GCSH has provided a safe environment for over 66 women and 45 children. She stated that domestic violence is not an isolated problem. It happens everywhere and with the Board's support, everyone can make a difference. Each Board member thanked Ms. Carrol and staff for this much needed service they provide in Gila County. Upon motion by Vice-Chairman Martin, seconded by Supervisor Pastor, the Board unanimously

authorized the Chairman's signature on a letter of support for the Gila County Safe Home.

**Item 5 – Information/Discussion/Action to approve a Challenge Cost Share Agreement between the Forest Service, U.S. Department of Agriculture, Tonto National Forest (FS # 09-CS-11031200-015) and Gila County in the amount of \$125,000 to perform three (3) cooperative projects to improve fire management activities on Forest Service and Public Lands in Gila County.**

Vice-Chairman Martin stated that she was been discussing this program for the past two years, which was originally called the Cross Boundary Project. It is a program that initiates ways for the U. S. Forest Service (USFS) to partner with communities to help provide fire protection in the wildland areas. It began with 10 projects being selected throughout the nation and the County's proposal was one of those selected. The County was to receive funding last year; however, at that time forest fires were raging and the fund was swept so the project was placed on hold. The U.S. Forest Service has renamed the project this year to the Challenge Cost Share Agreement and it is being funded in a different manner. This pilot program will run through 2010 and be monitored over the next several years. It will be an opportunity for the County to receive funding from the USFS in the amount of \$125,000, along with the County's investment of in-kind services totally \$64,230 to provide for 3 cooperative projects as follows: Project 1 – Provides for the purchase of 5 large water bladders, tanks and pumps at \$11,000 each to replace 5 surplus bladders that are no longer guaranteed. Also purchased will be 2 roll-off dumpsters at \$4,500 each that will be mobile and placed in various Rim Country communities so residents can dispose of their biomass. The USFS will pay \$64,000 and Gila County will provide in-kind services to set the water bladders and transport the roll off bins at a cost of \$39,530. Project 2 – Provides fire training for 35 students, which would be for firefighters in northern Gila County with the funds provided by the USFS in the amount of \$35,000. Hellsgate Fire District will provide in-kind services for storing the fire equipment, providing instructors and materials at a cost of \$24,700. Project 3 – Provides for maintenance/upkeep (management and operation) of 5 brush pits across the District and the USFS will pay for one year of operations at a cost of \$25,000; Gila County will have no in-kind services match. Vice-Chairman Martin stated that the USFS is finding a way to help support what the County has been doing for the past 100 years. Chairman Dawson inquired if the fire training is being provided through the Gila County Community College (GCCC) in Payson. Vice-Chairman Martin replied that she did not know how the initial training was to be handled, but the fire trainer is also employed by the GCCC, so she expected some part would involve the GCCC. Chairman Dawson wanted to ensure that the training is expanded at the College and that this particular program be kept as a focus. Supervisor Pastor stated that he spoke with Dean Cullen at the GCCC because he knows the

College has a wildland fire program. Dean Cullen assured him that this would not conflict with the College program. The firefighters that are training will receive a certificate; however, they will not receive college credit. Supervisor Pastor stated that in the Agreement, on page 80, it refers to utilizing the brush pits as being a free service to the public for disposing of brush and not regular household trash. If this free service is offered to the taxpayers in northern Gila County, it should also be offered in southern Gila County, as he has had some constituent requests for same. Vice-Chairman Martin explained that there are 2 pits being used and overseen by volunteers, which will only be utilized by homeowners and not contractors. The only thing allowed to be dumped there will be yard trash and it will be monitored the entire day. The free dumping during the summer when the USFS closes down will then move to the pit at the Buckhead Mesa Landfill for a month or two where a free burn will be offered, but the County will have no labor costs involved. Supervisor Pastor stated that he would like to make an appointment to view those dumping areas in the north. Chairman Dawson stated that the Pinal Mountains located in southern Gila County were identified as one of the fire dangers; however, the County continues to focus on northern Gila County with regard to the USFS and public land fire management programs. She again emphasized that the Pinal Mountains need to be included in this program with the USFS and requested that Vice-Chairman Martin comment on same. Vice-Chairman Martin stated that this particular project only pertains to northern Gila County. Vice-Chairman Martin stated that she has continued to offer her voluntary services to assist the fire departments in southern Gila County in putting together a wildland community fire plan similar to the one in the north; however, the plan would have to be done for each individual community and not a blanket plan. She has not received any requests for help to date and the plan has to start in southern Gila County for inclusion of the Pinal Mountains. Anything within 1-1/2 miles of a structure or infrastructure becomes wildland urban interface and then other programs can come into place. Chairman Dawson stated that in the north the residents live in the forest; however, in the south the Pinal Mountains are recreational areas with just a few cabins located by the towers. Vice-Chairman Martin stated that the roads, towers and cabins are considered infrastructure and includes everything that is 1-1/2 miles of same and would probably take in the entire mountains. Supervisor Pastor inquired if the old bladders that are being replaced will continue to be used. Vice-Chairman Martin stated that all of them will be used until the old ones break at the seams. Upon motion by Supervisor Pastor, seconded by Vice-Chairman Martin, the Board unanimously approved the Challenge Cost Share Agreement with the U.S. Forest Service, U. S. Department of Agriculture, Tonto National Forest (FS #09-CS-11031200-015) in the amount of \$125,000 to perform 3 cooperative projects to improve fire management activities on Forest Service and public lands in Gila County. (Note: The County's cost will total \$64,230 for in-kind services.)

**Item 6 - Information/Discussion/Action regarding a letter supporting consolidation of the Globe and Miami School Districts.**

Chairman Dawson stated that the 2 co-chairmen of a committee formed for the purpose of studying consolidation of the Globe and Miami School Districts were present to speak to the Board, namely, Mickey Nye and Rosemary Castaneda. She spoke about the continued rivalry over the years between the Globe and Miami School Districts and how past efforts to consolidate these schools districts had failed, including one she had lead. She explained that since placing this item on the agenda, Supervisor Pastor has requested that no action be taken by the Board until he has the opportunity to poll his constituents. Supervisor Pastor stated that he is on record for supporting consolidation, but prior to the Board taking action, he requested that he be allowed a week to meet with his constituency and key groups. He also requested of the media, who were present at the meeting, that they notify the public of his request encouraging his constituents to contact him as to their opinions in regard to consolidation. Vice-Chairman Martin stated that she would like to know if the communities truly support the consolidation and whatever feedback Supervisor Pastor receives would work for her. She believes consolidation is a good idea, but she would like to know if the communities are truly in support of same. Chairman Dawson stated that efforts have been made by the Arizona Superintendent of Public Instruction to consolidate school districts within Tempe; however, those districts are much larger. Chairman Dawson also stated that because of the economic crisis in the State budget, the school districts have already taken some large cuts in funding with the possibility of additional cuts during the next budget and she would like to ensure that the local school districts get the best for every dollar received for educational purposes. She then called on Ms. Castaneda and Mr. Nye to speak to the Board. Ms. Castaneda stated that the purpose in coming before the Board is to let the Board and the community know that they would like to have a study done to review the pros and cons of the consolidation issue at this time in order to be able to answer questions and concerns from the public and get support from both communities. Mr. Nye stated he believes the time is right for consolidation. Questions are already coming in from the public as to what the name of the consolidated district would be, what the mascot would be, what schools would be utilized, the cost of the taxes, etc; however, that information is not available at this time. The purpose of consolidation would be to provide a high level of scholastics and create opportunities for the students to successfully compete in the world; it's not about saving money. He stated that a Town Hall meeting opened to the public has been set for Thursday, April 2, 2009, at 7:00 p.m. at the Board of Supervisor's Hearing Room. Another meeting will be scheduled a month later. He stated that 2 consultants have been interviewed to conduct the study. He passed out a document entitled "Proposed Consolidation Issues that Should be Considered" for the Board to review. Presentations have been given and are ongoing with the local school districts, Globe City Council, Miami Town Council and the

Rotary Clubs. Chairman Dawson inquired if anyone present wished to address the Board on this item. Jesse Bryant, reporter for the Copper Country News, inquired about the financial source to pay for the consultant. Mr. Nye stated that a meeting was held with Rich Crandall, Chairman of the Education Committee for the Arizona House of Representatives, and the offer has been made for this consolidation to be a pilot program for the State to possibly implement consolidations of other small school districts in the State, so Mr. Crandall is looking at ways to fund the study. Chairman Dawson noted that she would prefer that the consolidated high school be located at the current Miami High School location, as it was built with the idea of consolidation and has available land for additional buildings. On behalf of the Board, Chairman Dawson thanked Mr. Nye and Ms. Castaneda for their efforts on this issue. Chairman Dawson stated that no action would be taken by the Board at this time.

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

- A. Approval to appoint Jim Oestmann to the Gila County Cooperative Extension Advisory Board for a six-year term, which will begin upon Board of Supervisors' approval.**
- B. Approval of a Special Event Liquor License Application submitted by the Gila County Rodeo Committee to serve liquor at the Gila County Rodeo on April 25-26, 2009.**
- C. Approval of a Funding Agreement between the Arizona Department of Housing (ADOH) and Gila County to receive \$136,646 of Community Development Block Grant funds for the 2008 federal fiscal year to be used for Owner Occupied Housing Rehabilitation. Said Agreement to be in effect upon date of execution by ADOH through April 15, 2011.**
- D. Approval of Amendment No. 1 to a contract between Central Arizona Association of Governments (CAAG) and Gila County to increase the contract to \$33,126 for Program Year 2008 for the Department of Labor Healthcare Incentive and Performance Incentive Awards. These increases are for outstanding performance measures in the WIA (Workforce Investment Act) Adult, Youth and Dislocated Worker Programs in the Gila/Pinal Workforce Investment Area.**
- E. Approval to submit a Grant Application (Solicitation No. HP961245) to the Arizona Department of Health Services by the Gila County Division of Health and Community Services, Office of Health, to continue providing High Risk Perinatal Program/Newborn Intensive Care Program Community Nursing Services, which have been provided since 1999.**

**F. Approval to appoint the following individuals to the positions of Gila County Republican precinct committeeman: Lerry L. Alderman, Ronald John Baran, James B. Rasmussen, Crystal Lynn Singleton, Larry R. Everhart, Norma Lea Fallers and Patricia Ann Ihle.**

**G. Approval of the February 10, 2009, BOS meeting minutes.**

**H. Approval of the February 2009 monthly departmental activity report submitted by the Payson Regional Constable.**

**I. Approval of personnel reports/actions for the week of March 24, 2009.**

Departure from County Service:

1. Sheila Hibdon - Health and Community Services – Community Health Assistant – 03-27-09 – 80% Health Start Program – 20% Immunization – DOH 10-30-06 – Resigned
2. Garland Moran – County Attorney – Legal Secretary Lead – 04-03-09 – General Fund – DOH 12-02-96 – Retirement

Hire to County Service:

3. Debra Gildersleeve – Probation – Administrative Clerk Senior – 03-16-09 – State Aid Enhancement – Replacing Karen Johnson – Position vacant as of 01-19-09
4. Judy Alexander – Superior Court/Probation – Administrative Clerk Senior – 03-16-09 – 50% Court Improvement Fund – 50% CASA Program Fund – Replacing Josie Castillo – Position vacant as of 01-02-09

Departmental Transfers:

5. Ashley Parker – Child Support – From Administrative Clerk – To Case Manager - 03-16-09 – General Fund

End Probationary Period:

6. Lisa King – Juvenile Detention – Administrative Clerk Senior – 03-02-09 – General Fund

Position Review:

7. Orlando Ramirez – Probation – Deputy Probation Officer 2 – 03-16-09 – From State Aid Enhancement Fund – Adult Probation Service Fee Fund
8. Erwin Diaz – Probation – Deputy Probation Officer – 03-16-09 – From General Fund – To 40% Diversion Intake Fund – 40% Juvenile Probation Service Fee Fund – 20% Juvenile Diversion Fee Fund

Request Permission to Post:

9. Health and Community Services - Community Health Assistant – Position vacated by Sheila Hibdon – Availability date 05-27-09

**SHERIFF'S PERSONNEL ACTION ITEMS**

End Probationary Period:

10. Wayne Dorsett – Sheriff's Office/Payson – Deputy Sheriff – 12-08-08 – LEBSF Fund

**J. Approval of finance reports/demands/transfers for the week of March 24, 2009. (separate handout)**

\$1,629,225.64 was disbursed for County expenses by check numbers 216242 and 216420 through 216614. **(An itemized list of disbursements is permanently on file in the Board of Supervisors' Office.)**

Chairman Dawson stated that in reference to item J, at last week's meeting Supervisor Pastor requested that the Finance Reports, etc. be moved to the regular agenda each week. Supervisor Pastor stated that he had met with Richard Gaona, Finance Department Director, and will have a weekly meeting with him; therefore, this item can remain as a consent item.

Upon motion by Supervisor Pastor, seconded by Vice-Chairman Martin, the Board unanimously approved Consent Agenda Action items 7A-7J.

**Item 8 - CALL TO THE PUBLIC: Call to the Public is held for public benefit to allow individuals to address issue(s) within the Board's jurisdiction. Board members may not discuss items that are not specifically identified on the agenda. Therefore, pursuant to Arizona Revised Statute §38-431.01(G), action taken as a result of public comment will be limited to directing staff to study the matter, responding to criticism, or scheduling the matter for further discussion and decision at a future date.**

There were no requests to speak from the public.

**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 Dawson adjourned the meeting at 11:08 a.m.

**APPROVED:**

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Shirley L. Dawson, Chairman

**ATTEST:**

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Steven L. Besich, County Manager/Clerk