

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

Date: June 23, 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

PRESENT: Shirley L. Dawson, Chairman; Tommie C. Martin, Vice-Chairman (via video conferencing); Michael A. Pastor, Supervisor, Jacque Griffin, Assistant County Manager/Librarian; 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 in the Board of Supervisors hearing room. Jacque Griffin led the Pledge of Allegiance and Reverend Bart Campbell of the Globe Church of Christ delivered the invocation.

Chairman Dawson, on behalf of the Board, presented a bouquet of flowers to Dixie Mundy, Elections Director, in appreciation for her 27 years of dedicated service to Gila County. Each Board member also thanked Ms. Mundy, who will be retiring at the end of June.

Item 2 - Presentation of the quarterly Officer Recognition Award to Lieutenant Swede Carlson of the Gila County Sheriff's Office in Payson.

County Attorney Daisy Flores presented the quarterly Officer Recognition Award to Lieutenant (Lt.) William "Swede" Carlson. She stated that "Lt. Carlson is a person that gives a sense of peace to the Payson area and that is because he is usually the person present in the Payson courtroom to ensure that everything runs smoothly as it is a small facility and the inmates attending hearings are within grabbing distance of those in the courtroom." Ms. Flores stated that Lt. Carlson is always available to assist when anything needs to be done and she wanted to recognize him today. He has been with the Gila County Sheriff's Office since 1999, has been promoted on several occasions and has been previously recognized as Detention Supervisor of the Quarter. Lt. Carlson stated that he was very humbled by this award, especially because he is just doing his job and the award was very much appreciated. On

behalf of the Board, Chairman Dawson thanked Lt. Carlson for his service to Gila County.

Item 3 - Information/Discussion/Action to amend the Gila County Attorney's Office Attorney Loan Forgiveness Program to provide for a prorated benefit for attorneys working at least 30 hours per week but less than forty hours per week to increase the maximum annual benefit from \$6,000 to \$8,000, and to increase the maximum lifetime benefit from \$60,000 to \$80,000.

Ms. Flores stated that the Loan Forgiveness Program was developed in the Gila County Attorney's Office, as well as around the state, in an effort to retain quality attorneys here and encourage them to remain in government work. Because most law students upon leaving law school are \$100,000 in debt, the Loan Forgiveness Program was created to allow the County Attorney's Office to remain competitive in retaining new attorneys by assisting them with payments on student loans. She stated that the program has made a significant impact in retaining quality attorneys in Gila County over the long term. However, for those attorneys needing different types of schedules, particularly young female attorneys wishing to have children and still remain employed, Ms. Flores requested that this program be amended to provide for a prorated benefit for attorneys working at least 30 hours/week, but less than 40 hours/week to increase the maximum annual benefit from \$6,000 to \$8,000. She stated that it is very effective for her office to keep these experienced attorneys working even with reduced hours. She also requested an increase in the maximum lifetime benefit from \$60,000 to \$80,000 if the employee remains with the County for a full 10 years. Supervisor Pastor inquired about funding for the program. Ms. Flores stated that the program is funded from special County Attorney funds, not the General Fund, and is subject to the availability of funds. Upon motion by Supervisor Pastor, seconded by Vice-Chairman Martin, the Board unanimously approved an amendment to the Gila County Attorney's Office Attorney Loan Forgiveness Program to provide for a prorated benefit for attorneys working at least 30 hours per week, but less than 40 hours per week to increase the maximum annual benefit from \$6,000 to \$8,000 and to increase the maximum lifetime benefit from \$60,000 to \$80,000.

Item 4 - Information/Discussion/Action to approve 2009/2010 Public Awareness Grant Agreement No. 2010-PA.AZ040000.01 between the Arizona Automobile Theft Authority and the Gila County Sheriff's Office in the amount of \$2,869 for the period July 1, 2009, through June 30, 2010.

Claudia DalMolin, Chief Administrative Officer for the Sheriff's Office, stated that this grant award and Public Awareness Grant Agreement will cover the cost of purchasing a VIN (Vehicle Identification Number) etching machine, which was previously presented to the Board for the application approval. There are no matching funds required by the County. Upon motion by Vice-

Chairman Martin, seconded by Supervisor Pastor, the Board unanimously approved 2009/2010 Public Awareness Grant Agreement No. 2010-PA.AZ040000.01 between the Arizona Automobile Theft Authority and the Gila County Sheriff's Office in the amount of \$2,869 for the period July 1, 2009, through June 30, 2010.

Item 5 – Information/Discussion/Action to ratify the Chairman's signature approving the document that serves as both the application and the award confirmation of the Help America Vote Act (HAVA) Block Grant funds in the amount of \$52,500.

Dixie Mundy, Elections Director, stated that Elections Department was contacted by the State and offered HAVA Block Grant funds in the amount of \$52,500; however, approval by the Board to accept the funds was required prior to today's meeting. Chairman Dawson approved and signed the application on behalf of the Board and Ms. Mundy requested ratification of the Chairman's signature for the purpose of requesting and receiving those funds. She stated that with these funds, counties are allowed to make specific purchases. It is a one-time award, there are no matching fund requirements and the purchases must be made within a 2-year period and approved by the Arizona Secretary of State to ensure they are qualified expenditures under HAVA. Upon motion by Supervisor Pastor, seconded by Vice-Chairman Martin, the Board unanimously ratified the Chairman's signature approving the document that serves as both the application and the award confirmation of the Help America Vote Act (HAVA) Block Grant funds in the amount of \$52,500.

Item 6 – Information/Discussion/Action to ratify the Chairman's signature approving the document that serves as both the application and the award confirmation of the Help America Vote Act (HAVA) Block Grant funds in the amount of \$17,500.

Sadie Tomerlin Dalton, Recorder, stated that this item was the same as the previously presented item with the exception that the Recorder's Office will only be receiving \$17,500 in HAVA Block Grant funds. Upon motion by Vice-Chairman Martin, seconded by Supervisor Pastor, the Board unanimously ratified the Chairman's signature approving the document that serves as both the application and the award confirmation of the Help America Vote Act (HAVA) Block Grant funds in the amount of \$17,500.

Item 7 - Information/Discussion/Action to authorize the advertisement of Request for Qualifications No. 051809-1 for the on-site scanning, microfilm, and microfiche of miscellaneous records for the offices of the County Recorder and Clerk of the Board of Supervisors.

Ms. Dalton stated that the Recorder's Office and the Clerk of the Board of Supervisors' Office is working together with the Public Works Division,

Engineering Department, to have all old document books, deed books, maps, minutes, etc., microfilmed and placed on CDs. The reason for doing this is because the old fragile records are tearing apart, becoming damaged and ruined and need to be preserved. They range in dates from 1880 to the present. She stated that some of the records are now on the website, but not all of them. She requested that the Board authorize the advertisement of this Request for Qualifications so this work could be completed. A conversation ensued between Ms. Dalton and the Board about perhaps archiving the old records in the new State facility known as the Polly Rosenbaum Archives and History Building. Ms. Dalton stated that the old records need to be microfilmed and placed on CDs first because a permanent copy needs to be retained here and then eventually the old records could possibly be moved to the State archives building. Chairman Dawson noted that the Polly Rosenbaum Archives and History Building has been closed due to State budget cuts; however, she believes that material can still be submitted for storage. Steve Stratton, Public Works Division Director, stated that in the past the Recorder has used one firm and the Clerk of the Board has used another firm for the microfilming of records and this is an attempt to utilize one firm and reduce the costs for each department. He also stated that at this point it is believed that a portion of funding would be a legal expenditure of HURF (Highway User Revenue Funds) monies for the preservation of old maps. Upon motion by Supervisor Pastor, seconded by Vice-Chairman Martin, the Board unanimously approved the authorization of the advertisement of Request for Qualifications No. 051809-1 for the one-site scanning, microfilm, and microfiche of miscellaneous records for the offices of the County Recorder and Clerk of the Board of Supervisors.

Item 8 - Information/Discussion/Action to adopt Resolution No. 09-06-03 accepting the petitions and certifications that said petitions were signed by two-thirds of the members of the Strawberry Hollow Property Owners Association, Phase I and II and vacating public roadways within the Strawberry Hollow Subdivision Phase I and II.

Steve Sanders stated that the Strawberry Hollow Subdivision Phase I and II are located in Pine. The Phase I Subdivision was created in 2001 and Phase II was created in 2005 and at that time the roads were dedicated to the public. There is approximately 9/10 of a mile of public roads within the 2 subdivisions. The developer and a majority of the members of the Strawberry Hollow Property Owners Association have submitted a petition requesting to vacate the public roads within the Strawberry Holly Subdivision-Phase I and II, so that these roads can become private. Mr. Sanders believes the intent is to create a gated community and a public road cannot be gated. He stated that in working with Bryan Chambers, Chief Deputy County Attorney, all requirements have been met as set forth in the Arizona Revised Statutes that would allow these public roads to become private roads. Supervisor Pastor questioned if there is a requirement for a subdivision that all residents must sign the petition. Mr. Sanders stated that he believes that only a majority of those members of the

homeowners association (HOA) must sign. Mr. Chambers stated, "Everyone that borders the road must be a member of the HOA and 2/3 majority of the members of the HOA must sign the petition and then the roads can be changed." Mr. Stratton clarified that that this particular subdivision already has a HOA where other subdivisions do not and he believed Supervisor Pastor was possibly referring to a subdivision that does not have an HOA. Mr. Chambers and Mr. Sanders reiterated that this subdivision has an HOA in place. Upon motion by Vice-Chairman Martin, seconded by Supervisor Pastor, the Board unanimously adopted Resolution No. 09-06-03 accepting the petitions and certifications that said petitions were signed by two-thirds of the members of the Strawberry Hollow Property Owners Association, Phase I and II and vacating public roadways within the Strawberry Hollow Subdivision Phase I and II. **(A copy of the Resolution is permanently on file in the Board of Supervisors' Office.)**

Item 9 - Information/Discussion/Action regarding payments made to HDJ Management.

Chairman Dawson stated that she was glad that Harry Jones of HDJ Management was present at today's meeting. (Mr. Jones was present at the conference room in Payson and was appearing by ITV.) She stated that over the last few years Gila County has had contracts for services with HDJ Management. She advised that there had been a recall election of the Pine-Strawberry Water Improvement District (PSWID) board of directors. Some residents of the Pine-Strawberry community contacted Chairman Dawson with concerns about the County financing opposition regarding water issues in the PSWID rather than just exploring water issues for northern Gila County. Specifically they were concerned about the County paying Mr. Jones, who was going to the Arizona Corporation Commission and testifying against a group of Pine-Strawberry residents. Chairman Dawson stated that approximately 6 months ago she and Steve Besich, County Manager/Clerk, had a discussion in which Mr. Besich stated that the County was terminating its work with Mr. Jones and that Mr. Jones was going to work for the newly elected PSWID Board of Directors on its water issues. Recently it was called to Chairman Dawson's attention that the County is continuing to pay Mr. Jones. She has requested to see the contract the County has with Mr. Jones and information on same. Chairman Dawson stated that thousands of dollars have been spent by the County on the Mogollon Rim Water Resources Management Study (MRWRMS) on which Mr. Jones was working on behalf of the County and she understands that MRWRMS has now been concluded; however, Mr. Jones' invoices are specifically identified as work in regard to the PSWID. Chairman Dawson requested that the Board stop these payments to Mr. Jones as Mr. Jones is directly involved with the PSWID Board and is under contract with them and she did not believe Gila County should be paying Mr. Jones while he is involved with the PSWID and specifically against some of the residents who are on the other side of the PSWID water dispute. Vice-Chairman Martin stated that she is not sure that the County has paid Mr. Jones any money since he has

contracted with the PSWID Board. Mr. Jones stated that the County has not paid him any funds since he was contracted by the PSWID Board. Vice-Chairman Martin stated that the work on MRWRMS will be completed on June 30, 2009, and that is the end of the County's commitment on that project. It ran 18 months longer than anticipated and the Bureau of Reclamation accepts the responsibility because it was understaffed so Mr. Jones finished that report for them. It is now being published in the Bureau of Reclamation's Denver office. There may still be a few outstanding bills for that project through the end of June. Vice-Chairman Martin stated that other work Mr. Jones has been doing for the County for the last several months has been paid through her Constituency Fund and will continue. Vice-Chairman Martin stated that along with the MRWRMS and what Mr. Jones has been doing for her, the MRWRMS identified the pipeline from Blue Ridge as the best source of water to go after for that area. She stated that 500 acre feet of the Blue Ridge water was received for Gila County and 3,000 acre feet for the Town of Payson. The next step accomplished with a WIFA (Water Infrastructure Finance Authority of Arizona) grant of \$35,000, was to contract with Tetra Tech, Inc. which in turn contracted with Harry Jones because Tetra Tech was having organizational problems. The purpose of this project was to define how much money it would take to get that water to each of the communities so each community would know if it was even in the running for that water. The third step was a meeting called by Town of Payson Mayor Evans and attended by John Nelson, Deputy County Manager, for discussions with each community that if this water was taken "each community would become its own legal footprint through the process of a domestic water improvement district" and each community was directed to come up with estimated figures for getting that water to its community. At that time, each community was told that it could hold one more meeting with Mr. Jones as the County's liaison to see if they would like to pursue that conversation because those communities do not have any support and expertise in putting together a water improvement district or know about how else to connect with that pipeline. There are still some communities who need to go through that conversation with Mr. Jones and she has been willing to pay Mr. Jones for those services. Vice-Chairman Martin stated that the issue is: "How do we best support the constituents in that conversation?" Chairman Dawson referred Vice-Chairman Martin to Mr. Jones' April 3, 2009, billing, which was paid from the County's Natural Resources Fund. Chairman Dawson stated that she supported getting the WIFA grant for the C.C. Cragin (Blue Ridge) Reservoir water "as that is a general thing and the County is not interfering with or getting involved in a water district and telling people how to run their water." Chairman Dawson questioned the County receiving a bill from Mr. Jones for 4.8 hours that was paid out of the County's Natural Resource Fund, which was for time spent by Mr. Jones reviewing an e-mail on behalf of Vice-Chairman Martin about an email inquiry she had received from Pam Mason, who is a constituent in Pine-Strawberry and one of the individuals objecting to the County financing one side or the other of the PSWID water concerns. This was in reference to the past when Mr. Jones was testifying at the Arizona Corporation Commission for an opposing side on the PSWID water

issues. Chairman Dawson stated that is the time when she began objecting to the County interfering with a community's water disputes. Chairman Dawson stated, "We should not be using County funds to take a side within a community and especially the kind of dispute that is going on with Pine-Strawberry." Chairman Dawson stated to Vice-Chairman Martin, "I believe your constituent funds can be used as you see fit and are legal, but as far as the [County] Natural Resource Funds, there are actions of the Board approving the MRWRMS study and whatever Blue Ridge water we get involved with, but those are actions by the Board. How you use your constituent funds is certainly between you and your office in providing for your constituents. I feel that HDJ Management has been involved and continues to be involved on one side of the issues with Pine-Strawberry. When Mr. Besich stated we would no longer be contracting with Mr. Jones, I assured those people that the County was not funding one side or the other of their water issues." Vice-Chairman Martin advised that several people were present at the County conference room in Payson and had submitted Public Participation Forms and wished to address the Board on this item. She then called on the following: Ray Pugel, Sally Randall, Mark Formusa, Loren Peterson, Tom Weeks, Larry Fields, and Ernie Borgoyne, all residents of Pine, and Ken Volz, Sue Connell, Steven Prahin, all residents of Payson. Each person highly praised Mr. Jones for his work on specific water issues in northern Gila County. It was stated that he is not only a consultant and expert on local water issues; but that "he is a member of this community and understands Gila County." Other comments given on the efforts made by Mr. Jones over the years to save or generate revenue for Gila County include: 1) "He was also on the Gila County Comprehensive Planning Committee and he saw some waste of about \$50,000 with consultants from Maricopa County, who knew nothing about our County, and we joked, 'here we go another \$50,000 down the drain'" 2) "A conservative estimate of benefits to the citizens of Gila County by Mr. Jones is that he has either saved or brought into this County approximately \$1,554,383. 3) "...and it shows by the County providing Mr. Jones' services for intervention at the Arizona Corporation Commission, he saved residents of northern Gila County \$694,383 in unjust rate increases that were going to happen had that intervention not take place. 4) Lastly, we all know about the grants and monies brought into Gila County at over \$1.5 million. Another concern expressed is the lack of growth in northern Gila County due to water issues and all spoke in favor of the Board continuing to contract with Mr. Jones regarding numerous water issues in northern Gila County. Supervisor Pastor questioned if he understood correctly that Mr. Jones works for several water districts or some sort of public entity in northern Gila County and has a contract with each entity or agency. Vice-Chairman Martin replied, "Yes and no. Mr. Jones does work on contract with several entities, but I do not believe any of those entities are represented here today." Vice-Chairman Martin corrected her statement to reflect that 2 people present who were speaking on behalf of Mr. Jones did have a contract with him; however, she noted that the County does not pay for any of that work. Chairman Dawson stated to Vice-Chairman Martin that to her that was an incorrect response. She stated that

when Mr. Jones submits a bill, numerous items he is working on are listed and for each item. She stated, "Mr. Jones' time is broken down into hours and tenths of hours and charged partly to the MRWRMS Project and partly to the County's General Fund, but there is no explanation for the part that is charged to the County's General Fund." Chairman Dawson stated that Mr. Jones does not currently have a contract with Gila County. She then inquired of Mr. Jones if that was correct. Mr. Jones stated that he does have a contract signed in 2003 by John Nelson and Ron Christensen, former Chairman of the Gila County Board of Supervisors, that has continued on for all these years. Chairman Dawson asked Mr. Jones if he is being paid through the MRWRMS program. Mr. Jones replied, "I'm never sure exactly what funds things are being paid out of, but the MRWRMS program was certainly part of it and then over the years it has extended to others; all other activities related to any water issues in northern Gila County." Chairman Dawson requested that Mr. Jones provide a copy of his contract with Gila County to the Board as she was unaware of same. She stated to Mr. Jones, "You, by a vote of 2-1, were working as Vice-Chairman Martin's and Supervisor Sanchez's water advisor." Chairman Dawson gave the example of the County being billed for his testimony at the Arizona Corporation Commission against the wishes of the residents who had requested that the water fees be increased so that the money raised could be invested in improvements to the water company. She also noted that when Mr. Pugel drilled a deep well, Mr. Jones billed the County for his advice given on whether or not that well should be purchased. She stated, "There are just a lot of murky things when we get into water issues, whether it's water boarding or whatever you want to call it. I believe you have great expertise and knowledge and that specific contracts for your services should be drawn up, but I don't believe that we should continue paying you to testify or work against some of the private interests in Pine-Strawberry while you are being retained by the PSWID Board. You are an employee with the PSWID and the County, with its limited funds, should not be involved in trying to support or not support lawsuits that are going on there and the efforts that are being made. I would like to see your contract with Gila County. I was unaware that we were talking about a contract that existed in 2003. The only knowledge I had was when there was discussion in this board room and Mr. Sanchez and Mrs. Martin agreed to pay you through their constituency funds for their interest in helping citizens with water issues." She then inquired if anyone else wished to address the Board. Vice-Chairman Martin stated, "Mr. Sanchez and I did not agree to pay Mr. Jones out of our constituency funds at that time. I've only begun doing that in the last 4-5 months." The next speaker from the public was Garrett Goldman, a resident of Payson, who spoke in favor of retaining Mr. Jones on contract to "look out for the best interests of the County residents." Vice-Chairman Martin advised that Mr. Jones had provided his latest report to her for the Board; however, she did not believe it would need to be read into the record, but she would forward a copy to the Board. Chairman Dawson requested that the report be faxed to her office. Chairman Dawson inquired about past reports from Mr. Jones as all she has received are his bills. Vice-Chairman Martin advised that the Board

has had Mr. Jones' reports before at Board meetings and she believes that in the past they were submitted to Mr. Besich with copies to John Nelson or Steve Stratton. She also advised that his bills are very detailed and serve as reports as well. Chairman Dawson stated that in regard to this item, she feels that County contracts with people should be specified with details as to the work they are going to perform and should be followed up by a report to the Board. She stated, "A 2003 contract with Ron Christensen and John Nelson...I don't know if that's when John Nelson was the president of the PSWID, but that is back when they were really in trouble up there and nobody wanted to serve on their water board." She requested that the Board stop paying Mr. Jones until the County has a contract for his services. Vice-Chairman Martin noted that the only payments she was aware of to Mr. Jones would be some payments through June 2009 on the MRWRMS project and those projects for which she has hired him and will be paid through her constituency funds. She advised that there might also be a couple of bills through June also on the MRWRMS project. Mr. Jones advised that he did not have any hours for the MRWRMS project for June 2009. Vice-Chairman Martin stated that there still may be some outstanding bills for May that haven't been turned in to the County yet. Chairman Dawson stated to Mr. Jones, "I would ask that if you do work for Gila County as the County that you have a contract that is presented to the Board and I don't think that is an unreasonable request. You know we spend approximately \$1 million per week around here. It's very difficult, but as you well know, I've kept very careful track until I was promised that your billings would stop and we were not contracted with you and that was from our County Manager. And when I talked to him recently he said to his knowledge we were not paying you any longer. I assured him that you were still being paid." Vice-Chairman Martin stated that she knows the contract that Mr. Jones is under was drawn up prior to the current Board. She stated, "When I first came on the Board, an amended contract was presented to the Board; however, it was neither amended nor canceled by the Board. So he (Harry Jones) has been working under the correct assumption that he's had a contract. We didn't cancel it; we didn't end it. He continued doing exactly what we had contracted for originally. Harry is going to get you a copy of that contract and I will also dispatch his report along with the Public Participation Forms." Supervisor Pastor stated to Mr. Jones, "I don't think there's any question that you are working without some sort of contract with Gila County. My concern is that this is a 2003 contract and we're now going into the 2010 budget year and I know for a fact that there are several of these types of contracts out there. I've asked for a list of those contracts twice now—once from Mr. Nelson and from Richard Gaona, Finance Director. I think we could get a lot of this cleared up if the Finance Department or whoever handles all the contracts for the County provides us with that information--that means contracts that we have with anybody that we pay money for services. We have several in the Roads Department, we have several in Finance and we have special consultants all over the County. We're in this budget situation and we've got all these contracts that are sitting out there since 2003 and they haven't been reviewed. That's unheard of. I mean, obviously it's a good situation to get a job with the

County because nobody worries about how you're getting paid because you have a contract. So I am directing staff and I don't care which staff it is...we have a management team and I will be meeting with them after today's Board meeting and we'll ask the right questions to get the right answers. So I appreciate the positive comments from the residents of Payson/Pine. I understand that Mr. Jones is an expert up there. I've never doubted that he wasn't. It's just that there's never been any information for this Board member to figure out what's going on. So at this point I would like to table the action on agenda item number 9 until we can have these discussions and get the information I am requesting and then I will sit with the management team and I will contact Mr. Besich and we will see how we are going to resolve this type of an issue. Since the MRWRMS project is terminating, that should eliminate one big item and then we can get on with further discussions as to whether or not we need to extend Mr. Jones' contract and not only Mr. Jones, but everybody else that is an unknown contractor out there." Supervisor Pastor then stated to John Nelson, "You know I asked you for that (list of contracts) and you told me there were about 60 of them at a meeting. So that's where I'm ball-parking it at. You made that comment in a meeting, 'Oh yeah, there's about 60' and it was very flippant, but I was curious about it. So it's right here in the back of my mind. So we'll have that discussion this afternoon." Chairman Dawson concluded this item by stating to Mr. Jones, "I think it's very clear to you we are not questioning your integrity or your abilities and certainly your services will be needed by the C.C. Cragin Dam Reservoir program (formerly known as the Blue Ridge Dam Reservoir). I think grants have been obtained for that. But as far as working with Gila County, I have not received anything in the form of a report from you other than these bills that go through Finance. I have been negligent in assuming that our County management had agreed and that payments to you were stopped. We were not interfering with the problems in the Pine-Strawberry area. That was my concern." Vice-Chairman Martin seconded Mr. Pastor's motion to table this item. The motion was unanimously approved. Chairman Dawson thanked those attending the meeting in Payson for their efforts and stated, "I hope you understand our concerns."

Item 10 - CONSENT AGENDA ACTION ITEMS:

- A. Approval of a Workforce Investment Act (WIA) One-Stop Partner Memorandum of Understanding between Gila County Division of Health and Community Services REPAC Department as a WIA One-Stop Partner and Greenlee County Workforce Investment Board to establish a cooperative working relationship and define roles and responsibilities with regard to the provision of dislocated worker services to Greenlee County.**

- B. Approval to adopt Resolution No. 09-06-04 naming a road in the Young area to be called South Harley Lane. The Rural Addressing Department has not received any objections to this road name. (A copy of the Resolution is permanently on file in the Board of Supervisors' Office.)**

- C. Approval to adopt Resolution No. 09-06-05 naming a road in the Young area to be called East Apache Springs. The Rural Addressing Department has not received any objections to this road name. (A copy of the Resolution is permanently on file in the Board of Supervisors' Office.)**
- D. Authorization for the Chairman to sign two Soil Removal License Agreements between Gila County and ASARCO, LLC to allow for the removal of contaminants on Assessor's tax parcel numbers 101-07-224—8 and 101-10-029--7, which are owned by Gila County. ASARCO will pay all contaminant removal costs.**
- E. Approval of Fiscal Year 2009 Annual Road Maintenance Plan and Schedule A (dated 05/07) known as Project Agreement No. 09-RO-11031200-032 under Forest Road Agreement No. 05-RO-11031200-001 between USDA Forest Service, Tonto National Forest and Gila County in an amount not to exceed \$70,917. (Note: This item was addressed separately. See below.)**
- F. Approval of Pavement Maintenance Project for FDR 82 and FDR 84 known as Project Agreement No. 09-RO-11031200-029 under Forest Road Agreement No. 05-RO-11031200-001 between USDA Forest Service, Tonto National Forest and Gila County in an amount not to exceed \$145,433.89.**
- G. Approval of Public Works Policy No. RM 09-02 – Commercial Driver License (CDL) Expenses which clarifies CDL requirements for employees and defines the CDL related expenses that will be paid by the Gila County Public Works Division.**
- H. Information/Discussion/Action to adopt Resolution numbers 09-06-06, 09-06-07 and 09-06-08 which relate to obtaining approval to submit a Grant Application with accompanying assurances and certifications to the Arizona Department of Housing for FY 2009 State Community Development Block Grant Regional Funds in order to fund a proposed Community Development Block Grant housing rehabilitation project. (A copy of the Resolutions are permanently on file in the Board of Supervisors' Office.)**
- I. Approval of the June 9, 2009, BOS meeting minutes.**
- J. Approval of the May 2009 monthly departmental activity reports submitted by the Globe Regional Justice of the Peace and the Clerk of the Superior Court.**
- K. Approval of personnel reports/actions for the week of June 23, 2009.**

Temporary Hire to County Service:

1. Tova Vargas – Board of Supervisors – Clerk – 06-01-09 – Constituent Services Fund

SHERIFF'S PERSONNEL ACTION ITEMS

Hire to County Service:

2. Gabriel Lagunas - Sheriff's Office/Globe - Detention Officer – 06-22-09 – General Fund – Replacing Curtis Lane
3. Philip O'Connor - Sheriff's Office/Globe - Detention Officer – 06-22-09 – General Fund – Replacing Glynn Ellis

L. Approval of finance reports/demands/transfers for the week of June 23, 2009. (separate handout)

\$811,363.65 was disbursed for County expenses by check numbers 218665 through 218834. **(An itemized list of disbursements is permanently on file in the Board of Supervisors' Office.)**

Mr. Stratton requested that the Board pull Consent Agenda item number E for discussion with the Board, to which the Board agreed. He stated that annually the County receives a contract from the U.S. Forest Service to maintain their roadways. The engineer for the Tonto Forest is new and has only been with the U.S. Forest Service for approximately 2-3 months. Mr. Stratton stated that in the past, he has asked both the County and the U.S. Forest Service to include an approved statement allowing him, as the Public Works Division Director, to sign any amendments to this contract that are under the amount of \$50,000. He stated that this becomes helpful many times when the U. S. Forest Service receives additional funds that must be used immediately and it would allow the County to purchase cattle guards, culverts and similar things. Any amendments over \$50,000 would still go to the Board for approval. Mr. Stratton requested that if the Board did choose to approve his request, he would appreciate that an amendment be added for the record. Upon motion by Supervisor Pastor, seconded by Vice-Chairman Martin, the Board unanimously approved Consent Agenda item E, approval of Fiscal Year 2009 Annual Road Maintenance Plan and Schedule A (dated 05/07) known as Project Agreement No. 09-RO-11031200-032 under Forest Road Agreement No. 05-RO-11031200-001 between USDA Forest Service, Tonto National Forest and Gila County in an amount not to exceed \$70,917 and that an amendment be added allowing Steve Stratton, Public Works Division Director, to sign for any amendments to this contract under \$50,000.

Supervisor Pastor had an inquiry on Consent Agenda item number G, approval of Public Works Policy No. RM 09-02 – Commercial Driver License (CDL) Expenses which clarifies CDL requirements for employees and defines the CDL related expenses that will be paid by the Gila County Public Works Division. He questioned if \$100 was sufficient to cover the cost for an employee to obtain

a CDL for those employees required to have one. Mr. Stratton stated he believes the \$100 will cover the entire cost, but it is not his intention that employees incur any fees so if it is found that the \$100 is not sufficient, he will bring a revised policy back to the Board for approval.

In reference to Consent Agenda item number J, approval of the May 2009 monthly departmental activity reports submitted by the Globe Regional Justice of the Peace and the Clerk of the Superior Court, Supervisor Pastor questioned of Mr. Chambers if the signature on the monthly report from the Globe Regional Justice Court was legal. The report appeared to be submitted by John Perlman, Judge Pro Tempore of the Globe Regional Justice of the Peace; however, it was signed by Patty Nolan, Globe Regional Justice of the Peace who has been on court-ordered administrative leave. Mr. Chambers stated that he understood Supervisor Pastor's question to be, "Does Patty Nolan have the authority to sign for John Perlman?" Mr. Chambers stated, "I'm not sure I know the answer to that. There may be a mistake. I believe Judge Nolan actually is performing duties in the Justice Court again. She is like the Justice of the Peace so this doesn't concern me that much. It's probably fine."

Upon motion by Supervisor Pastor, seconded by Vice-Chairman Martin, the Board unanimously approved Consent Agenda items 10A-10L (with the exception of item E).

At 11:30, Mr. Chambers left the meeting and was replaced by Jeff Dalton, Deputy County Attorney.

Item 11 - 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 12 - 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 Jacque Griffin, Assistant County Manager/Librarian, on behalf of Steve Besich, County Manager/Clerk, who is ill, presented information on current events.

There being no further business to come before the Board of Supervisors,
Chairman Dawson adjourned the meeting at 11:49 a.m.

APPROVED:

Shirley L. Dawson, Chairman

ATTEST:

Steven L. Besich, County Manager/Clerk