

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

Date: September 1, 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, 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 Barbie Morton of the First Christian Church in Globe delivered the invocation.

**Item 2 - Public Hearing – Information/Discussion/Action to adopt Resolution No. 09-09-01 approving Planning and Zoning Department Case No. CUP-09-01, a request by Jeff Johnson authorized agent for Gary Binder, the property owner, for a conditional use permit (CUP) to utilize an existing amateur radio tower to provide commercial communication services to neighboring properties and emergency service providers from the subject site in the East Verde Estates Community, which is 3 miles north of Payson, Arizona, otherwise known as 234 W. Kings Drive and Assessor’s tax parcel number 302-31-136A.**

Bob Gould, Community Development Division Director, stated that this CUP is to utilize the existing tower to provide commercial communication services to the surrounding neighborhoods. County regulations do allow for commercial towers in just about any district as long as there is an approved CUP. There are 3 criteria that must be met, as follows: 1) It must be structurally engineered; 2) there must be a fall zone; and 3) it must be harmonious or compatible with the neighboring residential area. The Gila County Planning and Zoning Commission met on August 20, 2009, and have recommended to the Board that this application be approved with the following 5 conditions: 1) The tower must have appropriate engineering as specified in the Gila County

Zoning Ordinance; 2) no signage or advertising is permitted; 3) the tower must be painted to be compatible with the neighboring area; 4) the tower must comply with all FAA (Federal Aviation Administration) and FCC (Federal Communications Commission) regulations; and 5) permit other towers before addressing this one. Mr. Gould requested that the Board delete the 5<sup>th</sup> condition as it is not relevant to this item. The 5<sup>th</sup> condition is regarding towers owned by someone else. It pertains to another issue and was erroneously added to this item. Chairman Dawson opened the public hearing and called for public comment; none was received. She closed the public hearing and entertained a motion. Upon motion by Supervisor Pastor, seconded by Vice-Chairman Martin, the Board unanimously adopted Resolution No. 09-09-01 approving Planning and Zoning Department Case No. CUP-09-01 for a CUP to utilize an existing amateur radio tower contingent upon conditions 1-4 as noted above. **(A copy of the Resolution is permanently on file in the Board of Supervisors' Office.)**

**Item 3 - Information/Discussion/Action to authorize the Chairman's signature on an Intergovernmental Agreement (IGA) between Gila County and the City of Globe for the structural modification of the railroad trestle at the intersection of Walliman Road and Beer Tree Crossing.**

Steve Stratton, Public Works Division Director, stated that this is an IGA with the City of Globe whereby Gila County will widen the railroad trestle so that emergency vehicles and 2 automobiles could pass through the trestle at the same time going each direction. He stated that the City of Globe is getting ready to advertise for bids for the Jess Hayes Road project, at which time only local traffic will be allowed on that road. The road utilizing the trestle will then become the alternate route so it is somewhat urgent that the County get the trestle widened prior to the Jess Hayes Road being closed from Connie's Market to the Matlock Gas area where it enters the County. As a matter of coordinating this effort, the County has requested that the City of Globe have the design done at its expense and to advertise the project and then the County will pay the contractor to do the job. An exact cost is not available at this time as this project is of a unique type; however, an estimated guess is that the cost will be in the \$50,000 range. Supervisor Pastor inquired if the railroad would be shut down during this construction period. Mr. Stratton replied that the railroad will be able to operate and he explained how the project will be completed with the tracks remaining intact. The property is within Gila County's easement so the railroad is not required to be a signatory to the Agreement. All parties involved were on site during the inspection and agreed on how to proceed with the project. Upon motion by Vice-Chairman Martin, seconded by Supervisor Pastor, the Board unanimously authorized the Chairman's signature on an Intergovernmental Agreement with the City of Globe for the structural modification on the railroad trestle at the intersection of Walliman Road and Beer Tree Crossing.

**Item 4 – Information/Discussion/Action to amend Sections 23.1 and 23.7 of Rule 23 – Attendance, Holidays and Leave of Gila County’s Merit System Rules and Policies.**

Berthan DeNero, Personnel Director, requested that this item be tabled at this time. Chairman Dawson stated that the item would be tabled.

**Item 5 – CONSENT AGENDA ACTION ITEMS:**

- A. Approval for the renewal of 2 Professional Services Agreements between Gila County Division of Health and Community Services, Office of Health, and John Hartman, RN, and Kathryn Smith, RN, for the period July 1, 2009, to June 30, 2010 to continue providing home visits for the Community Health Nursing Contract.**
- B. Approval to adopt an Order designating polling places and appointing election workers for the November 3, 2009, Miami Unified School District Special Budget Override Election.**
- C. Approval to adopt an Order designating polling places and appointing election workers for the November 3, 2009, Whiteriver Unified School District Special Budget Override Election.**
- D. Approval of a Special Event License Application submitted by the Gila County Rodeo Committee to serve liquor at the bull riding and ranch rodeo events held at the Gila County Fair on September 18-19, 2009.**
- E. Approval of the July 2009 monthly departmental activity report submitted by the Payson Regional Justice Court.**
- F. Approval of the personnel reports/actions for the week of September 1, 2009.**

Departures from County Service:

1. Carla Smith – Records – Records Clerk Senior – 08-13-09 – General Fund – DOH 07-12-04 – Retired

Hires to County Service:

2. Dallyn Rae Rubalcava – Records – Records Clerk – 08-24-09 – General Fund – Replacing Nicole Mobley

Temporary Hires to County Service:

3. Lorenzo Baeza – Board of Supervisors – Laborer – 09-08-09 – General Fund
4. Charles Hernandez - Board of Supervisors – Laborer – 09-08-09 - General Fund
5. Manuel Rocha - Board of Supervisors – Laborer – 09-08-09 - General Fund

End Probationary Period:

6. Judy Alexander – Probation – Administrative Clerk Senior – 09-16-09 – 50% Court Appointed Specialist Advocate Fund – 50% Court Improvement Project Fund
7. Debra Gildersleeve – Probation – Administrative Clerk Senior – 09-16-09 – State Aid Enhancement Fund

Position Review:

8. Kimberly Bittner – Probation – Deputy Probation Officer 2 – 08-31-09 – From Diversion/Intake Fund – To Juvenile Standards Probation Fund
9. Erwin Diaz – Probation – From Deputy Probation Officer 1 – To Deputy Probation Officer 2 - 08-31-09 – From 40% Diversion Intake Fund – 40% Juvenile Probation Services Fee Fund – 20% Juvenile Diversion Fee Fund – To 100% Diversion Intake Fund
10. Alberta Lancieri – Probation – Deputy Probation Officer 2 – 08-31-09 – From Juvenile Standards Probation Fund – To Diversion/Intake Fund
11. Cole Weaver – Recorders – Recorder’s Clerk – 08-25-09 – General Fund – From Full Time – To Part Time

**SHERIFF’S PERSONNEL ACTION ITEMS**

Departures from County Service:

12. Terry Neff - Sheriff's Office/Payson – Deputy Sheriff – 08-21-09 – General Fund – DOH 12/11/95 – Terminated for cause

Hires to County Service:

13. Matthew Hill - Sheriff's Office/Payson – Deputy Sheriff – 08-31-09 – General Fund – Replacing Thomas Shorts
14. Colt Maxwell - Sheriff's Office/Payson – Deputy Sheriff – 09-14-09 – General Fund – Replacing Christopher McGroarty
15. Marcus Teague - Sheriff's Office/Globe - Detention Officer – 09-14-09 – General Fund – Replacing Frank Stemm

Departmental Transfers:

16. Misty Allinson - Sheriff's Office/Globe – From Administrative Clerk – To Sheriff Records Supervisor – 08-31-09 – General Fund

**G. Approval of finance reports/demands/transfers for the week of September 1, 2009. (separate handout)**

\$420,840.42 was disbursed for County expenses by check numbers 220353 through 220497. **(An itemized list of disbursements is permanently on file in the Board of Supervisors’ Office.)**

Supervisor Pastor stated that in reference to consent agenda item number 5F, some concerns were expressed to him about the temporary hires to County service listed in numbers 3, 4, & 5 because it was listed as being paid from the General Fund. He advised that it should correctly be listed as General Fund-Constituency Funds-District II as he had hired some temporary employees to work in the roads maintenance for District II on the baseball field in Claypool. Upon motion by Supervisor Pastor, seconded by Vice-Chairman Martin, the Board unanimously approved consent agenda items 5A-5G.

**Item 6 - Information/Discussion/Action to re-certify the tax rates for Tax Year 2009.**

Richard Gaona, Finance Director, stated that the tax rates for Tax Year 2009 need to be re-certified because on August 26, 2009, the Town of Miami had to readjust its tax rate. He stated that Miami's old tax rate was \$3.6846 and has now been adjusted to \$3.6372, down \$.0474 and the tax levy was \$172,173 and has now been adjusted to \$169,872 for a difference of \$2,031. Supervisor Pastor stated that he sat in discussions with management about this issue and noted that this basically came about because the Town of Miami dropped the ball on some of the statutory requirements with regard to setting the tax levy. They had an error in 2008 so this is to correct this year's tax rate because it was based on the wrong information from last year. Upon motion by Vice-Chairman Martin, seconded by Supervisor Pastor, the Board unanimously re-certified the tax rates for Tax Year 2009.

**Item 7- 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 8 - 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 Steve Stratton, 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 10:48 a.m.

**APPROVED:**

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Shirley L. Dawson, Chairman

**ATTEST:**

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Steven L. Besich, County Manager/Clerk