

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

Date: October 6, 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 June Ava Florescue, 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 Dan Morton of the First Christian Church in Globe delivered the invocation.

Item 2 - Information/Discussion/Action to adopt Proclamation No. 09-08 proclaiming October 2009 as Domestic Violence Awareness Month in Gila County.

Gwen Carroll, Supervisor of the Gila County Safe Home, introduced her staff that were present at the meeting--Jan Frantom and Lorraine Woody. She stated that the Safe Home provides temporary emergency safe shelter for victims of domestic violence and their children. This 24-hour shelter provides crisis intervention, advocacy, transportation, referrals, support groups, individual support for battered women, shelter, food, clothing and basic hygiene items. The Safe House can house 11 adults and their children in a 4-bedroom home located in the Globe-Miami area. Male victims are not allowed at the local Safe Home; however, referrals are provided and they are assisted in finding safe shelter and in the last quarter 1 man was assisted. The Safe Home has been in operation since 1988 and the service area includes the communities of Globe, Miami, Roosevelt, Kearny, Winkelman, San Carlos, Peridot and Bylas. From September 2008 to September 2009, the Safe Home was able to help 107 women and 77 children. The mission is to serve all people who experience domestic violence in their lives and to provide a

comprehensive array of domestic violence services to improve the overall quality of living for all people residing in our community. She requested that the Board adopt the Proclamation. Ms. Carroll also presented a purple ribbon lapel pin to the Board and staff. Upon motion by Supervisor Pastor, seconded by Vice-Chairman Martin, the Board unanimously adopted Proclamation 09-08 proclaiming October 2009 as Domestic Violence Awareness Month in Gila County. On behalf of the Board, Chairman Dawson thanked Ms. Carroll and her staff for all of the important work they do in the community. **(A copy of the Proclamation is permanently on file in the Board of Supervisors' Office.)**

Item 3 - Information/Discussion/Action to adopt Proclamation No. 09-09 proclaiming October 2009 as Disability Awareness Month in Gila County.

Cathrine Levario, Disability Specialist for the Gila County Employment and Special Training (GEST) Program, stated that the GEST Program provides services for the disabled population in Gila County. In Ms. Levario's position, it is her privilege to not only advocate for the disabled, but to also provide education on disability issues and awareness. She requested that the Board adopt the Proclamation. Upon motion by Vice-Chairman Martin, seconded by Supervisor Pastor, the Board unanimously adopted Proclamation No. 09-09 proclaiming October 2009 as Disability Awareness Month in Gila County. Chairman Dawson thanked Ms. Levario for her work with the disabled. **(A copy of the Proclamation is permanently on file in the Board of Supervisors' Office.)**

Item 4 – Public Sale of a portion of Golden Way North of Lots 1 and 2, Block 8 and South of Lots 35 and 36 Block 8, Inspiration Townsite, Official Map No. 39, Gila County Records, Gila County, Arizona, and to consider the offers submitted by abutting property owners, Garry and Darlene Smith, and Susan Kay Friend and Nancy Jane Friend.

Chairman Dawson stated that this area is located within her Supervisorial District and she had received a call about people driving their 4-wheelers down what appears to be an alley and out onto the road creating a dangerous situation. Steve Stratton, Public Works Division Director, stated that he and Steve Sanders, Public Works Division Deputy Director, did go to the property and found no alternatives for stopping the vehicular and 4-wheel traffic "flying" into this right of way so the next choice was abandonment of the property. The adjoining property owners have agreed with the abandonment so that the property can be fenced. Two bids were received from the adjoining property owners, namely: Gary and Darlene Smith who submitted a bid of \$25.00 and Susan K. Friend and Nancy Friend, who also submitted a bid of \$25.00. Mr. Stratton recommended approval and disposal of this property. Upon motion by Supervisor Pastor, seconded by Vice-Chairman Martin, the Board unanimously accepted the bid of \$25.00 from Garry and Darlene Smith and \$25.00 from

Susan Kay Friend and Nancy Jane Friend for the purchase of a portion of Golden Way North of Lots 1 and 2, Block 8 and South of Lots 35 and 36 Block 8, Inspiration Townsite, Official Map No. 39, Gila County Records, Gila County, Arizona.

Item 5 – Information/Discussion/Action to approve a Physicians Service Agreement between University Physicians Healthcare d/b/a University Physicians Health Plans and the Gila County Health Department which will allow the County to bill AHCCCS (Arizona Health Care Cost Containment System) for children covered under University Family Care Insurance in order to be reimbursed for shots administered by the County.

Carolyn Haro, Manager of Public Health Services, stated that the County previously had an agreement with Health Choice, but they are no longer going to be providing services. University Physicians Healthcare will be taking over the Health Choice patients and this Agreement will enable the County to bill AHCCCS in order to be reimbursed for the children’s shots. Upon motion by Vice-Chairman Martin, seconded by Supervisor Pastor, the Board unanimously approved a Physicians Service Agreement with University Physicians Healthcare d/b/a University Physicians Health Plans to allow the County to bill AHCCCS for children covered under University Family Care Insurance in order to be reimbursed for shots administered by the County.

Item 6 - Information/Discussion/Action to register, set up and to authorize the Chairman’s signature on a Software Sublicense Agreement between EDI Support Services and the Gila County Health Department for electronic billing of Medicare Part B claims for flu shots as paper roster billing is no longer allowed.

Ms. Haro stated that the County has been doing paper roster billing for years; however, only electronic billing will now be allowed so this company will provide the necessary software. Upon inquiry by Chairman Dawson as to the cost, Ms. Haro stated that there is no cost to the County and the software will be Internet-based so it will be compatible with Gila County’s system. Upon motion by Supervisor Pastor, seconded by Vice-Chairman Martin, the Board unanimously authorized the Chairman’s signature on a Software Sublicense Agreement with EDI Support Services for electronic billing of Medicare Part B claims for flu shots as paper roster billing is no longer allowed.

Item 7 - Information/Discussion/Action to adopt a County-wide procedure for the H1N1 Swine Flu.

Jacque Griffin, Assistant County Manager/County Librarian, stated that in discussions on the possibility of the swine flu becoming a pandemic, this is a temporary personnel procedure. If the policy is needed, she will bring it back before the Board to adopt it as a permanent policy in the County’s personnel

plan. She stated that this is really just a common sense approach to being sick and staying home; however, the policy does include a statement that if an employee has flu-like symptoms and running a fever, the manager or elected official will direct the employee to go home and disciplinary action will result if an employee refuses to do so. Also, if an employee has no available sick leave, vacation or comp time, there is already a volunteer process in place whereby other employees may donate their personal sick leave time to that employee. Upon inquiry by Chairman Dawson whether this policy is being distributed throughout the County and placed on the website, Mr. DeNero advised that it was. Upon motion by Vice-Chairman Martin, seconded by Supervisor Pastor, the Board unanimously adopted a County-wide procedure for the H1N1 Swine Flu.

Item 8 - Motion to convene as the Gila County Library District Board of Directors. Information/Discussion/Action to approve Library Services 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, 2009, through June 30, 2010: 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.

Upon motion by Supervisor Pastor, seconded by Vice-Chairman Martin, the Board convened as the Gila County Library District Board of Directors. Ms. Griffin stated that these are the Agreements with the 8 public libraries that allow the County to provide funding for library services in all of the communities within Gila County. The Service Agreement wording and amounts have not changed from last year. The District is attempting to create a little savings so that when times get really hard around 2011 or 2012, the goal is not to have to cut funding at that time. Normally the libraries get a 5%-9% increase in funding from the County; however, this year the funding will remain the same with no increase. The Agreements with Globe, Payson, Hayden, Miami and San Carlos state that the County will match the amount of funding provided by the respective town, city or tribe. The Isabelle Hunt Memorial Library in Pine, Tonto Basin Public Library and the Young Public Library have no other funding entity, so the County provides full funding in addition to individual library fundraisers. It is also specified in the contracts that these funds cannot be used for capital improvements; however, the State Grants in Aid does have a small amount of money available through grants for construction and 2 of the libraries have applied for funding this year. The Isabelle Hunt Memorial Library is proposing a remodel to include the addition of 17 feet to the east end of the building and the City of Globe has applied to begin some expansion of its library. Upon motion by Supervisor Pastor, seconded by Vice-Chairman Martin, the Board unanimously approved Library Service Agreements with the following libraries for the period of July 1, 2009, through June 30, 2010: 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.

Upon motion by Supervisor Martin, seconded by Supervisor Pastor, the Board reconvened as the Board of Supervisors.

Item 9 - Information/Discussion/Action to consider a sealed bid for the purchase of Assessor's tax parcel numbers 301-07-208D6 and 304-11-053B, which are owned by the State of Arizona.

Marian Sheppard, Chief Deputy Clerk, stated that she received 2 bids from 2 individuals wishing to jointly purchase 2 parcels of land that are owned by the State of Arizona. Ms. Sheppard noted that she included in the Board packet some history on these parcels and stated that the Clerk's department always tries to ensure that the sale of properties will be a benefit to the County, the purchaser and all adjoining landowners. Ms. Sheppard requested permission to open the bids before presenting further information. The first bid received from David J. Silver and Sheila N. Nguyen was for Assessor's tax parcel number 301-07-208D6 in the amount of \$ 477.10; the lien amount owed is \$427.10. The second bid received from the same parties for Assessors' tax parcel number 304-11-053B was in the amount of \$938.19; the lien amount owed is \$888.19. Ms. Sheppard recommended that the Board not sell either parcel as it would not be advantageous to the adjoining property owners. She advised the Board that the parties bidding are not adjoining landowners, but will be purchasing the properties to resell them. On the map, the first parcel (301-07-208D6) looks substantial in size; however, Assessor Dale Hom believes that it is part of a drainage area or common area that runs in between many parcels and the only people that would benefit from owning same would be adjoining property owners. The second parcel (304-11-053B) is 4 feet wide and sits between 2 other properties owned by private parties and it is believed both properties have homes located on them. She stated that most of the properties that are eventually deeded over to the State of Arizona by the Treasurer are because a property owner has not paid the property taxes for 7 consecutive years and usually involves small slivers of property or an unused parcel on a hillside. It is believed that originally the area was one big parcel and when a property owner split those parcels for sale, an improper description was listed on the title. The original owner, believing that the property had been sold, probably ignored the tax notices. Chairman Dawson inquired of the County Attorney if the Board had the right to reject the bids. June Ava Florescue, Deputy County Attorney, stated the Board did have the right to reject these bids. Mr. Stratton requested that the Board reject the bid on the first parcel (301-07-208D6) that may be part of a drainage area until it can be reviewed by the floodplain engineer to ensure it would not cause undue harm to the adjoining property owners. In reference to the second parcel (304-11-053B), Chairman Dawson suggested that the adjoining land owners be notified that an offer has been made on this parcel and that the Board will again be accepting

bids. Ms. Sheppard agreed that the Chairman's suggestion would be a good idea and stated that she currently has staff working on a project to contact adjoining property owners on all properties listed on the Back Tax Land List to see if they are interested in purchasing same. Upon motion by Vice-Chairman Martin, seconded by Supervisor Pastor, the Board unanimously rejected both bids received from David J. Silver and Sheila N. Nguyen for the purchase of Assessor's tax parcel numbers 301-07-208D6 and 304-11-053B, which are owned by the State of Arizona.

Item 10 - CONSENT AGENDA ACTION ITEMS:

A. Ratification of the Chairman's signature on Modification No. 1 to Project Agreement No. 09-RO-11031200-029 between the USDA Forest Service, Tonto National Forest, and Gila County to extend the completion date to September 30, 2010, for the Forest Service Payment Maintenance Project Agreement.

B. Ratification of the Chairman's signature on Forest Road Agreement No. 10-RO-11031200-006 between the U.S. Department of Agriculture, Forest Service, Tonto National Forest, and Gila County to allow the County to continue to maintain roads and count them in the HURF (Highway User Revenue Funds) mileage until September 30, 2014.

C. Authorization of the Chairman's signature on an Environmental Review Record under Contract No. 150-09 between the Arizona Department of Housing and the Gila County Division of Health and Community Services, Community Action Program/Housing Services for 2009 through 2014.

D. Approval of the personnel reports/actions for the week of October 6, 2009.

Departures from County Service:

1. Lorenzo Baeza – BOS – Temporary Laborer – 09-24-09 – General Fund/Constituent Services II – DOH 09-08-09 - Found Other Employment
2. Arthur Epperson III – Public Works Recycling and Landfill Management – Temporary Scale House Operator/Laborer - 10-10-09 – Solid Waste Fund – DOH 07-06-09 - Temporary Position

End Probationary Period:

3. Robin Miller – County Attorney – Legal Secretary – 10-06-09 – Cost of Prosecution Reimbursement Fund

Position Review:

4. Kim Rust – Globe Constable/Administrative Services – Part Time Constable Clerk/Temporary Administration Clerk – 09-28-09 – General Fund –Work on an as needed for Administrative Services

5. Edward Reyes – Probation – Deputy Probation Officer 2 – 09-28-09 - From Adult Intensive Probation Supervision Fund – To State Aid Enhancement Fund
6. Jeremy Soden – Probation Deputy Probation Officer 2 – 09-28 -09 – From State Aid Enhancement Fund – To Adult Intensive Probation Supervision Fund

SHERIFF’S PERSONNEL ACTION ITEMS

Hire to County Service:

7. Keith Thompson - Sheriff's Office/Globe – Deputy Sheriff Sgt. – 10-01-09 – General Fund – Reinstatement

Position Review:

8. Rodney Cronk - Sheriff's Office/Payson – Deputy Sheriff – 04-07-09 – General Fund – Military Leave not to exceed 400 days
9. Johnny Holmes - Sheriff's Office/Globe – Deputy Sheriff – 09-14-09 – General Fund – Copper Basin Coalition Alcohol Enforcement Fund as needed on call
10. Paul Ortiz - Sheriff's Office/Payson – Deputy Sheriff Recruit – 06-02-08 – General Fund – Military Leave not to exceed 731 days

E. Approval of finance reports/demands/transfers for the week of October 6, 2009. (separate handout)

\$1,929,212.32 was disbursed for County expenses by check numbers 221135 through 221334. **(An itemized list of disbursements is permanently on file in the Board of Supervisors’ Office.)**

Upon motion by Supervisor Pastor, seconded by Vice-Chairman Martin, the Board unanimously approved consent agenda items 10A-10E.

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 10:49 a.m.

APPROVED:

Shirley L. Dawson, Chairman

ATTEST:

Steven L. Besich, County Manager/Clerk