

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

Date: October 20, 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 (via phone conferencing); Tommie C. Martin, Vice-Chairman; Michael A. Pastor, Supervisor; Steve Besich, County Manager/Clerk; Marian Sheppard, Chief Deputy Clerk; and Bryan Chambers, Chief Deputy County Attorney.

Vice-Chairman Martin was the Acting Chairman for the meeting as Chairman Dawson was out of state and participated via phone conferencing from Utah.

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. Supervisor Pastor led the Pledge of Allegiance and Reverend Rula Colvin of St. Paul’s United Methodist Church in Globe delivered the invocation.

Item 2 - Presentation on an overview of the Strategic Plan for the Southern Gila County College Preparatory Academy (SGCCPA).

Tamara Glinski, Dean of SGCCPA, briefed the Board on SGCCPA’s new goals and objectives. SGCCPA’s mission is to help promote post-secondary educational opportunities for students within the community as well as to educate and help prepare students for the 21st century workforce skills. She explained that there are 4 goals with the first one mandating that they would like to see 30% of the student population graduate from high school and go on to some form of post-secondary educational opportunity. The other 3 goals include character, performance and achievement, which relate to the students and what they can accomplish as a result of not just their high school education, but the services and activities that the SGCCPA is promoting while the students are enrolled in the Academy. Ms. Glinski stated that 1 of the Academy’s 2 biggest initiatives includes the upcoming Post-Secondary Education Fair, which the County helped co-sponsor, whereby juniors and

seniors from 38 schools will be participating along with 4-year universities, colleges, technical schools and military organizations. The other co-initiative was undertaken by Linda O'Dell, Gila County School Superintendent, and SGCCPA to emphasize the importance of college entrance exams and this year there has been a significant increase in sophomore students takes the PSAT test that will open doors and opportunities for these students. She reviewed some of the programs offered through SGCCPA, which include programming from second through twelfth grade, an innovative math program to raise math achievement scores, outreach where teachers go to the schools once a week to work with students and a fifth grade through eighth grade program where students go to SGCCPA once a week for enriching motivational hands-on instruction. The Academy also supports the counseling departments at each high school. Ms. Glinski concluded her presentation by stating that the SGCCPA is funded by the Helios Education Foundation, a private organization; however, the Academy is seeking funding from outside agencies to ensure that the program, after the initial 18-month period, can continue supporting the students within the communities. Supervisor Pastor noted that 2 of his grandchildren are attending the Academy and seem to be doing very well. Chairman Martin thanked Ms. Glinski for her presentation.

Item 3 - Information/Discussion/Action to approve an Intergovernmental Agreement (IGA) (DPS Contract No. 2009-261) regarding State Gang Task Force Detention Liaison Officer (DLO) Program between the Gila County Sheriff's Office and the Arizona Department of Public Safety (ADPS) to enhance law enforcement services pertaining to criminal activities of street gangs and human smuggling for the period July 1, 2009, through June 30, 2010, and shall renew annually on July 1st for a period not to exceed five (5) years.

Claudia DalMolin, Sheriff's Office Chief Administrative Officer, stated that this is a reoccurring agreement with ADPS whereby ADPS will provide 85% of a detention officer's salary to collect data for street gangs and criminal activity. Supervisor Pastor inquired if the Governor's requests for additional budget cuts of 15%-20% will affect funding for this program. Ms. DalMolin replied that it would not and stated that Sheriff Armer had received a letter confirming the funding. Supervisor Dawson stated that it is important to note that she believes ADPS is one of the most securely funded agencies in Arizona and these funds have probably been obligated for the next 5 years, but on the other hand there are other departments such as the Arizona Department of Economic Security that is having its protective services curtailed. She believes the Board needs to keep this in mind as it reviews the recommendations for additional cuts by the State that could affect counties. Upon motion by Supervisor Dawson, seconded by Supervisor Pastor, the Board unanimously approved an IGA (DPS Contract No. 2009-261) regarding State Gang Task Force Detention Liaison Officer Program with the Arizona Department of Public Safety for the period of July 1, 2009, through June 30, 2010, and shall renew annually on July 1st for a period not to exceed five (5) years.

Item 4 – Information/Discussion/Action to approve a Funding Agreement between Gila County Community Services, Community Action Program/Housing Services, and the Arizona Department of Housing in the amount of \$243,590 for the Homelessness Prevention Rapid Re-Housing Program effective through September 30, 2012.

Malissa Buzan, Housing Services Program Manager, stated that the funding for this program is from ARRA (American Recovery and Reinvestment Act) dollars and the funding will run through 2012. Supervisor Dawson stated that she was approached about some people wanting to establish a homeless center and she inquired if any of the funds in this grant could be used to assist in placing a homeless shelter in the County. Ms. Buzan replied that these funds could not be used for a homeless shelter as these funds are specifically to be used for homelessness prevention such as rental eviction. Ms. Buzan stated that she was also approached about funds for a homeless shelter and she is currently pursuing other funding that could possibly be used for same. Upon inquiry by Supervisor Pastor about the reporting requirements for the different sources of ARRA funding, Ms. Buzan replied that all of the dollars are being tracked separately and the County is complying with all requirements. Those results will soon be available on the Governor's website including the statistics for Gila County. Upon motion by Supervisor Pastor, seconded by Supervisor Dawson, the Board unanimously approved a Funding Agreement with the Arizona Department of Housing in the amount of \$243,590 for the Homelessness Prevention Rapid Re-Housing Program effective through September 30, 2012.

Item 5 – Information/Discussion/Action to authorize the Gila County Emergency Management Division to submit a grant application to the Eastern Arizona Counties Resource Advisory Committee for grant funds in the approximate amount of \$48,000 (with a County match of 20%) to create a Wild Fire Protection Plan for southern Gila County.

Matthew Bolinger, Director of Emergency Management Operations and Health Preparedness, requested permission to submit this grant application and stated that the County match will be at most 20% or \$9,600. Upon motion by Supervisor Dawson, seconded by Supervisor Pastor, the Board unanimously authorized the Gila County Emergency Management Division to submit a grant application to the Eastern Arizona Counties Resource Advisory Committee for grant funds in the approximate amount of \$48,000 (with a County match of 20%) to create a Wild Fire Protection Plan for southern Gila County.

Item 6 - Information/Discussion/Action to authorize the Gila County Emergency Management Division to submit a grant application to the U.S. Department of Homeland Security for Assistance to Firefighters Grant Program-Fire Prevention and Safety Grants in the approximate amount of \$98,000 to create and update all community wildfire protection plans for Gila County.

Mr. Bolinger stated that this is a Homeland Security grant application that would require no County matching funds. If the funding is received, it will be used to update the southern Gila County Community Wildfire Protection Plans (CWPP), add some amendments to the northern county CWPP and work with the San Carlos Apache Tribe through an agreement to create a CWPP for the reservation. Upon motion by Supervisor Pastor, seconded by Supervisor Dawson, the Board unanimously authorized the Gila County Emergency Management Division to submit a grant application to the U.S. Department of Homeland Security for Assistance to Firefighters Grant Program-Fire Prevention and Safety Grants in the approximate amount of \$98,000 to create and update all community wild fire protection plans for Gila County.

Item 7 - Information/Discussion/Action to authorize the advertisement of Request for Sealed Bids No. 082509-1 for the Landing Wash Drainage Improvement Project.

Steve Stratton, Public Works Division Director, stated that this project is in Tonto Basin at Tonto Creek Trail and Mulberry Drive. The current storm drainage only has a couple of barrels (culverts) in it that cannot handle the flow of water and due to past forest fires in the area the water is now coming more quickly and in greater quantities so the County is looking at installing a box structure. Upon motion by Supervisor Dawson, seconded by Supervisor Pastor, the Board unanimously authorized the advertisement of Request for Sealed Bids No. 082509-1 for the Landing Wash Drainage Improvement Project.

Item 8 - Information/Discussion/Action regarding a paperless agenda system for the Board of Supervisors' Office.

Mr. Stratton stated that the Board has requested staff to look at various options for a paperless agenda system. This process has been completed by Marian Sheppard, Chief Deputy Clerk; Marilyn Brewer, Deputy Clerk; Jacque Griffin, Assistant County Manager/Librarian; Darryl Griffin, IT Director; and Mr. Stratton. This group is recommending that the Board authorize the purchase of AgendaQuick, a paperless agenda system. Mr. Stratton wanted the Board to understand that implementation of this system will not be a quick process and will be similar to when the County implemented its New World financial accounting system, which will require training of a lot of staff countywide. The County can piggyback Cochise County's agreement as approved by Bryan Chambers of the County Attorney's Office so the cost will be \$25,000 for the purchase and implementation. He deferred any technical questions to Ms. Sheppard. Ms. Sheppard stated that for the past 5-6 years she has been researching various paperless agenda systems for possible purchase by Gila County. She has observed various paperless agenda systems that have been implemented at other counties over the years, so it has been an advantage to Gila County to receive feedback from other county clerks on those systems.

Several counties have purchased or would like to purchase AgendaQuick, which is provided by Destiny Software and those that have implemented the system are very pleased. Ms. Sheppard highly recommended the purchase of same. Chairman Martin stated that she appreciated the staff looking into this system and she understands that there will be glitches when any new system is implemented. Mr. Stratton stated that he wanted to advise the Board that the system won't be an overnight turnaround, but will take time to implement and a training center will be set up as it was for implementing the New World financial accounting system. Ms. Griffin stated that the initial cost will be \$25,000 with an annual cost of approximately \$1,000 to \$2,000 for system maintenance. She stated that some software can cost a lot of money for the maintenance agreement once the system is installed; however, this software doesn't appear to have a lot of expense required after installation. There will also not be a requirement to purchase a lot of additional equipment up front in order to run the program because the recording system already in place is compatible with AgendaQuick. Steve Besich, County Manager/Clerk, stated that the Board needs to know a couple of things, namely, that the Board is going to have to discipline itself to the fact that people running in at the last minute wanting items placed on the Board's meeting agenda is going to "gum up the system," so the Board needs to understand that. Mr. Besich stated that he realized there will need to be exceptions for emergencies that will have to be made administratively in order to make things flow; however, "AgendaQuick does not mean agenda fast and it does not mean that items will be processed quicker because they won't. There will be steps to go through similar to the New World accounting process so there will be glitches...I just want it on record that this is going to be a complete change to the way we have been processing materials for your Board agenda." In most counties it takes approximately 2 weeks to process an item for the agenda unless there are emergencies and the deadline at this time will remain at 5:00 p.m. on Wednesday. He stated, "I just want everyone to be aware that this is going to be a major change in the way agenda items are processed and it's going to demand that we have cooperation with other elected officials and not jam up the process." Each Board member commented that they are glad to be going to the paperless agenda system and agreed that it would take time and much training of all staff, but it would eventually pay for itself in labor and paper savings. Mr. Stratton stated that one of the reasons we are looking at a longer time frame is to ensure that everyone is well trained and doesn't jam up the system for Ms. Sheppard and Ms. Brewer, who are responsible for preparing Board meeting agendas. Upon motion by Supervisor Dawson, seconded by Supervisor Pastor, the Board unanimously directed administration to proceed with a paperless agenda system for use by the Board of Supervisors.

Item 9 - Information/Discussion/Action to review a sealed bid for the purchase of Assessor's tax parcel number 208-02-286, which is owned by the State of Arizona.

Marian Sheppard, Chief Deputy Clerk, stated that this particular parcel is 10 feet wide by 100 feet deep and it is located in Globe between 2 houses. As in most cases when a property is deeded to the State of Arizona, it's from many years ago when the legal description on the title wasn't correct and a small sliver of the parcel was left out. In reference to this particular parcel, the bidder is an adjoining property owner and did provide proof of ownership at the time a sealed bid was submitted. Ms. Sheppard opened the sealed bid and stated that a bid was submitted for this parcel by Kathy Wickwire in the amount of \$127.25, which is the lien amount. Upon motion by Supervisor Pastor, seconded by Supervisor Dawson, the Board unanimously accepted a bid from Kathy Wickwire in the amount of \$127.25 for the purchase of tax parcel number 208-02-286, which is owned by the State of Arizona.

Item 10 - CONSENT AGENDA ACTION ITEMS:

- A. Acknowledgement of a Notice of Proposed Annexation by the City of Globe as filed with the Gila County Recorder on October 6, 2009.**
- B. Approval of a change to the original application with the Arizona Department of Housing for FY 2009 State Community Development Block Grant (CDBG) Funds and State Special Project Funds to increase the request from \$300,000 to \$329,994.50 in order to fund a proposed CDBG housing rehabilitation project. (Original application approved on January 13, 2009).**
- C. Approval to adopt Resolution No. 09-10-03 naming 2 roads in Gila County in the El Capitan area to be called North Silver Creek Road and North Haunted Springs. The Rural Addressing Department has not received any opposition to these road names. (A copy of the Resolution is permanently on file in the Board of Supervisors' Office.)**
- D. Approval of the September 2009 monthly departmental activity reports submitted by the Recorder's Office and the Globe Regional Justice of the Peace.**
- E. Approval of the personnel reports/actions for the week of October 20, 2009.**

Hire to County Service:

1. Daniel Alonzo – Globe Justice Court – Collections Officer – 10-19-09 - General Fund

End Probationary Period:

2. Forrest Miller - Health and Community Services – Animal Regulation Enforcement Officer II – 10-06-09 – Rabies Control Fund
3. Erica Raymond – Personnel – Personnel Assistant – 10-12-09 – General Fund

Position Review:

4. Kasey Escobedo - Health and Community Services – From Community Health Assistant Part Time – To Community Health Assistant Full Time – 10-19-09 – From 100% Health Start Program Fund – To 50% Health Start Program Fund/50% FTF Early Childhood Screening Fund
5. Patrice Etter – Clerk of Superior Court – Court Services Supervisor – 10-09-09 - General Fund – Extend probationary period by six months
6. Paula Horn - Health and Community Services – MCH Program Coordinator – 10-19-09 – Change in funding percentages/General Fund remains the same at 7.5%

SHERIFF'S PERSONNEL ACTION ITEMS

Departure from County Service:

7. Bryan Burgener - Sheriff's Office/Payson - Detention Officer – 10-11-09 – General Fund – DOH 11-24-08 – Resigned
8. Laura Schluns - Sheriff's Office/Globe – Detention Officer – 10-25-09 – General Fund - DOH 02-04-08 – Resigned

Hire to County Service:

9. Robert Chagolla - Sheriff's Office/Star Valley – Deputy Sheriff – 10-19-09 – General Fund
10. Susan Ellis - Sheriff's Office/Globe – 911 Dispatcher – 10-19-09 – General Fund – Replacing Rose Henderson

End Probationary Period:

11. Matthew Havey - Sheriff's Office/Globe – Deputy Sheriff – 10-12-09 – General Fund

F. Approval of finance reports/demands/transfers for the week of October 20, 2009. (separate handout)

\$1,935,701.50 was disbursed for County expenses by check numbers 221454 through 221683. **(An itemized list of disbursements is permanently on file in the Board of Supervisors' Office.)**

Upon motion by Supervisor Dawson, seconded by Supervisor Pastor, the Board unanimously approved consent agenda items 10A-10F.

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 Steve Besich, County Manager/Clerk, presented information on current events.

WORK SESSION

Item 13 - Update regarding research on the 4 10-hour work day proposal.

Ms. Griffin stated that this is a continuation of a previous Board discussion about the possibility of the County going to a 4 10-hour work week schedule. She advised that later today or tomorrow morning a survey will be sent to all employees for their input. Ms. Griffin briefed the Board on discussions she had with other entities and advised of some of the pros and cons. Santa Cruz County's 4 10-hour work week schedule was implemented over a year ago and it was offered as an option to all employees. As many buildings as possible were closed on Friday for energy saving purposes. The court systems remained on the regular 5 8-hour work week schedule as required by law; the Elections Department requires lengthy work-time periods during elections; the School Superintendent's Office is required to run payroll for the schools on Friday and the switchboard operator was initially retained, but has now been replaced with an audio recording. Other staff that could not accommodate the new schedule all work in one office and man the operations on Friday. An anticipated savings of \$40,000/year in energy was the goal; however, because of various problems, that savings has not been realized to date. The issue of earned holiday pay has to stay at 8 hours so employees have to trade off 2 hours of vacation time to equal the 10 hours. There were not a lot of complaints from the public initially; however, a few have developed within the last 6 weeks. In a recent survey of employees there was overwhelming support for continuing the 4 10-hour work week schedule. Ms. Griffin also spoke with staff from Navajo County who are planning to review their new 4-day work week schedule in January 2010. Their plan was optional to employees but encouraged. At this time it is unknown how the new schedule is working or if there is a cost savings. The Court systems at Navajo County are also still on the 5-day regular work week schedule. Ms. Griffin also had a short list of cities/towns that have gone to the shortened work week including the Town of Payson and Apache County. Supervisor Pastor stated that others who have gone to the shortened schedule have not yet been able to show any savings. He has heard from Gila County employees that are in favor and those that are not in favor due to strains on families with children and he was looking forward to seeing the results of the employee survey. Supervisor Pastor stated that the way the Courthouse is configured he's not sure if there will be any energy savings, but he was glad that discussion of the issue is ongoing. He believes that there are a lot of things that will need to be reviewed before a Board

decision can be made. Supervisor Dawson stated that closing the outlying buildings would show a cost savings on utilities if those buildings are completely closed down. There would also be a personal savings to employees not having to drive to and from work an extra day. She was in favor of getting the surveys out and getting organized to implement the program at the beginning of the new year so that parents could plan for the change after the holidays. Chairman Martin stated that in Payson, the County has figured out how employees can work 4 10-hour days and still keep the building open 5 days without it affecting the public. She is also unsure of any cost savings to the County, but felt it is worth reviewing. She believes that it might be a benefit to the employees at a time when the County cannot afford to give salary increases. She also agreed that the employee survey would tell the Board what the employees are thinking. Mr. Besich stated that he is not for or against the proposed schedule, but he believes the Board has to keep in mind whether this is good for the taxpayer or simply good for employees. He noted that discussions have been held regarding a 3-day weekend off work for employees; however, in Pinal County they have Saturday, Sunday and Tuesday off or a similar schedule that does not include 3 consecutive days off and he does not believe that would be a good approach. He stated that a consensus would also be needed on the main floor of the Courthouse where the Treasurer, Recorder and Assessor are located because there are times they are required to work, including weekends, late at night or early morning and when doing so they will turn on the heating/cooling and lights so there could be little savings on energy. He stated that the Board should also prepare itself for criticism by the public for various reasons and those glitches need to be taken into account because in looking at the big picture if the Courts are not going to participate and the Sheriff's Office is bound to 24/7 service at the jail, detention center and patrol, then the Justice Court and Magistrate Court are tied to those departments as well as the Superior Court and Clerk of the Court plus Probation and he's not sure it would produce any savings at the Courthouse. He believes with offices closed there will be more dissatisfied customers and even if a small staff was retained from each department, those individuals would not be able to handle all questions or process paperwork needed by the public and the public would then have to return on the following Monday thus creating more dissatisfaction in the public. "So all I'm saying is you really need to think this through. We don't want to do like the Army, 'one size fits all' and then it doesn't fit. We also have to realize that we basically run 2 counties in Gila County-northern and southern." Ms. Griffin stated that in discussions with Sheriff Armer, he talked about a study conducted on employee productivity and questioned at what point employees get too tired to really be productive from a human physical standpoint. He stated that during a staffing shortage, the Sheriff's Office had to go to 12-hour shifts and it was a "killer" in that the staff was too tired, were not alert and as soon as they were more appropriately staffed the Office went off the 12-hour shifts. He questioned at what point people begin to lose productivity because they are making mistakes and have just exhausted themselves without a break. Another item noted by Ms. Griffin in reference to Santa Cruz County is that they found that quite

often directors/managers are now putting in 5 10-hour shifts because a lot of meetings still occur on Friday. Supervisor Dawson stated that for those people in the public who work from 8:00-5:00, having the Courthouse open until 6:00 p.m. would be an advantage to them.

At 11:34 a.m., Supervisor Dawson had to leave the meeting.

Mr. Stratton stated that in the private sector there is a chart that deals with productivity and along with that is the safety factor. Statistics have shown that when employees start losing productivity the number of accidents increase, so that should be another consideration. Supervisor Pastor stated that right now the management team is advising that the County is doing fine financially so to him these are options to look at in the event the economy worsens and in his opinion the County needs to get serious about all cost cutting measures and not necessarily go to a 4-day work week schedule right away. "I want us to start thinking more seriously about cost savings for the future because all projections are that the economy will worsen in 2011 or 2012...If a 4-day work week doesn't work, then it doesn't work and that's fine, but we need to look at every option available for saving money because to me that's going to be important in another year and a half." Chairman Martin stated that she was not sure that the County needs to make a change the first of the year. "I believe it is a good measure to look at and think about and what it would mean to each department and if the County had to go to a 4-day work week, we would be doing it prepared. We may not be making a change until July or at all." She would like the County to conduct the surveys and not necessarily be looking at a deadline.

At 11:30 a.m., Supervisor Dawson returned to the meeting via phone conferencing.

Mr. Stratton stated that the County has purchased a software program to control temperatures in outlying buildings and it is being tried in a small setting to determine the cost savings, if any, and whether it's worth investing in that software for a larger environment like the Courthouse. Problems have arisen that are being worked through and there is a search ongoing for a grant to enable the County to purchase the software and Mr. Stratton believes one may have been found. No action was taken by the Board on this item.

Item 14 - Discussion on old/new Intergovernmental Agreement (IGA) with San Carlos Apache Tribe regarding road maintenance. (Mike Pastor)

Supervisor Pastor stated that this item has been an ongoing discussion for several months. Supervisor Pastor explained that there was an approved 2004 contract, which was followed by a proposed 2005 contract drawn up by the County's insurance pool; however, it was tabled by the Board and not approved although he felt it was a well-written contract. He stated that the old contract has been initiated in order to get the required work done. He would now like

negotiations to begin with the San Carlos Tribe (Tribe) and have the County offer its expertise, knowledge and training to help the Tribe establish its own roads department. He believes that San Carlos is a part of the County although others don't and this old IGA has created a problem between the County and the Tribe. Supervisor Pastor requested that this be the beginning of discussions as there is a 30-day notification clause in the IGA, which he didn't believe needed to be initiated right now, but he felt the 2004 IGA needs to be improved and modified in order to resolve the issue. Chairman Martin stated that she was in complete agreement in helping the Tribe set up its own roads department. She believes that the County could help the Tribe purchase equipment, teach them how to maintain the equipment, help them set up a shop and then train them to maintain their own roads. She noted that Navajo County is in the process of helping the Navajo Tribal Nation set up a Navajo Department of Transportation (NDOT) and she believes Gila County should do likewise. Chairman Martin stated that she believes the County does not realize the liability it could incur for the taxpayers in honoring that IGA. She questioned the County's responsibility of not only blading the road, but the installation of required signage because once the County changes the dynamics of a road it must then sign the road and continue to keep it signed. Chairman Martin believes the cost would be very high and she was very concerned about the liability that would go along with not signing it. She stated that some of the biggest lawsuits have been the result of the failure of signing of roads. Chairman Martin stated that the signage issue has her as much concerned about the liability as anything else. Chairman Martin stated, "By going in the direction we are going in, we keep furthering that third-world welfare state that we've helped set up and if we in fact take the path of helping them set up their own department, mentoring them, fostering that, then we are in fact changing the whole dynamics, which are healthier in my mind." Supervisor Dawson responded with the following statement: "I believe that 5 years ago we (the Board) signed a legal, binding contract with the San Carlos Apache Tribe. Whether they need a roads department or not isn't my place to decide. I know that the contract they kept asking about and I kept saying according to everybody here there isn't any such thing, for 5 years I've told them that. I have told people in Young or wherever, we don't go on private roads and blade. If you find the County on a private highway, you call me. Whenever anybody was complaining, I have held our rules. Then suddenly this contract that has been in effect for 5 years with us not honoring it surfaced and I believe we have an obligation to hurry and get this done and then we can do whatever we can to help them as far as if they want a roads department. I don't know if they have a roads department and I don't know that they want input from us...I agree let's see if we can't help them if they want help. If they don't want help, they have to understand we can't be out there blading their roads or doing whatever without it meeting what our insurance people say, period...But in the meantime we have a contract that I think any judge in the court of law would say, 'You have been asked to honor this for 5 years'...I welcome us moving forward, but I believe we have to honor what we said we were going to do." Mr. Stratton stated in response to Supervisor Pastor's comment about the old IGA,

“The County is still attempting to get permits to be able to go out and start blading. There was an attachment to the Tribe’s permit application that was unacceptable to use that would potentially lead us to a large liability situation about vegetation and other things. In working with the Chairman, we did explain to various people out there what we would and would not sign and what we will do and will not do. I did send Steve Sanders, Public Works Division Deputy Director, to the San Carlos Transportation Board meeting this morning at the casino. There are various issues about the material at the San Carlos pit. The gentleman running the pit does not know about the agreement where they (the Tribe) furnish us the material and have a secure place for our equipment. We were told that he didn’t know anything about it and that if we got material we would pay for it. So we’re fighting a couple of issues here. We may have some resolution to the permit from what we are hearing and that’s what Mr. Sanders is addressing for me this morning. I can’t tell you much more until I talk to him and see where we are at. We are prepared and ready to blade and will have a radio so that we can have contact. We have secured a part-time worker that is a resident of San Carlos who would be in addition to our regular crews, but we do have to have permits for our foreman, our mechanics, our field truck drivers and other blade operators. So we are trying to clear the hurdles as we go and in doing so we are trying to consider the options as we move forward and what they may be and be prepared for them. We have had many discussions with the Caterpillar Company and their trainer, Bob Kell, an old friend of mine and Mr. Besich and Caterpillar has offered Mr. Kell to the Tribe to train them on any piece of equipment they buy from Caterpillar or Empire, and we are willing to offer our expertise. In the letter that the Board of Supervisors’ Chairman Dawson sent to the San Carlos Chairman about the Intergovernmental Agreement (IGA), it did mention in there that we were instructed to negotiate a new IGA and asked the (Tribal) Chairman to appoint someone, whether it is Mr. Titla (Attorney for the Tribe) or someone else, and to notify us of who that person is that we should be negotiating with. Mr. Besich or Mr. Nelson will advise who will be negotiating on behalf of the County.” Chairman Martin stated that she would like to go back and continue discussing the signage of the roads. Mr. Stratton stated that signage is an issue. More than a state law, it’s an insurance issue because our insurance pool holds the County to the standard of MUTCD. (Manual on Uniform Traffic Control Devices is the standard for signs, signals, and pavement markings in the United States.) He stated that the County hasn’t even gone to the extent to see what it would take to sign those roads. “Right now we are not comfortable in traveling those roads because we don’t have authorization to do so.” Chairman Martin stated that she wants to set this up as a project in the County’s finance program. Chairman Martin stated, “I want to know exactly what we are spending on this project as we spend it.” Mr. Stratton stated that the project has already been set up in the Road Fund as a separate project in the New World financial accounting system and all costs are being tracked. Chairman Martin stated that just the signage alone is going to be a huge expense, not just the signage initially, but going out again and again to keep the road signed. Chairman Martin stated, “I think we need

to be rethinking this as we go and go another direction and I like Supervisor Pastor's idea of the direction to go in." Mr. Stratton stated that the County has been in discussions with Bill Hardy, Director of Arizona Counties Insurance Pool (ACIP), for input on the signage and other issues to hopefully be able to negotiate a new IGA with the Tribe. Mr. Stratton has also notified the Tribe of an upcoming conference that NDOT and Empire will be putting on together to which every Native American Tribe in the United States has been invited. NDOT will be sharing information with all the other tribes on how it has gone through the process of setting up its own roads department and how other tribes can accomplish the same thing if they wish to do so. Mr. Stratton stated "The County is trying, at this time, to offer all the assistance it can and is trying to live up to everything the Board has directed; however, we are hitting multiple road blocks and trying to work through them as we can." Supervisor Pastor stated that his main concern was that the County start addressing the first IGA. Supervisor Pastor stated that the IGA states that the Tribe will provide all materials, which is everything but the equipment, for its road projects so if the County is running into a road block about materials, then the Board needs to have Bryan Chambers, Chief Deputy County Attorney, contact the Tribe's attorney, Mr. Titla. Supervisor Pastor stated, "I have a hard time with this. They want us to go out there and do this project, but yet they are requiring the County to get permits and some of the other things. It seems like they are creating hurdles in order for us to provide them a service and that's their process and we have to meet their process, but we need to have some kind of discussion while we are doing this to see if we can resolve the matters quickly and get the roads bladed and then start negotiating a new contract." Supervisor Pastor expressed a concern that the contract existed yet nobody knew about it and he has been embarrassed when Tribal members have inquired about it. He stated that although the IGA was done several years ago, "I think it's important that we address it, but I also think it's important that we look at improving it—improving the whole situation." Mr. Stratton stated that the County has scheduled this project several times and then meets these road blocks, but will continue to try to complete same. Supervisor Dawson stated that as soon as she returns back to town, she will work to get these issues resolved. Supervisor Dawson stated the Mary Kim Titla is working on the sand and gravel issues and she believes the County will have resolution to the current IGA. "What we do in the future is a decision that needs to be made once we've upheld our part and kept face with them on this. Then I believe we either negotiate a new contract or give the 30-day notice and move on, but we have to, in my humble opinion, honor what we agreed to 5 years ago." Supervisor Dawson stated that she, too, has been embarrassed as a Board member who requested this information and nobody seemed to know that the IGA existed. "Let's move on, but we have instructed the Public Works Division and I believe we can get the permits, the sand and gravel and we have the storage—those are the 3 things that need to be done in order to uphold the contract we signed with them." Mr. Stratton stated that he just received a text message from Mr. Sanders, who is at the San Carlos Transportation Committee meeting, and he stated that the Transportation Committee cannot waive the

permit requirement and they are going to the Tribe's counsel for direction and are requesting that the County be at the Tribal Council meeting this Friday in Scottsdale. Supervisor Dawson stated that she will attend that meeting on Friday. No action was taken by the Board on this item.

Item 15 - Discussion of Gila County contracts and contract lists submitted by divisions/departments. (Mike Pastor)

Supervisor Pastor stated that because of the issue with the San Carlos IGA, an old contract with Harry Jones (on water issues) and discussion about other professional service contracts, there is no documentation on many of these old contracts. He stated "I believe we expose ourselves if we don't set some sort of process in place." He acknowledged appreciation for the well-laid-out contract book that has since been provided to the Board, which lists all County contracts by department. Supervisor Pastor did, however, note that the information missing that he would like included would be how long the contracts are for, if they are continuously running or have an end date, and what the process is for reviewing them. He stated that with the Board terms being on a 4-year cycle, the contract dates should be changed to cover that 4-year period so that when a new Board member takes office a review should be done so that all Board members are up to date on all County contracts. Supervisor Pastor stated that this contract book gives the County a good baseline on what contracts the County has and how they are handled, but he did express a concern over the fact that there are some listed services being provided without a contract. He inquired if the County has a contract or memorandum of understanding with Harry Jones yet or if his work for the County has been suspended and he has been officially notified. He was bringing this up because this was a big issue in the past and Supervisor Dawson has wanted to address it. Chairman Martin stated that it is her understanding that County staff advised Mr. Jones several months ago that he will no longer be working on the MRWRMS (Mogollon Rim Water Resources Management Study) report for the County. She also advised that the County has not received that report yet as it is being held up by the Bureau of Reclamation. Chairman Martin stated that she has advised Mr. Jones that as she needs him to do work for her district, she will pay him out of her County constituency funds by the project. Supervisor Pastor clarified that he was not saying that the County couldn't utilize professional services from individuals, but he believes there should be a contract in place that provides all of the terms. Supervisor Dawson gave the example of being very concerned about a particular organization that was a sub-organization under the Board and was being given \$45,000 by the County each year and at the time the County audits were not current; however, the County Treasurer could verify that the information being provided about the organization was not valid in the County's books. She offered to hire an auditor to audit that organization's books and was told by administration that an individual Board member could not go out and hire someone. She stated that the Board could end up in a situation where, for example, the Town of Payson has one view on water issues

and Star Valley has the opposite view. She questioned, "Are we, as Board members, then going to hire a consultant to substantiate Payson's view and another Board member substantiate Star Valley's view? I see a possibility of a lot of problems on being able to hire our own individual consultants to do whatever. My belief is that consultants should be on contract with the County and that the terms should be clearly laid out. She also gave the example of a consultant working to assist the County in getting its audits current and that consultant stated to the Board that he would only be working for Gila County for 3 months because he had other consulting and lobbying work to do for others. She stated that this consultant began working 5 years ago and is still drawing monthly salaries from this County. Supervisor Dawson stated, "Those are the things that I believe we need to say 'this isn't going to happen without it coming back to the Board' and clearly define how long the person is on contract with the County." Ms. Griffin stated that to her knowledge the contract book provided to the Board only contains Board of Supervisors' contracts. Staff has not yet contacted elected officials to compile a similar book of the contracts they have entered into directly, so there are other contracts. She just wanted the Board to know that this contract book does not list those contracts and this book is just a beginning and contacting the elected officials will be a future step. Mr. Besich stated, "You can ask other elected officials to provide certain information about their contracts, but once they receive their budgets, it is their responsibility to spend as frugally as possible. However, it's really not the Board's position or authority. When contracts come before the Board, they are on the agenda and the Board approves them, but there are a number of small contracts that elected officials individually approve for small consulting deals such as the numerous ones handled by the County Attorney's Office. I believe the Board may ask for information from the elected officials; however, the time to take care of business is when those items come on the Board's agenda for approval and other than that the County does not know every little contract that is entered into by the elected officials." Referencing back to the IGA with the Tribe, Mr. Besich stated that no one was more dedicated to helping the people of San Carlos than former Supervisor Cruz Salas and when recently asked if he was aware of a contract with the Tribe for blading roads, Mr. Salas stated that he was not aware of any such contract. If such a contract had existed, a member of the Tribe would have contacted Mr. Salas about it. He stated, "The Board should not be embarrassed or feel bad about this contract because mistakes happen. There have been many things the County has asked the Tribe to do or come to the table for discussions and they have chosen not to do so. So it's just a matter of respecting each other and working as a team, but sometimes people don't want to work as a team and it's not the Board's responsibility to feel bad about it. There's always room for improvement and the staff stands ready to take the Board's direction as the County has a 'tremendous team' that have delivered again and again." Supervisor Pastor stated that he was not concerned about those small contracts entered into by elected officials, but the purpose of this contract book is to show that the County is using the taxpayer dollars to provide services to

the taxpayers and it should be a growing document that he plans on reviewing many times. No action was taken by the Board on this item.

Item 16 - Discussion on proposed changes to Gila County Policy No. BOS-2-2005, Procurement of Professional Services. (Steve Stratton/Jacque Griffin)

Ms. Griffin stated that staff was directed to revise this policy and before the final policy is brought back to the Board for adoption, she wanted to ensure that all of the proposed changes were included. She stated that the policy has some overall requirements at the beginning and then it speaks specifically to professional services that are less than \$50,000 and those that are \$50,000 and above. She reviewed the proposed changes with the Board regarding this policy, as follows: 1) Correct and clarify language for the “less than” \$50,000 section; 2) Require that all proposals include an “Executive Summary” that will be one page or less and will include the justification, reason or need, the length of the contract, the amount of the contract, the scope of work and the funding source or fund code; 3) Require that every contract for professional services will include either a maximum dollar amount or a maximum time limit, or both; 4) The maximum length of time for a professional services contract cannot exceed two (2) years, with the option for a maximum of two one-year renewals. Renewals must also be approved by the Board of Supervisors at least on the consent agenda so that as Boards change over time, every contract would come before the Board for approval during each member’s tenure. Ms. Griffin stated that she will bring this back policy back to the Board for adoption. No action was taken by the Board on this item.

Item 17 - Discussion on Board legislative priorities at local, state and federal levels. (Steve Besich/John Nelson)

Mr. Besich requested that agenda item numbers 17 and 18 be discussed together. (See discussion under agenda item number 18.)

Item 18 - Discussion on priorities for the County Supervisors Association (CSA) Legislative Summit. (Steve Stratton/John Nelson)

Mr. Besich stated that all successful boards have to determine some priorities and because Gila County has 3 supervisorial districts, the Board needs to come to a consensus on 3-5 top priorities. He stated that these priorities need to be listed; otherwise, “conflicting messages are sent to our congressional delegation when we want one thing today and something else tomorrow. He quoted Mr. Nelson by saying: “We need to talk about fighting issues that are small enough to win, but big enough to matter,” which led into his recommendations for the CSA Legislative Summit as well. He stated, “Things have been dusted off year after year, but we’re not in a ‘year after year’ situation anymore. The state is in a very confused legislative session, and we are losing 1-2 of Gila County’s champions there, so to deal with CSA from my perspective, ‘less is better’ and

the less we're seen, the less we stir up and remain out of the legislative wars.” He then called on John Nelson, Deputy County Manager, to speak to the issue of CSA priorities. Mr. Nelson stated that the CSA package keeps coming out with revisions and he has been very disappointed in where CSA is going as a county organization as it is business as usual and there is nothing listed that would really make a difference with the exception of 1 or 2 items. Mr. Nelson stated, “I believe we need to stop writing our Christmas list and change our strategy and go to the governor, legislators and the leadership and say that we know we are in a significantly different place than we have been for the last couple of years, for the last couple of decades and we do not intend to junk up your session this year with a bunch of things that don't matter and won't bring enemies to the table. We know we have a big problem and we want to join you in coming up with a solution to our state fiscal problem and start taking a proactive stance with the state on how to solve the state's, counties' and citizens' financial problems as opposed to more public requests. This is not the time or place we need to be doing that. I think we need to join hands with the governor and state legislature and find some real solutions to these problems.” He noted that the state legislature is looking at the possibility of transferring prisoners to the county jails, and shifting costs and responsibilities from the state to the counties. He believes it's about time the counties and the state came together and instead of talking about shifting costs, talk about doing things in a better manner. He recommended that when the Board attends the CSA Legislative Summit, that it break away from the norm and really go to work with the legislature and try to resolve these problems together. Mr. Besich stated that he has also discussed with CSA Director Craig Sullivan about keeping a low profile and being a part of the solution rather than part of the problem “as we deal with this fiscal morass.” In dealing with Gila County's specific priorities, Mr. Besich recommended the following 4 items: 1) Establishment of a job corps in Gila County; 2) Tonto Creek bridge completion; 3) forest health and fire suppression issues that we need to continue to press forward on; and 4) getting the Resolution Copper Company land exchange passed. He advised that the Board cannot allow its federal projects to lag simply because of state issues or it will be another 10 years down the road before completion of the above projects. Chairman Martin stated that the Board cannot continue to keep changing its priorities from a national perspective. Patti Powers, Gila County's congressional consultant, has advised Chairman Martin that the Board needs to set 3-4 top priorities and remain with those or else Congress will choose which projects to support or not support. If the Board cannot decide on its top priorities, then each Board member should select a project by its supervisorial district. Chairman Martin stated that she would rather not get to the district level and from a County perspective she believes that the most important project is the Tonto Creek bridge because of timing as this is the year that the transportation bill will be written. She believes the second most important project is the Resolution Copper Company land exchange bill as it would be the most important for Gila County, state and nation. Chairman Martin's third priority would be the roads—either the Young Road or the Control Road from a County perspective

in order to open up that last piece of private land to be developed in Young as it would bring the biggest return for the effort with increased assessed valuations that would be enhanced greatly by putting in paved roads to those pieces of property. In regard to a job corps or forest health, Chairman Martin believes those are both important ongoing projects for long range planning. Supervisor Pastor stated that he agreed that the Tonto Creek bridge is a priority as his concern is having another flood with residents locked in on the other side of Tonto Creek. His fear is for the students needing to cross the creek to attend school and for the elderly and medical emergencies, the difficulty of them getting across the creek and the potential for loss of life. He also believes that Resolution Copper will not only provide an economic stimulus for the Copper Triangle, but for the entire state. He believes all 5 projects are very important to Gila County and he didn't have a priority on the order in which they are listed. He also added that the Town of Miami is in dire need of assistance and would like to address those issues as well. Chairman Martin stated that although she has listed 3 priority projects, she will continue to "ding" on forest health issues forever; Supervisor Dawson will continue to "ding" on a job corps for the area; and she encouraged Supervisor Pastor to work with the Town of Miami as his project. Supervisor Dawson stated that the Board has agreed very strongly in emphasizing to our congressional people that Resolution Copper is very important. In regard to which project the Board emphasizes, Supervisor Dawson stated, "I think it is really important to create jobs and help our people become productive citizens rather than depending on government to provide for them." She gave the example of the people in Young being very independent and solving their own problems. She stated, "We are losing the workforce of the 16-25 year-old kids who are dropping out of school... and the job corps would be a \$30 million plant investment as well as 100 good paying jobs and could salvage kids who we are losing. I will continue on, if I have to march it by myself, with the job corps. I think this Board should be looking at what should be proposed and why its limping forward and we should be unitedly supportive of it." Supervisor Dawson stated that the Southern Gila County Economic Development Corporation has been working with Lavera Leonard of the Leonard Research Group, Inc. of Washington, D.C. in public relations and she has been guiding them on the job corps project and the Group has helped tremendously. She noted that Patti Powers is working on other projects. In regard to the Tonto Creek bridge, Supervisor Dawson believes that building the bridge is a huge investment, but once it is built the big issue will be on how the County will build the roads to the bridge to placate the people on the other side because it will add 10-20 miles of driving for them to access the bridge from all the various areas and especially if the current crossings across the creek are closed. She also agreed with Mr. Nelson's comments about CSA working with Arizona State government and being supportive rather than adding to its problems. The Board then discussed attending the CSA Legislative Summit and Supervisor Pastor and Mr. Stratton stated that they will attend on behalf of the Board. Mr. Nelson stated that for the CSA Legislative Summit, the Board's issue this year at the Legislature will be to play defense. As the proposals are presented from other counties, Mr.

Nelson recommended that the Board keep in mind that “every time we support a proposal in the Legislature, we also bring opposition and this year we don’t need opposition. We need as much support as we can get.” He requested that as issues arise at the CSA meeting that Supervisor Pastor and Mr. Stratton question who would oppose the issue and ask if that opposition is really needed in this year’s legislative session. Chairman Martin agreed with taking a defensive stance with the Legislature this year and stated that because Gila County management has done such a good job with its finances, perhaps the Legislature could profit from listening to our management. She again brought up the subject of the Board agreeing on 3 top priority projects for the County and stated that Congresswoman Kirkpatrick needs to know that the Board stands firm and behind her regarding the Resolution Copper Company land exchange. No action was taken by the Board on this item.

There being no further business to come before the Board of Supervisors, Chairman Martin adjourned the meeting at 12:54 p.m.

APPROVED:

Tommie C. Martin, Acting Chairman

ATTEST:

Steven L. Besich, County Manager/Clerk