

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

Date: October 27, 2009

SHIRLEY L. DAWSON

Chairman

STEVEN L. BESICH

Clerk of the Board

TOMMIE C. MARTIN

Vice-Chairman

By: Marian Sheppard
Chief Deputy Clerk

MICHAEL A. PASTOR

Member

Gila County Courthouse
Globe, Arizona

PRESENT: Shirley L. Dawson, Chairman; Tommie C. Martin (via video conferencing), Vice-Chairman; Michael A. Pastor, Supervisor; Steve Besich, County Manager/Clerk; Marian Sheppard, Chief Deputy Clerk; and Bryan Chambers, Chief Deputy County Attorney.

Item 1 – Call to Order – Pledge of Allegiance – Invocation

The Gila County Board of Supervisors met in Regular Session at 10:00 a.m. this date in the Board of Supervisors hearing room. Steve Besich led the Pledge of Allegiance and Reverend Dell Kimberly of the Church of Christ in Payson delivered the invocation.

Item 2 - Update on the Arizona Local Government Employee Benefit Trust insurance pool issues by Erin Collins, President of Erin P. Collins and Associates, Inc.

Mr. Collins advised that he is the executive director of Arizona Local Government Employee Benefit Trust (AZLGEBT) and the reason he attended the meeting was to provide an update on the insurance pool and to answer any questions of the Board of Supervisors. He also advised that a representative from Navitus, the prescription management company; a representative from Administrative Enterprises, Inc., the company that handles all accounting for AZLGEBT; and he would be available this afternoon to meet with employees individually in the Board's hearing room to address any questions or concerns. He provided a history of AZLGEBT, which was formed in 1994 with Gila County joining in 1999. There are a total of 6 rural counties that have joined AZLGEBT and the term of membership is for a period of 3 years of which Gila County's term will expire on June 30, 2011. AZLGEBT covers approximately 4,000 people comprised of employees of the 6 counties and their family members. Mr. Collins advised that AZLGEBT has strived to maintain costs in order to make health coverage affordable to both the employers and employees and also substantive in terms of how the co-pays, deductibles, etc. are

handled. He believes that AZLGEBT's Board of Trustees has done a masterful job of containing costs. AZLGEBT is approximately 30% below the market in terms of cost structure. Mr. Collins advised that about 5 years ago a decision was being contemplated whether to drop Gila County from the insurance pool because more money was being paid out for claims than money coming in from Gila County. At that time he met with Gila County management to discuss the problem. Subsequent to that meeting, management and staff began actively campaigning to promote Wellness Program activities. Approximately 9 months later there was a significant reduction in the number of claims. For about the past 4 years Gila County has had the highest participation in Wellness Program activities amongst the participating counties with a downward projectory of costs; however, costs have risen over the last three years due to the number of claims being processed for Gila County. He requested that the Board of Supervisors and management continue encouraging employees and their families to participate in Wellness Program activities and to make an effort to control costs. AZLGEBT was the first employer-sponsored plan in the State of Arizona to provide mobile on-site mammograms at all participating county locations at no cost to the participants and it has been ongoing since 1998. AZLGEBT is now the first plan in the State's history to bring the Health Map RX Diabetes Management Program, which is run by local pharmacists coordinating with local medical practitioners and diabetics, to better manage the disease state. The incentive for the individual is that there are no co-pays or any other costs for participation. AZLGEBT is averaging a 4%-6% increase in premiums per year whereas the industry has an annual average increase of 8%-12%. Given the fact that the issue of health care is a major issue in Washington, D.C. at present, Mr. Collins advised that it is expected that health care costs will inflate 17%-20% beginning in 2012 or 2013. He reemphasized the need to continue promoting Wellness Program activities. Supervisor Pastor advised that many employees have visited him with health care related questions, so he was pleased that Mr. Collins and the other representatives agreed to meet with employees later this afternoon. Mr. Collins reviewed a spreadsheet which compared AZLGEBT's plan to other plans offered within Gila County. He then answered Board members' questions. Each Board member and Mr. Besich thanked Mr. Collins for the presentation and acknowledged the importance of Wellness Program participation. Mr. Besich stated that Gila County is fortunate to have an administrator such as Mr. Collins and he also thanked Jacque Griffin, Berthan DeNero and Juley Bocardo-Homan for being Gila County's front line representatives for Wellness Program activities.

Item 3 - Public Hearing - Information/Discussion/Action to adopt Gila County Resolution No. 09-10-04 supporting the continuation of the Gila County Specified Enterprise Zone for an additional five years, from October 27, 2009, to October 26, 2014, and to urge the Arizona State Legislature to preserve funding for the Enterprise Zone Program.

Ken Volz advised that it has been an intense three weeks since it was discovered that Gila County no longer had the designation of a Specified Enterprise Zone. He acknowledged the help provided by Marian Sheppard, Chief Deputy Clerk, and Bill Marshall, Acting Director of the Southern Gila County Economic Development Corporation, in providing the documents that are required to be attached to the Enterprise Zone application, which included obtaining resolutions adopted by cities, towns and Indian tribes within Gila County. The application is complete and Mr. Volz will hand-deliver it to the Arizona Department of Commerce office for review and approval as a Specified Enterprise Zone. Mr. Volz stated, "The designation of an enterprise zone is not the 'end all or be all', but it is the only consistent incentive we have in our tool box to attract potential employers into the area, from an economic development standpoint." Mr. Volz then explained the various employer incentives. Chairman Dawson entered into a discussion with Mr. Volz on his contacts with the Town of Star Valley, San Carlos Apache Tribe, White Mountain Apache Tribe and Tonto Apache Tribe. Mr. Volz advised that he intends to meet again with the Town of Star, City of Globe and Town of Miami representatives to determine whether those entities should become part of the Gila County Specified Enterprise Zone or become their own enterprise zones. He advised that enterprise zones are created by census tracts, not by jurisdictional boundaries. In the initial application and subsequent designation as the Gila County Specified Enterprise Zone, all or a portion of the tribal lands of the Tonto Apache Tribe, San Carlos Apache Tribe and White Mountain Apache Tribe were included in the Gila County Specified Enterprise Zone. Mr. Volz advised that the current application also includes those entities; however, he learned that at a recent San Carlos Apache Tribe Council meeting a resolution was presented and rejected to become part of the Gila County Specified Enterprise Zone. Mr. Volz intends to submit the application as it is now written with the 3 Tribes included and then wait for further direction from the Department Commerce on this issue. As there is now a template for the application, Mr. Volz will offer to help any entity that wishes to submit its own application or become part of the Gila County Specified Enterprise Zone. Chairman Dawson called for public comment and none was offered; therefore, she closed the public hearing and asked for a motion from the Board. Upon motion by Vice-Chairman Martin, seconded by Supervisor Pastor, the Board unanimously adopted Gila County Resolution No. 09-10-04 supporting the continuation of the Gila County Specified Enterprise Zone for an additional five years, from October 27, 2009, to October 26, 2014, and to urge the Arizona State Legislature to preserve funding for the Enterprise Zone Program. **(A copy of the Resolution in permanently on file in the Board of Supervisors' Office.)**

Item 4 – Information/Discussion/Action to approve an Intergovernmental Agreement (IGA) (A.G. No. PHX-CON-2009-0804) in the amount of \$41,500 between the Arizona Game and Fish Department and the Gila County Sheriff's Office for recreational boating safety and law enforcement on navigational waterways within Gila County.

Claudia DalMolin, Chief Administrative Officer for the Sheriff's Office, advised that funds provided under this IGA will provide overtime pay for deputies on watercraft detail at Roosevelt Lake as well as operational maintenance on the Sheriff's Office boats. In responding to Mr. Besich's inquiry, she noted that no County cash match funding is required. Upon motion by Supervisor Pastor, seconded by Vice-Chairman Martin, the Board unanimously approved an IGA (A.G. No. PHX-CON-2009-0804) in the amount of \$41,500 between the Arizona Game and Fish Department and the Gila County Sheriff's Office for recreational boating safety and law enforcement on navigational waterways within Gila County.

Item 5 – Information/Discussion/Action to approve Grant Contract Award No. 2009-SD-B9-0090 in the amount of \$268,310 awarded to Gila County (Probation Department) by the U.S. Department of Justice, Office of Justice Programs, for the FY 09 Recovery Act Rural Law Enforcement Assistance: Enhancing Rural Corrections, Detention and Jail Operations Grant Program for the period August 1, 2009, through July 31, 2011.

Ray Garcia, Chief Deputy Probation Officer, provided information on the use of these funds. He advised that the County jails are most times at 100% capacity, which creates an unsafe environment. Approximately 15% of those detained are felony offenders with substance abuse or mental health disorders, who could benefit from pre-trial release. He stated that the current system discriminates against the lower economic classes because those individuals are most likely unable to pay for a bond to get out of jail. He stated, "Offenders with substance abuse and mental health disorders cannot qualify for release; they cannot post bond and they do not have stable family or employer relationships. Those individuals are usually not released from jail due to the risk factor." At present it costs the County \$68 per day to house a detainee. Mr. Garcia advised that currently the County does not provide a pre-trial release program or a supervised program and with these funds the Probation Department is in the best position to be able to provide them. The plan would be to recruit 2 certified probation officers, one in Payson and one in Globe, instead of recruiting someone who is not certified and then pay the expense for that person to attend the Probation Academy. Due to recent layoffs of certified probation officers at other counties and if a layoff were to occur at Gila County, it is felt that there wouldn't be a problem in recruiting certified probation officers. With the implementation of these programs, Mr. Garcia expects a 10% reduction in the overall jail population. He also stated the partnerships are in place between the Probation Department, Gila County jails and Cenpatico for in-custody behavioral evaluations, treatment and services. This is a two-year grant and at the end of the grant cycle Mr. Garcia is hopeful that the County will continue to fund the programs. Each Board member provided comments and it was suggested that Mr. Garcia and his staff maintain accurate records of expenditures and cost savings so as to provide a report to the Board in one year. Mr. Garcia agreed to this recommendation. In response to Supervisor

Pastor's inquiry, Mr. Garcia confirmed that most of the funding would be used for personnel-related expenses. Upon motion by Vice-Chairman Martin, seconded by Supervisor Pastor, the Board unanimously approved Grant Contract Award No. 2009-SD-B9-0090 in the amount of \$268,310 that was awarded to Gila County (Probation Department) by the U.S. Department of Justice, Office of Justice Programs, for the FY 09 Recovery Act Rural Law Enforcement Assistance: Enhancing Rural Corrections, Detention and Jail Operations Grant Program for the period August 1, 2009, through July 31, 2011.

Item 6 - Information/Discussion/Action to approve an Intergovernmental Agreement for cooperative purchasing between Gila County and the Town of Winkelman, which will improve the efficiency or economy of the procurement of necessary materials and/or services for both the County and the Town.

Steve Stratton, Public Works Division Director, advised that this Intergovernmental Agreement (IGA) is the same as recent IGAs presented to the Board between Gila County and other governmental entities for cooperative purchasing. The purpose is to allow other entities to "piggyback" onto Gila County's contracts in order to save time and money. Upon motion by Supervisor Pastor, seconded by Vice-Chairman Martin, the Board unanimously approved an IGA for cooperative purchasing between Gila County and the Town of Winkelman, which will improve the efficiency or economy of the procurement of necessary materials and/or services for both the County and the Town.

Item 7 - Information/Discussion/Action on the County Supervisors Association (CSA) legislative package.

Steve Besich, County Manager/Clerk, stated that because all Board members were leaving this afternoon for the annual County Supervisors Association Legislative Summit to discuss and establish CSA county legislative priorities for the upcoming legislative session, he felt it was important to review some of the legislative proposals that will be discussed at the Summit. He first talked about the proposal to shift an additional 50% of judges' salaries to counties, so counties would fund 100%. The next proposal is to shift prisoners from State prisons to county jails. Mr. Besich is especially concerned for Sheriff's deputies, detention officers and medical staff that must interact with these inmates that would be coming out of a prison environment. Two other proposals he reviewed were the half-cent sales tax and public records requests. He recommended that each Board member take a defensive stance on all of these issues. No Board action was taken on this agenda item.

Item 8 - Information/Discussion/Action for the Board of Supervisors to become a member of the Copper Communities Alliance.

Mr. Besich stated that approximately 5-6 weeks ago there were 5-6 people on a conference call with Congresswoman Ann Kirkpatrick. The discussion focused on one question: "Who is the voice of copper communities?" He posed the question "Is it 1 or 2 retired miners; is it a CAAG (Central Arizona Association of Governments) representative; or is it going to be a group of elected officials who actually were elected by the people to be the voice of the people?" Mr. Besich stated, "In order to put the Congresswoman in the position of being able to say categorically, 'I represent these people, and these people represent these people, who are most directly affected by the jobs, the Resolution jobs stimulus program, and here they are.'" (A note to the reader: The Copper Communities Alliance was formed to help Congresswoman Kirkpatrick and other legislators take a different approach to Resolution Copper Company's proposed land exchange bill by placing the focus on promoting Resolution Copper Company's job stimulus program, all of which are critical to developing a \$3 billion copper mine in Pinal County.) Mr. Besich advised that he and some County staff initially met to develop the logo for the Alliance and work out other details as to the members of the Alliance. State Senator Rebecca Rios will serve as the Chairman and State Representative Barbara McGuire as the Vice-Chairman for the Alliance. Also serving on the Alliance will be Supervisor Pete Rios, who will represent Pinal County as the Resolution copper mine is in his supervisorial district; and Supervisor Mike Pastor will represent Gila County. The Alliance is also comprised of representatives from the towns/cities of Hayden, Winkelman, Kearny, Superior, Globe, Miami, Payson and Gold Canyon, and Central Arizona Association of Governments (CAAG). All representatives were in attendance at the October 21, 2009, kickoff meeting except for Gold Canyon. He reviewed the logo that was chosen for the Copper Communities Alliance. Mr. Besich stated that if/when this Alliance presents testimony at Congressional hearings held in Washington, D.C., it was agreed that Pinal County Supervisor Pete Rios could best represent the group. Gila County Supervisors Mike Pastor and Shirley Dawson were also mentioned as alternates should Supervisor Rios not be able to attend a meeting in Washington, D.C. He officially asked the Board of Supervisors to become a member of the Copper Communities Alliance. He advised that the group would be talking with Congresswoman Kirkpatrick later in the day to hopefully be provided with further direction. Chairman Dawson inquired as to the reason the Town of Payson is not listed on the flyer for the Alliance and whether Apache Junction should be included. Mr. Besich stated that he spoke with Deborah Gailbrath of the Town of Payson and she believes that the Town Council would prefer to first take a Council action on resolution of support; however, the Town Mayor has attended several meetings in support of Resolution Copper Company in Superior. Mr. Besich believes the Mayor would support Resolution Copper if a situation arises. He will contact the Town of Apache Junction. Mr. Besich credited his staff for their efforts on this issue and in turn Chairman Dawson expressed her appreciation of Mr. Besich for the knowledge and expertise he contributes. Supervisor Pastor commented that Gila County staff has complied with Congresswoman Kirkpatrick's requests, which now places Resolution Copper Company more behind the scenes and places the local communities in the forefront. Upon motion by

Vice-Chairman Martin, seconded by Supervisor Pastor, the Board unanimously approved becoming a member of the Copper Communities Alliance.

Item 9 - CONSENT AGENDA ACTION ITEMS:

- A. Approval to appoint Mr. Ken Volz as the Administrator for the Gila County Specified Enterprise Zone replacing Mr. Bill Marshall.**
- B. Approval of Exhibit A Amendment to Cooperative Law Enforcement Agreement (Master Agreement # 06-LE-11031200-005) between the Gila County Sheriff's Office and the U.S. Department of Agriculture, Forest Service, Tonto National Forest, which is the FY 2010 Financial and Operating Plan. The Plan is in effect through September 30, 2010.**
- C. Approval of Grant Contract Award No. CESTBEG09-02 in the amount of \$1,768.80 awarded by the Constable Ethics Standards & Training Board for the Equipment Grant Program to the Payson Regional Constable of which said funds will be used to purchase two ballistic vests.**
- D. Approval of FY 2010 Victims' Rights Program Award Agreement (A.G.) No. 2010-004 in the amount of \$32,300 awarded by the Arizona Attorney General's Office to the Gila County Attorney's Office of which said funds will be utilized for salaries and ERE for a full-time Advocate/Notification Clerk.**
- E. Approval of the September 29, 2009, BOS meeting minutes.**
- F. Approval of the September 2009 monthly departmental activity report submitted by the Clerk of the Superior Court.**
- G. Approval of the personnel reports/actions for the week of October 27, 2009.**

Departure from County Service:

- 1. Jennifer Rainville - Health and Community Services – Public Health Nurse I – 10/30/09 – Health Services Fund - DOH 09/14/09 - Resigned

Hire to County Service:

- 2. Nicholas Campagna - Health and Community Services – Animal Care Worker – 11-11-09 – Rabies Control Fund – Replacing Willow Raven – Vacant as of 07-31-09

End Probationary Period:

- 3. Jonathan Bearup – Globe Justice Court – Justice Court Clerk Associate – 10-26-09 – General Fund
- 4. Jeane Hill – Globe Justice Court – Justice Court Clerk Associate – 10-26-09 – General Fund

Position Review:

5. Mary Titla – BOS – Gila County Tribal Liaison – 09-01-09 – Constituent III Fund – Six month extension of temporary status
6. John Perlman – Globe Justice Court – Justice of the Peace Pro Tempore – 11-02-09 - Globe Justice Court Surcharge Fund – Working on an occasional basis

Request Permission to Post:

7. Health and Community Services – Public Health Nurse I – Position vacated by Jennifer Rainville

SHERIFF’S PERSONNEL ACTION ITEMS

Departure from County Service:

8. Terry Blevins - Sheriff’s Office – Deputy Sheriff Sgt. – 10-12-09- General Fund – DOH 02-09-04 – Resigned
9. Mary Leon - Sheriff’s Office – Detention Officer – 10-06-09 – General Fund – DOH 04-12-00 – Terminated for cause

Hire to County Service:

10. Thoreina Hensley – Sheriff’s Office – Deputy Sheriff Sgt. – 10-26-09 – General Fund – Replacing Terry Blevins
11. Kenneth Warden - Sheriff’s Office - Detention Officer – 10-26-09 – General Fund – Replacing Bryan Burgner

H. Approval of finance reports/demands/transfers for the week of October 27, 2009. (separate handout)

\$599,027.18 was disbursed for County expenses by check numbers 221684 through 221867. **(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 9A-9H.

Item 10 - 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 11 - At any time during this meeting pursuant to A.R.S. §38-31.02(K), members of the Board of Supervisors and the Chief Administrator may present a brief summary of current events. No action may be taken on issues presented.

Each Board member and Mr. Besich presented information on current events.

There being no further business to come before the Board of Supervisors,
Chairman Dawson adjourned the meeting at 11:33 a.m.

APPROVED:

Shirley L. Dawson, Chairman

ATTEST:

Steven L. Besich, County Manager/Clerk