

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

Date: February 2, 2016

MICHAEL A. PASTOR
Chairman

MARIAN E. SHEPPARD
Clerk of the Board

TOMMIE C. MARTIN
Vice-Chairman

By: Laurie J. Kline
Deputy Clerk

JOHN D. MARCANTI
Member

Gila County Courthouse
Globe, Arizona

PRESENT: Michael A. Pastor, Chairman; Tommie C. Martin, Vice-Chairman (via ITV); John D. Marcanti, Member; Don E. McDaniel, Jr., County Manager; Jefferson R. Dalton, Deputy County Attorney, Civil Bureau Chief; Marian E. Sheppard, Clerk of the Board; and Laurie J. Kline, Deputy Clerk.

Item 1 – CALL TO ORDER - PLEDGE OF ALLEGIANCE - INVOCATION

The Gila County Board of Supervisors met in a regular session at 10:00 a.m. this date in the Board of Supervisors' hearing room. David Rogers led the Pledge of Allegiance and Jacque Sanders delivered the invocation.

Item 2 – PRESENTATIONS:

A. Recognition of Gila County employees who have been employed for 5, 10, 15, 20, 25, 30, 35 and 40 years as of 2015.

Erica Raymond, Human Resources Assistant Senior, announced the 2015 Gila County Employee Service Awards, and the Board recognized and thanked each of the recipients in Payson and in Globe respectively as follows:

5 years

Zackery Andrade, Laura Bryant, Patrick Cottrell, Jessica Cruz, Beth Davies, Larry Dooly, Ruben Duarte, Jordan Flake, Jeremy Friestad, Cate Gore, Michael Lemon, Carl McCoy, Don McDaniel, Jr., Kendall Rhyne, Gary Scales, Howard Shapiro, Danielle Tumberlin, Lisa Wilckens, Charlotte Williams

10 years

Jay Boyer, Deborah Bradway, Scott Buzan, Shawn Campbell, Anna Cruz, Carol Fagan, Julie Hill, Michelle Keegan, Catherine Levario, Tommie Martin, Adrian Mata, Gerald Nenninger, Linda O'Dell, Johnnie Perez, Stephanie Perez, Mathilde Seibert, Tiffiney Tarango, Cheryl Wellington, Stevan Williams

15 years

William Carlson, Bianca Gilberti Dalmolin, Ruben Gonzales III, Cheri Heppler, Fred Lavin, Mary Leon, Ruth M. Lopez, Kathleen Joerns Lord, Lisa Modglin, Maria Rasmussen, Kaycee Reece, Michael Ybarra

20 years

Karen Baltz, Brent Cline, Rodney Cronk, Debbie Fickel, Sherry Grice, Noreen Prater, David Rogers, Anna Sanchez, Karen Yanez

25 years

Travis Baxley, Denice Bondurant, Michael Johnson, Julie Scott, Emma Yeoman

30 years

Ramon Garcia, Bertina Pratt, Donna Puhara, Arthur Salcido

35 years

Martha Gonzales

40 years

Ruben Casillas

Chairman Pastor thanked all of the employees for their hard work and dedication and stated that there were light refreshments available.

At 10:15 a.m. Chairman Pastor recessed the meeting.

At 10:30 a.m. Chairman Pastor reconvened the meeting.

Item 3 – REGULAR AGENDA ITEMS:

A. Information/Discussion/Action to appoint two (2) of the nominated qualified electors who meet the requirements of the Arizona Revised Statutes and Gila County policy to fill the two (2) vacancies on the Personnel Commission for four-year terms commencing January 1, 2016, and expiring December 31, 2019.

Don McDaniel, County Manager, advised that there are no term limits for the Personnel Commission, so if the Board so chooses, the two existing board members may be reappointed. He reviewed two of the requirements for serving on the Personnel Commission, as follows: 1) not more than three members shall be from the same political party; and, 2) County policy requires that at least one member shall have prior work experience in the law enforcement or probation field. The nominees are: Ken Volz, Lori Andrade, Kevin Nolan and Jaime Escobedo. Mr. McDaniel stated that Mr. Nolan and Mr. Escobedo have prior work experience in the law enforcement field.

Vice-Chairman Martin thanked the nominees for their willingness to assist the County by offering to serve on the Personnel Commission. Vice-Chairman Martin made a motion to reappoint Lori Andrade and appoint Jaime Escobedo

for a four-year term of office which runs from January 1, 2016, through December 31, 2019, which was seconded by Supervisor Marcanti. (The term of each incumbent will begin upon Board appointment.) Before the vote was taken, Chairman Pastor stated that he believed that Jaime Escobedo was a retired Department of Public Safety (DPS) Commander. Vice-Chairman Martin added that Mr. Escobedo grew up in Payson and currently resides there; however, she added that while employed with DPS, Mr. Escobedo's assigned patrol area was Globe so he is very knowledgeable about the entire County. It is her understanding that Mr. Escobedo retired in the position of Lieutenant. She was particularly pleased that Mr. Escobedo has no prior work history with Gila County. She commented that Ms. Andrade has been an asset to the Personnel Commission, so she was pleased with her willingness to serve another term of office. Chairman Pastor called for the vote on the motion, which passed unanimously.

Chairman Pastor asked Shelley McPherson, Human Resources and Risk Management Director, to notify Ms. Andrade and Mr. Escobedo about their reappointment/appointment to the Gila County Personnel Commission.

B. Information/Discussion/Action to approve an Intergovernmental Agreement with the Arizona Department of Economic Security to provide Title IV-D child support services in Gila County for the award period beginning October 1, 2015, and ending September 30, 2020.

Jefferson R. Dalton, Deputy Gila County Attorney, Civil Bureau Chief, stated that this Intergovernmental Agreement (IGA) with the Arizona Department of Economic Security (ADES) has been in existence since 1992. The new IGA contains essentially the same language as previous IGAs except for some added reporting requirements. Gila and Navajo Counties are the only two Arizona counties that manage their own child support programs. Approving this IGA will allow the Gila County Child Support Division to continue providing child support services to Gila County residents; otherwise, the services would be managed by ADES. Mr. Dalton stressed the importance to continue to provide a local child support office. He mentioned that the ADES's scores on incentive measures are lower than Gila County's incentive scores, so if this function were to be placed under the purview of ADES, most likely child support enforcement would decrease in Gila County. Upon motion by Supervisor Marcanti, seconded by Vice-Chairman Martin, the Board unanimously approved an Intergovernmental Agreement with the Arizona Department of Economic Security to provide Title IV-D child support services in Gila County for the award period beginning October 1, 2015, and ending September 30, 2020.

Item 4 – CONSENT AGENDA ACTION ITEMS: (Any matter on the Consent Agenda will be removed from the Consent Agenda and discussed and voted

upon as a regular agenda item upon the request of any member of the Board of Supervisors.)

A. Approval of the reappointment of Judge Gary V. Scales as Judge Pro Tempore for the Superior Court in Gila County for the period of July 1, 2016, until June 30, 2017.

B. Acknowledgment of James Hinton's resignation from the East Verde Park Fire District Board of Directors, and the appointment of Maggie Mean-Evans to fulfill Mr. Hinton's unexpired term, effective September 23, 2015, through December 31, 2016.

C. Approval of the following precinct committeemen appointments as submitted by the Gila County Republican Committee: Payson #2 - Jane Bradley Evans and Globe #7 - Peggy Porter.

D. Approval of Amendment No. 6 to Professional Services Agreement No. 062813-Medical Examiner Services between Gila County and Mark A. Fischione, M.D., PLC to extend the term of the contract from January 7, 2016, to July 6, 2016, and to increase the original contract amount from \$30,000 to \$65,000 for the new contract term.

E. Acknowledgment of the November 2015 monthly activity report submitted by the Recorder's Office.

F. Acknowledgment of the December 2015 monthly activity report submitted by the Clerk of the Superior Court's Office.

G. Approval of the January 5, 2016, and January 19, 2016, Board of Supervisors' meeting minutes.

H. Acknowledgment of the Human Resources reports for the weeks of January 5, 2016, January 12, 2016, January 19, 2016, and January 26, 2016.

JANUARY 5, 2016

DEPARTURES:

1. David Buffington – Public Works – Building Maintenance Technician Lead – 02/07/16 – Facilities Management Fund – DOH 02/05/96
2. Troy Sessions – Sheriff's Office – Temporary Emergency Response – 09/30/15 – General Fund – DOH 05/17/12
3. Arthur Salcido – Sheriff's Office – Deputy Sheriff Sgt. – 12/31/15 – General Fund – DOH 12/03/85

TEMPORARY HIRES TO COUNTY SERVICES:

4. Robert Gould – Community Development – Temporary Planner – 01/04/16 – General Fund

END PROBATIONARY PERIOD:

5. Austin Payne – Public Works – Automotive Service Worker – 01/06/16 – Public Works Fund

OTHER ACTIONS:

6. Scott Buzan – Community Development – From Chief Building Official – To Community Development Site Supervisor – 12/28/15 – General Fund – Temporary assignment

REQUEST TO POST:

7. Public Works – Building Maintenance Technician Lead – Vacated by David Buffington

8. Superior Court – Part-Time Bailiff

JANUARY 12, 2016

DEPARTURES:

1. Paul Curzon – Assessor’s Office – Mapping Technician – 01/07/16 – General Fund – DOH 11/02/15

2. Melanie Sabbatino-Tackett – Superior Court – Administrative Clerk Senior – 12/10/15 – Court Appointed Special Advocate(.50)/Court Improvement Project(.50) Funds – DOH 11/30/15

3. Austin Stratton – Sheriff’s Office – Detention Officer – 01/05/16 – General Fund – DOH 03/23/15

NEW HIRES:

4. John Bacon – Public Works – Part-Time Custodian (.85) – 01/19/16 – Facilities Management Fund – Replacing Rebecca Taylor

5. Amy Korth – Recorder’s Office – Recorder’s Clerk – 01/25/16 – General Fund – Replacing Kassandra Seaver

6. Victoria Waynick – Superior Court – Administrative Clerk Senior – 01/11/16 – General Fund

7. Jace Johnson – Public Works – Building Maintenance Technician – 01/19/16 – Facilities Management Fund – Replacing Jerry M. Moore

END PROBATIONARY PERIOD:

8. Patti Dremmler – Public Works – Administrative Clerk Specialist – 01/08/16 – Public Works Fund

DEPARTMENTAL TRANSFERS:

9. Charles Turney – Health and Emergency Services – Community Health Specialist – 01/19/16 – Prescription Drug Overdose Prevent Fund – New grant funded position

10. Duncan Rose – County Attorney’s Office – From Deputy County Attorney Senior – To Deputy County Attorney Principal – 01/11/16 – General Fund – Replacing Travis Shield

11. Jessica Oortman – County Attorney’s Office – From Deputy County Attorney – To Deputy County Attorney Senior – 01/11/16 – From Drug Prosecution Grant Fund – To General Fund – Replacing Duncan Rose

12. Calley Anderson – County Attorney’s Office – Deputy County Attorney – 01/11/16 – From General Fund – To Drug Prosecution Grant Fund – Replacing Jessica Oortman

OTHER ACTIONS:

13. Sylvia Hernandez – Probation – From Probation Operations Manager – To Chief Administrative Officer – 01/11/16 – General Fund

REQUEST TO POST:

14. County Attorney’s Office – Deputy County Attorney – Vacated by Calley Anderson

15. Assessor’s Office – Mapping Technician – Vacated by Paul Curzon

JANUARY 19, 2016

DEPARTURES:

1. Brent Miller – Sheriff’s Office – Detention Officer – 01/05/16 – General Fund – DOH 02/13/12

2. Allen Oswalt – Public Works – Public Works Roads Supervisor – 04/03/16 – Public Works Fund – DOH 07/25/94

NEW HIRES:

3. Mary Charles – Sheriff’s Office – Detention Officer – 01/25/16 – General Fund – Replacing Jordan Reardon

4. Donald Hayes III – Sheriff’s Office – Detention Officer – 01/25/16 – General Fund – Replacing Mariah Campagna

5. Kristy Johnson – Public Fiduciary – Administrative Clerk – 01/25/16 – General Fund – Replacing Stephanie Chaidez

6. Tracey Helgeson – Sheriff’s Office – Public Health Nurse – 01/25/16 – General Fund – Replacing Jessica Madrid

OTHER ACTIONS:

7. Thomas Dando – Public Works – Recycling and Landfill Operations Worker Senior – 01/19/16 – Recycling and Landfill Management Fund – Personal leave of absence

8. Brenda Cova – Probation – Administrative Clerk Senior – 07/01/15 – From Diversion Intake (.75)/Juvenile Standards Probation (.25) Funds – To Diversion Intake (.50)/Juvenile Standards Probation (.50) Funds – Change in fund code percentages

9. Kendall Rhyne – Probation/Superior Court – Chief PO/Court Administrator – 01/11/16 – Various Funds – Change in fund codes

REQUEST TO POST:

10. Sheriff’s Office – Property and Evidence Custodian – Vacated by Marcus Teague

11. Health and Emergency Services – Community Health Specialist – Vacated by Charles Turney

JANUARY 26, 2016

DEPARTURES:

1. Howard Shapiro – Sheriff’s Office – Special Investigator (.48) – 01/15/16 – General Fund – DOH 07/05/10
2. Clifton Mitchell – Public Works – Recycling and Landfill Operator Worker Senior – 02/21/16 – Recycling and Landfill Management Fund – DOH 07/21/08
3. James Gibson – Public Works – Recycling and Landfill Operator Worker Senior – 01/30/16 – Recycling and Landfill Management Fund – DOH 05/03/12

END PROBATIONARY PERIOD:

4. Susan Pontel – Assessor’s Office – Cartography GIS Analyst – 01/27/16 – General Fund
5. Adela Valenzuela – Public Fiduciary – Finance Specialist – 02/24/16 – General Fund
6. Kevan Ford – Community Services – Administrative Clerk Senior – 02/17/16 – CAP (.50)/GEST(.50) Funds
7. Shealene Stidham – Recorder’s Office – Voter Registration Coordinator – 01/13/16 – General Fund

DEPARTMENTAL TRANSFERS:

8. John Digman – Public Works – From Road Maintenance and Equipment Operator – To Road Maintenance and Equipment Operator Senior – 02/01/16 – Public Works Fund – Replacing David Slaughter

REQUEST TO POST:

9. Public Works – Recycling and Landfill Operator Worker Senior – Vacated by Clifton Mitchell

I. Acknowledgment of contracts under \$50,000 which have been approved by the County Manager for the weeks of December 14, 2015, through December 18, 2015; December 21, 2015, through December 25, 2015; and, December 28, 2015, through January 01, 2016.

J. Approval of finance reports/demands/transfers for the weeks of January 4-10, 2016, in the amount of \$774,988.29; January 11-17, 2016, in the amount of \$1,786,698.11; and, January 18-24, 2016, in the amount of \$330,021.57. (An itemized list of disbursements is attached to the minutes and permanently on file in the Board of Supervisors’ Office.)

Upon motion by Vice-Chairman Martin, seconded by Supervisor Marcanti, the Board unanimously approved Consent Agenda action items 4A – 4J.

Item 5 – CALL TO THE PUBLIC: Call to the Public is held for public benefit to allow individuals to address the Board of Supervisors on any issue within the jurisdiction of the Board of Supervisors. Board members may not discuss items that are not specifically identified on the agenda. Therefore, pursuant to Arizona Revised Statute §38-431.01(H), at the conclusion of an open call to the public, individual members of the Board

of Supervisors may respond to criticism made by those who have addressed the Board, may ask staff to review a matter or may ask that a matter be put on a future agenda for further discussion and decision at a future date.

There were no comments from the public.

Item 6 – At any time during this meeting pursuant to A.R.S. §38-431.02(K), members of the Board of Supervisors and the County Manager may present a brief summary of current events. No action may be taken on information presented.

Each Board member and the County Manager presented information on current events.

Item 7 – EXECUTIVE SESSION ITEMS: (The Board of Supervisors may vote to go into executive session on one or all of the items listed in this section. No action will be taken by the Board while in executive session.)

At 10:54 a.m. upon motion by Supervisor Marcanti, seconded by Vice-Chairman Martin, the Board unanimously voted to go into Executive Session to address agenda items 7A-7F.

At 11:32 a.m. Chairman Pastor reconvened the meeting. Vice-Chairman Martin did not return to the regular meeting after the Executive Session due to a previous appointment.

A. Information/Discussion/Action to vote to go into executive session pursuant to A.R.S. § 38-431.03(A)(3) and 38-431.03(A)(4) regarding a Request for Waiver of Service for Continental Energy, LLC v. Gila County, TX2015-000969, and a request to allow the Attorney General's Office to represent Gila County in this matter. After the Regular Meeting has been reconvened, move to direct the County Attorney's Office to proceed as directed in the executive session regarding this agenda item.

Upon motion by Supervisor Marcanti, seconded by Chairman Pastor the Board voted to direct the County Attorney's Office to proceed as directed in the executive session regarding this agenda item.

B. Information/Discussion/Action to vote to go into executive session pursuant to A.R.S. § 38-431.03(A)(3) and 38-431.03(A)(4) regarding a Request for Waiver of Service for Continental Energy, LLC v. Gila County, TX2015-000950, and a request to allow the Attorney General's Office to represent Gila County in this matter. After the Regular Meeting has been

reconvened, move to direct the County Attorney's Office to proceed as directed in the executive session regarding this agenda item.

Upon motion by Supervisor Marcanti, seconded by Chairman Pastor the Board voted to direct the County Attorney's Office to proceed as directed in the executive session regarding this agenda item.

C. Information/Discussion/Action to vote to go into executive session pursuant to A.R.S. § 38-431.03(A)(3) and 38-431.03(A)(4) regarding a request to allow the Attorney General's Office to represent Gila County for Constellation Solar Arizona, LLC v. Gila County, TX 2015-000112. After the Regular Meeting has been reconvened, move to direct the County Attorney's Office to proceed as directed in the executive session regarding this agenda item.

Upon motion by Supervisor Marcanti, seconded by Chairman Pastor the Board voted to direct the County Attorney's Office to proceed as directed in the executive session regarding this agenda item.

D. Information/Discussion/Action to vote to go into executive session pursuant to A.R.S. § 38-431.03(A)(3) and 38-431.03(A)(4) regarding a request to allow the Attorney General's Office to represent Gila County for Sunrun Inc. v. Gila County, TX 2015-000450. After the Regular Meeting has been reconvened, move to direct the County Attorney's Office to proceed as directed in the executive session regarding this agenda item.

Upon motion by Supervisor Marcanti, seconded by Chairman Pastor the Board voted to direct the County Attorney's Office to proceed as directed in the executive session regarding this agenda item.

E. Information/Discussion/Action to vote to go into executive session pursuant to A.R.S. § 38-431.03(A)(3) and 38-431.03(A)(4) regarding a request to allow the Attorney General's Office to represent Gila County for Solarcity Corporation v. Gila County, TX 2015-000240. After the Regular Meeting has been reconvened, move to direct the County Attorney's Office to proceed as directed in the executive session regarding this agenda item.

Upon motion by Supervisor Marcanti, seconded by Chairman Pastor the Board voted to direct the County Attorney's Office to proceed as directed in the executive session regarding this agenda item.

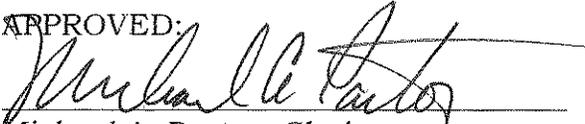
F. Information/Discussion/Action to vote to go into executive session pursuant to A.R.S. § 38-431.03(A)(3) and 38-431.03(A)(4) regarding a proposed Settlement Agreement for Carson Construction Inc. v. Gila County, CV 201500006, regarding the Pine Creek Canyon Road

Construction Project. After the Regular Meeting has been reconvened, move to direct the County Attorney's Office to proceed as directed in the executive session regarding this agenda item.

Supervisor Marcanti made a motion to direct the County Attorney's Office to proceed as directed in the executive session, which was seconded by Chairman Pastor. Before the vote was taken, Mr. Dalton asked the Board to consider revising the motion to also instruct the County Attorney's Office to approve any necessary paperwork in connection with the settlement according to the County Attorney's recommendations, to which the Board agreed. Chairman Pastor asked for the vote on the revised motion, which passed.

There being no further business to come before the Board of Supervisors, Chairman Pastor adjourned the meeting at 11:38 a.m.

APPROVED:



Michael A. Pastor, Chairman

ATTEST:



Marian Sheppard, Clerk of the Board