

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

Date: April 21, 2009

SHIRLEY L. DAWSON
Chairman

STEVEN L. BESICH
Clerk of the Board

TOMMIE C. MARTIN
Vice-Chairman

By: Marilyn Brewer
Deputy Clerk

MICHAEL A. PASTOR
Member

Gila County Courthouse
Globe, Arizona

PRESENT: Shirley L. Dawson, Chairman; Tommie C. Martin, Vice-Chairman (via video conferencing); Michael A. Pastor, Member; Steve Besich, County Manager/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. Steve Besich led the Pledge of Allegiance and Pastor Jim Knight of the Nazarene Church delivered the invocation.

Item 2 - Information/Discussion/Action to adopt Proclamation No. 09-04 to declare April 26 – May 2, 2009, as National Crime Victims’ Week in Gila County, themed “25 Years of Rebuilding Lives, Celebrating the Victims of Crime Act.”

Liz Fetterman, Victims’ Witness Advocate for the County Attorney’s Office, introduced members of her staff, Terry Dalton and Brenda Van Haren. She showed a brief video on the history and passage of the Victims of Crimes Act (VOCA). She stated, “During the 2009 National Crime Victims’ Week, we celebrate a landmark of federal legislation that was enacted 25 years ago on behalf of victims of crime. The year’s theme is appropriate—“25 Years of Rebuilding Lives’.” VOCA and other countless laws/policies reflect the tremendous progress that has been made in securing legal rights, protections and services for victims of crime. The trauma from victimization can be devastating and Arizona citizens are fortunate to have a network of agencies in all 15 counties that provide services and support to tens of thousands of victims annually. Ms. Fetterman was proud to state that Arizona has long been a pacesetter in victims’ rights with Arizona’s Constitutional Victims’ Rights Amendment ratified in 1990. She stated, “We can and must continue to advocate for victims’ rights individually and collectively. We must communicate that victims’ rights are as equally important as the defendants’

rights. Crime victims must be treated with fairness, respect, and dignity by everyone in the system every step of the way.” Ms. Fetterman then read aloud the Proclamation and requested the Board’s adoption of same. Supervisor Pastor stated that as a new supervisor, he would like to meet with Ms. Fetterman to learn more about the program. Vice-Chairman Martin and Chairman Dawson both thanked Ms. Fetterman and her staff for their efforts in rebuilding the lives of these crime victims. Chairman Dawson also noted that she will be working through Mary Kim Titla of San Carlos with Ms. Fetterman’s office in establishing a strong victims’ rights program in San Carlos. Ms. Fetterman stated that as part of her outreach program she has met with the Social Service providers often and wants to reach out to the entire County. Ms. Fetterman noted that a Candlelight Ceremony to commemorate victims of crime will be held on Wednesday, April 29, 2009, at 6:30 p.m. in front of the County Courthouse building and she invited the Board and the public to attend same in support of the victims and their survivors. Upon motion by Supervisor Pastor, seconded by Vice-Chairman Martin, the Board unanimously adopted Proclamation No. 09-04, declaring April 26-May 2, 2009, as National Crime Victims’ Week in Gila County.

Item 3 - Information/Discussion/Action to authorize Board members to sign a Letter of Support to be included in the Houston Mesa Road Transportation Reauthorization application.

Steve Stratton, Public Works Division Director, stated his staff and the staff of Steve Besich, County Manager/Clerk, have been working with the County’s lobbyist, Patty Power, to get a request for funds into this year’s Transportation Reauthorization Act and in doing so there are certain criteria which must be met along with letters of support signed by the Board. He noted that the letters were finalized this morning for the Board’s approval. Mr. Stratton advised that he has reviewed the letters, the information is accurate and they will be sent to Congresswoman Kirkpatrick, Congressman Mitchell, Congressman Pastor and Senator Kyle. Upon motion by Supervisor Pastor, seconded by Vice-Chairman Martin, the Board unanimously authorized a Letter of Support signed by the Board to be included in the Houston Mesa Road Transportation Reauthorization application.

Item 4 - Information/Discussion/Action to authorize Board members to sign a Letter of Support to be included in the Tonto Creek Bridge Transportation Reauthorization application.

Mr. Stratton stated that this letter is the same as the letter for agenda item number 3, but it will be for the Tonto Creek Bridge Reauthorization application for completion of the design and construction of the Tonto Creek Bridge and will be sent to the same members of Congress and Senator. Upon motion by Vice-Chairman Martin, seconded by Supervisor Pastor, the Board unanimously

authorized a Letter of Support signed by the Board to be included in the Tonto Creek Bridge Transportation Reauthorization application.

Item 5 – Information/Discussion/Action to authorize the Gila County Housing Services Department to submit a Grant Application to the Arizona Department of Housing (ADOH) in response to ADOH Request for Proposals No. 09-05 – Neighborhood Stabilization Program.

Malissa Buzan, Housing Services Program Manager, requested approval to submit a grant application to the ADOH in response to its request for a proposal called the Neighborhood Stabilization Program (NSP). NSP came to Arizona in early fall of last year through the former administration of the federal government in response to the high housing foreclosures in Arizona. At that time, ADOH decided to keep the program in-house as far as the rural areas. As of this date, there have been no homes or loan packages completed through this program in rural counties, so ADOH is now putting these requests out to the counties. The County, through her department, will identify eligible participants, who will go online, find a participating lender and then her staff will assist the participants in locating a foreclosed vacant property in Gila County. The County will also receive home packaging fees. Most of the work will be done by the lenders and real estate agents that are participating in the program. The County will handle the Housing Quality Standards inspections of the homes and upon completion the participants will become home owners. The income requirement will be 120% of the area median income, which is on the high side compared to what her office is used to handling, which is 60% to 80%. Chairman Dawson inquired as to the current median income for Gila County. Ms. Buzan wasn't sure but stated that 80% of the median income in Gila County for one person is \$1,794.00 and another 40% would need to be added in order to obtain the income figure for the 120% requirement. Supervisor Pastor inquired if this was a rehabilitation program for foreclosed properties. Ms. Buzan stated that it is not a rehabilitation program. Her department, on behalf of the County, will publicize this program, get interested mortgage lenders and real estate agents involved and assist the applicant through the process of loan documents. It is not necessarily a competitive grant. Upon motion by Vice-Chairman Martin, seconded by Supervisor Pastor, the Board unanimously authorized the Gila County Housing Services Department to submit a Grant Application to the Arizona Department of Housing in response to ADOH Request for Proposals No. 09-05-Neighborhood Stabilization Program. Vice-Chairman Martin thanked Ms. Buzan for staying on top of these programs and appreciates her work. Mr. Besich requested that Ms. Buzan provide an update to the Board upon completion of the first project as he believes this will be a "tough program."

Item 6 - Information/Discussion/Action to review and grant the County Attorney's Office permission to submit two applications for the renewal of an existing drug prosecution grant for cycle 23 and apply for additional

funding under priority #5 for computer equipment and funding for ½ salary expenses for a secretary assigned to case management duties through an on-line application being submitted to the Arizona Criminal Justice Commission (ACJC).

Bryan Chambers, Chief Deputy County Attorney, stated that this is a request from the County Attorney's Office to apply for 2 grants—one for \$72,000, which requires a 25% match, to be used for positions in the County Attorney's Office and the second one is for \$10,000 for 5 laptop computers and 2 scanners to be used for the case management system that will be implemented. If approved by ACJC, it will be brought back for the Board's final approval. Chairman Dawson inquired if the 25% match has been provided for in the County Attorney's budget. Mr. Chambers replied that this grant has been requested and received for several years and the 25% is budgeted by the County Attorney's Office each year. Upon motion by Supervisor Pastor, seconded by Vice-Chairman Martin, the Board unanimously authorized the submission of 2 applications for the renewal of an existing drug prosecution grant for cycle 23 and approve the submission of an application for additional funding under priority #5 for computer equipment and funding for ½ salary expenses for a secretary assigned to case management duties through an on-line application being submitted to the Arizona Criminal Justice Commission.

Item 7 – Information/Discussion/Action regarding an update on the status of agreement between Gila County and Coconino County for Forest Service Road 512.

Chairman Dawson spoke about the past history of this road and the many who have tried to get this road funded for its completion and the frustrations involved. Congressman Renzi earmarked \$725,000-\$750,000 for Forest Service Road 512 to be paved; however, 3 years have passed and those funds remain in the bank unused although the amount has been reduced to \$692,000 by the federal government taking part of it back. Congresswomen Kirkpatrick has just submitted an additional earmark for another \$1 million to complete this expensive project. An agreement is required with Coconino County because it is a U.S. Federal Forest Road and the top 3 miles of this road are located in Coconino County. Chairman Dawson stated that what is needed is a County Attorney's opinion that will decide how this money can be used or she would recommend giving the funds to another County that will use the funds for its roads and is willing to move forward on its projects. Chairman Dawson advised that she will be placing this item on the agenda each week until the issue has been resolved. Mr. Chambers stated, "I hear very clearly the Chairman's concern about the highway. We are mindful of that and will continue to see if we can do what is proposed, which to this point is to pave the portion of highway that is in Coconino County, a portion of highway that Coconino County agreed back in the early 1990s with the federal government to maintain. They received an easement for the highway and part of that

easement was that they were going to maintain that road and apparently there is not a whole lot of motivation from Coconino County to live up to that responsibility. The road does benefit Gila County more than it benefits any resident of Coconino County. We are looking at legal ways to see if we can actually pave a portion of this highway that is not located in Gila County. I have talked to the Deputy County Attorney of Coconino County and we are looking at possibly having an intergovernmental agreement where Gila County would agree to essentially take on this responsibility for Coconino County. Because of the unusual nature of this, there are some legal hurdles to get over to figure out how we can legally do this. Frankly, it is a bit unusual to improve a road in another county. I think there are some ways we can do that. I anticipate in the coming weeks that we should find out whether or not that will work with Coconino County and be able to make a determination legally as to whether we can legally begin to maintain a road that is not a Gila County road. Part of this will require that we get an easement for this portion of the highway that is located in Coconino County. I think it's very possible that if we can get that easement, we could probably get over the legal hurdles, but I don't know how long that will take. If Chairman Dawson would like this on the agenda every week until it happens, that is certainly fine, but it is something we are working on and will continue to work on and we will try to come up with an opinion that says it is legal and if we don't think it is legal we won't be able to provide that opinion." Chairman Dawson stated, "I believe the County has an obligation to free up those funds and if Gila County can't use those funds, then we need to help some other county do something they can do. I share with the people of Young the frustration knowing that even a portion of it could be improved, so I will have this on the agenda until there is some conclusion to it. I will be the one making the motion to give the money to another county or return it to the federal highways if we don't have action on it." Supervisor Pastor stated that before any funds are given to other counties, he would want to ensure that all avenues have been reviewed for solving the issue and that there will be discussions as a full Board. Chairman Dawson stated, "It would be an action of this Board, but I feel that it is unfair with the economy of this nation like it is that every board or council wherever isn't making every effort to seeing that the monies that are there are wisely put to use and 3 years is a bit long to keep this community wondering." She encouraged everyone to take a drive on that road, particularly the area known as "Dead Man's Curve" where many accidents have occurred. Vice-Chairman Martin stated that she has driven that road all her life and it is certainly time to make that a paved road particularly in light of the fact that we have just asked Congresswoman Kirkpatrick to request another \$1 million, which she has done. So it's not just the \$700,000, but \$1.7 million if the request is approved. Vice-Chairman Martin stated, "We have no business asking her for more money if we're not going to use the money that we got to start with. I appreciate what Chairman Dawson is doing here and I would like to get this resolved as well." No action was taken by the Board.

Item 8 - CONSENT AGENDA ACTION ITEMS:

- A. Approval to appoint the following as members to the Census 2010 Complete Count Committee for Gila County: Barb Godbold-Tonto Basin, Keith Godbold-Tonto Basin and Gina Paul, City of Globe Clerk.**
- B. Approval to reappoint Peter Havens representing Supervisorial District One to the Gila County Advisory and Appeals Board through December 3, 2012.**
- C. Approval of a request submitted by the Gila County Rodeo Committee to use the Fairgrounds Exhibit Hall for the Gila County Rodeo Queen Luncheon to be held on May 30, 2009, with a waiver of fees.**
- D. Approval of Amendment No. 3 to an Intergovernmental Agreement (Contract No. HG752219) with the Arizona Department of Health Services to change the price sheet of said Contract which relates to the Proposition 201 Smoke-Free Arizona Act.**
- E. Approval of Amendment No. 11 to an Intergovernmental Agreement (Contract No. E6306015) with the Arizona Department of Economic Security to reflect an overall net decrease of \$30,037 and to extend the term from July 1, 2009, to June 30, 2010.**
- F. Approval of Amendment No. 4 to an Intergovernmental Agreement (Contract No. HP561263-009) with the Arizona Department of Health Services to extend the term of the Contract through June 30, 2010, which applies to the Health Start Services Program.**
- G. Approval of a Professional Services Agreement between the Health and Community Services Division, Office of Health, and Lori Burke, FNP, to provide “well baby” visits at the Payson Health Department for the period May 1, 2009, to May 1, 2010.**
- H. Approval of a revised February 2009 and the March 2009 monthly departmental activity reports submitted by the Globe Regional Constable.**
- I. Approval of personnel reports/actions for the week of April 21, 2009.**

Departure from County Service:

- 1. Patricia Hall – Globe Regional Justice Court – Justice Court Clerk
Associate – 04-09-09 – General Fund – DOH 03-03-09 - Resigned

Hire to County Service:

2. Jonathan Bearup – Globe Justice Court – Justice Court Clerk Associate – 04-08-09 – General Fund – Replacing Charlotte Williams – Position vacant as of 11-12-08
3. Kimberley Gissendanner - Health and Community Services – Career and Employment Specialist – 04-20-09 – WIA Fund – Replacing Mary Dixon – Position vacant as of 01-13-09

Temporary Hire to County Service:

4. John Perlman – Globe Justice Court – Justice of the Peace Pro Tempore – 04-02-09 – Globe Justice Court Surcharge Fund
5. Linda Shirley – Globe Regional Justice Court – Justice Court Clerk Associate – 04-13-09 – General Fund
6. Ellen Caldwell – Globe Regional Justice Court – Justice Court Clerk Associate – 04-13-09 – General Fund

SHERIFF’S PERSONNEL ACTION ITEMS

Departure from County Service:

7. Thomas Shorts – Sheriff’s Office/Payson – Deputy Sheriff – 04-06-09 – General Fund – DOH 10-29-07 - Resigned

Hire to County Service:

8. Curtis Lane – Sheriff’s Office/Globe – Detention Officer – 04-27-09 – General Fund Replacing Misty Osborn

Departmental Transfers:

9. Lisa Hicks – Sheriff’s Office/Payson – From 911 Dispatch Supervisor – To 911 Dispatcher – 03-25-09 – General Fund
10. Candice Jorgenson – Sheriff’s Office/Payson – 911 Dispatcher/Interim Supervisor – 03-25-09 – General Fund

End Probationary Period:

11. Laura Schluns – Sheriff’s Office/Globe - Detention Officer – 04-13-09 – General Fund

Position Review:

12. Laura Schluns – Sheriff’s Office/Globe – Detention Officer – 04-07-09 – General Fund – Rescinded her resignation

J. Approval of finance reports/demands/transfers for the week of April 21, 2009. (separate handout)

\$1,668,866.58 was disbursed for County expenses by check numbers 217079 through 217294. **(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 Action items 8A-8J.

Item 9 - 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 10 - 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.

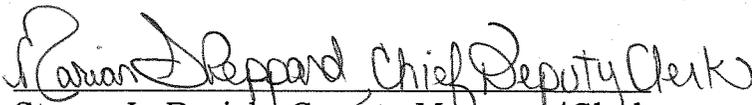
There being no further business to come before the Board of Supervisors, Chairman Dawson adjourned the meeting at 10:55 a.m.

APPROVED:



Shirley L. Dawson, Chairman

ATTEST:



Steven L. Besich, County Manager/Clerk