BOARD OF SUPERVISORS MINUTES
GILA COUNTY, ARIZONA

Date: April 15, 2014

MICHAEL A. PASTOR
Chairman

TOMMIE C. MARTIN
Vice-Chairman

JOHN D. MARCANTI
Member

MARIAN E. SHEPPARD
Clerk of the Board

By: Laurie J. Kline
Deputy Clerk

Gila County Courthouse
Globe, Arizona

PRESENT: Michael A. Pastor, Chairman; Tommie C. Martin, Vice-Chairman (via ITV); John D. Marcanti, Supervisor; Don E. McDaniel, Jr., County Manager; Jacque Griffin, Assistant County Manager/Librarian; June Ava Florescue, Deputy Attorney Principal; 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. Steve Sanders led the Pledge of Allegiance and Pastor Joe Hittle of Calvary Chapel in Payson delivered the invocation.

Item 2 – PRESENTATIONS:

A. Information/Discussion: Update of legislative activity in Washington, D.C. by Patricia Power of Bose Public Affairs Group.

Patricia Power (via telephone) provided a summary of the following recent legislative activities relevant to Gila County.

- Provided support for Vice-Chairman Martin's visit to Washington for the annual National Association of Counties (NACo) legislative meeting.
- Continued to discuss County priorities including forest health and wildfire threats and Four Forest Restoration Initiative (4FRI), transportation needs, including ongoing forest road projects and the Tonto Creek bridge, Payment in Lieu of Taxes (PILT) and Secure Rural Schools (SRS), Endangered Species Act decision impacts, water projects in Payson, and broader issues like immigration and education.

- Researched U.S. Department of Transportation programs like Federal Lands Access Program (FLAP).
- Prepared for Vice-Chairman Martin's visit to Washington for the Rural Action Caucus meeting in early April.

Chairman Pastor inquired as to the status of Moving Ahead for Progress in the 21st Century (MAP-21) to which Ms. Power replied that MAP-21 has been a strong focus of NACo but that MAP-21 will expire at the end of September 2014. Ms. Power added that there have been a lot of changes and consolidations to MAP-21 which have reduced funding; however, administration has prepared a bill to increase funding by 37 percent for an additional four years. Also, NACo has been made aware that MAP-21 has not been effective in Gila County per information provided by Gila County Public Works Directors.

Don McDaniel, County Manager stated that the NACo podcast is ready to play should it please the Board.

Ms. Power stated that Matthew D. Chase, Executive Director of NACo, produced a podcast "right on the spot" of Vice-Chairman Martin explaining the successful project of Gila County with regard to water bladders and forest fire control methods, at which time the audio only of the podcast was played as the video was not functioning properly. She added that the podcast is available for viewing on the NACo website.

Supervisor Marcanti inquired as to the delay with the 4FRI project, to which Vice-Chairman Martin replied that the chosen contractor has not performed well, and that the project was sold to another contractor in the Middle East who had a project start window of three to five years. Additionally, according to the original contract there should have been 15,000 acres cleared in the first year, 30,000 acres cleared in the second year and another 30,000 acres cleared in the third year; thus far, there have been approximately 1,500 acres cleared.

Chairman Pastor thanked Ms. Power for the presentation.

B. Presentation of the 2013 Annual Report for the Gila County Sheriff's Office.

Sheriff J. Adam Shepherd (via ITV) stated that this was the first annual report of its kind and that there was an approximate seven-percent savings in the total cost of the 2013 budget. Sheriff Shepherd gave a brief overview of the information contained in the report and then introduced Sarah White, Chief Administrative Officer, who described the labored process of preparing the annual report by manually extracting data from 15-year old software. She stated that in producing the annual report it was evident that performing an

audit and obtaining updated software would be necessary moving forward. Spillman Technologies, Inc. is the provider of the software currently in use by the Sheriff's Office and that company will be performing an update to the software system.

Vice-Chairman Martin appreciated the presentation and the opportunity for the success stories of the Sheriff's Office to be told and she emphasized the need for more vehicles to be available to the Sheriff's Office Posse volunteers; two in the Tonto Basin area and two in Globe.

Supervisor Marcanti inquired if the Sheriff was aware of any problems in the working relationship with the San Carlos Apache Tribe to which Sheriff Shepherd stated that there were not any issues presently and that there has been a good working relationship between the two entities.

Chairman Pastor inquired how the annual report would be disseminated to the public, to which Ms. White stated that it would be released to the media as a public service announcement. She stated that there would be a link available on the Sheriff's Office and Gila County websites. She added that the annual report would be printed for use as public outreach.

Item 3 – PUBLIC HEARINGS:

A. Information/Discussion/Action to adopt Resolution 14-04-02 to name a previously unnamed section of road in Tonto Basin as W. Desert Breeze Lane.

Steve Stratton, Public Works Division Director, stated that the Rural Addressing Department was contacted by a property owner with regard to naming a section of unnamed road. County policy was followed whereby a petition was sent to relevant adjoining parcel owners requesting street name suggestions. There was one suggestion submitted; however, it was rejected as it was not in compliance with County Ordinance No. 11-03. A second petition was received by Rural Addressing containing the name W. Desert Breeze Lane, which was accepted. A public notice was published in the Arizona Silver Belt, the official newspaper of record, for two consecutive issues, and there were no written objections received from the public during the comment period.

Chairman Pastor opened the public hearing and there being no comments; he closed the public hearing and asked for a motion. Upon motion by Vice-Chairman Martin, seconded by Supervisor Marcanti, the Board unanimously adopted Resolution 14-04-02 to name a previously unnamed section of road in Tonto Basin as W. Desert Breeze Lane. **(A copy of the Resolution is permanently on file in the Board of Supervisors' Office.)**

B. Information/Discussion/Action to adopt Resolution 14-04-05 to name a previously unnamed section of road in Tonto Basin as N. Park View Lane.

Mr. Stratton stated that Ewing Land and Cattle, a real estate company, inquired about a parcel on N. McLellan Drive that had no address. The property owners on this street petitioned to name the unnamed section of road N. Park View Lane. The County Rural Addressing Analyst determined the global positioning system (GPS) location and mapped it accordingly. A public notice was published in the Arizona Silver Belt, the official newspaper of record, for two consecutive issues, and there were no written objections received from the public during the comment period.

Chairman Pastor opened the public hearing and there being no comments; he closed the public hearing and asked for a motion. Upon motion by Supervisor Marcanti, seconded by Vice-Chairman Martin, the Board unanimously adopted Resolution 14-04-05 to name a previously unnamed section of road in Tonto Basin as N. Park View Lane. **(A copy of the Resolution is permanently on file in the Board of Supervisors' Office.)**

Item 4 – REGULAR AGENDA ITEMS:

A. Information/Discussion/Action to adopt Proclamation No. 2014-04 to proclaim May 1, 2014, as the National Day of Prayer in Gila County.

Jerry Green of Payson provided information that National Day of Prayer was officially created in 1952 by a joint resolution of the U.S. Congress and signed into law by President Harry Truman and that since 1988 the first Thursday in May has been designated as the National Day of Prayer by the Governor of the State of Arizona and by the President of the United States of America. Upon motion by Vice-Chairman Martin, seconded by Supervisor Marcanti, the Board unanimously adopted Proclamation No. 2014-04 to proclaim May 1, 2014, as the National Day of Prayer in Gila County. **(A copy of the Proclamation is permanently on file in the Board of Supervisors' Office.)**

B. Information/Discussion/Action to adopt Proclamation No. 2014-05 proclaiming April as "Fair Housing Month" in Gila County.

Malissa Buzan, Community Services Division Director, stated that this proclamation is designed to raise awareness of the Fair Housing Act of 1968, which was passed shortly after the assassination of Dr. Martin Luther King, Jr. The Act prohibits housing discrimination based on race, color, national origin, religion, sex, disability, and family status. Gila County would be joining a national effort to support fair housing by proclaiming April as Fair Housing Month. Upon motion by Supervisor Marcanti, seconded by Vice-Chairman Martin, the Board adopted Proclamation No. 2014-05 proclaiming April as "Fair

Housing Month" in Gila County. **(A copy of the Proclamation is permanently on file in the Board of Supervisors' Office.)**

C. Information/Discussion/Action to adopt Resolution No. 14-04-06 which authorizes the execution of an Intergovernmental Agreement (ADOT File No. IGA/JPA 14-0004031-I) between Gila County and the State of Arizona, Department of Transportation for the construction of a bridge on Ewing Trail over Oak Creek in the Tonto Basin area of Gila County.

Steve Sanders, Public Works Division Deputy Director, stated that this item started in March 2009 as a project that would include a bridge over Oak Creek. At that time it was determined that it would cost upwards of $17 million; therefore, the County would have been unable to complete the project. In July of 2013, the County was awarded funds from Central Arizona Governments' (CAG) Transportation Technical Advisory Committee (TTAC) in the amount of approximately $1.3 million. Consequently, the County is able to proceed with this portion of the project by covering the difference of approximately $650,000 to be paid from the ½ cent transportation excise tax fund.

Supervisor Marcanti inquired if the Arizona Department of Transportation (ADOT) would administer the project. Mr. Sanders explained that the design of the project will be done by Kimley-Horn and Associates, Inc. and that ADOT will bid, advertise, administer and oversee construction of the project. He added that the County will own and maintain the bridge upon completion of the project. Upon motion by Vice-Chairman Martin, seconded by Supervisor Marcanti, the Board unanimously adopted Resolution No. 14-04-06 which authorizes the execution of an Intergovernmental Agreement (ADOT File No. IGA/JPA 14-0004031-I) between Gila County and the State of Arizona, Department of Transportation for the construction of a bridge on Ewing Trail over Oak Creek in the Tonto Basin area of Gila County. **(A copy of the Resolution is permanently on file in the Board of Supervisors' Office.)**

D. Information/Discussion/Action to adopt Resolution No. 14-04-07 accepting the Final Report of the Gila County Transportation Study dated January 2014.

Mr. Sanders stated that on July 17, 2012, the Board approved the submission of a Planning Assistance for Rural Areas (PARA) study application to ADOT which was awarded. ADOT funded the study which was completed in January 2014, and selected Kimley-Horn and Associates Inc. to manage the study; therefore, no County funds were expended for the PARA study. Community outreach meetings were held to obtain community input with regard to the study and planning of future roads in Gila County. The study will be used as a "planning tool" for short and long term projects. Mr. Sanders stated that the study incorporates all other relevant plans regarding transportation planning for the County. The Board concurred that the PARA study was well prepared

and thorough. Mr. Sanders stated that if this item is approved by the Board, the Transportation Study would be published on the Gila County website for public viewing. Upon motion by Supervisor Marcanti, seconded by Vice-Chairman Martin, the Board unanimously adopted Resolution No. 14-04-07 accepting the Final Report of the Gila County Transportation Study dated January 2014. **(A copy of the Resolution is permanently on file in the Board of Supervisors' Office.)**

E. Information/Discussion/Action to approve Professional Services Contract No. 032814 with Kimley-Horn and Associates, Inc. to be billed on a time and materials basis per mutually agreed to hourly rates, in an amount up to but not more than $18,000, to provide outreach services as a means of informing the public of the results and the importance of the Gila County Transportation Study.

Mr. Sanders stated that now that the Board has approved the Gila County Transportation Study it is important to get the information to the public. The County welcomes input from Gila County citizens and is planning for the transportation needs of the future and seeks to provide outreach services to various civic services throughout the County. He added that Kimley-Horn and Associates would be best to accomplish that outreach effort. Mr. Sanders requested that the Board provide a list of names of any organizations for which the Board would like the Transportation Study sent. Upon motion by Vice-Chairman Martin, seconded by Supervisor Marcanti, the Board unanimously approved Professional Services Contract No. 032814 with Kimley-Horn and Associates, Inc. to be billed on a time and materials basis per mutually agreed to hourly rates, in an amount up to but not more than $18,000, to provide outreach services as a means of informing the public of the results and the importance of the Gila County Transportation Study.

F. Information/Discussion/Action pursuant to A.R.S. §11-254.04 to find that to assist in the annual yearling auction/sale is an economic development activity because it will assist in the creation or retention of jobs or will otherwise improve or enhance the economic welfare of the inhabitants of Gila County, and to authorize Public Works to supply requested equipment with Gila County certified operators for the Gila County Cattle Growers Association's annual yearling auction/sale for the period of April 17-24, 2014.

Steve Stratton, Public Works Division Director, stated that a request to the County was received from the Gila County Cattle Growers Association to support the annual yearling auction/sale this year which is being held to sell approximately 600 head of cattle. It is agreed by both parties that only Gila County employees, who are certified equipment operators will operate the equipment, which may or may not include a water truck, blade and back hoe.

He added that all work will be performed on the employee's personal time, not County time.

Supervisor Marcanti agreed that this activity brings tax dollars to the County. Upon motion by Supervisor Marcanti, seconded by Vice-Chairman Martin, the Board unanimously found that to assist in the annual yearling auction/sale is an economic development activity because it will assist in the creation or retention of jobs or will otherwise improve or enhance the economic welfare of the inhabitants of Gila County, and authorized Public Works to supply requested equipment with Gila County certified operators for the Gila County Cattle Growers Association's annual yearling auction/sale for the period of April 17-24, 2014.

G. Information/Discussion/Action for the Board of Supervisors to declare one 1988 Koehring crane (serial number 76808) as surplus in order to sell the crane at an auction that will be held by Ritchie Brothers Auctioneers in Phoenix, Arizona on April 24, 2014.

Mr. Stratton stated that the crane, as described above, was acquired from the Gila County Sheriff's Office and that the military crane operator retired; he added that there are no other crane operators working for the County at this time. He then suggested that the money received from selling this crane at an auction may be applied to the purchase of a multi-use machine which would be brought to the Board for approval in the future. Upon motion by Vice-Chairman Martin, seconded by Supervisor Marcanti, the Board unanimously declared one 1988 Koehring crane (serial number 76808) as surplus in order to sell the crane at an auction that will be held by Ritchie Brothers Auctioneers in Phoenix, Arizona on April 24, 2014.

Item 5 – 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 an Intergovernmental Agreement (Contract No. GRA-RC004-13-0556-01-Y2) between Gila County and First Things First in the amount of $190,000 which allows the renewal of an agreement between both parties for the Gila County Health Department to continue to provide Healthy Steps Program services for the period of July 1, 2014, through June 30, 2015.

B. Approval of the Prevention Services Agreement between Cenpatico Behavioral Health of Arizona, LLC, and Cenpatico of Arizona, Inc. (collectively referred to as "Cenpatico") and Gila County Division of Health and Emergency Services in the amount of $23,000 for the period of July 1, 2013, to June 30, 2014, which will be used to hire a part-time

community educator to address underage drinking and prescription drug abuse in Gila County.

C. Approval of an Intergovernmental Agreement between Gila County and the Town of Kearny, whereby the Town of Kearny Library will become a designated "Access Point" under the Workforce Investment Act for the period of January 1, 2014, through December 31, 2014.

D. Approval to accept the resignation letter from Dr. Michael Durham as Medical Examiner to Gila County, effective January 9, 2014, and terminate Professional Services Contract No. 072612 - Medical Examiner Services between Dr. Michael Durham and Gila County.

E. Approval of a Special Event Liquor License Application submitted by the Pinal Mountain Elk's Lodge of Globe, Arizona, to serve liquor at a wedding reception on May 3, 2014.

F. Approval of a Special Event Liquor License Application submitted by the Pinal Mountain Elk's Lodge of Globe, Arizona, to serve liquor at a wedding reception on June 14, 2014.

G. Approval of a Special Event Liquor License Application submitted by the Gila County Rodeo Committee to serve liquor at the Copper Dust Stampede Rodeo on May 9-10, 2014.

H. Approval of the authorization to conduct horse racing on behalf of the Board of Supervisors at the Gila County Fairgrounds during the first two weeks in October of 2015, 2016, and 2017, at no cost to the County.

I. Acknowledgment of the January 2014 monthly activity report submitted by the Recorder's Office.

J. Acknowledgment of the February 2014 monthly activity report submitted by Recorder's Office.

K. Approval of the March 25, 2014, Board of Supervisors' meeting minutes.

L. Acknowledgment of contracts under $50,000 which have been approved by the County Manager for the weeks of March 17, 2014, to March 21, 2014; and March 24, 2014, to March 28, 2014.

M. Approval of finance reports/demands/transfers for the weeks of April 8, 2014, and April 15, 2014.

April 8, 2014
$220,166.95 was disbursed for County expenses by check numbers 260837 through 260967.

April 15, 2014

$2,061,114.39 was disbursed for County expenses by check numbers 260968 through 261122. **(An itemized list of disbursements is permanently on file in the Board of Supervisors' Office.)**

Upon motion by Supervisor Marcanti, seconded by Vice-Chairman Martin, the Board approved Consent Agenda action items 5-A through 5-M.

Item 6 – 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 7 – At any time during this meeting pursuant to A.R.S. §38-431.02(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 the County Manager presented information on current events.

There being no further business to come before the Board of Supervisors, Chairman Pastor adjourned the meeting at 11:40 a.m.

APPROVED:

Michael A. Pastor, Chairman

ATTEST:

Laurie J. Kline for

Marian Sheppard, Clerk of the Board