

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

Date: September 16, 2014

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; Jacque Griffin, Assistant County Manager/Librarian; Bryan B. Chambers, 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. Kendall Rhyne led the Pledge of Allegiance and Minister Bart Campbell of the Church of Christ in Globe delivered the invocation.

Item 2 – PUBLIC HEARINGS:

A. Information/Discussion/Action to adopt an Order to allow for the deannexation of land (approximately 760 acres of U.S. Forest Service land) by the Town of Star Valley and which is legally described in Exhibit B of Town of Star Valley Ordinance No. O 14-02, and the annexation of that same land by the Town of Payson and which is legally described in Exhibit B of Town of Payson Ordinance No. 853 pursuant to A.R.S. §9-471.02.

Don McDaniel, County Manager, stated that on August 26, 2014, the Board set a public hearing for today which was published in the Arizona Silver Belt on September 3, 2014, and September 10, 2014. The Town of Star Valley and the Town of Payson have adopted ordinances respectively to proceed with the de-annexation and annexation of land as stated above. The County has acted in accordance with Arizona Revised Statute §9-471.02 with regard to de-annexation and annexation of land as stated above which is located in Gila County.

Chairman Pastor opened the public hearing at this time. No public comments were given; therefore, he closed the public hearing. Upon motion by Vice-Chairman Martin, seconded by Supervisor Marcanti, the Board unanimously adopted an Order to allow for the deannexation of land (approximately 760 acres of U.S. Forest Service land) by the Town of Star Valley and which is legally described in Exhibit B of Town of Star Valley Ordinance No. O 14-02, and the annexation of that same land by the Town of Payson and which is legally described in Exhibit B of Town of Payson Ordinance No. 853 pursuant to A.R.S. §9-471.02.

B. Information/Discussion/Action to adopt Order No. LL-14-06, a liquor license application submitted by Thomas Edward Coons for a new Series 12 restaurant license at Maverick Smoked BBQ, Steaks & Seafood located in Pine, Arizona.

Marian Sheppard, Clerk of the Board, reviewed the County's internal review process for liquor license applications which includes a review by the Building Permitting Department and Health Department to determine if the applicant has met all of Gila County's permitting requirements. She further advised that the Treasurer has now been included in the review process whereby the Treasurer will determine if the applicant is current on property taxes for any property that is owned in Gila County. Ms. Sheppard stated that there are no County issues with regard to this application; therefore, she recommended that the Chairman proceed with the public hearing.

Chairman Pastor opened the public hearing at this time. No public comments were given; therefore, he closed the public hearing. Upon motion by Supervisor Marcanti, seconded by Vice-Chairman Martin, the Board unanimously adopted Order No. LL-14-06, a liquor license application submitted by Thomas Edward Coons for a new Series 12 restaurant license at Maverick Smoked BBQ, Steaks & Seafood located in Pine, Arizona.

Item 3 – REGULAR AGENDA ITEMS:

A. Report on the status of the 2014 property tax bills and the findings of the September 5th test run.

Kelly Riggs, Information Technology (I.T.) Department Director, advised that he and his staff have been working diligently with the Assessor's Office, Treasurer's Office, and vendors of the computer software programs that are located in each Office to resolve this year's tax bill issues. He feels extremely confident and optimistic that the problems may have been resolved with regard to this year's tax bills. Mr. Riggs stated that there have been some computer formatting errors that were identified which affect this year's tax bills. They are ongoing and slightly different than the formatting issues that affected last year's tax bills. Internal testing was conducted yesterday and those results

were sent to Tyler Technologies to do an import into their Assessor's database. Chairman Pastor inquired if Tyler Technologies would resolve the issues. Mr. Riggs replied that in the last week, technicians from Harris Computer Systems, which is the vendor for RealWare software that is currently in use by the Assessor's Office, have also gotten involved in this issue. They have also done a lot of work to locate the formatting errors, which Mr. Riggs stated are mostly attributed to Microsoft formatting issues. He added that the I.T. staff and Public Works staff worked diligently yesterday to resolve the small issues that Harris could not complete. The I.T. staff is now waiting on an update from Tyler Technologies, which should take place in the next couple of days.

Chairman Pastor inquired of Treasurer Debora Savage as to the amount of time that is required to print the tax bills and mail them to the taxpayers. Ms. Savage reviewed the process and replied that it should take no longer than 4 days. Vice-Chairman Martin inquired if the Treasurer's Office did a test run. Ms. Savage replied that her Office has a thorough process in place with regard to the accuracy of the tax bills, and errors "have been next to none" with regard to inputting the tax rates into the system. Supervisor Marcanti inquired if Gila County encountered the same type of problem with tax bills as experienced by Mohave County. Mr. Riggs replied that even though Mohave County utilizes the same vendors, their problem was different.

Assessor Deborah Hughes publicly recognized Harris Computer Systems, and stated that without their help this progress would not have been possible. She feels confident that the information provided to the Treasurer's Office is accurate, which provides a temporary solution to the problem and that there has been discussion to have a more permanent solution.

The Board thanked Mr. Riggs, Ms. Savage, and Ms. Hughes for the information and the progress that has been made thus far.

B. Information/Discussion/Action to accept Substance Abuse and Mental Health Services Administration Grant Award No. 1H79TI025497-01 from the Department of Health and Human Services, Substance Abuse and Mental Health Services, in the amount of \$757,686 for the project period of September 30, 2014, through September 29, 2017.

Kendall Rhyne, Chief Probation Officer/Superior Court Administrator, publicly thanked and recognized Patrice Goodman, Probation Manager, for preparing and helping to secure this grant as stated above. Mr. Rhyne stated that there will be no match of funds required by the County for the first three years, but subsequently, the County will be asked for some assistance. He stated that this is the first part of an overall plan of the Probation Department to reorganize the juvenile detention center into a regional residential treatment center. The project will be regional because it will be offered to neighboring counties such as Apache, Navajo, and Graham Counties that would pay Gila

County to use the residential treatment center. Consequently, that would create revenue for the County and offset the amount of assistance the County will be asked to provide after the initial three years of operation.

The Board had a brief discussion with Mr. Rhyne regarding the specifics of the eligibility for the program, such as the age of the clients, their mental health state and the method of measuring the outcomes and success of the program. Mr. Rhyne stated that this program would be for clients age 8 through 17 years and 11 months of age. Currently the Probation Department does not have any staff that is qualified to treat mental health clients. He was certain that there would be reporting requirements for this program as it is a federally funded program, but he was uncertain what those reporting requirements would be as the program is in the early stages at this time. Mr. Rhyne the stated that one of the requirements was that the program be fully implemented by December 1, 2014. Upon motion by Vice-Chairman Martin, seconded by Supervisor Marcanti, the Board unanimously accepted Substance Abuse and Mental Health Services Administration Grant Award No. 1H79TI025497-01 from the Department of Health and Human Services, Substance Abuse and Mental Health Services, in the amount of \$757,686 for the project period of September 30, 2014, through September 29, 2017.

C. Information/Discussion/Action to adopt Resolution No. 14-09-02 authorizing the installation of regulatory signage at the intersection of Gordon Street and New Street in Gila County.

Steve Stratton, Public Works Division Director, stated that trucks leaving the Freeport McMoRan Inc.-Miami Operations mine site were traveling through a residential area nearby rather than stopping at the traffic light located at New Street and U.S. Highway 60 thus creating a safety hazard. Installing regulatory signage according to the resolution as stated above will allow for law enforcement of said signage. Upon motion by Supervisor Marcanti, seconded by Vice-Chairman Martin, the Board unanimously adopted Resolution No. 14-09-02 authorizing the installation of regulatory signage at the intersection of Gordon Street and New Street in Gila County. **(A copy of the Resolution is permanently on file in the Board of Supervisors' Office.)**

D. Information/Discussion/Action to approve Cooperative Forest Road Agreement No. 14-RO-11031200-030 between the United States Department of Agriculture, Forest Service, Tonto National Forest, and Gila County for the term of October 1, 2014, through September 30, 2019.

Jeff Hassenius, Finance Division Director, stated that the existing Agreement No. 14-RO-11031200-006 between the United States Department of Agriculture, Forest Service, Tonto National Forest and Gila County expires September 30, 2014; and approval of the new agreement is needed to extend

the existing agreement until September 30, 2019, which would allow for continued maintenance on Forest Service roads by the County.

Supervisor Marcanti inquired if there are set dates for road maintenance on Forest Service roads. Mr. Stratton replied that road maintenance is completed on an as needed basis, and reports are carefully prepared to account for the number of times roads have been graded or otherwise maintained. The County is then able to use the mileage of the roads that are maintained in order to receive Highway User Revenue Fund monies. Upon motion by Vice-Chairman Martin, seconded by Supervisor Marcanti, the Board unanimously approved Cooperative Forest Road Agreement No. 14-RO-11031200-030 between the United States Department of Agriculture, Forest Service, Tonto National Forest, and Gila County for the term of October 1, 2014, through September 30, 2019.

E. Information/Discussion/Action to approve Amendment No. 1 to an Intergovernmental Agreement (Contract No. DE14-055408) between the Arizona Department of Economic Security and the Gila County Board of Supervisors to increase the total contract amount from \$2,454,964 to \$4,826,020, of which said funds are utilized for the Gila/Pinal Local Workforce Investment Area per the requirements of the Workforce Investment Act.

Malissa Buzan, Community Services Division Director, stated that this is an amendment to the existing Intergovernmental Agreement the County has with the Arizona Department of Economic Security which increases available funds to the Workforce Investment Act program for fiscal year 2015-2016. She added that by signing this amendment, the County would be continuing to perform the day-to-day operations, if and until there is a split of the Gila and Pinal Counties' Local Workforce Investment Area. Upon motion by Supervisor Marcanti, seconded by Vice-Chairman Martin, the Board unanimously approved Amendment No. 1 to an Intergovernmental Agreement (Contract No. DE14-055408) between the Arizona Department of Economic Security and the Gila County Board of Supervisors to increase the total contract amount from \$2,454,964 to \$4,826,020, of which said funds are utilized for the Gila/Pinal Local Workforce Investment Area per the requirements of the Workforce Investment Act.

F. Information/Discussion/Action to approve an amended Agreement-Economic Development Grant between Gila County and the Bullion Plaza Cultural Center & Museum whereby the County will disburse \$10,000 to the Museum to maintain and improve the Museum; and further the Board determines this is for the benefit of the public and will improve or enhance the economic welfare of the inhabitants of Gila County.

Mr. McDaniel stated that the funding request submitted to the County from Bullion Plaza Cultural Center & Museum was for \$30,000; however,

management does not believe that it is prudent to fully fund the request at this time as there is a limited amount of funding remaining in this fiscal year's economic development grant fund. It is the recommendation of management to fund the request described above in the amount of \$10,000 to Bullion Plaza Cultural Center & Museum. Chairman Pastor made a motion to fund the request in the amount of \$15,000; however, the motion died for the lack of a second. The Board members had a discussion and agreed that the economic development fund is needed by many organizations throughout the County and should be distributed equitably. Upon motion by Vice-Chairman Martin, seconded by Supervisor Marcanti, the Board unanimously approved an amended Agreement-Economic Development Grant between Gila County and the Bullion Plaza Cultural Center & Museum whereby the County will disburse \$10,000 to the Museum to maintain and improve the Museum; and further the Board determines this is for the benefit of the public and will improve or enhance the economic welfare of the inhabitants of Gila County.

G. Information/Discussion/Action to approve an amended Agreement-Economic Development Grant between Gila County and the City of Globe whereby the County will disburse \$10,000 to the City Active Adult Center to assist in providing and delivering meals to senior citizens in the community through the Meals on Wheels program; and further the Board determines this is for the benefit of the public and will improve or enhance the economic welfare of the inhabitants of Gila County.

Mr. McDaniel stated that Brent Billingsley, City of Globe Manager, sent a letter to the County requesting assistance for the Meals on Wheels program and explained that the program assists not only City of Globe residents, but also County residents. Mr. McDaniel then recommended that the Board approve this funding request as described above. Upon motion by Supervisor Marcanti, seconded by Vice-Chairman Martin, the Board unanimously approved an amended Agreement-Economic Development Grant between Gila County and the City of Globe whereby the County will disburse \$10,000 to the City Active Adult Center to assist in providing and delivering meals to senior citizens in the community through the Meals on Wheels program; and further the Board determines this is for the benefit of the public and will improve or enhance the economic welfare of the inhabitants of Gila County.

H. Information/Discussion/Action to approve an Intergovernmental Agreement between Gila County and the Town of Miami to provide \$10,000, in-kind services by the County IT Department, or a combination of the two to provide IT technical assistance to the Town; and further the Board determines this is for the benefit of the public and will improve or enhance the economic welfare of the inhabitants of Gila County.

Mr. McDaniel stated that the Town of Miami is experiencing technical difficulties with its information technology (I.T.) system in place. He added that

Joseph Heatherly, Miami Town Manager, submitted a letter to the County requesting in-kind assistance to include a review of the current computer system in use by the Town of Miami.

Kelly Riggs, Information Technology Department Director, stated that he is uncertain as to the extent of assistance needed by the Town of Miami; however, he is amenable to offering in-kind assistance as it is needed.

Mr. Heatherly was present in the audience and added that the Town of Miami doesn't have an I.T. Department, so the computer systems currently in use are aged and are "patch work" set ups. He added that the preferable assistance from the County would be in the way of technical support rather than hiring an outside consultant. Upon motion by Vice-Chairman Martin, seconded by Supervisor Marcanti, the Board unanimously approved an Intergovernmental Agreement between Gila County and the Town of Miami to provide \$10,000, in-kind services by the County IT Department, or a combination of the two to provide IT technical assistance to the Town; and further the Board determines this is for the benefit of the public and will improve or enhance the economic welfare of the inhabitants of Gila County.

I. Information/Discussion/Action to consider issuing official comments from the Board of Supervisors regarding the Draft Environmental Impact Statement for Travel Management on the Tonto National Forest.

Jacque Griffin, Assistant County Manager/Librarian, provided a brief explanation regarding the original Draft Environmental Impact Statement (DEIS) for Travel Management on the Tonto National Forest. She stated that the next step of the process would be to issue official comments regarding the County's preferred alternative to the original DEIS. Ms. Griffin stated that it is her recommendation and it would be in the best interest of the County to support Alternative D and issue official comments stating such position.

Alternative D was developed in response to public comments received on the proposed action and provides the highest level of motorized recreation opportunities and access across the forest. This alternative proposes approximately 194 miles of roads for decommissioning, resulting in approximately 3,347 miles of designated roads and 1,520 miles of motorized trails open to public use. This alternative prohibits cross-country motorized travel except in eight proposed off-highway vehicle areas totaling approximately 6,791 acres. It would also allow motorized access, up to one mile on both sides of designated roads and motorized trails, for retrieval of legally harvested mule deer, white tail deer, elk and bear (totaling approximately 2,068,208 acres), a corridor of 300 feet on both sides of designated roads and motorized trails for dispersed camping and for personal use fuel wood gathering in permitted areas.

Upon motion by Supervisor Marcanti, seconded by Vice-Chairman Martin, the Board unanimously issued official comments to support Alternative D from the Board of Supervisors regarding the Draft Environmental Impact Statement for Travel Management on the Tonto National Forest.

J. Information/Discussion/Action to consider issuing official comments from the Board of Supervisors regarding the U.S. Fish and Wildlife Service's Proposed Revision of the Nonessential Experimental Population of the Mexican Wolf published in the Federal Register on July 25, 2014 (79 Fed. Reg. 43358) and the Draft Environmental Impact Statement for the Proposed Revision to the Nonessential Experimental Population of the Mexican Wolf (Canis Lupus Baileyi) dated July 16, 2014.

Ms. Griffin stated that on September 2, 2014, the Board submitted a letter to the U.S. Fish and Wildlife Service requesting an extension of the public comment period and a request for additional public hearings; however, since that request has not been responded to at this time, submitting comments that fall within the existing comment period is advisable. This comment period closes before midnight on September 23, 2014; therefore, the County needs to issue its official comments regarding this issue. Upon motion by Vice-Chairman Martin, seconded by Supervisor Marcanti, the Board unanimously issued official comments from the Board of Supervisors regarding the U.S. Fish and Wildlife Service's Proposed Revision of the Nonessential Experimental Population of the Mexican Wolf published in the Federal Register on July 25, 2014 (79 Fed. Reg. 43358) and the Draft Environmental Impact Statement for the Proposed Revision to the Nonessential Experimental Population of the Mexican Wolf (Canis Lupus Baileyi) dated July 16, 2014.

K. Information/Discussion/Action to authorize the submission of a State Grants-In-Aid Application by the Gila County Library District to the Arizona State Library, Archives and Public Records, Library Development Division, for the 2014-2015 fiscal year in the amount of \$23,000 designated to Gila County for the period July 1, 2014, through June 30, 2015.

Upon motion by Supervisor Marcanti, seconded by Vice-Chairman Martin, the Board unanimously adjourned as the Gila County Board of Supervisors and convened as the Gila County Library District Board of Directors.

Ms. Griffin stated that this is an annual non-competitive grant (as stated above) that is used to support the libraries' summer reading programs and to purchase electronic resources for the libraries throughout the County. Upon motion by Supervisor Marcanti, seconded by Vice-Chairman Martin, the Board unanimously authorized the submission of a State Grants-In-Aid Application by the Gila County Library District to the Arizona State Library, Archives and Public Records, Library Development Division, for the 2014-2015 fiscal year in

the amount of \$23,000 designated to Gila County for the period July 1, 2014, through June 30, 2015.

Upon motion by Supervisor Marcanti, seconded by Vice-Chairman Martin, the Board unanimously adjourned as the Gila County Library District Board of Directors and reconvened as the Gila County Board of Supervisors.

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 Amendment No. 12 to Contract No. A11PC00100 between the Bureau of Indian Affairs and Gila County, on behalf of the Gila County Juvenile Detention Center, to increase the contract amount by \$8,000, from \$126,400.01 to \$134,400.01.

B. Approval of FY 2015 Victims' Rights Program Award Agreement No. AG# 2015-004 between the Gila County Attorney's Office and the Arizona Attorney General's Office in the amount of \$33,900 to cover the existing salary and employee-related expenses for a full-time advocate, with no cash match funds required, for the period July 1, 2014, through June 30, 2015.

C. Approval of a Memorandum of Understanding between Gila County and the Tonto Basin Library, whereby the Tonto Basin Library will become an "Access Point" under the Workforce Investment Act for the period July 1, 2014, through June 30, 2015.

D. Approval of Amendment No. 1 to Request for Qualified Vendor Agreement No. DDD 710000 between the Arizona Department of Economic Security, Division of Developmental Disabilities (DDD), and the Gila County Board of Supervisors d/b/a Gila County Employment and Special Training Department to continue to provide DDD services to residents of Gila County, and remain in compliance with federal and state regulations and provisions of the Qualified Vendor Agreement.

E. Approval of Professional Services Contract No. 081214 with Emily Danies in the amount of \$78,916.92 to provide professional legal defense services for the Superior Court in Gila County for the period July 1, 2014, to June 30, 2015.

F. Approval of an Application for Extension of Premises/Patio Permit submitted by Randy D. Nations to temporarily extend the premises where liquor is permitted to be sold at the Sidewinders Tavern & Grill,

which is located in Pine, for the Justice McNeeley Foundation fundraiser event to be held on September 20, 2014.

G. Approval of an Application for Extension of Premises/Patio Permit submitted by Tamara Morken to temporarily extend the premises where liquor is permitted to be sold at ~~THAT~~ Brewery Rimside Grill, which is located in Pine, for the Oktoberfest event to be held on September 27-28, 2014.

H. Approval of a Special Event License Application submitted by the Cobre Valley Regional Medical Center Foundation to serve liquor at a fund-raising event that will be held at the Gila County Fairgrounds Exhibition Hall in Globe, Arizona, on November 14, 2014.

I. Approval of two Special Event Liquor License Applications submitted by the Lion's Club of Globe, Arizona, Inc. to serve liquor at two weddings to be held at the Gila County Fairgrounds in Globe, Arizona, on October 4, 2014, and October 11, 2014.

J. Approval of the August 5, 2014, and August 26, 2014, Board of Supervisors' meeting minutes.

K. Acknowledgment of contracts under \$50,000 which have been approved by the County Manager for the weeks of August 18, 2014, to August 22, 2014; and August 25, 2014, to August 29, 2014.

L. Approval of finance reports/demands/transfers for the weeks of September 9, 2014, and September 16, 2014.

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

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 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 11:37 a.m.

APPROVED:



Michael A. Pastor, Chairman

ATTEST:



Mariah Sheppard, Clerk of the Board