

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

Date: November 18, 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; 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. Jeff Hessenius led the Pledge of Allegiance and Minister Bart Campbell from the Church of Christ in Globe delivered the invocation.

Item 2 – REGULAR AGENDA ITEMS:

A. Information/Discussion/Action to canvass the election results contained in the Official Canvass of the General Election held November 4, 2014, in Gila County, Arizona and declare the results official.

Eric Mariscal, Elections Director, (via ITV) read aloud the table of contents contained in the Official Canvass of the November 4, 2014, General Election and he proceeded to provide an overview of each section. Highlights of the presentation are as follows: Precinct Listing - There were no changes in the precinct listing (polling place locations) since the last election. Voter Turnout – Since the last General Election, Gila County fell from first to third in the state of Arizona for voter turnout at 54.84%. Mr. Mariscal next addressed the election results for the Rim Trail Water Improvement District. He referred to the Votes Cast Summary and explained that the voter turnout number of 152.6% is incorrect because some voters received incorrect ballots, so when they were scanned into the voting system, it skewed the numbers.

Vice-Chairman Martin asked Mr. Mariscal to review the Rejection Summary

contained in the Provisional Ballots section. Mr. Mariscal advised that a total of 160 ballots were rejected County-wide. He compared the 2012 General Election results to this General Election and explained that the higher number of rejected ballots is most likely because there were so many more mail-in ballots that were submitted during this election.

Supervisor Marcanti expressed concern that there may be too many polling places in the County. Mr. Mariscal responded that the Elections Department staff is exploring options to consolidate the number of polling places throughout the County. Chairman Pastor advised that he was also concerned with the number of polling places in the County and that the Elections Department may want to develop a strategy to have less polling places by the next General Election. Mr. Mariscal agreed and stated that he and Elections Department staff would act in accordance with the direction of the Board. Upon motion by Vice-Chairman Martin, seconded by Supervisor Marcanti, the Board canvassed the election results contained in the Official Canvass of the General Election held on November 4, 2014, in Gila County, Arizona, and unanimously declared the results official.

B. Information/Discussion/Action to authorize a High Voltage Easement between Gila County and Salt River Project (SRP) whereby the County will grant an easement to SRP for the installation of electrical lines.

Steve Sanders, Public Works Division Deputy Director, stated that Cobre Valley Regional Medical Center (CVRMC) is seeking to move forward with plans to expand its facility in order to improve services to the residents of the area. This easement is necessary in order for SRP to install electrical lines and for CVRMC to move forward with its expansion. The easement is in a floodplain; however, land utilities are allowable in a floodplain which makes it a good use of the land. Upon motion by Supervisor Marcanti, seconded by Vice-Chairman Martin, the Board unanimously authorized a High Voltage Easement between Gila County and SRP.

C. Information/Discussion/Action to accept a Citizens' Petition in order to begin the process to establish Conquest Lane as a Country Dirt Road.

Mr. Sanders stated that a Citizens' Petition was received for the establishment of Conquest Lane as a Country Dirt Road which would allow the County to provide limited maintenance on the road. He explained that this agenda item is only to accept the Petition, which thereby begins the County's process to establish Conquest Lane as a Country Dirt Road. Upon motion by Vice-Chairman Martin, seconded by Supervisor Marcanti, the Board unanimously accepted the Citizens' Petition as stated above.

D. Information/Discussion/Action to adopt the Arizona Mutual Aid Compact as recommended by the Arizona Department of Emergency Management.

Josh Beck, Health and Emergency Services Division Public Health Preparedness

Manager, explained that the purpose of having this Mutual Aid Compact in place is to facilitate and expedite the process of coming to the aid or requesting aid from cooperating parties in the event of a local, state, or national emergency. Additionally, it is prudent for the County to have this Mutual Aid Compact in place in order to be able to reimburse or be reimbursed for expenditures relating to aiding or being aided by other participating parties. Upon motion by Supervisor Marcanti, seconded by Vice-Chairman Martin, the Board unanimously adopted the Arizona Mutual Aid Compact as recommended by the Arizona Department of Emergency Management.

E. Information/Discussion/Action to approve Funding Agreement No. 108-15 between Gila County and the Arizona Department of Housing to receive Community Development Block Grant Funds in the amount of \$113,139, for the period of November 18, 2014, to November 15, 2015, in order to rehabilitate two homes.

Malissa Buzan, Community Services Division Director, advised that this agreement provides grant funds for the rehabilitation of two homes in the County; one in Tonto Basin and one in Hayden. The applications for housing rehabilitation are monitored by the Arizona Department of Housing and all of the criteria must be met with regard to eligibility in order to receive housing rehabilitation services. Upon motion by Vice-Chairman Martin, seconded by Supervisor Marcanti, the Board unanimously approved Funding Agreement No. 108-15 between Gila County and the Arizona Department of Housing to receive Community Development Block Grant Funds in the amount of \$113,139, for the period of November 18, 2014, to November 15, 2015, in order to rehabilitate two homes.

F. Information/Discussion/Action to approve an Agreement-Economic Development Grant (Agreement No. 102914-1) between Gila County and Pinal-Gila Council for Senior Citizens Area Agency on Aging whereby the County will disburse up to \$21,500; 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.

Don McDaniel, County Manager, stated that this request is from the Gila/Pinal Council for Senior Citizens which provides services to seniors Countywide. The specific entities that would benefit from the funds are the Miami Senior Center, Globe Senior Center, Payson Multi-Purpose Center, Hayden Senior Center and the Catholic Community Services Group, all of which provide in-home meals and case management services to citizens residing within Gila County. The County has partnered with Pinal County for a number of years and has disbursed this amount of \$21,500 to this senior citizens group for the last few years. It is a benefit to the public and it will enhance the economic welfare of the recipients to fulfill this annual funding request. Upon motion by Supervisor Marcanti, seconded by Vice-Chairman Martin, the Board unanimously approved Agreement No. 102914-1.

G. Information/Discussion/Action to approve a contract with the Bose Public Affairs Group to provide consulting/lobbying services for Gila County at the federal government level; and further that Option 1 or Option 2 be approved to implement this action.

Mr. McDaniel stated that should the Board decide to approve contract Option No. 1, the County would continue to pay Bose Public Affairs Group (BPAG) \$6,500 per month/\$78,000 per year and BPAG would provide services to the County within that amount. Should contract Option No. 2 be chosen, the County would offer more of a retainer basis, a fee-for-service type of approach with a not-to-exceed amount of \$50,000 per year which would satisfy the concerns to evaluation the value of the services received for the money spent in this area. As far as staff is concerned, both options are viable and would suit the needs of the County for a lobbyist or consultant with regard to federal representation primarily in Washington, D.C.

Vice-Chairman Martin stated that since June 2006, BPAG has given the County a \$40 “on the ground” return on its investment for every \$1 spent, and that neither the County Supervisors Association nor the National Association of Counties can lobby for either side because their position on current issues is split. She stated that the County receives assistance from BPAG with the “broader picture issues” such as Highway User Revenue Funds and Payment in Lieu of Taxes. It is Vice-Chairman Martin’s opinion that if the Board of Supervisors chooses Option No. 2, it would be a poor business choice.

Supervisor Marcanti is satisfied that BPAG has done good work for the County; however, he was in favor of Option No. 2. If this arrangement proves to have insufficient parameters for the County’s needs, he said that the contract could be reviewed by the Board at any time in the future.

Chairman Pastor stated that BPAG has assisted the County on several occasions regarding relevant issues; however, he indicated that contract Option No. 2 would be in the County’s best interest. He agreed with Supervisor Marcanti that this issue could be revisited by the Board in the future to modify the contract, if needed. Upon motion by Vice-Chairman Martin, seconded by Supervisor Marcanti, the Board unanimously approved a contract with the Bose Public Affairs Group to provide consulting/lobbying services for Gila County at the federal government level; and approved contract Option No. 2 to implement this action.

H. Information/Discussion/Action to adopt Resolution 14-11-01 regarding the 2015 legislative priorities, and authorize the Chairman to sign a letter to legislators.

Mr. McDaniel stated that this is an annual action of the Board to adopt a resolution establishing legislative priorities in conjunction with the priorities that were established during the County Supervisors Association’s recent legislative summit that was held in Prescott. The Board has the following priorities and implores the

Arizona State Legislature to: 1) prevent additional shifts of state functions and administrative costs to the County level, 2) eliminate County payments to the Arizona State Hospital for sexually violent persons, 3) re-establish payment to the Counties reflecting the County share of state lottery revenues, and 4) fully fund local Highway User Revenue Fund dollars. Staff also recommends approval of sending a letter to each of the legislative representatives of the delegation for Gila County outlining and supporting said priorities. Upon motion by Supervisor Marcanti, seconded by Vice-Chairman Martin, the Board unanimously adopted Resolution 14-11-01 regarding the 2015 legislative priorities, and authorized the Chairman to sign a letter to legislators. **(A copy of the Resolution is permanently on file in the Board of Supervisors' Office.)**

I. Information/Discussion/Action to adopt Resolution No. 14-11-02, that would allow Gila County the ability to provide reimbursement to the County for preliminary expenditures related to the Copper Administration Building project in an amount up to, but not to exceed \$1,000,000 prior to securing of permanent financing for the project.

Jeff Hessenius, Finance Division Director, stated that this item is an administrative procedure to allow Gila County the ability to provide reimbursement to the County for expenditures related to the Copper Administration Building project that may be incurred prior to securing permanent financing for the project, which is estimated to take approximately 8 weeks. Chairman Pastor clarified that this project has been renamed and it is the project located behind the Globe Courthouse that will house the Probation, Human Resources, and Finance Departments to which Mr. Hessenius verified that he was correct. Upon motion by Vice-Chairman Martin, seconded by Supervisor Marcanti, the Board unanimously adopted Resolution No. 14-11-02. **(A copy of the Resolution is permanently on file in the Board of Supervisors' Office.)**

Chairman Pastor announced that the Board would address agenda items 2-J and 2-K at the end of the meeting as those items may need to be discussed in an executive session. The Board then addressed agenda items 3 through 5 at this time.

Item 3 – 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 Intergovernmental Agreement No. 030614 - Consolidated Administration and Operation of Limited Jurisdiction Courts in order to provide a means for compensation from the Town of Star Valley to Gila County for the costs associated with the Magistrate Court utilizing Gila County facilities, personnel, equipment, supplies and overhead for the operation of the Magistrate Court to conduct Town of Star Valley business for the term beginning July 1, 2013, through June 30, 2017.

B. Approval of an Intergovernmental Agreement (Agreement No. 090514) with the Town of Payson for pre-annexation to allow each entity to regulate public property within each other's jurisdictional territory commencing on July 1, 2014, and automatically renewing from year to year, unless terminated sooner by either party giving 30 days' prior written notice to terminate.

C. Approval of Amendment No. 1 to Contract No. 110812-1 between Gila County and Cemex to extend the contract for 12 months, from September 7, 2014, through September 6, 2015, for the purchase of ABC and chips (FOB plant) in an amount not to exceed \$80,000 that will be used for maintenance and repairs on various roads in the Copper Region of Gila County.

D. Approval of Amendment, Item "G" to the Copper Mountain Inn, Inc. Lease Agreement whereby the County, effective November 1, 2014, recognizes the new owner of the property where Gila County leases office space, at 1100 Monroe Street, Globe, Arizona, as Globe Office Building Partners, LLC. The monthly lease payment remains the same at \$13,394.16 per month.

E. Approval for the expenditure of funds for ADOT IGA/JPA No. 14-0004031-I, Project Oak Creek Bridge-Ewing Trail across Oak Creek, in the amount of \$239,562 to cover the difference between the estimated costs prior to bid time, and the actual low bid awarded, as well as the increase in the rates used by ADOT for construction engineering and construction contingency.

F. Approval to accept a grant award from the San Carlos Apache Tribe in order to receive 12D funds in the amount of \$10,213.93 that will be utilized by the Sheriff's Office and the Drug, Gang, and Violent Crimes Task Force to purchase undercover surveillance equipment and tactical firearms equipment to be spent by June 30, 2015.

G. Approval of Amendment No. 12 to an Intergovernmental Agreement (Contract No. DE111073001) between the Arizona Department of Economic Security and the Gila County Division of Community Services, Community Action Services, to provide funding in the amount of \$344,053 for the service of Case Management and \$162,338 for the service of Community Services, to be used to provide assistance to eligible citizens residing in Gila County for the period beginning July 1, 2014, through June 30, 2015.

H. Approval of Amendment No. 6 to (Contract No. DE126000-001) between the Arizona Department of Economic Security and the Gila County Community Services Division, Gila Employment and Special Training, whereby Amendment No. 6 extends the contract period from January 1, 2015, through June 30, 2015.

I. Approval of the Health and Emergency Services Division's submission of a grant application to the U.S. Food and Drug Administration and the Association

of Food and Drug Officials (AFDO) Year 2 Retail Food Standards Grant Program in the amount of \$2,000 to pursue funding for a Food Safety Task Force.

J. Approval of the Health and Emergency Services Division's submission of a grant application to the U.S. Food and Drug Administration and the Association of Food and Drug Officials (AFDO) Year 2 Retail Food Standards Grant Program in the amount of \$17,934.47 to pursue funding for a risk-based study.

K. Approval of the appointments of the following individuals as Justices of the Peace Pro Tempore for the Payson Regional Justice Court and the Globe Regional Justice Court: Payson Regional Justice Court - John Perlman; Don Calendar; Ronnie McDaniel; Paul Julien; Rebecca Baeza; and Gary Scales; and Globe Regional Justice Court - Rebecca Baeza; Don Calendar; Paul Larkin; Ronnie McDaniel; and Gary Scales. All terms of office will expire on December 31, 2015.

L. Approval to reappoint Bruce Binkley & Bob O'Conner to the Gila County Building Safety Advisory and Appeals Board of Directors for a four-year term, from January 1, 2015, to December 31, 2018.

M. Acknowledgment of the September 2014 monthly activity report submitted by the Clerk of the Superior Court's Office.

N. Approval of the October 7, 2014, October 21, 2014, and October 28, 2014, Board of Supervisors' Regular meeting minutes.

O. Acknowledgment of the Human Resources Reports for the weeks of October 7, 2014, October 14, 2014, October 21, 2014, and October 28, 2014.

OCTOBER 7, 2014

DEPARTURES:

1. Larry Perez – Public Works – Road Maintenance Worker – 10/14/14 – Public Works Fund – DOH 02/16/12

NEW HIRES:

2. Stacey Bryant – Public Works – Administrative Clerk Specialist – 10/13/14 – Public Works Fund – Replacing Gloria Aguirre

REQUEST TO POST:

3. Public Works – Road Maintenance Worker – Vacated by Larry Perez

OCTOBER 14, 2014

DEPARTURES:

1. Connie Olvera – Health and Emergency Services – Temporary WEX Participant – 09/29/14 - Workforce Investment Act Programs – DOH 09/29/14

2. Marina Cohn – Sheriff's Office – 911 Dispatcher – 09/11/14 – General Fund – DOH 06/16/14

3. Betty Vanta – Health and Emergency Services – Administrative Assistant –

09/30/14 – Various Funds – DOH 04/11/88

NEW HIRES:

4. Keith Charles – Sheriff’s Office – Deputy Sheriff – 10/20/14 – General Fund – Replacing Gabriel Valenzuela

TEMPORARY HIRES TO COUNTY SERVICES:

5. Austin Payne – Constituent Services II – Temporary Laborer – 10/20/14 – General Fund – Replacing Marlyce Miller

6. Beverly Hawkins – Elections – Temporary Administrative Clerk – 10/13/14 – General Fund – Replacing William Rogers

END PROBATIONARY PERIOD:

7. Sharon Listiak – Health and Emergency Services – Home Visitation Coordinator – 07/13/14 – Population Health Policy Initiative Fund

8. Kasandra Charles – Sheriff’s Office – Detention Officer – 10/07/14 – General Fund

9. Debra Blevins – Health and Emergency Services – Accounting Clerk – 08/19/14 – Various Funds

OTHER ACTIONS:

10. Michael Lemon – Health and Emergency Services – Environmental Health Specialist – 06/30/14 – Health Service Fund – Change in fund codes

11. Rahil Abou Saleh – Health and Emergency Services - Environmental Health Specialist – 06/30/14 – Health Service Fund – Change in fund codes

12. Susan O’Connor – School Superintendent’s Office – Administrative Assistant – 10/06/14 – General Fund – Extending probationary period for 3 months

OCTOBER 21, 2014

TEMPORARY HIRES TO COUNTY SERVICES:

1. Myrna Valentine – Community Services – Temporary WEX Participant – 10/27/14 – Workforce Investment Act Programs Fund

2. Miranda Davis – Recorder’s Office – Temporary Recorder’s Clerk – 10/21/14 – General Fund

3. Virginia Mounce – Treasurer’s Office – Temporary Treasurer Services Assistant – 10/15/14 – General Fund

END PROBATIONARY PERIOD:

4. Bruce Myers – County Attorney’s Office – Detective – 11/13/14 – General Fund

5. K. Todd Baty – County Attorney’s Office – Detective – 11/19/14 – General Fund

6. Pamela Beerens – Library Districts – Public Services Librarian – 10/28/14 – Library District Grants (.30)/Library Assistance Funds (.70)

REQUEST TO POST:

7. Public Works – Building Maintenance Technician Senior – Vacated by Gary Denton

OCTOBER 28, 2014

DEPARTURES:

1. Kirby King – Assessor’s Office – Property Appraiser 2 – 10/23/14 – General Fund – DOH 07/17/14

END PROBATIONARY PERIOD:

2. Shealene Stidham – Recorder’s Office – Recorder’s Clerk – 11/05/14 – General Fund

DEPARTMENTAL TRANSFERS:

3. Joshua Beck – Health and Emergency Services – From PHEP Manager – To EM/PHEP Manager – 11/03/14 – Bio Terrorism (.60)/General (.40) Funds

OTHER ACTIONS:

4. Bryan Chambers – County Attorney’s Office – Civil Bureau Chief – 06/30/14 – General Fund – Classification and Compensation Study Grade and Salary Update

REQUEST TO POST:

5. Assessor’s Office – Property Appraiser 2 – Vacated by Kirby King

P. Acknowledgment of contracts under \$50,000 which have been approved by the County Manager for the weeks of October 13, 2014, to October 17, 2014; October 20, 2014 to October 24, 2014; and October 27, 2014 to October 31, 2014.

Q. Approval of finance reports/demands/transfers for the weeks of November 4, 2014, November 11, 2014, and November 18, 2014.

November 04, 2014

\$301,389.84 was disbursed for County expenses by check numbers 265830 through 265978.

November 11, 2014

\$2,069,916.97 was disbursed for County expenses by check numbers 265979 through 266169.

November 18, 2014

\$365,806.38 was disbursed for County expenses by check numbers 266170 through 266263. **(An itemized list of disbursements is 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 3-A through 3-Q.

Item 4 – 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.

Jim Stevens of the Deer Creek Village Homeowners' Association Subdivision in Payson, Arizona expressed concerns regarding: 1) pavement repairs that need to be completed resulting from water lines and electrical lines being excavated, 2) an overgrown easement, and 3) unlicensed vehicles parked in his neighborhood. Chairman Pastor advised Mr. Stevens to call his office later that afternoon for further discussion.

Jon Cornell, KQSS radio station reporter, provided photographs he took of a plane spraying what he believes to be chemicals to combat global warming into Gila County air space which dissipates into the ground. He requested that the County present this information to the Environmental Protection Agency. Chairman Pastor advised that he would have a discussion with management staff regarding this concern.

Item 5 – 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.

Upon motion by Supervisor Marcanti, seconded by Vice-Chairman Martin, the Board unanimously voted to go into executive session to address agenda items 2-J and 2-K at 11:11 a.m.

Chairman Pastor reconvened the meeting at 12:13 p.m.

J. Move to go into executive session pursuant to A.R.S. § 38-431.03(A) (3) and 38-431.03(A) (4) in order to receive legal advice from its attorney regarding Gila County Cause Number CV2014-0210 (Shawn Osborn v. Gila County, et. al.) and to discuss or consult with the attorney of the public body in order to consider its position and instruct its attorney regarding the public body's position in order to avoid or resolve litigation. Then, after executive session has concluded move to direct the County Attorney's Office to proceed as directed in executive session.

Upon motion by Supervisor Marcanti, seconded by Vice-Chairman Martin, the Board unanimously advised the County Attorney's Office to proceed as directed in the executive session.

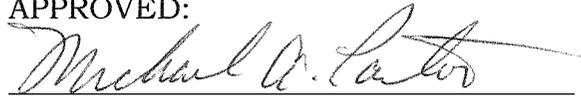
K. Move to go into executive session pursuant to A.R.S. § 38-431.03(A) (3) and 38-431.03(A) (4) in order to receive legal advice from its attorney regarding a Notice of Claim from Carson Construction regarding the Pine Creek Canyon Road Construction Project and to discuss or consult with the attorney of the public body in order to consider its position and instruct its attorney regarding the public body's position in order to avoid or resolve litigation. Then, after

executive session has concluded move to direct the County Attorney's Office to proceed as directed in executive session.

Upon motion by Supervisor Marcanti, seconded by Vice-Chairman Martin, the Board unanimously continued this agenda item to the Board of Supervisors' December 2, 2014, regular meeting.

There being no further business to come before the Board of Supervisors, Chairman Pastor adjourned the meeting at 12:15 p.m.

APPROVED:



Michael A. Pastor, Chairman

ATTEST:



Marian Sheppard, Clerk of the Board