

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

Date: April 6, 2010

**SHIRLEY L. DAWSON**  
Chairman

**JOHN F. NELSON**  
Clerk of the Board

**TOMMIE C. MARTIN**  
Vice-Chairman

By: Marilyn Brewer  
Deputy Clerk

**MICHAEL A. PASTOR**  
Member

Gila County Courthouse  
Globe, Arizona

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PRESENT: Shirley L. Dawson, Chairman; Tommie C. Martin, Vice-Chairman (via video conferencing); Michael A. Pastor, Supervisor; John F. Nelson, Interim County Manager/Clerk; Marian Sheppard, Chief Deputy 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 in the Board of Supervisors hearing room. Supervisor Pastor led the Pledge of Allegiance and Reverend Barbie Morton of the First Christian Church in Globe delivered the invocation.

**Item 2 - Presentation of the Officer of the Quarter Award to Detective Michael McAnerny from the Payson Police Department.**

County Attorney Daisy Flores stated that Detective McAnerny, who describes himself as a “hyper-active pit bull,” has been with the Payson Police Department (PD) since 2006. Prior to that he worked for the Phoenix PD and since being with the Payson PD, he has worked as a patrol officer, resource officer and then promoted to detective. She stated that Detective McAnerny is really being recognized for his work and the extraordinary lengths he will go to in order to ensure that a case is completed. Ms. Flores cited a couple of examples of intensive police investigative work he completed, which was instrumental in the prosecution of these cases. She stated that “It’s hard to describe him if you haven’t really met him and his infectious personality, but I know it’s been a pleasure for all of us working with him...and we appreciate his hard work and the tenacious attitude that he has towards investigation and his work.” Members of the Board thanked Detective McAnerny for being a good officer who wears his badge with honor and integrity and for doing such a wonderful job. Payson Police Chief Don Engler was also thanked for his services.

**Item 3 – Recognition of 3 employees for March’s “Spotlight on Employees” Program.**

Juley Bocardo-Homan, Deputy Personnel Director, presented gift cards as recognition awards to 2 employees for March’s “Spotlight on Employees” program, as follows: Tyler Solberg of the IT Department and Claudia Candy Brooks of the Recycling and Landfill Management Department. A third employee who was unable to attend today’s meeting will be recognized next month. Each Board member thanked the employees for their dedicated work.

**Item 4 – Information/Discussion/Action to adopt Proclamation No. 10-02 to proclaim April 18-24, 2010, as National Crime Victims’ Rights Week in Gila County.**

Liz Fetterman, Victims’ Witness Advocate for the County Attorney’s Office, introduced members of her staff, Terry Dalton, Brenda Van Haren and Robin Miller. Ms. Fetterman stated that since 1981, National Crime Victims’ Rights Week has challenged the nation to reflect on victims and their families, the professionals who serve them and on the struggle for fairness, dignity and respect for victims of crime. She stated, “Every year we celebrate decades of hard-earned progress and renew our commitment to ensure that all victims have rights and services they need to recover from crime.” She then played a short video entitled “Crime Victims’ Rights—Fairness, Dignity and Respect.” In conclusion Ms. Fetterman read aloud the Proclamation. Chairman Dawson thanked Ms. Fetterman and her staff for the work they do, but knowing that people care is critical to helping these families recover from their crisis. She also noted that Ms. Fetterman and staff will be holding a Candlelight Ceremony to commemorate victims of crime on Monday, April 19, 2010, at 5:15 p.m. at Globe City Hall and invited the Board and the public to attend. Vice-Chairman Martin read aloud the last paragraph of the Proclamation. Upon motion by Vice-Chairman Martin, seconded by Supervisor Pastor, the Board unanimously adopted Proclamation No.10-02, declaring April 18-24, 2010, as National Crime Victims’ Rights Week in Gila County. **(A copy of the Proclamation is permanently on file in the Board of Supervisors’ Office.)**

**Item 5 - Information/Discussion/Action to adopt Proclamation No. 10-03 to proclaim April 2010, as National County Government & National Public Health Month in Gila County and to encourage all Gila County officials, employees, schools and residents to participate in related activities throughout the month.**

Chairman Dawson reviewed a list of activities that will be presented throughout the month of April for National County Government & National Public Health Month in Gila County. Included in the activities is a health fair at the Claypool Little League Field on Tuesday, April 6<sup>th</sup> and in Payson on April 8<sup>th</sup> and 20<sup>th</sup>; an

Earth Day poster contest for the students of schools in Gila County; and on April 13<sup>th</sup> in Globe and April 21<sup>st</sup> in Payson an employee appreciation luncheon will be held for all County employees. Chairman Dawson asked Jacque Griffin, Assistant County Manager/Librarian, to read aloud the Proclamation. Upon motion by Supervisor Pastor, seconded by Vice-Chairman Martin, the Board unanimously adopted Proclamation No. 10-03 proclaiming April 2010 as National County Government & National Public Health Month in Gila County. **(A copy of the Proclamation is permanently on file in the Board of Supervisors' Office.)**

Chairman Dawson stated that the Board would address agenda item 11 at this time.

**Item 11 - Information/Discussion/Action to approve an Intergovernmental Agreement between Gila County and the City of Globe to effectuate the sale and transfer of the historic Old County Courthouse and the historic Old County Jail to the City of Globe.**

Steve Stratton, Public Works Division Director, stated that Bryan Chambers, Chief Deputy County Attorney, has completed all of the required documents necessary for the sale and transfer of the historic Old County Courthouse and the adjacent Jail to the City of Globe, which will allow it to continue the functions currently being provided with the Center for the Arts and Old Jail tourism. He requested that the Board award an economic development grant to the City of Globe in the amount of \$1,080,000, which is 90% of the appraised value of \$1.2 million. That money will be placed in escrow and used by the City of Globe to purchase these 2 old historic buildings from Gila County. The deed restrictions require that the services currently provided will be continued for 20 years. Supervisor Pastor stated that this has been a long process and he is glad to see it is finally being completed. He also thanked Mr. Chambers and Kane Graves, Globe City Manager, for their efforts. Upon motion by Supervisor Pastor, seconded by Vice-Chairman Martin, the Board unanimously approved an Intergovernmental Agreement between Gila County and the City of Globe to effectuate the sale and transfer of the historic Old County Courthouse and the historic Old County Jail to the City of Globe in the amount of \$1,080,000. Mr. Stratton thanked the City of Globe for the services provided to the community and also thanked Kip Culver, Director of the Globe Main Street Program, for his many volunteer hours working on the 2 structures and to Mr. Chambers for working with him to make this happen.

Chairman Dawson next addressed agenda item 6.

**Item 6 - Information/Discussion/Action – Pursuant to A.R.S. § 15-246, to canvass the returns of votes cast for the March 9, 2010, Payson Unified School District No. 10 Special Override Election and to authorize the Chairman's signature on the Certification of Election Returns form.**

Linda O'Dell, School Superintendent, reviewed the results for the March 9, 2010, Payson Unified School District No. 10 Special Override Election. She stated that in the Payson Unified School District the voters approved the override by 67.83% in favor and 32.17% opposed. She also noted that the Elections Department provided a tabulation survey this year. Upon motion by Vice-Chairman Martin, seconded by Supervisor Pastor, the Board unanimously approved the results of the canvass and declared the results official for the Payson Unified School District No. 10 Special Override Election and authorized the Chairman's signature on the Certification of Election Returns form. **(A copy of the election results is permanently on file in the Board of Supervisors' Office.)**

Chairman Dawson called for a brief recess to take photographs in conjunction with agenda item 11 above.

**Item 7 - Information/Discussion/Action to approve: 1) an Intergovernmental Agreement (DPS Contract #2010-021) between the State of Arizona through its Arizona Department of Public Safety (DPS) Arizona Counter Terrorism Information Center (ACTIC) and the Gila County Sheriff's Office (GCSO) whereby the GCSO will provide a Terrorism Liaison Officer (TLO) in support of the GCSO and/or DPS ACTIC as needed, and 2) a Memorandum of Understanding (DPS Contract #2010-029) for TLO Level C (Connectivity) between the ACTIC Statewide Terrorism Liaison Officer Program and the GCSO to establish connectivity to the ACTIC TLO systems by the GCSO.**

Claudia DalMolin, Chief Administrative Officer for the Sheriff's Office, stated that this is just an information sharing network between the Arizona DPS and the Sheriff's Office and a vehicle was also provided. Supervisor Pastor inquired whether this would create a hardship on the TLO who has to complete the 40 hours/month of counterterrorism training. Ms. DalMolin stated that it won't create a hardship on the TLO because it's just part of the job. Upon motion by Vice-Chairman Martin, seconded by Supervisor Pastor, the Board unanimously approved: 1) an Intergovernmental Agreement (DPS Contract #2010-021) between the State of Arizona through its Arizona Department of Public Safety (DPS) Arizona Counter Terrorism Information Center (ACTIC) and the Gila County Sheriff's Office (GCSO) whereby the GCSO will provide a Terrorism Liaison Officer (TLO) in support of the GCSO and/or DPS ACTIC as needed, and 2) a Memorandum of Understanding (DPS Contract #2010-029) for TLO Level C (Connectivity) between the ACTIC Statewide Terrorism Liaison Officer Program and the GCSO to establish connectivity to the ACTIC TLO systems by the GCSO.

**Item 8 - Information/Discussion/Action to authorize David B. Caddell, GEST Program Manager, to submit a bid solicitation for Contract No. ADES10-0000063 on behalf of the Gila County Board of Supervisors to**

**the Arizona Department of Economic Security, Rehabilitation Services Administration which is due on or before April 15, 2010.**

David Caddell, GEST (Gila Employment and Special Training) Program Manager, stated that he is requesting permission to submit this bid solicitation, which will replace one of the current contracts for providing services. Upon motion by Supervisor Pastor, seconded by Vice-Chairman Martin, the Board unanimously authorized David B. Caddell, GEST Program Manager, to submit a bid solicitation for Contract No. ADES10-00000063 on behalf of the Gila County Board of Supervisors to the Arizona Department of Economic Security, Rehabilitation Services Administration which is due on or before April 15, 2010.

**Item 9 - Information/Discussion regarding a review of Gila County's 2008 financial audit – specific review of findings for audit report pages 57-83.**

Chairman Dawson stated that the Finance Department has worked very hard to get the audits current through 2009. John Nelson, Interim County Manager/Clerk, stated that the audit for 2009 has not yet been completed; however, the financial statements and the backup material has been compiled by the Finance Department and the County is now waiting for the CPA firm to come in and start the audit. Chairman Dawson stated that the problem she finds frustrating in reviewing the audits is that there are repeat finding citations year after year under mainly the Finance Department and the School Superintendent's Office. She would like to see those repeat findings cleared up this year. She addressed Linda O'Dell, School Superintendent, and stated, "The problem, of course, is that you are an elected official and you don't have to take direction from us, but I'm hoping this is a goal and objective of your department and that also in the 2010 audit all findings will be current findings and we won't be repeating the same errors or lack of action according to the Auditor General." Chairman Dawson also discussed the difficulty and need to keep current on the accounting rules and changes and noted a citation made by the Auditor General against Eastern Arizona College, which was based on providing lunch for someone within 35 miles of the place of business and that she was unaware this was not legal. She then called on Mr. Nelson to review the findings of the County's 2008 audit. Mr. Nelson reviewed the audit and findings and brought to the Board's attention a report, which is often skipped over, entitled "Auditor General Audit of Annual Expenditure Limitation." Mr. Nelson stated, "I know quite often my analysis of the budgets for Gila County has been rejected by some pundits. They have gone through and done their own analysis of our budgets and determined that our spending for Gila County is out of control. The fact of the matter is that in 1980, 28 years ago, the voters of Arizona approved an expenditure limitation, which states that for counties, expenditures from local revenues (taxes, fines and fees, charges for services, etc.) cannot increase more than the population and cost of living in any year. This audit is a certification from the Auditor General stating that

Gila County's expenditures for the past 28 years have not exceeded the increase in population and inflation. I respect people that want to challenge my analysis of our budgets and how they are presented and whether the expenditures are under control or not, I would refer them to the Auditor General." He stated that for the 2008 audit, Gila County was given an "unqualified position" rating, which is the highest rating and "we should be very proud of that." There were a total of 21 findings and 18 of those have already been corrected. He called to the Board's attention one particular finding, 08-16, where the Auditor General has made the determination that they will audit the School Superintendent's Office funds including the Accommodation School and include it with the County's audit. Mr. Nelson explained that the Board of Supervisors has no control over those funds, but is supposed to adopt it into the County's budget. Mr. Nelson stated, "I have argued with the Auditor General and said, 'If we cannot control it and we have no authority, I am not going to include it in our budget.'" However, the Auditor General's response has been just to take the figures that the School Superintendent provides, include those figures in the County's budget and have the Board adopt it. Mr. Nelson stated, "I am not willing to do that. So as we talk about repeat findings, I will continue to discuss this with the Auditor General. The Courts have said, 'You have no control over these funds', so this may be a finding that is repeated for the next 20 years because I have not concurred that I'm going to bring something to this Board to the budget as a rubber stamp and make you accountable and responsible for it. That, I will simply not do." Chairman Dawson stated that one particular case ended up in court regarding expenditures that came out of Maricopa County's general fund to cover expenditures made by the School Superintendent. She recommended that the Board continue to oppose this requirement and include it with County Supervisors Association legislation for a proposal to block that from happening. Chairman Dawson then inquired of Dr. O'Dell if she has a governing board yet for the Accommodation School. Dr. O'Dell replied that she is the governing board for the Accommodation School District. Dr. O'Dell stated that initially she challenged the fact that that Accommodation School District and the Education Service Agency should be audited as part of the County because they are independent entities. She stated that the way the Accommodation School is structured in Gila County, what happened in Maricopa County would not happen in Gila County due to the relationship between her office and the Treasurer's Office, along with the policies that are in place. Dr. O'Dell then explained that the findings in the audit for the School Superintendent's Office are due to the fact that she has such a small staff and one person is doing a couple of different things that should be spread among other employees so there are more checks and balances and work is ongoing to remedy same. She stated, "I want to assure you that we are aware of what the issues are and we do know what has to be done to remedy those." Chairman Dawson stated, "I realize it's your school, your responsibility, but I believe any check and balance system would suggest there should be more than one member of a school board making the decisions and I would encourage that." Dan Adams, a

resident of Payson, briefly commented on bureaucratic overkill with audits and the exorbitant costs for same. No action was taken by the Board.

**Item 10 - Information/Discussion/Action to elect a Chairman and/or Vice-Chairman for the Board of Supervisors, which will be effective May 1, 2010.**

Mr. Nelson stated that this item was placed on the agenda in error and he requested that it be tabled to the May 4, 2010, Board meeting. Upon motion by Supervisor Pastor, seconded by Vice-Chairman Martin, the Board unanimously tabled this item to the May 4<sup>th</sup> meeting.

**Item 11** – Addressed above.

**Item 12 - Information/Discussion/Action to approve a Contract for Special Gila Deputy County Attorney between the Gila County Attorney and Dennis McCarthy.**

Daisy Flores, County Attorney, stated that this Contract is between her office and Dennis McCarthy, a former long-time prosecuting attorney for Gila County. Ms. Flores stated that her Office has agreed to handle two cases against Maricopa County Supervisors Donald Stapley--Case 2 and Mary Rose Wilcox on behalf of Maricopa County Attorney Andrew Thomas because of a conflict of interest. The Donald Stapley--Case 1, is currently being handled by Yavapai County and is currently on appeal. Ms. Flores stated that even though these are very complicated cases and highly likely to be very litigated matters, she did not feel she could refuse to accept these cases from Mr. Thomas. However, now Mr. Thomas has resigned as Maricopa County Attorney, but that doesn't mean that the conflict has gone away so there is still a need for the Gila County Attorney's Office to retain the cases and go forward. The Maricopa County Board of Supervisors will be appointing a new County Attorney in the next couple of weeks and at that time Ms. Flores will reaffirm with the new Maricopa County Attorney that her Office will be continuing as conflict attorney under the same understanding for reimbursement. Approval of this Contract will bring Mr. McCarthy on as a special prosecutor for these very large cases that include 36,000 documents to be uploaded to a secure website for use by Mr. McCarthy. This will allow Mr. McCarthy as well as the County Attorney's Office to have access to all of the documents without the need for Mr. McCarthy to travel from his home or copy the documents. Mr. McCarthy was selected because of his extensive background and experience, both as a prosecuting attorney and as a defense attorney. If it is determined by Ms. Flores' Office that the cases can be successfully prosecuted, then the charges will be filed in Maricopa County; however, it will take a long time to come to that determination. According to the Contract, Mr. McCarthy will be reimbursed by the Gila County Attorney's Office out of the "cost of prosecution funds", which is a non-general fund account that is a self-regenerating account. So there will

be no funds coming out of Gila County's general fund. In the Gila County Attorney's Office agreement with Maricopa County, Maricopa County will reimburse the Gila County Attorney's Office on a monthly billing basis. Supervisor Pastor inquired if there would be any conflict of interest because at various supervisors' statewide meetings, the members of the Gila County Board of Supervisors often have friendly discussions with these two Maricopa County Supervisors. Ms. Flores replied that the members of the Gila County Board of Supervisors would have no confidential information regarding these cases and therefore she did not believe there would be any conflict or inappropriate contact between the Board and these 2 persons. However, Ms. Flores did advise that "these 2 persons are potentially accused and since they are represented by attorneys, it's always the best thing not to discuss the underlying facts of whatever it is they might be accused of." Upon motion by Vice-Chairman Martin, seconded by Supervisor Pastor, the Board unanimously approved a Contract between the Gila County Attorney and Dennis McCarthy for a Special Gila County Deputy County Attorney.

**Item 13 - Information/Discussion/Action to approve a judgment in Safeway, Inc. v. Gila County, Arizona Tax Court TX 2001-000090.**

Bryan Chambers stated that a decade ago, Safeway, Inc. filed a tax appeal regarding its taxes for the years 1997, 1998 and 1999, stating that it was taxed twice for some walk-in coolers on its properties in several counties throughout the state, but mostly in Maricopa County. A few years ago, Gila County agreed with Safeway, Inc. that rather than litigate its particular case, it would wait until the Maricopa County case was resolved after its appeal and whatever the finding was, Gila County would abide by that finding. Mr. Chambers advised that the Court of Appeals ruled in favor of Safeway, Inc. and approval of the judgment today would implement the earlier agreement. As confirmed by Larry Huffer, Chief Appraiser for the Gila County Assessor's Office, the net result of this case is that Gila County must return to Safeway, Inc. today the property taxes for those years in the total amount of \$51,748.49. He stated that Safeway is entitled to judgment interest from the date it paid the excess property taxes. He also advised that this judgment will affect all entities within the County which actually benefitted from those property taxes including the school districts and all other special taxing districts. Chairman Dawson called on Debi Savage, Treasurer, to provide the finalized figures. Ms. Savage stated that the judgment amount through today is \$51,748.49 for the original taxes which amounted to \$17,916.07; the remaining \$33,832.42 owed is for judgment interest due. Mr. Nelson stated that for clarification purposes, the entire judgment of \$51,748.49 will be distributed to all taxing jurisdictions in the same prorated share as they received the tax revenue and that will also include the interest. Upon motion by Supervisor Pastor, seconded by Vice-Chairman Martin, the Board unanimously approved a judgment in the Safeway, Inc. versus Gila County, Arizona Tax Court Case No. TX 2001-000090 in the amount of \$51,748.49.

**Item 14 - CONSENT AGENDA ACTION ITEMS:**

- A. Acknowledgement of the resignation of Gary Martin from the Tonto Village Domestic Water Improvement District Governing Board of Directors and the appointment of Jeff Widger to said Board to complete Mr. Martin's unexpired term of office.**
- B. Approval to adopt Resolution No. 10-04-01 approving the precinct consolidation and mail ballot precinct plan for the May 18, 2010, Special Tax Election.** (A copy of the Resolution is permanently on file in the Board of Supervisors' Office.)
- C. Approval to adopt an Order to appoint election board workers for the purpose of conducting the Special Tax Election on Tuesday, May 18, 2010.**
- D. Approval to adopt an Order to appoint poll workers for the purpose of conducting the Special Tax Election on Tuesday, May 18, 2010.**
- E. Approval of an application submitted by Jim Grider of Freeport-McMoRan Copper and Gold, Inc. to provide a fireworks display on July 4, 2010, at Freeport's mine tailings.**
- F. Approval of a Special Event Liquor License Application submitted by Charles Brewer for the Gila County Rodeo Committee to serve liquor at the Gila County Rodeo on April 24-25, 2010.**
- G. Approval of the February 2, 2010, February 9, 2010, February 16, 2010, February 23, 2010, and March 2, 2010, BOS meeting minutes.**
- H. Approval of February 2010 monthly departmental activity reports submitted by the Payson Regional Justice of the Peace and Payson Regional Constable.**
- I. Approval of the personnel reports/actions for the weeks of March 30, 2010, and April 6, 2010.**

**March 30, 2010:**

Departures from County Service:

1. Michelle Dyer – Payson Constable – Deputy Constable – 03/03/10 - General Fund – DOH 02/12/09 – Resignation
2. Terry Wollgast – Public Works/Automotive Equipment Maintenance – Vehicle and Equipment Mechanic Senior – 05/14/10 – Public Works Fund – DOH 04/12/04 - Retirement

Hires to County Service:

3. Danielle Anthony – Child Support – Administrative Clerk – 03/29/10 – General Fund – Replacing Victoria Bryant
4. Angelina Thompson – Recorder – Records Clerk – 04/12/10 – General Fund – Replacing Dallyn Rubalcava
5. Makenzie Vuksanovich – Recorder – Records Clerk Senior – 04/05/10 – General Fund – Replacing Carla Smith

End Probationary Period:

6. Antonella Campos – Public Fiduciary – Administrative Clerk – 03/15/10 – General Fund

Position Review:

7. Dallyn Rubalcava – Recorder – Records Clerk – 04/05/10 - General Fund – From Part Time – To Temporary

**SHERIFF'S PERSONNEL ACTION ITEMS**

End Probationary Period:

8. Victoria Garcia – Sheriff's Office - Detention Officer – 04/12/10 - General Fund

**April 6, 2010:**

Departmental Transfers:

1. Ernie Meeske – County Attorney – From Detective – To Chief Detective – 05/03/10 – General Fund

End Probationary Period:

2. Mark Gann – Public Works Solid Waste Buckhead Mesa Landfill – Solid Waste Operations Worker Senior – 04/12/10 – Solid Waste Fund

**SHERIFF'S PERSONNEL ACTION ITEMS**

Departure from County Service:

3. Colten White - Sheriff's Office – Deputy Sheriff – 03/29/10 – General Fund – DOH 04/10/06 - Resignation

**J. Approval of finance reports/demands/transfers for the weeks of March 30, 2010, and April 6, 2010. (separate handout)**

**March 30, 2010:**

\$361,876.75 was disbursed for County expenses by check numbers 225619 through 225772.

**April 6, 2010:**

\$1,493,740.44 was disbursed for County expenses by check numbers 225773 through 225947. **(An itemized list of disbursements is permanently on file in the Board of Supervisors' Office.)**

Upon motion by Vice-Chairman Martin, seconded by Supervisor Pastor, the Board unanimously approved Consent Agenda Action item numbers 14A-14J.

**Item 15 - 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 16 - 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. Nelson presented information on current events.

**Item 17 - Information/Discussion/Action to consider authorizing the Gila County Attorney's Office to stipulate that the Board of Supervisors and the members of the Board of Supervisors individually be dismissed as parties in the Chavez v. Bennett, Maricopa County Cause No. CV2006-007000, provided that the Board of Supervisors agrees to abide the result of the litigation.**

Mr. Chambers advised that a couple of years ago a group sued 13 of the 15 counties in Arizona that have particular election voting machines. Then 6 months ago, the group filed another complaint in the same lawsuit to specifically include the Boards of Supervisors and members of the Boards of Supervisors individually as defendants in the lawsuit. The Board approved the Office of Special Litigation from Maricopa County to represent Gila County in this lawsuit. What has now been proposed is that the parties stipulate that the Boards of Supervisors and its members be removed as defendants in the lawsuit provided that they agree to abide by the result of the litigation and Court Order. Supervisor Pastor made the motion to consider authorizing the Gila County Attorney's Office to stipulate that the Board of Supervisors and the members of the Board of Supervisors individually be dismissed as parties in the Chavez v. Bennett, Maricopa County Cause No. CV2006-007000, provided that the Board of Supervisors agrees to abide by the result of the litigation. Chairman Dawson stated that instead of the motion reading that the Board "consider authorizing," it should read "that the Board authorized..." The motion was amended to read, "The Board authorized the Gila County Attorney's Office to stipulate that the Board of Supervisors and the members of the Board of Supervisors individually be dismissed as parties in the Chavez v. Bennett, Maricopa County Cause No. CV2006-007000, provided that the Board

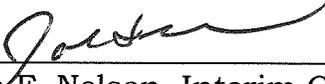
of Supervisors agrees to abide by the result of the litigation.” The motion was seconded by Vice-Chairman Martin and passed unanimously by the Board.

There being no further business to come before the Board of Supervisors, Chairman Dawson adjourned the meeting at 11:43 a.m.

**APPROVED:**

  
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Shirley L. Dawson, Chairman

**ATTEST:**

  
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John F. Nelson, Interim County Manager/Clerk