

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

Date: March 15, 2011

MICHAEL A. PASTOR
Chairman

JOHN F. NELSON
Clerk of the Board

TOMMIE C. MARTIN
Vice-Chairman

By: Marilyn Brewer
Deputy Clerk

SHIRLEY L. DAWSON
Member

Gila County Courthouse
Globe, Arizona

PRESENT: Michael A. Pastor, Chairman; Tommie C. Martin, Vice-Chairman (via ITV conferencing); Shirley L. Dawson, Supervisor; Don McDaniel, Jr., County Manager; 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 a regular session at 10:00 a.m. this date in the Board of Supervisors hearing room. Linda Eastlick led the Pledge of Allegiance and Reverend Dan Lowe of the Hospice Compassus in Payson delivered the invocation.

Item 2 – PRESENTATIONS:

2A. Recognition of the following five (5) employees for February's Spotlight on Employees" Program: Claudia DalMolin, Art Salcido, Darcia Bender, Mike Johnson and Sarah Haynie.

Julye Bocardo-Homan, Human Resources Deputy Director, presented gift cards as recognition awards to 5 employees for February's "Spotlight on Employees" Program as follows: Claudia DalMolin, Art Salcido, Darcia Bender, Mike Johnson and Sarah Haynie. Each Board member thanked the employees for their dedicated work.

Item 3 – PUBLIC HEARINGS:

3A. Public Hearing - Information/Discussion/Action to approve Order No. LL-11-02, an application submitted by Russell S. Griffith/Flying Raven Ranch, LLC for a person to person transfer of a Series 9 liquor store license with an interim permit to operate under the business name of

Buddi, of which the license will be in use at Buddi's Gas and Mini Mart located in Young.

Marian Sheppard, Chief Deputy Clerk, stated that this is a liquor license application for Series 9 liquor store license. She stated that Gila County has an internal process whereby the Health Department and the Building Safety Permitting Department review the application and go to the site to ensure that the applicant is following all internal procedures. There was one issue that the Building Safety Permitting Department had regarding electrical and generator wiring; however, the applicant is cooperating so the Department does recommend Board approval. Ms. Sheppard stated that she has not received any letters of objection and recommended the Board's approval and noted that it will be submitted to the State Department of Liquor License and Control for final approval. Chairman Pastor opened the public hearing and called for public comment; none was received. He closed the public hearing and entertained a motion. Upon motion by Supervisor Dawson, seconded by Vice-Chairman Martin, the Board unanimously approved Order No. LL-11-02, an application submitted by Russell S. Griffith/Flying Raven Ranch, LLC for a person to person transfer of a Series 9 liquor store license with an interim permit to operate under the business name of Buddi, of which the license will be in use at Buddi's Gas and Mini Mart located in Young.

Item 4 – REGULAR AGENDA ITEMS:

4A. Information/Discussion/Action to award a Gila County Economic Development Grant in the amount of \$15,000 to the Boys and Girls Club of Globe (Club) for the purpose of reopening the Club.

Mickie Nye, President of the Boys and Girls Club of Globe (B&G Club), stated that the funds being requested are to assist in successfully opening and sustaining the B&G Club of Globe. He stated that it is an independent organization, which is no longer affiliated with the Boys and Girls Club of San Carlos, Arizona. The annual budget is \$125,000 and the stakeholders include, but are not limited to the following: City of Globe; United Fund, Freeport McMoran & Gold, and Gila County as well as dues from the members. Other fund-raising includes an annual golf tournament and there are approximately a dozen local businesses and another dozen individuals that contribute money to the B&G Club in dollar amounts ranging from \$250 to \$5,000. Grants are also being actively sought to help the B&G Club with its programs and the members. All fundraising is done by volunteers. The B&G Club currently employs 2 people—one is a full time person and the other is part time. There are 5-6 volunteers also assisting and it is anticipated that approximately 6 people will be hired for the summer program and Sabrina Jones is the Director. He stated that currently there are over 35 members attending the Club's activities on a daily basis and in the summer time the B&G Club has historically had about 180 local youth participating in the program. Mr. Nye

stated that no one is denied membership to the B&G Club as there are scholarships available to those who can't afford to pay the \$25 monthly dues. The B&G Club is recognized as a corporation in good standing with the state of Arizona and has also applied for a nonprofit status with the Internal Revenue Service. In the interim, the B&G Club is using the Signal Peak Community Foundation as its non-profit sponsor for fund-raising activities. He stated that the grant being requested will keep the B&G Club open and sustainable for the members and communities served. The officers of the B&G Club board include the following: Carmen Casillas, First Vice-President; James Haley, Second Vice-President; Lucy Gomez, Secretary; Sharon Listiak, Treasurer; and Cynthia Bach, Fund Raising Officer. Other members of the Board include Karen Haley, Alexis Rivera, Ann Tolman, Claudia DalMolin, Nancy Rutherford, Carol Moore and Lisa Nye. Mr. Nye respectfully requested the award of this grant. Supervisor Dawson stated, "I certainly want to speak in support of this B&G Club. As the economy is difficult and we have people who work hours when children need to be under supervision, the B&G Club offers that. I have mentioned before that I think this should be a line item, budgeted item in our budget, because I do feel that it is appropriate that we help sponsor this and that the B&G Club not have to annually or more frequently be out trying to figure out how they are going to keep their doors open. So I strongly support it." Chairman Pastor stated that 2-3 years ago the B&G Club came to the Board and asked for the County's support and the Board committed for 3 years at \$15,000/year. Chairman Pastor stated, "I think Supervisor Dawson and myself committed constituent services funds for that project. Is that what this request is for? Is this that same request that you made in October or is this a whole new request?" Mr. Nye stated this is a whole new request; it was not a request for funding from supervisors' constituent services money, but rather this was a request for an economic development grant. Chairman Pastor stated, "I would be agreeable to go ahead and make the third year contribution of our commitment to the B&G Club that we did a couple of years back when Mr. Besich--before we hired Don (McDaniel) and then there has been some discussion about a budget line item for some sort of funding available to those organizations that come to the County, but that hasn't been decided yet and those will be taken up in further discussions during the budget process. I would suggest we go ahead, if Supervisor Dawson is agreeable to it, that we commit to the third year of that pledge we made 2 years ago and meet the funding which would be \$7,500 from the 2 of us. I know, Supervisor Martin, I don't think you committed to that 3-year commitment at that time. If you would like to, we would invite you to, but I understand if you didn't. The commitment was from Supervisor Dawson and myself at the time." Vice-Chairman Martin stated, "I'm glad you made that clarification because I was sitting here under the impression it was the third year of that commitment you all made. I've had some extra commitments I've made this year that I covered for all 3 of us like the fishing derby and things like that, so I don't know where I'm at with that. I would have to stop and look but I agree with you in that let's revisit this as a separate grant sometime in future, but let's finish up that

commitment.” Chairman Pastor inquired if that was agreeable with Supervisor Dawson. Supervisor Dawson replied, “Yes, I have no problem with it being constituency funds. My problem with it being an economic development grant in the future is that future boards may not see the value of the B&G Club and I just would strongly urge that as we go into the budget we look at the B&G Club as a specific line item in our budget and not as an annual grant that they have to be worried about from year to year. You can’t make long range plans and have staff if you are every year wondering and certainly our school districts are doing that this year, wondering where their funds are coming from.” Chairman Pastor stated, “I understand that point and I think during the budget discussions that are coming up, I think the County Manager has those scheduled for March 23rd and I’m sure there will be many different discussions on many different items so this is just an item to add to the list for the discussion and we will proceed from that point. But what I would do, I would entertain a motion that we commit to the 3-year commitment that we had and that will provide the funding that you need at this point. Chairman Pastor stated to Mr. Nye that he also believed that Mr. Nye also requested some HURF (Highway Users Revenue Funding) funds that were put on hold. He stated, “I don’t want to say those funds are still committed to the B&G Club, but I know the discussion kind of led to we would hold those funds back until you came forward to let us know what the status of the B&G Club was.” Mr. Nye stated, “We certainly appreciate the Board’s support and anybody is more than welcome to come out and visit the Club and watch the activities that we provide.” Supervisor Dawson made the motion that the Board grant a \$15,000 constituency fund grant from District 2 and District 3, a total grant of \$15,000 to the B&G Club of Globe for the purpose of reopening and sustaining the Club. The motion was seconded by Vice-Chairman Martin and unanimously approved by the Board.

4B. Information/Discussion/Action to approve the allocation of \$50,000 of Gila County's Secure Rural Schools Funds (Forest Fees) for FY 2010-2011 to Roads, and to distribute to Gila County School Districts the remaining funds of \$1,643,792.

Linda O’Dell, School Superintendent, requested that the Board approve a recommendation from her office that is supported by the County Management Team as well as the school districts throughout Gila County regarding the distribution of Secure Rural Schools (SRS) funds that have been received in Gila County this year. She stated that the Secure Rural Schools and Community Self Determination Act was first initiated in 2000. It was reauthorized in 2008 for a 4-year period and this is the third of those 4 years. She stated that the County has been assured of at least some amount of money for the next fiscal year; however, beyond that it’s questionable as it is a controversial issue in Congress. She advised that of the total amount of money that comes into the County for SRS, 20% is taken right off the top for the Resource Advisory Committee (RAC) which then allocates the remaining funds

back to the counties in that region. The remaining 80% comes into Gila County and is distributed between 2 entities for roads and schools. She stated that in the past 2 years, the Board has allocated the majority of the funding to schools and \$50,000 has been set aside in each of the last 2 years for roads. The request will be the same for this year. Ms. O'Dell then presented a PowerPoint chart showing that the total allocation for Gila County out of this fund was \$2,117,240. The RAC will take 20%, which amounts to \$423,448, leaving a County share to be distributed to roads and schools of \$1,693,792. Ms. O'Dell then subtracted out the \$50,000 as recommended for roads, leaving the remaining amount of \$1,643,792 for schools. She noted that this year, in contrast to past years, all of the monies are being allocated to the school districts. In the past, the school districts and the Board as well as management have allowed and approved a portion of the overall funding to be held by the County School Superintendent's Office for a number of activities; however, a recent audit has demanded that not been done. She stated that any monies that are held in the County, either for roads or for example for the County School Superintendent's Office, would reduce the amount of the County's PILT (Payment in Lieu of Taxes) at the other end of the spectrum for funding coming in for roads. Ms. O'Dell advised that she does have an agreement from all of the school districts. The school districts had originally approved an allocation of \$183,500 to the County School Superintendent's Office for continued support for services; however, that was before the audit came out. Once the audit report was received, Ms. O'Dell stated that she proposed to the school districts and discussed with management the possibility of asking the school districts to set aside their portion of that \$183,500 for purposes of then purchasing services back from the County School Superintendent's Office. She stated that the total allocation for each school district is based on exactly the same formula that was used last year in that the monies are divided out by a percentage of the base, as a base; a percentage for forest acreage; and a percentage for ADM (Average Daily Membership) enrollment. The other columns shown are more for information. Also noted was last year's allocations by school district, which included in the bottom the County School Superintendent's Office. This also reflected the dollar decrease from last year to this year as well as the percentage decrease for each district from last year to this year. Another piece of information provided on this document was the enrollment figures for the last 3 years, which showed an overall decrease in the County in its public schools. The most significant change from last year to this year for the accommodation district was that the Gila County Regional School District is now providing education services to the San Carlos Juvenile Detention Center so the enrollment did increase substantially over the last couple of years. Ms. O'Dell then addressed the issue of conversations that she's had with superintendents about the set aside of funds for purchasing services from the County School Superintendent's Office. She stated that the Payson School District has declined and it is holding \$48,593 and for the Board's information, that purchases a teacher's salary and benefits. Ms. O'Dell stated that she clearly understands and there is no

animosity. The Miami School District is opting to keep its \$25,642. Globe School District is opting to hold its funds for the moment, but has indicated that for specific services they would be interested in contracting with the County School Superintendent's Office. She stated that at this point the Gila County Regional School will set aside funds for services as well as the school districts of Hayden-Winkelman, Pine-Strawberry, San Carlos, and Young. Tonto Basin "is in flux at the moment" as they are in the process of hiring a new superintendent and they want the superintendent involved. With the total set aside funds that will come back to Ms. O'Dell's Office, there will be enough to contract with a full time curriculum specialist that will help the school districts train and implement the new common course standards in math and language arts, so there is a dedicated purpose for that funding. Supervisor Dawson stated that while she was in Washington, D.C., she met with Senators McCain and Kyl, who have indicated that there will not be continued funding for SRS. However, Supervisor Dawson also met with Utah Representative Rob Bishop, who was instrumental in the PILT funding and in the SRS. He was not aware of Senator McCain's clear opposition to SRS and in July she plans on meeting again with Congressman Bishop to see what can be done. Supervisor Dawson believes these funds are vital and she doesn't begrudge any school district saying they can't afford to withhold any of these funds although curriculum development is certainly critical for them. What Arizona and federal legislators do with education is certainly a big concern for this nation. Vice-Chairman Martin stated that in its simplicity, SRS money is supposed to be to pick up the production dollar loss from U.S. Forest Service lands and that conversation hasn't changed except for getting even less and fewer production dollars for Forest Service land. She stated that the SRS money along with PILT money is supposed to go to those counties which are so dependent on federal lands. They either have to open that production back up or they have to provide this funding. She stated, "To me it's just one way or the other. I will be making that case and any help you can give me on making that case I want..., including from Ms. O'Dell. I really appreciate the fact that we have this funding finally over the last few years, and I think we need to pull all stops to keep it going." Chairman Pastor agreed with both of the supervisors and stated that in a meeting with Senators Kyl and McCain, Senator Kyl stated that this was supposed to be temporary funding and that's the way they were looking at it right now. Mr. Pastor then met with Congressman Gosar's staff and Congressman Pastor's staff and emphasized that SRS and PILT funding were important especially to the western United States. Although there were comments about it being temporary funding, Chairman Pastor believes that NACO (National Association of Counties) has identified it as a priority for its lobbying efforts, too, so hopefully some logical decision making will come back there when it comes to rural schools. Ms. O'Dell stated that the school districts in the County are looking very carefully at how much money they may or may not have and how that money is being utilized and the forest fee monies are very important to them. She stated that in the past years some school districts have held that funding and are now using it for salaries. She

emphasized that these funds are intended to replace funding that is not available to the County school districts by virtue of gaining revenues from the forest lands, which is an important thing to remember. With the percentage of public lands in Gila County, that is critical. Ms. O'Dell stated that she is aware from Tim Carter, President of NACO as well as Yavapai County School Superintendent, in reporting from his last trip to Washington, D.C. that our congressmen with the exception of one seem to be in support, so she does not believe that fight is over yet. She thanked the Board for its support of education as well. Ms. O'Dell addressed one final item in regard to a spreadsheet that shows what the original projections were for these funds for the past 4 years and what the actual funding levels have been for the counties in Arizona. She noted that the County has not in any of those years received the amount that was originally projected. In the first year, the amount was significantly down; last year there was a 10% increase in the amount of funding so the second year there was actually more funding through this source than the first year; and this year to the schools, there is a 17.13% decrease from last year. The overall decrease to Gila County is estimated at approximately 16.85%. Upon motion by Vice-Chairman Martin, seconded by Supervisor Dawson, the Board unanimously approved the allocation of \$50,000 of Gila County's Secure Rural Schools Funds (Forest Fees) for FY 2010-2011 to Roads, and to distribute to Gila County School Districts the remaining funds of \$1,643,792.

4C. (Motion to adjourn as the Gila County Board of Supervisors and convene as the Gila County Library District Board of Directors.) Information/Discussion/Action to approve the Dedicated Internet Access Service Agreement between the Gila County Library District and Network Services for Internet access for the Hayden Public Library at a cost of \$370 per month for the period July 1, 2011, through June 30, 2012.

Upon motion by Supervisor Dawson, seconded by Vice-Chairman Martin, the Board convened as the Gila County Library District Board of Directors.

Jacque Griffin, Assistant County Manager/Librarian, stated that this Agreement is in keeping with the process in the Gila County Library District of providing Internet access and connectivity for the 8 rural libraries in Gila County and following the process that is set out by the Schools and Libraries Coalition (SLC), which is called the E-Rate, a rebate program. Every 3 years the Library District request bids for Internet service for the libraries and one change this year is that instead of requesting 3-year contracts, the Arizona State Library, Archives and Public Records has requested that the library districts only ask for a 1-year contract because of SACCNet, which is the State of Arizona Counties Communication Network project that is scheduled to come into existence later this year. She stated that the Gila County Library District couldn't contract with SACCNet for this activity and still meet the E-Rate deadline, so this will be a contract for just one year. Ms. Griffin stated that

this contract was with Network Services in the past at a cost of \$350 per month for the 3-year contract. Two companies responded to the request for proposals, Qwest and Network Services; however, QWest declined to respond to a request for a 1-year contract and the price from Network Services went up \$20 per month. Ms. Griffin stated that she believes that SACCCNet will also charge approximately \$350 per month. This Agreement is for the dedicated T-1 connectivity for the Hayden Public Library. Upon motion by Supervisor Dawson, seconded by Vice-Chairman Martin, the Board unanimously approved the Dedicated Internet Access Service Agreement between the Gila County Library District and Network Services for Internet access for the Hayden Public Library at a cost of \$370 per month for the period July 1, 2011, through June 30, 2012.

4D. Information/Discussion/Action to approve the Library Website Contract between the Gila County Library District and Piper Mountain Webs, LLC for website design, hosting services and technical support for the period March 15, 2011, through March 14, 2016, at a total cost of \$4,050.

Ms. Griffin stated that the Gila County Library District received an LSTA (Library Services & Technology Act) grant from the Arizona State Library to get Gila County libraries on an Internet website. She stated, "The Library District has a web presence; it's just sort of lame from the perspective of our card catalog." This particular grant will be to refresh Gila County's Library District website, and give each of the libraries who don't have a website, access to a web page within it so each library can manage the content of it as well as links to access the libraries that already do have websites." She stated that in keeping with this grant, which expires on August 3rd, the grant requirements state that the Library District cannot pay for the annual web hosting and cannot pay for anything past the end of the grant. The grant will pay for the \$800 one-time design and setup fee for the public library website template, including a kid pack, a teen pack and 100 pages, if needed. This will be done by Piper Mountain Webs, LLC, whose sole business is to build websites for libraries. Each library that will be participating will have the ability to keep its own pages up to date. Ms. Griffin stated that the annual hosting and content-management training and support will cost \$650 per year. Upon motion by Vice-Chairman Martin, seconded by Supervisor Dawson, the Board unanimously approved the Library Website Contract between the Gila County Library District and Piper Mountain Webs, LLC for website design, hosting services and technical support for the period March 15, 2011, through March 14, 2016, at a total cost of \$4,050.

4E. Information/Discussion/Action to ratify approval of a Library Services and Technology Act (LSTA) Grant Application to the Arizona State Library, Archives, and Public Records in the amount of \$30,000 for a Centennial Experience Grant for the period June 16, 2011, through

August 3, 2012. (Motion to adjourn as the Gila County Library District Board of Directors and reconvene as the Gila County Board of Supervisors)

Ms. Griffin requested the Board's ratification of a LSTA Grant Application for a Centennial Experience Grant that was due to the Arizona State Library yesterday; hence the request for ratification. Per the LSTA guidelines, the funds are to be used for projects between June 16, 2011, and August 3, 2012. There are 4-5 categories within LSTA guidelines and the category that the Gila County libraries collectively chose to apply for is under the grant category of "Centennial Experience." She stated that from this \$30,000 grant, \$13,750 will be used for books and materials to refresh and update the Arizona collections in each of the 8 public libraries; \$6,200 will be used to provide for speakers and travel for speakers to assist the libraries in celebrating Arizona's Centennial starting next January or February, to highlight Arizona's history with displays, with programs, etc.; and each library is in the planning stages of a signature event to help increase their residents' understanding of Arizona history as well as give a little Centennial celebration in each of the 8 communities. Ms. Griffin advised that there are no required matching funds and she will be notified in May if the grant is awarded to the Gila County Library District. Upon motion by Supervisor Dawson, seconded by Vice-Chairman Martin, the Board unanimously ratified approval of a Library Services and Technology Act (LSTA) Grant Application to the Arizona State Library, Archives, and Public Records in the amount of \$30,000 for a Centennial Experience Grant for the period June 16, 2011, through August 3, 2012.

Upon motion by Vice-Chairman Martin, seconded by Supervisor Dawson, the Board reconvened as the Gila County Board of Supervisors.

4F. Information/Discussion/Action to approve a temporary decrease in the cost of wastewater certification classes from \$100 to \$50 for the year ending on December 31, 2011.

Bob Gould, Community Development Division Director, stated that Jake Garrett, Environmental Engineer Manager, and Jafetsdottir Svanhildur, Environmental Engineer Specialist, for the County approached him several weeks ago regarding mandatory classes that are required by the County to be taken by all people who conduct soil investigation services in Gila County. They requested that Mr. Gould ask the Board to consider decreasing those fees for this year. It appears that the County will not lose money by doing so, but will just break even on the course this year. He advised that businesses providing this service have had a very difficult year, especially for some contractors who have not had a single job with the County this fiscal year. In light of that, Mr. Gould stated that he and staff request that the Board consider decreasing the fee to \$50 in lieu of the \$100 fee this year. The fee will be considered again during the normal code update process as to what the fee

should really be for the next year. Upon motion by Supervisor Dawson, seconded by Vice-Chairman Martin, the Board unanimously approved a temporary decrease in the cost of wastewater certification classes from \$100 to \$50 for the year ending on December 31, 2011.

4G. Information/Discussion/Action to approve an Agreement between the Gila County Board of Supervisors, the Gila County Sheriff's Office, and the Tonto Apache Tribe for dispatch services to the Tonto Apache Tribe Police Department for the period that commences March 1, 2011, through December 31, 2011.

Adam Shepherd, Undersheriff, stated that last fall the Sheriff's Office was contacted by the Police Chief of the Tonto Apache Tribe in Payson because they had some concerns about their dispatching services and wanted to explore the Gila County Sheriff's Office taking over that contract. Mr. Shepherd stated that there were some unique challenges, which were obviously technical in nature, and the Sheriff's Office had to ensure that the tribal equipment could coexist with the Sheriff's Office current system. There were also some legal issues, which were handled by Bryan Chambers, Chief Deputy County Attorney, and the Tribe's attorney. He stated that this involves dealing with a federal entity, not a state entity, so it's not quite as seamless when entering into agreements as it would be if it was just another state agency. Also of concern were some information sharing issues as far as the state was concerned. He stated that although there is a lot of interface with reservations in the state, there is not a lot of practice as far as a county agency picking up contracted services of this nature with a tribe. He stated that there are some agreements that the Sheriff's Office is treading on very lightly and continues to do so. This is the reason that Exhibit A contains some careful wording regarding dealing with some of the information sharing with the state. The Sheriff's Office has worked on this agreement for several months and the agreement being requested for approval by the Board was approved by the Tonto Apache Tribal Council and signed by Chairman Smith on the 25th of January. Mr. Shepherd stated that on behalf of Sheriff Armer, "It looks like this is going to be a good fit for us. We are able to absorb their traffic and it looks like we can work out all the other things and challenges that make this work. We would support your approving this agreement." Vice-Chairman Martin stated "It just helps consolidate the dispatching and I'm always pleased to do that." Chairman Pastor inquired whether there were still some changes that needed to be made. Mr. Shepherd replied that they are going to review some of the wording of the agreement and tweak it and there may be other issues that arise regarding the data sharing because it's still part of a big question, but for now the Sheriff's Office has been providing dispatching services since November 2010 and continues to move forward. Chairman Pastor inquired of Mr. Chambers if some wording should be included in the motion that would indicate that there might be some tweaking of the agreement. Mr. Chambers replied that it would be up to the Board. He stated, "You could do it either way since what would be done today,

if it's approved, would be approving the agreement in its current form. That's sufficient. The agreement does provide for a very short termination clause if either party wants it terminated, so immediately upon approving the agreement, the Board could entertain negotiations with the Tribe to change the length and have it limited to a certain time." Upon motion by Supervisor Dawson, seconded by Vice-Chairman Martin, the Board unanimously approved an Agreement between the Gila County Board of Supervisors, the Gila County Sheriff's Office, and the Tonto Apache Tribe for dispatch services to the Tonto Apache Tribe Police Department for the period that commences March 1, 2011, through December 31, 2011.

4H. Information/Discussion/Action to adopt Resolution No. 11-03-03, amending the revised Guidelines for the selection of the Gila County Redistricting Advisory Committee which were established by Gila County Resolution No. 11-03-02, and selecting additional Redistricting Advisory Committee members.

Linda Eastlick, Elections Director, recommended that the Board adopt the resolution, amending the Guidelines for the selection of the Gila County Redistricting Advisory Committee (RAC) in order to provide the opportunity for the Board to consider increasing the number of RAC members from 9 to 12. Further, the Guidelines would be amended to provide for no more than 5 Republicans and 5 Democrats and no less than 2 individuals who are unaffiliated or are of the Independent political party. She stated that included in the Board packet are 2 lists of people--one list contains the current members of the RAC and the second list contains the individuals who were named as alternates as well as all other individuals who have applied to become members of the Committee. She stated that 3 additional names that were added to this list from the last time it was presented to the Board: Mr. James M. Feezor (Supervisor District 1) would also like to be considered as well as Mr. Lynn E. Durst (Supervisor District 3) and Mr. Roberto Sanchez (Supervisor District 3). Ms. Eastlick recommended that the Board consider these amendments to the Guidelines and consider the selection of additional members to the RAC. Supervisor Dawson stated that the Board has tried to appoint a fair number of people and also a representative group. Although the people in her district are all identified as people from Globe, she pointed out that one member was from the San Carlos Apache Reservation and a large portion of her constituents are Hispanic, so she also nominated a Hispanic person. Supervisor Dawson stated, "I don't think that people who looked at this understand that it is fair and unbiased. The fact that the person from San Carlos has a Globe address does not make her a non-Native American." Vice-Chairman Martin noted that one of the people that she picked as an alternate, Christine Harrison, out of Supervisor Dawson's District was now available for consideration by the Board. Ms. Eastlick advised the Board that all of the people on the list that are highlighted with the orange are alternates that would be eligible for consideration for selection. Chairman Pastor noted that he had appointed

Curtis Johnson as one of his members for the RAC; however, since that time Mr. Johnson has been employed by the County so he has submitted a letter of resignation and asked to be replaced on the RAC. Chairman Pastor advised that at this time he was not ready to name a replacement for Mr. Johnson until he can contact one of his alternates to see if that person would be willing to serve. The Board decided to adopt the resolution before proceeding with the selection of additional members. Upon motion by Supervisor Dawson, seconded by Vice-Chairman Martin, the Board unanimously adopted Resolution No. 11-03-03 amending the revised Guidelines for the selection of the Gila County Redistricting Advisory Committee, which were established by Gila County Resolution No. 11-03-02. Chairman Pastor inquired for clarification if he would need to pick a replacement for Mr. Johnson today because he preferred to contact his alternates first before committing them as a member. Ms. Eastlick stated that the Board would have to take an action in order to replace Mr. Johnson. Ms. Eastlick then inquired of Mr. Chambers that since Chairman Pastor has just received this resignation, she thought a new selection could be done by the Board either in this session or a subsequent meeting. After reviewing the Guidelines with the Board, Mr. Chambers advised that it appears the appointment to fill the vacancy could possibly be done today or the Board would be justified in waiting until the next meeting because of the 2-week provision. He stated, "I think you could probably argue it either way if you really wanted to appoint someone to fill that vacancy so long as it complied with being of the same political party or status as the person who vacated the office...The one thing that is clear is that the same member who appointed is the person who proposes the name and, of course, that would then be approved by Board action." Chairman Pastor stated that there was a motion and a second and called for the vote. The motion was passed unanimously. The Board then proceeded to select 3 additional members to the RAC. Chairman Pastor selected Robert Dalby of Payson. Vice-Chairman Martin selected James Feezor of Payson. Supervisor Dawson selected Roberto Sanchez of Payson. Chairman Pastor stated that his selection to replace Curtis Johnson would be Gary Andress of Claypool. Vice-Chairman Martin stated that she would keep the 2 alternates she originally selected. Supervisor Dawson selected Marvin Mull as her second alternate from San Carlos. She stated that Mr. Mull would have been on the original list; however, he had to have the approval of his supervisor and didn't receive that until after the original selections were made. Ms. Eastlick advised the Board that the first RAC meeting would be held in the conference room of the Public Works' Star Valley Maintenance Yard, and it would also be conducted by ITV to the Gila County Board of Supervisors' hearing room in Globe at 5:30 p.m. on Tuesday, March 22, 2011, and the public was invited to attend.

4I. Information/Discussion/Action to review Gila County Policy No. BOS-1-2005 - Request for Public Records.

Supervisor Dawson stated, "As those who listen to the wrong radio station are aware, we've been inundated by requests for public information. When I ran for this office, I requested public information and often did not receive any response and so I campaigned hard on the fact that this County needs to be transparent. I still strongly support that. The fact that this has been a deluge of requests, over 20 the last time I checked, I just want to publicly thank Birdie (Berthan DeNero), Jacque (Griffin), Darryl (Griffin), Joe (Heatherly), Steve (Stratton) and Kaycee (Stratton). The number of hours that we are spending on trying to provide the material that is being requested has been exorbitant; it has been extremely costly in County staff time, so I want to thank and commend the staff. On Susan K's (of KWSS Radio) blog, she states: 'Gila County Supervisor Shirley had this put on the agenda after we requested the travel expenses and credit card statements for her last 3 out-of-state trips.' I don't know when my first trip of those last 3 is. I know that my husband's birthday is March 3rd and every March 3rd since I've been on this Board, I've either been packing or leaving for Washington, D.C. because that's when the legislative conference is and I'm there. When someone fills out a request for public information and wants my expenses for my trip that I barely got home from, in fact I think I was on the trip when that was filed and then the news casts says the County has been derelict (they don't use those big words), in providing timely responses. The bills for the March trip are not in and I also went in February at the request of the National Job Corps Association and those my secretary just filed today because the statements just got in. I do not believe that anybody in Gila County government is trying to protect or hide information. I request that any and all employees who know a way of cutting costs, please let us know. As I pointed out earlier in this meeting, we have over \$1 million that we receive from PILT (Payment in Lieu of Taxes) funds. It probably cost \$2,000 for me to go. Linda O'Dell went to a fly-in and it probably cost her about the same—maybe not so much because we flew in and we flew out, in 24 hours time--one hotel maybe. We brought home the bacon according to Senator McCain. Pork it is. We brought PILT funds. We brought home a chartered public school. These are not recreational trips. They are tough trips and we're lucky that there are people who will sacrifice family time to make these trips. I want to make certain that as we start charging a reasonable fee for the copies, and I was going to ask Birdie, Joe and Jacque to come in and stack it up here the number of pages that we have had to produce and we don't just produce 1 copy as the request is, we have to keep a copy of what we've made also of our own dumb records. I am just so frustrated with this waste of our employees' time. If you have charges, please bring them forward. I explained to Susan (of KQSS Radio). She made an accusation against an employee. I said I would forward that immediately to the County Manager, the Sheriff and the County Attorney's Office for prosecution. If it can be substantiated, so be it. If somebody is breaking the law, we don't condone it. We have 650 employees and 99% of those employees are great, dedicated hard working people. I was so frustrated last week and Don unfortunately was out of the office, to see demoralized staff because you don't know what the heck

you are being asked for and nobody is trying to cover up or hide information. The information is here and we want help in cutting costs. We want to be able to use taxpayers' money at the very best way we can, and if the press wants to help us do that, more power to them. If they want to continue to belittle and make false accusations, I'm not hiding any records about any travel and please give us time to get the bills in before you start making accusations. I can also mention that I have a part-time consultant who has a Masters degree, an honor degree from ASU (Arizona State University), one mistake she made in her life, but this woman has a Kronkite degree from ASU. She writes well, she speaks well, she represents Gila County well in relations with intertribal relations and I thank her for being willing to take the guff and accusations that the press has made. Thank you. I don't think there's need for any action on this unless we're going to change how much we can charge." Vice-Chairman Martin stated, "I would like to chime in on that one. I wouldn't mind charging a dollar a page. At some point I'll tell you this crosses the line and becomes harassment of some kind. I don't mind providing information, but we're spending an enormous amount of time in staff time in trying to figure this out, getting exactly the information, making sure it's all complete, go back through it. I'm with you. Everything we've got is an open book and we're willing to share, but at some point enough is enough. Not only do we need to thank those that have been diligent in just providing this information the last several weeks, but also putting the word out to our employees that we are standing behind them. If they are doing something wrong, 'yes' we want to know about it and 'yes' we need to get it solved. Nine times out of ten something is going wrong and we don't even know. Somebody forgot to tell somebody that somebody had left and their name still shows up on a list. It's very frustrating to sit and watch this go on and I honestly think that we ought to charge \$1.00 a page and start now." Chairman Pastor stated, "...I've seen the frustration of our employees for the last 3-4 weeks that's been going on, but I do have to say I don't disagree with the press's right to ask questions and how that gets reported is the press's business, but they are entitled to information. I just think that we probably should sit down as a board in a work session, Bryan (Chambers), with your policy and go through it and maybe explain some of the particulars of it, make sure that we invite the press when we do have that discussion in a work session because it is open. I've never in my career as a public servant, and I'm sure in Vice-Chairman Martin's and Supervisor Dawson's career as public servants, they have always been very honest and straight forward with what they do. I think all of our elected officials and all of our employees--we represent the County; we represent government and we have nothing to hide. I would think that we are very honest and open about it." Vice-Chairman Martin stated, "We need to either charge them a \$1.00 or we need to figure out what it would cost--like an hourly rate. I mean at some point public information is one thing, but the way we are going about it, this outfit is costing us a great deal of taxpayer dollars to chase tails or their tails providing information that is frivolous and it's not even illuminating and it has to stop one way or another. We either have to recoup the cost it costs us and

we need to some way be able to display exactly what they are costing us to provide frivolous information.” Chairman Pastor stated that there is some information in the Public Records Request Policy about the different costs-- \$12.00/hour for labor; \$.25 page; \$2.00 for cassettes; \$5.00 for DVDs. He stated, “If it’s the Board’s pleasure to set in motion a rate today, it’s on the agenda; we could do that.” Bryan Chambers, Chief Deputy County Attorney, stated, “As far as setting a new rate today, what’s on the agenda is reviewing the policy; it’s not setting any new rates. So I would advise against trying to change the rate today. It certainly can go back on the agenda at the next meeting and the Board can consider it then.” Don McDaniel, County Manager, stated, “You currently have an adopted policy with regard to providing public information and charging for that. There are some fairly explicit guidelines in the policy with regard to that. I think they are probably adequate. Let me say that early on when we got the first request for information about cell phones, I was made aware of the policy and made aware of the possibility of charging them and the provision for that in the policy. I chose of my own volition and probably incorrectly to waive those charges and fees thinking at the time that it was the right thing to do rather than being punitive and trying to charge for something that was fairly easily provided. I think circumstances have changed now that we find that it wasn’t one simple request, but it continues to be multiple requests upon requests and probably we’ve reached that point where the Board has good reason to maybe slap my hands and say, ‘Look, don’t waive that fee any longer and go ahead and charge it.’ I think the policy that we currently have adopted is adequate to do that and we’ll sufficiently charge for our costs to provide the information.” Vice-Chairman Martin stated, “...I just think we need to at least enforce what we’ve got going. We need to at least recoup our costs and we need to have somewhere what our costs are so we can say that if the time comes.” Supervisor Dawson stated, “I want to add, I was in Birdie’s office when one of the requests was being made and Birdie had jumped through hoops and created a new chart. They were wanting to know every elected official, every employee, their date of hire, their salary, when they got a raise or whatever. It just went on and on, and Birdie had created this consolidated report and the reporter said, ‘Well that’s what I’ve been wanting all along. Why didn’t you give it to me in the beginning?’ Well she had spent 48 hours creating it. My legal counsel, as I argue these points with him, told me that we do not have to create new documents for them. We must share documents we have, but we don’t have to try to create something that fits their need. We had an employee who made a mistake and was fired. Boy, do they want that juice and do we have some moral obligation.” Chairman Pastor advised Supervisor Dawson, “You can’t get into personnel issues.” Supervisor Dawson stated, “I’m not talking about an individual. We have an obligation to those 650 files to protect them from lawsuits and just to humanely treat people when they have made a mistake. I’ll be darned if I’m going to sit back and continue this process of listening to us being berated as if we’re trying to hide something. We’re trying to be human. We’re trying to treat the press right, provide them with open documents. Remember, wasn’t it just last year when

we were told how transparent Gila County was with our budget and everything on line and then we turn about and have one radio station decide that we are not providing adequate information in a timely manner. Baloney! I did, Mr. McDaniel, in your absence, I did tell the staff last week to charge for the stupid reports and the policy is there and I want it enforced and I do want us to revisit this in a work session. It doesn't have to be in the next work session, but it does need to be addressed..." Upon motion by Vice-Chairman Martin, seconded by Supervisor Dawson, the Board unanimously approved the motion to enforce the existing policy and suggested a work session soon to revisit that policy.

Item 5 - CONSENT AGENDA ACTION ITEMS:

5A. Approval to submit a Grant Application to the Arizona Criminal Justice Commission for the renewal of an existing Victim Assistance Grant in the amount of \$24,029 with a required cash match by the County of \$24,029 from the General Fund.

5B. Approval of Amendment No. 10 to Contract No. E5345511 between the Arizona Department of Economic Security, Rehabilitation Services Administration, and Gila County, dba Gila Employment and Special Training, to extend the contract from May 1, 2011, to June 30, 2011, in order to provide extended employment services to vocational rehabilitation clients in Gila County.

5C. Approval to authorize the Gila Employment and Special Training (GEST) Program Manager to electronically approve Change Order DES080022-22-A1, Work Adjustment Training, through Procure.AZ.gov to extend the current contract from April 1, 2011, to June 30, 2011, which will allow GEST to continue to provide Work Adjustment Training services to the Arizona Department of Economic Security, Rehabilitation Services Administration clients.

5D. Approval to reappoint John Marcanti (Supervisorial District 2) and Bob O'Connor (Supervisorial District 3) to the Gila County Building Safety Advisory and Appeals Board for a four-year term, from January 1, 2011, to December 31, 2014.

5E. Approval of Tonto Natural Resource Conservation District's request to use the Exhibit Hall at the Fairgrounds on March 21-22, 2011, for a workshop with waiver of fees.

5F. Approval of the January 2011 monthly departmental activity report submitted by the Globe Regional Constable.

5G. Approval of the January 2011 monthly departmental activity report submitted by the Recorder's Office.

5H. Approval of the December 2010 and January 2011 monthly departmental activity reports submitted by the Clerk of the Superior Court.

5I. Approval of the January 2011 monthly departmental activity report submitted by the Payson Regional Constable.

5J. Approval of Human Resources reports for the weeks of March 8, 2011, and March 15, 2011.

March 8, 2011

Departure from County Service:

1. Mary Esther Andrade – Clerk of the Court – Court Clerk – 02/23/11 – General Fund – DOH 09/02/97 – Resignation

Position Review:

2. Judy J. Smith – Health & Emergency Services – Grants and Special Projects Specialist – 02/14/11 – Health Services Fund – Change to non-exempt status and change in fund code

Request Permission to Post:

3. Health and Emergency Services – Community Health Assistant – Position vacated by Jami Anderson

SHERIFF'S PERSONNEL ACTION ITEMS

Departure from County Service:

4. Monique R. Perez – Sheriff's Office – Detention Officer – 02/23/11 – General Fund – DOH 02/05/07 - Resignation

March 15, 2011

Departures from County Service:

1. Marion Faubush – Public Works – Building and Grounds Maintenance Worker – 02/28/11 – General Fund – DOH 01/21/08 – Resignation
2. Makenzie Vuksanovich – Recorder – Records Clerk – 02/15/11 – General Fund – DOH 04/05/10 – Resignation
3. Gerardo Rojas – Probation – Detention Shift Supervisor – 03/01/11 – General Fund – DOH 12/20/10 - Resignation

Hire to County Service:

4. Katie Meredith – Health & Emergency Services – WIC Breastfeeding Peer Counselor – 02/24/11 – WIC Fund – New Position

Temporary Hires to County Service:

5. Curtis Johnson – Board of Supervisors – Temporary Laborer – 03/14/11 – Constituent Services II Fund
6. Archie Speer – Public Works – Loader Operator – 03/07/11 – Public Works Fund

Departmental Transfers:

7. Tiffiney Sanchez – Treasurer – From Treasurer Services Assistant – To Accounting Clerk Specialist – 03/14/11 – General Fund

SHERIFF’S PERSONNEL ACTION ITEMS

End Probationary Period:

8. Jessica Cruz – Sheriff’s Office – 911 Dispatcher – 03/14/11 – General Fund

5K. Approval of finance reports/demands/transfers for the weeks of March 8, 2011, and March 15, 2011.

March 8, 2011

\$2,531,019.43 was disbursed for County expenses by check numbers 234844 through 235133.

March 15, 2011

\$541,278.57 was disbursed for County expenses by check numbers 235134 through 235304. **(An itemized list of disbursements is permanently on file in the Board of Supervisors’ Office.)**

Upon motion by Supervisor Dawson, seconded by Vice-Chairman Martin, the Board unanimously approved Consent Agenda action items 5A-5K.

Item 6 - 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.

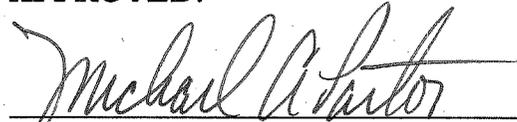
Dan Adams, a resident of Payson, stated that he would like to revisit the forest fees distribution. He stated, “It seems to me that the great white father is getting off pretty cheap at paying us \$2 million a year to keep 97% of the County lying in fallow with nobody able to make any money from it.” Mr. Adams stated that he was going to contact an ex-councilman and find out what kind of revenue the state is getting that is generated in Oregon and Washington where they have private timber land. He stated that next Tuesday the Stewards of the Range are having a meeting at the Gila County Fairgrounds. The cost will be \$50 to attend and they have been remarkably successful at getting the attention and obedience from bureaucrats at the national, state and local levels. He concluded by stating, “So if there’s anyone tired of Gila County being run by the damned ‘leave us along gang’, they ought to be going to this meeting and start finding out how we can put this forest to work.”

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 Chief Administrator may present a brief summary of current events. No action may be taken on issues presented.

Each Board member presented information on current events.

There being no further business to come before the Board of Supervisors, Chairman Pastor adjourned the meeting at 11:48 a.m.

APPROVED:



Michael A. Pastor, Chairman

ATTEST:



Marian Sheppard, Chief Deputy Clerk