

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

Date: January 10, 2012

**TOMMIE C. MARTIN**  
Chairman

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

**SHIRLEY L. DAWSON**  
Vice-Chairman

By: Marilyn Brewer  
Deputy Clerk

**MICHAEL A. PASTOR**  
Member

Gila County Courthouse  
Globe, Arizona

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PRESENT: Tommie C. Martin, Chairman (via ITV conferencing); Shirley L. Dawson, Vice-Chairman; Michael A. Pastor, Supervisor; Don McDaniel, Jr., County Manager; John Nelson, Deputy 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 a regular session at 10:00 a.m. this date in the Board of Supervisors hearing room. Shirley Dawson led the Pledge of Allegiance and Reverend Gary Bowser of the Star Valley Baptist Church delivered the invocation.

**Item 2 – PRESENTATIONS:**

**2A. Presentation of the 2012 "I want to be an Olympic..." Calendar winners by Daisy Flores, Gila County Attorney.**

County Attorney Daisy Flores presented the 2012 Gila County Law Enforcement Agencies' Calendar Contest winners from the school districts in Gila County as follows: Cover Winner-Mandy Williams; January-Shaula Newman and Lane Parrett; February-Demitria Boltarez; March-Manuel Palafox and Graciela Delgado; April-Steven Butler and Josh Sharp; May-Jaida Corona and Carmen Dillon; June-Tahni Kame and Alissa Bravo; July-Solana Pearson; August-Aiyana Gonzales and Lupita Calzadillas; September-Maya Batista; October-Marlisse Perez; November-Gabrielle Victor and Jazmine Nock; and December-Thomas Cabrera. There were 24 other students that received Honorable Mention awards. The Board thanked each of the students for participating in the contest and thanked Ms. Flores for conducting the contest.

**2B. Public recognition of 1 employee for December's "Spotlight on Employees" Program, as follows: Jake Garrett.**

Erica Raymond, Human Resources Assistant, requested that this item be tabled as Mr. Garrett could not attend today's meeting. Upon motion by Vice-Chairman Dawson, seconded by Supervisor Pastor, the Board unanimously tabled this item to the February 7, 2012, Board of Supervisors' meeting.

### **Item 3 – PUBLIC HEARINGS:**

#### **3A. Public Hearing - Information/Discussion/Action to adopt Resolution No. 12-01-02, which approves Gila County Planning & Zoning Department Case No. CUP-11-03, an application submitted by William R. Wait for a Conditional Use Permit on Gila County Assessor's tax parcel no. 301-03-038A, located at 9809 W. Fossil Creek, Strawberry, Arizona, to allow a portion of the existing garage to be used as a guest house.**

Bob Gould, Community Development Division Director, stated that Mr. Wait is requesting to allow a guest house to be established as a part of the garage building on the front portion of his lot that is located on a  $\frac{3}{4}$ -acre plot. Normally this would go through the administrative process as a Use Permit; however, one of the conditions would be that the guest house be established on the rear portion of the parcel. This is a request for it to be on the front portion so this process was the only other option available. The staff has reviewed the application and there are no floodplain, wastewater or building issues, which would be dealt with during the normal building permitting process. Mr. Wait will be required to obtain building permits as he did not initially obtain same. The Planning and Zoning Commission reviewed the application and held a public hearing on December 15, 2011, and recommended approval of the Conditional Use Permit (CUP) because the existing garage has already been converted into a guest house and can be in compliance through the CUP. It was recommended for approval to the Board of Supervisors with the following 4 conditions: 1) Building permits shall be obtained and the conversion of the portion of the garage into the guest house shall be inspected and approved by the Building Department; 2) Owner is responsible for the fees to have a document recorded to deed that prohibits the rental, lease or sale of the guest house; 3) If additional sanitary facilities for the guest house are necessary, they shall be designed, constructed and approved according to the Wastewater Department regulations; and 4) Violations of any of the previous conditions shall be grounds for suspension or revocation of this CUP. Chairman Martin opened the public hearing for comments from the public; none were received. She closed the public hearing and entertained a motion. Upon motion by Vice-Chairman Dawson, seconded by Supervisor Pastor, the Board unanimously adopted Resolution No. 12-01-02, which approves Gila County Planning & Zoning Department Case No. CUP-11-03, an application submitted by William R. Wait for a Conditional Use Permit on Gila County Assessor's tax parcel no. 301-03-038A, located at 9809 W. Fossil Creek, Strawberry, Arizona, to allow a portion of the existing garage to be used as a guest house.

**3B. Public Hearing - Information/Discussion/Action to continue to the January 24, 2012, Board of Supervisors' regular meeting the adoption of Resolution No. 12-01-03 regarding Gila County Planning and Zoning Department Case No. CUP-11-02, an application submitted by William Jacobs for a Conditional Use Permit on Gila County Assessor's tax parcel numbers 302-32-031A and 302-32-032A located at 469 and 527 W. Eleanor in East Verde Park, Payson, Arizona, to allow parcels to be used as a church retreat.**

Mr. Gould stated that the Planning & Zoning Commission held a public hearing on this application on December 15, 2011. Several property owners in the neighborhood attended the meeting and it was a rather highly-contested meeting regarding this permit. The zoning for the property is R-1L, which basically means that it's meant for single family residential use and that all must be site-built residential units in the area. This involves 2 parcels and there is a home currently on both of those parcels. He stated that after listening to the testimony provided by the property owners, several issues of concern came about because some of these issues were unknown, as well as the number of people that were said to have been there, some of the activities that have occurred and the accidents that happened out there. He stated that the Planning & Zoning Commission has requested that more research be done. Mr. Gould stated that this case is scheduled before the Planning & Zoning Commission on January 19, 2012, so he requested that the Board table this to its January 24, 2012, regular meeting to await a recommendation from the Planning & Zoning Commission. Chairman Martin opened the public hearing and called for public comments; none were received. She closed the public hearing and entertained a motion. Supervisor Pastor made a motion to table agenda item 3B, which is a public hearing, to a later date. The motion was seconded by Vice-Chairman Dawson. Don McDaniel, County Manager, stated that procedurally if the Board chooses to table this to a later date, the County will be required to re-advertise a notice of public hearing, pay for that advertising cost and it would be delayed until the advertising could be done, which could be approximately 30 days. Supervisor Pastor amended his motion to state that item number 3B be continued to the Board's January 24, 2012, regular Board meeting. The motion was seconded by Vice-Chairman Dawson and unanimously approved.

**Item 4 – REGULAR AGENDA ITEMS:**

**4A. Information/Discussion/Action to adopt Resolution No. 12-01-04, supporting HR1904, the Southeast Arizona Land Exchange and Conservation Act, Resolution Copper's extensive reclamation of the historic Magma Mine in Superior, their contributions to the local economy and the potential for the Copper Triangle to become one of the largest copper producing regions in the world.**

Adam Hawkins, Communications Specialist, requested that Gila County follow in the tradition of several prior Board movements past and a number of other communities and boards of supervisors as well as CSA (County Supervisors Association) in supporting Resolution Copper's efforts on the land exchange, which has already been passed by the U.S. House of Representatives and is being reviewed in the U.S. Senate under HR1904. Mr. Hawkins provided an update on the project, which is located 3 miles east of Superior, a world class copper ore body, which when it is opened will be the largest copper mine in North America producing somewhere between 30-35% of the domestic demand for copper, employing over 3,000 individuals between direct and induced employment, and producing \$61.4 billion dollars of economic activity. Vice-Chairman Dawson discussed with Mr. Hawkins some questions of those opposed to this project because of the timing of the NEPA (National Environmental Policy Act) study as to whether it will be done before or after the land exchange. Mr. Hawkins also discussed the \$50 million reclamation project of the Magma Mine site that Resolution Copper has undergone, which the company was under no obligation to do until after all mining activities had been completed. Supervisor Pastor stated that in a recent Congressional delegation hearing there was some debate on the passage of HR1904 and it was interesting that during the debate, they were more concerned about the robots and royalties rather than the environmental aspect of it. Mr. Hawkins pointed out that there are already 500 employees and full-time contractors working at Resolution Copper. Vice-Chairman Dawson also inquired about when the reclamation of the land is completed, will that the land be usable for the citizens of San Carlos to again pick acorns and will the mining area be turned into a mine site tour? She stated that the San Carlos people were surprised to hear that Resolution Copper has oak trees growing that they will soon plant in the area. Mr. Hawkins stated that Resolution Copper is already hosting regular tours to the public and invited everyone to take a tour. He also stated that the objective is to mine on only the property that is needed; however, there is some restricted property as a matter of public safety. Jerry Ellison, a Globe radio reporter, stated that the company estimates \$61 billion will be spent in the local area on economic development, but he wondered as to the amount of profit that will be going overseas because there are a couple of foreign entities involved. Mr. Hawkins stated that \$61 billion estimate was made by Elliott, Pollack and Company, which is an independent economist shop that studies overall impacts; however, he could not speculate on any other figures. Vice-Chairman Dawson then read aloud the Resolution. Upon motion by Vice-Chairman Dawson, seconded by Supervisor Pastor, the Board unanimously adopted Resolution No. 12-01-04, supporting HR1904, the Southeast Arizona Land Exchange and Conservation Act, Resolution Copper's extensive reclamation of the historic Magma Mine in Superior, their contributions to the local economy and the potential for the Copper Triangle to become one of the largest copper producing regions in the world. **(A copy of the Resolution is permanently on file in the Board of Supervisors' Office.)**

**4B. (Motion to adjourn as the Gila County Board of Supervisors and convene as the Gila County Flood Control District Board of Directors.) Information/Discussion/Action to approve a variance from Section 5.2.C of the Gila County Floodplain Management Ordinance to allow Rickie Wood to retrofit an 896 square foot garage to be used solely for parking and storage, with the lowest floor elevation 2.1 feet below the regulatory flood elevation, and providing a degree of flood protection for the building by using flood-resistant materials below the regulatory flood elevation, and by providing permanent unobstructed openings to allow the water pressure to equalize on both sides of the walls to reduce the probability of wall collapse from water pressure. (Steve Sanders/Darde de Roulhac) (Motion to adjourn as the Gila County Flood Control District Board of Directors and reconvene as the Gila County Board of Supervisors.)**

Upon motion by Supervisor Pastor, seconded by Vice-Chairman Dawson, the Board adjourned as the Gila County Board of Supervisors and convened as the Gila County Flood Control District Board of Directors.

Steve Sanders, Public Works Division Deputy Director, stated that the Floodplain Department received a variance request from Rickie Wood for his property in Gisela. He stated that the garage was initially built without a building permit and without a floodplain permit. The County Code Compliance Officer took Mr. Wood before the Hearing Department twice to resolve this issue and both times the Hearing Officer found in favor of the County. Mr. Wood then came before the Board requesting a floodplain variance not intending to retrofit, but just to ask for a variance for the building to remain at its current location. The Board denied that request. Mr. Wood is now asking for a variance to retrofit with flood proofing, which the County's Ordinance does allow. Anything over 600 square feet requires a variance from the Flood Control Board instead of just a floodplain use permit. This is an 896 square-foot garage, which is located within the 100-year floodplain; however, it is located outside of the floodway so the County Ordinance does allow for building in that location. Mr. Sanders stated that the staff supports the variance request with the conditions as to how Mr. Wood plans to retrofit and bring his property into compliance. He noted that Darde de Roulhac, Chief Engineer of the Flood Control District, was present in Payson to answer any questions. Chairman Martin also noted that the applicant, Mr. Wood, was present in Payson. Supervisor Pastor inquired if Mr. Wood will be required to pay for a building permit and if the property will be inspected again. Mr. Sanders stated that before Mr. Wood can get a building permit he has to have the variance. Chairman Martin inquired if Mr. Wood had any comments or questions. Mr. Wood stated that he had presented a list of materials he would be using and just wondered if the Board was going to approve his proposal. He also stated that he is on a fixed income and did not have the money to complete the entire project all at once and inquired if he could have until the end of June to comply or whether that was an unreasonable request. Mr. Sanders replied that Mr. Wood's request was reasonable. He stated that there will be inspections as

Mr. Wood is retrofitting and the County realizes that it is going to take time and doesn't expect it to be completed overnight or within a matter of weeks. Mr. de Roulhac added that typically the floodplain use permit is valid for a period of 2 years and a building permit is valid for about 6 months, which can also be extended. Mr. de Roulhac explained to the Board the processes that Mr. Wood will utilize in order to come into compliance. Upon motion by Supervisor Pastor, seconded by Vice-Chairman Dawson, the Board unanimously approved a variance from Section 5.2.C of the Gila County Floodplain Management Ordinance to allow Rickie Wood to retrofit an 896 square foot garage to be used solely for parking and storage, with the lowest floor elevation 2.1 feet below the regulatory flood elevation, and providing a degree of flood protection for the building by using flood-resistant materials below the regulatory flood elevation, and by providing permanent unobstructed openings to allow the water pressure to equalize on both sides of the walls to reduce the probability of wall collapse from water pressure.

Upon motion by Vice-Chairman Dawson, seconded by Supervisor Pastor, the Board adjourned as the Gila County Flood Control District Board of Directors and reconvened as the Gila County Board of Supervisors.

**4C. Public Sale – Information/Discussion/Action for the public sale an unnamed alley lying between Hill and Marian Street and between a portion of blocks 23 and 24 as shown on Miami Map No. 2, Official Map No. 22, Gila County Records, and accept a bid in the amount of \$902.00 from the Nichols Trust.**

Mr. Sanders advised that the subject alleyway is located in Lower Miami near the Volvo Rental yard. He stated that on September 20, 2011, the Board gave approval to begin the process to dispose of this unnecessary alleyway after which staff went out and notified residents in the area and adjacent property owners, and it was posted it for sale. The County received a bid of \$902 from the Nichols family, who owns the surrounding property and the bid does meet the minimum requirements established by the County's policy on abandonments, roadways and alleys in Gila County. Mr. Sanders stated that it is staff's recommendation that the Board accept the bid of \$902 from the Nichols Family Trust. If this agenda item is approved, a resolution and a quit claim deed for the transfer of the land to the family will be presented to the Board for approval at a future Board meeting. Supervisor Pastor inquired whether any nearby residents were concerned. Mr. Sanders replied that his office did not receive any complaints. He also noted that the Nichols family owns the adjoining land from the highway back to the creek with mine property on the other side. Upon motion by Supervisor Pastor, seconded by Vice-Chairman Dawson, the Board unanimously approved the public sale of an unnamed alley lying between Hill and Marian Streets and between a portion of blocks 23 and 24 as shown on Miami Map No. 2, Official Map No. 22, Gila County Records, and accepted a bid in the amount of \$902.00 from the Nichols Trust.

**4D. Information/Discussion/Action to adopt Resolution No. 12-01-01 approving the disposal of an unnecessary public roadway being a portion of Hill Street and unnamed alleys in Inspiration Townsite, Plat Map No. 39, Gila County Records, and to authorize the Chairman to execute and deliver in the name and under the seal of the County of Gila, a corrective quit claim deed conveying the abandoned road and alleyways to Brant and Maurisa Palmer.**

Mr. Sanders stated that in 1997, Gila County vacated this property, or the intent was to vacate this property that is being vacated now—the alleys and roadways to the Palmer family. However, the legal description at that time had an error in it, which wasn't discovered until a few months ago by the Assessor's Office as they were updating their maps. Approval of this item will correct the legal description that was originally used in 1997 and correct the quit claim deed transferring ownership of the land to the Palmers. Mr. Sanders noted that the only difference now is that originally it was deeded to Al Palmer and his wife, but is now being deeded to their son as they have transferred all of their holdings to their children. Upon motion by Vice-Chairman Dawson, seconded by Supervisor Pastor, the Board unanimously adopted Resolution No. 12-01-01 approving the disposal of an unnecessary public roadway being a portion of Hill Street and unnamed alleys in Inspiration Townsite, Plat Map No. 39, Gila County Records, and authorized the Chairman to execute and deliver in the name and under the seal of the County of Gila, a corrective quit claim deed conveying the abandoned road and alleyways to Brant and Maurisa Palmer.

**4E. Information/Discussion/Action to authorize the advertisement of Call for Bids No. 113111-1 for the Pine Creek Canyon Road Reconstruction Project.**

Steve Stratton, Public Works Division Director, stated that this is a project the County has been working on for several years with the Pine-Strawberry Water Improvement District (PSWID). The PSWID wants to update its system and it appears the best way to do this is in cooperation with the County during the County's project. The PSWID is going to approve an Intergovernmental Agreement that Bryan Chambers, Chief Deputy County Attorney, and the PSWID's attorney have been working on for funding the project. Mr. Stratton stated that the estimate of this project is about \$1.6 million including \$232,000 projected from the PSWID. The PSWID funds would be transferred to the County upfront. He noted that in the bid document there are 2 separate bids, one for the roadway and one for the water so that the amount for the PSWID would be transferred to the County upfront along with 20% contingency funds. Supervisor Pastor inquired if a public meeting has been held with the neighbors because he understands there was a concern about moving a tree. Mr. Stratton replied that there were several concerns and the County continues to work with the residents. He stated that in one place, the County has

actually redesigned a portion of the road to not impact one of the resident's driveways. He stated that it's necessary to get this advertisement done in order to have the project awarded and started in the spring before winter weather arrives. Upon motion by Supervisor Pastor, seconded by Vice-Chairman Dawson, the Board unanimously authorized the advertisement of Call for Bids No. 113111-1 for the Pine Creek Canyon Road Reconstruction Project. Mr. Stratton noted for the record that this project will be paid for out of half-cent sales tax dedicated to transportation.

**4F. Presentation of information related to Gila County Policy No. BOS-4-2005, Disclosure of Conflicts of Interest, with a reminder to each elected official and division/department director to communicate said policy to their employees.**

Marian Sheppard, Chief Deputy Clerk, presented information related to Gila County Policy No. BOS-4-2005, Disclosure of Conflicts of Interest, which was adopted by the Board in December 2005. She reminded each elected official and division/department director to communicate said policy to their employees. No action was required by the Board.

**Item 5 – CONSENT AGENDA ACTION ITEMS:**

**5A. Approval of Amendment No. 1 to Contract No. LW-ESA-12-2182-02 between the Governor's Office of Energy Policy and the Gila County Division of Community Services, Weatherization Program, to receive additional funding in the amount of \$9,200.44, for a total budget of \$144,893.44, to continue to provide weatherization services to eligible citizens residing in Gila County, effective upon signature by both parties and continuing through June 30, 2012.**

**5B. Approval of the renewal of the Limited Use Agreement for Detention Services No. 08-99-0015 between the United States Marshals Service and Gila County, on behalf of the Gila County Juvenile Detention Center, in the amount of \$157,680 to allow the Gila County Juvenile Detention Center to continue to provide detention services to the United States Marshals Service for the period of October 29, 2011, through October 28, 2012.**

**5C . Approval of the Release of Claims to Contract No. CMK0L090002 between the Bureau of Indian Affairs and Gila County, on behalf of the Gila County Juvenile Detention Center, to finalize and close out this contract.**

**5D. Authorization of the Chairman's signature on Amendment No. 2 to Contract 050709-1 between Gila County and Southwest Asphalt whereby the contractor will continue to provide 1/2 Chips and Asphalt for repair**

**and maintenance of Gila County Copper Region roads from December 17, 2011, to December 16, 2012.**

**5E. Authorization of the Chairman's signature on Amendment No. 2 to Contract 050709-1 between Gila County and CEMEX whereby the contractor will continue to provide 3/8" Chips and ABC for repair and maintenance of Gila County Copper Region roads from December 17, 2011, to December 16, 2012.**

**5F. Approval of Intergovernmental Agreement No. KR11-0111 between the Gila County Board of Supervisors, the Gila County School Superintendent, the Gila County Superior Court through the Juvenile Court and the Arizona Supreme Court through the Administrative Office of the Courts, for Title I, Special Education and other associated funds in the amount of \$68,559 to support continued services for the Gila County Juvenile Detention Education Program effective upon the date of final signature through September 30, 2013.**

**5G. Acceptance of Governor Janice K. Brewer's Proclamation for the February 28, 2012, Presidential Preference Election.** (Moved to the regular agenda)

**5H. Approval of the February 28, 2012, Presidential Preference Election Precinct Consolidation Plan designating precinct consolidations, polling place locations, and mail ballot precincts with ballot replacement sites.** (Moved to the regular agenda)

**5I. Acknowledgment of the resignation of Mitch Malkovich from the Gila County Personnel Commission at the completion of his term as of December 31, 2011, and approval of the appointment of Jerry McCreary as Mr. Malkovich's replacement for a term of 4 years from January 1, 2012, through December 31, 2015.**

**5J. Approval of the corrected and current membership lists for the Arizona Correctional Officers Retirement Plan (CORP) Local Board for Gila County Sheriff's Office Detention Officers and Non-Uniformed Officers; and for the Arizona CORP Local Board for Gila County Sheriff's Office Dispatchers.**

**5K. Acknowledgment of the Human Resources weekly reports for all personnel action items approved by the County Manager for the month of December 2011, as follows: December 6, 2011, December 13, 2011, December 20, 2011, December 27, 2011.**

#### **December 6, 2011**

##### **Departures from County Service:**

1. Colleen Valencia – Clerk of the Superior Court – Court Clerk – 11/21/11 –

- Drug Enforcement Fund – DOH 10/20/11 – Services no longer needed
- Michelle Lynn Duarte – From Payson Justice Court – To Clerk of the Superior Court – From Justice Court Clerk – To Courtroom Clerk – 12/12/11 – General Fund

### **SHERIFF'S PERSONNEL ACTION ITEMS**

#### Departures from County Service:

- Johnna Kemper – Sheriff's Office – Deputy Sheriff – 11/21/11 – General Fund – DOH 01/27/92 – Retirement

### **December 13, 2011**

#### Departures from County Service:

- Domingo Gonzales – Public Works – Temporary Custodian – 12/01/11 – Facilities Management Fund – DOH 06/08/11 – Services no longer required

#### Temporary Hires from County Service:

- Valerie Kaufmann – Community Services – Community Services Worker – 12/15/11 – GEST Fund
- Faylynn Crook – Community Services – Administrative Clerk – 12/12/11 – Workforce Investment Act Fund

### **SHERIFF'S PERSONNEL ACTION ITEMS**

#### Hires to County Service:

- Stacey Rachelle Porter – Sheriff's Office – 911 Dispatcher – 12/26/11 – General Fund – Replacing Edward McGuire

### **December 20, 2011**

#### Departures from County Service:

- Nancy Hannigan – Probation – Juvenile Detention Shift Supervisor – 12/7/11 – General Fund – DOH 04/13/09 – Resignation
- JoAnn Perea – Probation – Juvenile Detention Officer – 11/29/11 – General Fund – DOH 08/21/02 – Resignation
- Cecilia Pat Wentz – Public Works – Administrative Assistant – 01/30/12 – Public Works Fund – DOH 05/17/93 – Retirement

#### Hires to County Service:

- Karrie Schaal – Probation – Administrative Clerk Sr. – 12/27/11 – State Aid Enhancement Fund – Replacing Debra Gildersleeve
- Elizabeth Maupin – County Attorney's Office – Deputy County Attorney (Underfill) – 12/22/11 – General Fund – Replacing Pascal Brown

#### Temporary Hires to County Service:

- Mary Jane Rogers – Community Services – Community Services Worker – 12/22/11 – GEST Fund
- Nancy Holland – Community Services – Community Services Worker – 12/22/11 – GEST Fund

#### End Probationary Period:

- Virginia E. Mounce – Treasurer's Office – Treasurer's Service Assistant – 10/25/11 – General Fund
- Michael O'Driscoll – Health and Emergency Services – Director of Health and Emergency Services – 01/05/12 – Various Funds

### **SHERIFF'S PERSONNEL ACTION ITEMS**

Departmental Transfers:

10. Lisa Modglin – Sheriff’s Office – From 911 Dispatcher – To I.T. Administrator and Support Sr. (Underfill) – 11/21/11 – General Fund

End Probationary Period:

11. Amber Terees Warden – Sheriff’s Office – Accounting Clerk Specialist – 12/27/11 – General Fund
12. Johnnie Everett Brake – Sheriff’s Office – Detention Officer Sgt. (Underfill) – 01/03/12 – General Fund

Request Permission to Post:

13. Sheriff’s Office – Deputy Sheriff – Vacated by Doreen Spychala – Date Vacated 01/29/11

**December 27, 2011**

Departmental Transfers:

1. Kay St. Laurent – From Clerk of the Superior Court – To Superior Court, Division One – From Courtroom Clerk – To Judicial Assistant – 01/02/12 – General Fund

End Probationary Period:

2. Thomas Kaufman – Public Works – Building Maintenance Technician – 01/02/12 – Facilities Maintenance Fund

Position Review:

3. Deloris Rascon – Probation – Juvenile Detention Shift Supervisor – 12/20/11 – One step increase, completed 6 months of service

Request Permission to Post:

4. Public Works – Temporary Custodian – Vacated by Domingo Gonzales – Date Vacated 11/30/11

**5L. Approval of the March 29, 2011, April 5, 2011, May 17, 2011, and May 31, 2011, BOS meeting minutes; and September 20, 2011, BOE meeting minutes.** (Moved to the regular agenda)

**5M. Acknowledgment of contracts under \$50,000, which have been approved by the County Manager for the weeks of December 10, 2011 to December 16, 2011, and December 17, 2011, to December 23, 2011.**

Copies of the contract reports are permanently on file in the Board of Supervisors’ Office.

**5N. Approval of finance reports/demands/transfers for the weeks of December 27, 2011, January 3, 2012, and January 10, 2012.**

**December 27, 2011**

\$2,221,361.77 was disbursed for County expenses by check numbers 242310 through 242462.

**January 3, 2012**

\$415,533.20 was disbursed for County expenses by check numbers 242463 through 242592.

**January 10, 2012**

\$1,643,915.10 was disbursed for County expenses by check numbers 242593 through 242752. **(An itemized list of disbursements is permanently on file in the Board of Supervisors' Office.)**

Upon motion by Supervisor Pastor, seconded by Vice-Chairman Dawson, the Board unanimously approved Consent Agenda items 5-A through 5-N, with the exception of Consent Agenda items 5G, 5H and 5L, which were pulled to the regular agenda for discussion. (See 5G, 5H and 5L following.)

**Consent Agenda Item 5G - Acceptance of Governor Janice K. Brewer's Proclamation for the February 28, 2012, Presidential Preference Election.**

**Consent Agenda Item 5H - Approval of the February 28, 2012, Presidential Preference Election Precinct Consolidation Plan designating precinct consolidations, polling place locations, and mail ballot precincts with ballot replacement sites.**

Chairman Martin requested that Consent Agenda items 5G and 5H be discussed at the same time. She requested that Linda Eastlick, Elections Director, review these 2 items that go together because this information was put together to compile the new precinct polling place locations and mail ballot precincts due to some changes made. She wanted to get this information to the media and into the local newspaper to let people know about the changes. Ms. Eastlick stated that each year wherein there is a Presidential Election, the state of Arizona has opted to have a Presidential Preference Election. She noted that it is not the Primary Election, which will be held in August, as some people get confused by the two. The Presidential Preference Election is not a binding election, but simply provides delegates in the state of Arizona with the name of that individual that will be supported through the first 2 rounds of the presidential nomination procedure by the delegates at the national convention. This year's Presidential Preference Election will only have participation by the Republican and Green parties and is closed to all other voters. This election is always conducted on the 4<sup>th</sup> Tuesday in February, which will be February 28<sup>th</sup> this year, unless the Governor would determine otherwise. In regard to the consolidation portion of these 2 items, in a Presidential Preference Election, Arizona Revised Statutes (ARS) provides that the counties will consolidate polling places and further that any polling place or any precinct that has fewer than 300 people will be conducted by an all-mail ballot. Therefore, the County has chosen to consolidate polling places very similar to the way they were consolidated in the 2008 election, which will provide an opportunity for voters to vote closest to their normal voting location and yet comply with ARS. She reiterated that this will only be for the registered voters who are either

members of the Republican or Green parties. Ms. Eastlick advised that in those precincts that do not have polling places because they are being mailed a ballot, there will be a ballot replacement site available in those precincts on election day from 3:00 p.m. until 7:00 p.m. so people can drop off their ballots, mail them or take them to the Recorder's Office. Chairman Martin advised that those areas that will be casting their votes by mail are as follows: Christopher Creek, Pleasant Valley, Hayden, Whispering Pines, Roosevelt Baptist Church, Sierra Ancha, Gisela Valley, Hayden Town Hall, Christmas and Winkelman. The others will have consolidated precinct locations for voting. Upon inquiry by Chairman Martin, Ms. Eastlick stated that Gila County will be partially reimbursed for this election by the Arizona Secretary of State's Office. Don Ascoli, a resident of Payson, inquired if these changes incorporate any of the changes made in the precincts based upon the census redistricting. Ms. Eastlick replied that it does not because the redistricting has not yet been approved by the U.S. Department of Justice.

Upon motion by Supervisor Pastor, seconded by Vice-Chairman Dawson, the Board unanimously approved Consent Agenda item 5G - Acceptance of Governor Janice K. Brewer's Proclamation for the February 28, 2012, Presidential Preference Election.

Upon motion by Vice-Chairman Dawson, seconded by Supervisor Pastor, the Board unanimously approved Consent Agenda item 5H - Approval of the February 28, 2012, Presidential Preference Election Precinct Consolidation Plan designating precinct consolidations, polling place locations, and mail ballot precincts with ballot replacement sites.

**5L. Approval of the March 29, 2011, April 5, 2011, May 17, 2011, and May 31, 2011, BOS meeting minutes; and September 20, 2011, BOE meeting minutes.**

Vice-Chairman Dawson expressed a concern about the 2010 audit in which a letter was provided stating a need for the Board minutes to be brought current. She stated that there is now a plan in place where her assistant will take the minutes for the current Board meetings for the next 4-5 months so the Clerk of the Board's Department can get caught up on the minutes. The minutes are behind because of a directive given to the Clerk of the Board's Department to implement a new Countywide agenda software system, AgendaQuick, for simplifying the Board's agenda process. Chairman Martin stated that she was delighted that there was a plan in place. Upon motion by Vice-Chairman Dawson, seconded by Supervisor Pastor, the Board unanimously Consent Agenda item 5L - Approval the March 29, 2011, April 5, 2011, May 17, 2011, and May 31, 2011, BOS meeting minutes; and September 20, 2011, BOE meeting minutes.

**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.**

Jesse Bryant, a resident of Globe, addressed the Board about the recent congressional and legislative redistricting of the state of Arizona. Mr. Bryant stated that he was sure that the Board was aware that because of the new state redistricting, rural Arizona is pretty much decimated. He presented an update to the Board on the accomplishments by 15 communities across rural Arizona representing 7 counties which stood together to try to keep the rural areas of Arizona from being divided; however, that did not happen. He requested that the Board of Supervisors take a stand and find someone to take the lead on finding some sort of recourse on this matter as he is certain that these 15 other communities would be willing to stand with whomever will take that lead.

**Item 7 - At any time during this meeting pursuant to A.R.S. §38-431.02(K), members of the Board of Supervisors and the Chief Administrator may present a brief summary of current events. No action may be taken on issues presented.**

Each Board member presented information on current events.

There being no further business to come before the Board of Supervisors, Chairman Martin adjourned the meeting at 11:41 a.m.

**APPROVED:**



Tommie C. Martin, Chairman

**ATTEST:**



Marian Sheppard, Chief Deputy Clerk