

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

Date: January 24, 2012

TOMMIE C. MARTIN
Chairman

JOHN F. NELSON
Clerk of the Board

SHIRLEY L. DAWSON
Vice-Chairman

By: Gina Seymour
Supervisor Staff
Specialist

MICHAEL A. PASTOR
Member

Gila County Courthouse
Globe, Arizona

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. Officer Lorenzo Ortiz led the Pledge of Allegiance and Reverend James Knight of the Church of the Nazarene of Globe delivered the invocation.

Item 2 – PRESENTATIONS:

2A. Presentation of the Officer of the Quarter award by Daisy Flores, Gila County Attorney, to Officer Lorenzo Ortiz of the Payson Police Department.

County Attorney Daisy Flores recognized Officer Lorenzo Ortiz as Officer of the Quarter. Officer Ortiz has been with the Payson Police Department since July of 2006. He is on the Special Response Team in Payson, a physical fitness instructor and a member of the National Night Out Committee. Officer Ortiz also trains new officers for the Payson Police Department and has participated in the Graffiti Task Force. Officer Ortiz thanked the Board and the County Attorney for this recognition and the support of Gila County and the Town of Payson.

Item 3 – PUBLIC HEARINGS:

3A. Public Hearing - Information/Discussion/Action to approve Order No. LL-11-05, an application submitted by Marie Ann Petroff for a new Series 13 domestic farm winery license for the Pleasant Valley Winery located at 3023 Walnut Creek Road, Young, Arizona.

Marian Sheppard, Chief Deputy Clerk of the Board of Supervisors, stated that Marie Ann Petroff submitted an application for the Pleasant Valley Winery located in Young. Ms. Sheppard indicated that the same type of application was received last year from the Pleasant Valley Winery and at that time the Board of Supervisors issued an approval recommendation to the Arizona Department of Liquor Licenses and Control (Department). Ms. Petroff later relocated her place of business, a short distance from the original location; however, the Department required that a new application be submitted. Ms. Sheppard indicated that both the Community Development Department for Building Safety and the Health Department reviewed the application with regard to their permitting requirements and recommends the Board's approval of this application.

Chairman Martin opened the public hearing and no public comments were made. Upon motion by Vice-Chairman Dawson, seconded by Supervisor Pastor, the Board unanimously approved Order No. LL-11-05, an application submitted by Marie Ann Petroff for a new Series 13 domestic farm winery license for the Pleasant Valley Winery located at 3023 Walnut Creek Road, Young, Arizona.

Item 4 – REGULAR AGENDA ITEMS:

4A. Information/Discussion/Action to continue a public hearing held by the Board of Supervisors on January 10, 2012, to consider 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 Drive in East Verde Park, Payson, Arizona; approval will allow parcels to be used as a church retreat with conditions.

Chairman Martin advised that the applicants submitted a letter to Robert Gould, Community Development Division Director, on January 23, 2012, withdrawing their request for a Conditional Use Permit upon the subject parcel. She then read aloud the letter for the record.

Upon motion by Supervisor Pastor, seconded by Vice-Chairman Dawson, the Board unanimously approved the withdrawal of the application.

4B. Information/Discussion/Action to adopt Resolution No. 11-12-01, which authorizes entering into an Intergovernmental Service Agreement between the Tonto Apache Tribe and Gila County, on behalf of the Gila County Juvenile Detention Center, allowing the Gila County Juvenile Detention Center to provide contracted bed space for tribal juvenile offenders at the negotiated rate of \$131.40 per day per juvenile beginning on the effective date through September 30, 2016.

Kendall Rhyne, Chief Probation Officer, was not present to address the Board on this item. Supervisor Pastor indicated that he had some questions with regard to facility capacity. Bryan Chambers, Chief Deputy County Attorney, indicated that an attorney-client privileged legal opinion had been previously issued to the Board. He indicated that should the Board want to go in to detail at this time regarding that opinion, they could vote to go in to executive session. He went on to explain that the Tonto Apache Tribe is a small tribe with approximately 100 registered members. When considering the size of the tribe and the small number of juveniles being booked into the detention facility, it is unlikely that a concern regarding the County's liability would arise. Supervisor Pastor expressed concern that Mr. Rhyne was not present to state his position. Vice-Chairman Dawson indicated that the Board had an opportunity to review this agreement in advance of today's meeting and she had no questions of Mr. Rhyne. She noted that the Tonto Apache Tribe contributes greatly to Gila County and Arizona with their donations and Gila County should be willing to house those few number of juveniles. Chairman Martin agreed that they are a small tribe and was willing to take action on this item despite Mr. Rhyne's absence. Chairman Martin stated that she was initially concerned that the agreement didn't have an end date, but later realized that it does have an end date and that the agreement may be renewed at the discretion of the Board.

Upon motion by Vice-Chairman Dawson, seconded by Chairman Martin and Supervisor Pastor opposing, by a 2-1 vote the Board adopted Resolution No. 11-12-01 which authorized entering into an Intergovernmental Service Agreement between the Tonto Apache Tribe and Gila County, on behalf of the Gila County Juvenile Detention Center, allowing the Gila County Juvenile Detention Center to provide contracted bed space for tribal juvenile offenders at the negotiated rate of \$131.40 per day per juvenile beginning on the effective date through September 30, 2016.

**Chief Probation Officer Kendall Rhyne did arrive later in the Board meeting. Chairman Martin advised him that the Board took action on this item and to meet with Supervisor Pastor after the meeting if necessary.

4C. Information/Discussion/Action authorizing the Division of Health & Emergency Services to electronically submit the Quality Improvement Award Program grant application to the Robert Wood Johnson Foundation to complete a quality improvement project in the amount of \$5,000.

Michael O'Driscoll, Health and Emergency Services Division Director, sought approval from the Board to apply for a grant to the Robert Wood Johnson Foundation in the amount of \$5,000. Mr. O'Driscoll stated that if the grant is awarded, the funds would be applied toward 15 hours of staff training from a Quality Assurance Specialist regarding epidemiology and the investigative process of foodborne and waterborne analyses.

Upon motion by Supervisor Pastor, seconded by Vice-Chairman Dawson, the Board unanimously approved the submission of the grant application to the Robert Wood Johnson Foundation to complete a quality improvement project in the amount of \$5,000.

4D. Information/Discussion/Action to approve the County's use of the City of Tempe Contract No. 108-186-01 between Gila County and Stanley Convergent Security Solution, Inc., whereby the contractor will provide security system installation and maintenance to Gila County from December 20, 2011, to August 17, 2012.

Steve Stratton, Public Works Division Director, stated that Gila County currently contracts with Stanley Convergent Security Solution, Inc. throughout the Courthouse for security system and maintenance. Mr. Stratton advised that by using the City of Tempe's contract, it will allow Gila County to continue using Stanley Convergent Security Solution, Inc. without going through the bidding process as Stanley is the County's preferred contractor. He advised that he would later present a contract with Stanley to the Board for approval. Supervisor Pastor questioned whether the projected summary and figures were final. Mr. Stratton assured the Board that those are the final and total costs and the updated contract would be brought before the Board at the next Board meeting.

Mr. Stratton corrected his previous statement by saying that the final contract would not need to come before the Board for approval due to the manner in which the costs are broken down, but it will be reviewed and signed by the County Manager and placed on the consent agenda with the list of contracts signed by the County Manager which are under \$50,000 at the next Board meeting.

Upon motion by Vice-Chairman Dawson, seconded by Supervisor Pastor, the Board unanimously approved the County's use of the City of Tempe Contract No. 108-186-01 between Gila County and Stanley Convergent Security Solution, Inc., whereby the contractor will provide security system installation and maintenance to Gila County from December 20, 2011, to August 17, 2012.

4E. Information/Discussion/Action to review all bids submitted for Invitation for Bids No. 091411-1 for the purchase of new fleet vehicles as

specified; award to the lowest, responsible and qualified bidders; and authorize the Chairman's signature on the award contract for the winning bidder.

Mr. Stratton stated that this purchase is part of the County's continuing fleet business program that was established at the beginning of the year and that these purchases are included in the County's budget. He also stated that the purchase is to replace vehicles and not to expand the current fleet. Mr. Stratton recommended that contracts be awarded to Sands Motor Co., McSpadden Ford and Steve Coury Ford.

Upon motion by Supervisor Pastor, seconded by Vice-Chairman Dawson, the Board unanimously awarded contracts to Sands Motor Company, McSpadden Ford and Steve Coury Ford for Invitation for Bids No. 091411-1, and authorized the Chairman's signature on the award contracts.

4F. Information/Discussion/Action to consider issuing official comments from the Board of Supervisors to the Tonto National Forest regarding the Environmental Assessment for Motorized Travel Management.

Jacque Griffin, Assistant County Manager/Librarian, stated that the Board of Supervisors received notice from the Tonto National Forest (TNF) dated January 6, 2012, seeking comment on the Environmental Assessment for Motorized Travel Management. It allows 30 days from the date of the notice for the Board's comments. The notice, assessment and attachments exceeded 700 pages for review. The notice indicates closing 101 miles of road, opening 442 miles of road, creating 233 miles of motorized trails, restricting access on 105 miles of road, administratively restricting access on 253 miles of road, creating special use permits, and adding 291 miles of unauthorized use trails. A master list or map does not exist as of yet and the data and tables provided are not consistent. The proposed letter to the Tonto National Forest requests that the Board receive an additional 90 days to respond to this notice given the volume of information that needs to be reviewed. It also requests that Gila County be designated as a cooperative agency and coordinating agency on this project and any future projects and plans.

Chairman Martin commented on the vagueness of the notice and data the Board received and the current state of the roads in Gila County. She would recommend modifications with regard to Apache Sitgreaves. Vice-Chairman Dawson agreed with the current response that has been drafted and indicated another concern with problems citizens have been having with the cutting of fences and the isolation of certain areas. Vice-Chairman Dawson does not agree with a 30-day response time and agrees with the 90-day extension as stated in the drafted response. Supervisor Pastor commented on the process of getting the information to the citizens of Tonto Basin and believes the TNF's efforts were adequate, but agreed with the extension of time as requested in the response.

Ms. Griffin indicated a press release was issued from the Forest Service which stated that only those who commented within the 30-day time frame had the right to an appeal in the future. She also clarified that it is more than 920 square miles that are designated as “no roads”, “wilderness” and “no vehicle access”.

Upon motion by Vice-Chairman Dawson, seconded by Supervisor Pastor, the Board unanimously authorized issuing official comments from the Board of Supervisors to the Tonto National Forest regarding the Environmental Assessment for Motorized Travel Management.

Item 5 – CONSENT AGENDA ACTION ITEMS:

A. Authorization of the Chairman's signature on the request to re-advertise Invitation for Bids No. 092111-2 for the purchase of CRS-2 chip seal oil for Gila County road repair and maintenance.

B. Approval of Amendment No. 2 to Contract No. 07012011-12 between the Arizona Community Action Association and the Gila County Division of Community Services, Community Action Program, allocating SemStream Arizona Propane Program funds in the amount of \$10,399 in order to provide propane assistance to eligible families residing in Gila County for the period July 1, 2011, through June 30, 2012.

C. Authorization for the Chairman to sign the attached agreements to distribute LTAF II (Local Area Transportation Funds) funds, as follows: Intergovernmental Agreements with the Town of Star Valley for \$1,250, City of Globe for \$5,000, Town of Miami Senior Center for \$1,250, and Town of Miami Cobre Valley Community Transit Program for \$18,534; and Transit Agreements with the Payson Senior Center for \$5,000, Time Out, Inc. for \$1,250, and the Boys and Girls Club of Globe for \$1,250.

D. Authorization for the Chairman's signature on Amendment No.1 to an Intergovernmental Agreement (Contract No. ADHS12-007886) which pertains to a Public Health Emergency Preparedness Grant that is between the Gila County Division of Health and Emergency Services and the Arizona Department of Health Services.

E. Approval to reappoint the following members to the Gila County Building Safety Advisory and Appeals Board for an additional 4-year term: Mike Hanich from January 1, 2012, to December 31, 2015; and Peter Oddonetto from January 1, 2012, to December 31, 2015.

F. Approval of the appointment of the following precinct committeeman as submitted by the Gila County Republican Committee: Payson 3 Precinct - Vincent Xavier Grennon.

G. Approval of a Special Event Liquor License Application submitted by the Lions Club of Globe, Arizona, Inc. to serve liquor on February 11, 2012, at the Sheriff's Posse Valentine Dance.

H. Approval of the November 2011 monthly departmental activity report submitted by the Globe Regional Justice Court.

I. Approval of the December 2011 monthly departmental activity report submitted by the Globe Regional Justice Court.

J. Approval of the December 2011 monthly departmental activity report submitted by the Payson Regional Justice Court.

K. Approval of the December 2011 monthly departmental activity report submitted by the Payson Regional Constable.

L. Approval of the November 2011 monthly departmental activity report submitted by the Recorder's Office.

M. Approval of the April 26, 2011, and July 5, 2011, BOS meeting minutes.

N. Acknowledgment of contracts under \$50,000 which have been approved by the County Manager for weeks of December 24, 2011 to December 30, 2011, and December 31, 2011 to January 6, 2012.

O. Approval of finance reports/demands/transfers for the weeks of January 17, 2012, and January 24, 2012.

January 17, 2012

\$367,123.79 was disbursed for County expenses by check numbers 242753 through 242857.

January 24, 2012

\$2,049,305.34 was disbursed for County expenses by check numbers 242858 through 243014. **(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 action items 5A-5O.

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.

There were no requests to speak from the public.

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 and the County Manager presented information on current events.

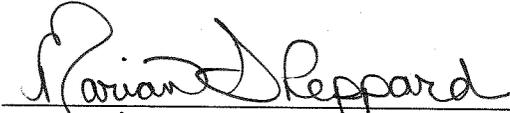
There being no further business to come before the Board of Supervisors, Chairman Martin adjourned the meeting at 11:01 a.m.

APPROVED:



Tommie C. Martin, Chairman

ATTEST:



Marian Sheppard, Chief Deputy Clerk