

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

Date: March 20, 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

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; Marilyn Brewer, 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. Berthan DeNero led the Pledge of Allegiance and Reverend Charles Proudfoot of the Community Presbyterian Church in Payson delivered the invocation.

Item 2 – PRESENTATIONS:

2A. Presentation of the Officer of the Quarter award by Daisy Flores, Gila County Attorney, to Lt. Spencer Preston of the Miami Police Department.

Daisy Flores, County Attorney, presented Lt. Spencer Preston of the Miami Police Department with the Officer of the Quarter award and gave a brief summary of his background and the reasons he was nominated for the award. Lt. Spencer also thanked the Board for the honor of being nominated for this award. Each Board member thanked Lt. Spencer for his dedicated service to the community.

2B. Public recognition of 17 employees for February's "Spotlight on Employees" Program, as follows: Jake Garrett, Jim Berry, Thomas Homan, Emmett Dickison, Ronald Escobedo, Richard Stockwell, Leana Asberry, John Castaneda, Lorraine Dalrymple, Ursula Donovan, Paula Horn, Christine Lopez, JenDean Sartain, Judy Smith, Shane Stuler, Debra Williams and Malinda Williams.

Erica Raymond, Human Resources Assistant, presented gift cards as recognition awards to 17 employees for February's "Spotlight on Employees" Program as follows: Jake Garrett, Jim Berry, Thomas Homan, Emmett Dickison, Ronald Escobedo, Richard Stockwell, Leana Asberry, John Castaneda, Lorraine Dalrymple, Ursula Donovan, Paula Horn, Christine Lopez, JenDean Sartain, Judy Smith, Shane Stuler, Debra Williams and Malinda Williams. Each Board member thanked the employees for their dedicated work.

Item 3 – REGULAR AGENDA ITEMS:

3A. Information/Discussion/Action to review all bids submitted for Invitation for Bids No. 092111-2 for the purchase of CRS-2 chip seal oil; award to the lowest, responsible and qualified bidder; and authorize the Chairman's signature on the award contract for the winning bidder.

Steve Stratton, Public Works Division Director, stated that after reviewing all bids he recommended that a contract be awarded to Cactus Transport, Inc., the lowest bidder. He stated that the County has used this company in the past and they have been responsible with the other bids. Vice-Chairman Dawson inquired as to the increase in pricing of the chip seal oil over the last 5 years. Mr. Stratton replied that the price has increased approximately \$200-\$300 per ton. He stated that prices have been very volatile; however, the price of oil is based on the Arizona Department of Transportation price index so it's fair to the supplier and the County as the prices fluctuate. Vice-Chairman Dawson stated that she received a complaint about the County chip sealing the roads during hard times and she felt that the Public Works Division has a good maintenance system in place, to which the other Board members agreed. Upon motion by Supervisor Pastor, seconded by Vice-Chairman Dawson, the Board unanimously awarded Contract No. 092111-2 to Cactus Transport, Inc. for CRS-2 chip seal oil in the amount of \$525/ton, plus \$32.00/ton if delivered.

3B. Information/Discussion/Action to approve a proposed Settlement Agreement and Release of Claims that would resolve the claims of certain property owners of the Strawberry Creek Foothills Subdivision against Gila County. Pursuant to A.R.S. § 38-431.03(A)(3), the Board may vote to go into executive session to receive legal advice from its attorney and pursuant to A.R.S. § 38-431.03(A)(4) the Board may go into executive session in order to consider its position and instruct its attorney regarding the public body's position regarding settlement discussions of this matter in order to avoid or resolve litigation.

The Board declined the offer to go into executive session at this time. Bryan Chambers, Chief Deputy County Attorney, stated that there was a claim brought against Gila County by a number of property owners in the Strawberry Creek Foothills Subdivision and the proposed Settlement Agreement would resolve those claims. He also noted that some typing corrections had been

made on the original Agreement and provided a final version for approval. Upon motion by Vice-Chairman Dawson, seconded by Supervisor Pastor, the Board unanimously approved the proposed Settlement Agreement and Release of Claims that would resolve the claims of certain property owners of the Strawberry Creek Foothills Subdivision against Gila County.

Item 4 – CONSENT AGENDA ACTION ITEMS:

4A. Approval of Amendment No. 2 to the Intergovernmental Agreement between Central Arizona Association of Governments (CAAG) and Gila County to reduce CAAG's annual cost by \$12,768 as the office workspace provided for CAAG staff at the Casa Grande Comprehensive One-Stop has been decreased by two offices.

4B. Approval of Arizona Department of Housing Community Development Block Grant Contract Number 112-110R Closeout Report to finalize the contract between the Arizona Department of Housing and Gila County Community Action/Housing Services, which will successfully end the contract and ensure that Gila County Community Action/Housing Services has met all requirements of the contract.

4C. Approval of the Memorandum of Understanding between Gila County Division of Health and Emergency Services and the Globe Unified School District #1 related to the Tobacco Free Environments Program for the period July 1, 2011, through June 30, 2012.

4D. Approval of the Memorandum of Understanding between Gila County Division of Health and Emergency Services and the Miami Area Unified School District #40 related to the Tobacco Free Environments Program for the period July 1, 2011, through June 30, 2012.

4E. Authorization for the Chairman to sign the attached agreements to distribute LTAF II (Local Area Transportation Funds) funds, as follows: Intergovernmental Agreement with the Town of Hayden for \$1,250 and Transit Agreement with Horizon Human Services for \$1,250.

4F. Authorization of the Chairman's signature on the United States Department of Agriculture, Forest Service, Tonto National Forest Road Project Agreement No. 12-RO-11031200-013 for the FY 2012 through September 30, 2012, in the amount of \$72,114.

4G. Approval of the appointments of the following precinct committeemen as submitted by the Gila County Republican Committee: Star Valley Precinct-Jay Don Knoner, Claypool #2 Precinct-Darrell Wayne Stubbs, and Globe #8 Precinct-Timothy Trent.

4H. Approval to appoint Mary Lou Myers to the Gila County Planning and Zoning Commission to fill Ron Christensen's unexpired term of office through December 31, 2012.

4I. Approval to appoint Mary Lou Myers to the Gila County Board of Adjustment and Appeals for the period March 20, 2012, through December 31, 2015; and to reappoint Don Ascoli to said Board for the period March 20, 2012, through December 31, 2015.

4J. Approval of Gila Monsters Go-Kart Club's request to use the Go-Kart Track at the Fairgrounds for the period of April 1, 2012, through September 2012, with a waiver of fees.

4K. Approval of the waiver of fees for the Gila County Rodeo Committee's use of the Fairgrounds' Exhibit Hall and rodeo arena for the Rodeo Queen Pageant on April 21, 2012, the Rodeo Sponsor Dinner on May 11, 2012, and the Annual Rodeo on May 12 and 13, 2012.

4L. Approval of two Special Event Liquor License Applications submitted by the Lions Club of Globe, Arizona, Inc. to serve liquor on April 7, 2012, for a wedding reception, and April 14, 2012, for the annual National Rifle Association Dinner.

4M. Approval of the January 2012 monthly departmental activity report submitted by the Globe Regional Justice Court.

4N. Approval of the January 2012 monthly departmental activity report submitted by the Recorder's Office.

4O. Approval of the February 2012 monthly departmental activity report submitted by the Payson Regional Constable.

4P. Approval of the February 28, 2012, and March 6, 2012, BOS meeting minutes.

4Q. Acknowledgment of contracts under \$50,000, which have been approved by the County Manager for the weeks of February 18, 2012, to February 24, 2012, and February 25, 2012, to March 2, 2012.

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

4R. Approval of finance reports/demands/transfers for the weeks of March 13, 2012, and March 20, 2012.

March 13, 2012

\$385,108.44 was disbursed for County expenses by check numbers 243997 through 244239.

March 20, 2012

\$2,005,258.41 was disbursed for County expenses by check numbers 244240 through 244441. **(An itemized list of disbursements is permanently on file in the Board of Supervisors' Office.)**

Chairman Martin stated that she had a Public Participation Form from James Feezer, a resident of Payson, to address Consent Agenda item 4Q. (Note: The contract referred to in item 4Q was issued to CJD Consulting, LLC). Mr. Feezor stated, "I just had some questions as I was reading over this contract. I realize that Claudia DalMolin has been serving for a number of years in the Sheriff's Department and probably has some experience, so I won't dispute that. I'm curious as to exactly what services are necessary for her to provide. She's had an assistant for at least 4 years who has been with her as all of these policies and procedures have been made and I wondered if that assistant cannot provide those without us having to expend additional funds in what Supervisor Dawson said are these hard times. Is that contract the best use of money? You've got a number of policies and procedures that should have already been documented. I fail to see the reason why this person is required to come back and tell us what she's been doing for the last decade or more of employment. And there were a couple of items that were troubling to me in the relationship of the parties. Claudia is being brought back, or CDJ Consulting, which as I look it up at the Arizona Corporation Commission, it consists of 1 person, which is Claudia J. DalMolin, who was the Bureau Commander for the past number of years and lists no other employees or agents. This company was formed in January. She retired (from the Sheriff's Office) at the end of February and immediately on the first of March (this contract) was issued. I saw no request or proposal or any backup that particular information was being sought or expertise being documented or offered. Claudia is being brought back, or this company is being brought back, and not deemed an officer or employee or agent of the County, yet the County is providing a telephone, a cell phone, they are providing office space, equipment and supplies and granting access to the office during nights and weekends. I have a real problem with that if this is not a person who is employed by the County and considered an officer and agent. It also states in Section 14 of the consulting contract that CJD Consulting has adequate office space, equipment and supplies to perform the duties. Why are we expending additional funds to provide them something that they already possess? I realize you can't discuss this because this is an item, but I would like this addressed and some information brought forward. I have some serious concerns about this. My opinion of the Gila County Sheriff's Office is somewhat shaded by the fact that my wife went through a rather interesting go around with the policies and procedures as they exist and I would say that bringing somebody back that has knowledge of this busted system that passes for policies and procedures in the

Sheriff's Office is akin to your Public Works Department saying 'here's a detailed map of every pothole in the road in Gila County' rather than going through and patching the potholes and widening the road to improve the process. If you need somebody that knows how to document process and do work flow, I have 20 plus years of this. I've managed multi-million dollar, multi-national consulting engagements. I think I could provide more expertise on this than somebody who's been captured by the system. Thank you."

Vice-Chairman Dawson stated that there was a Public Participation Form to speak on this same item from Mickie Nye, a resident of Globe. Mr. Nye stated, "I would like to endorse and support this contract with Claudia DalMolin. I would like to tell you a little bit about her professionalism. She's had a great deal of success in grant writing for the Meth Coalition. I've worked with Claudia on Gila House, the Meth Coalition, United Fund and the Globe-Miami Greater Chamber of Commerce and the Economic Development Corporation and have had nothing but a very professional relationship with her. She's always done what she said she would do and she's never let anybody down. So I endorse this contract and think that she's done a great deal of work on behalf of this County for the Meth Coalition and her duties, so I would be more than happy to answer any questions, but she certainly has my support. Thank you."

Upon motion by Vice-Chairman Dawson, seconded by Supervisor Pastor, the Board unanimously approved Consent Agenda action items 4-A through 4-R.

Item 5 - 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 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 and the County Manager presented information on current events.

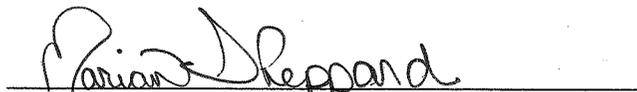
There being no further business to come before the Board of Supervisors,
Chairman Martin adjourned the meeting at 10:59 a.m.

APPROVED:



Tommie C. Martin, Chairman

ATTEST:



Marian Sheppard, Chief Deputy Clerk