

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

Date: May 22, 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; and Marian Sheppard, Chief Deputy Clerk. No attorney was present.

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. Jacque Griffin led the Pledge of Allegiance and Pastor Rich Hatch of the First Southern Baptist 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 Sgt. Steve Shaw of the Globe Police Department.

Daisy Flores, County Attorney, presented Sgt. Steve Shaw of the Globe 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. Sgt. Shaw thanked the Board for the honor of being nominated for this award. Each Board member thanked Sgt. Shaw for his dedicated service to the community.

2B. Public recognition of 2 employees for April's "Spotlight on Employees" Program, as follows: JoNelle Greenwalt and Ginger Horta.

Erica Raymond, Human Resources Assistant, presented gift cards as recognition awards to 2 employees for April's "Spotlight on Employees" Program as follows: JoNelle Greenwalt and Ginger Horta. Each Board member thanked the employees for their dedicated work.

ITEM 3 – PUBLIC HEARINGS:

3A. Public Hearing - Information/Discussion/Action to authorize the submission of an Application for FY 2012 State Community Development Block Grant (CDBG) funds in the amount of \$104,276 that will be used for a proposed CDBG housing rehabilitation project in Gila County and an additional \$300,000 in State Special Project funds to be utilized for Rehabilitation, Acquisition and Replacement Housing for FY 2013 and to adopt related Resolution Nos. 12-05-02, 12-05-03, 12-05-04, which are included as part of the application.

Malissa Buzan, Housing Program Manager, advised that prior to today's public hearing, 2 others have been held concerning this Application. Based on the information received from those hearings, this Application is now being recommended for Board approval. Each Board member thanked Ms. Buzan for securing these grants and her efficiency in running these programs. Chairman Martin opened the public hearing and called for comments from the public; none were received. She closed the public hearing and entertained a motion. Upon motion by Supervisor Pastor, seconded by Vice-Chairman Dawson, the Board unanimously authorized the submission of an Application for FY 2012 State Community Development Block Grant (CDBG) funds in the amount of \$104,276 that will be used for a proposed CDBG housing rehabilitation project in Gila County and an additional \$300,000 in State Special Project funds to be utilized for Rehabilitation, Acquisition and Replacement Housing for FY 2013 and adopted related Resolution Nos. 12-05-02, 12-05-03, 12-05-04, which are included as part of the application. **(Copies of the Resolutions are permanently on file in the Board of Supervisors' Office)**

3B. Public Hearing: Information/Discussion/Action to approve a "Fee for Service" for Sexually Transmitted Infections (STI) testing whereby the Department of Health will charge a fee of \$10. Individuals who have been informed that they are a contact of an STI will be tested at no charge. No individual will be turned away due to inability to pay.

JenDean Sartain, Deputy Director of Health Services, advised that the County, by statute, is mandated to treat and monitor all cases of STIs to ensure the health of its citizens. The Gila County Health Department has seen an increase in the STI testing it provides partially due to the closure of Planned Parenthood. Also, due to budget cuts at the Arizona Department of Health, it no longer provides the lab testing for several types of STI testing, which had previously been done for the County at no cost except for the shipping fees. The County has been required to provide these tests through the Center for Disease Detection with the County absorbing those costs of \$17.50 per client. To help absorb these expenses, the Health Department would like to charge \$10.00 to individuals for STI testing. Partners and identified contacts will not be charged and no individual will be turned away due to inability to pay. Chairman Martin opened the public hearing and called 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 approved a "Fee for Service" for Sexually Transmitted Infections (STI) testing whereby the Department of Health will charge a fee of \$10. Individuals who have been informed that they are a contact of an STI will be tested at no charge. No individual will be turned away due to inability to pay.

ITEM 4 - REGULAR AGENDA ITEMS:

4A. Information/Discussion/Action to adopt the Order establishing the Alhambra Domestic Wastewater Improvement District and instruct the Clerk of the Board to notify the State Department of Property Valuation and the Gila County Assessor of the establishment of said District.

David Rogers, Elections Specialist, stated that in March 2012, the Clerk of the Board received petitions signed by 100 percent of the property owners requesting the establishment of the Alhambra Domestic Wastewater Improvement District (ADWID). He advised that Larry Huffer, Chief Appraiser with the Assessor's Office, was present with the results of the Petition Verification, and members of the group wishing to establish the District were also present. Mr. Huffer stated that a copy of the Certificate of Verification was provided to the Board, which verifies that the Gila County Assessor has verified the owners of the real property who signed a petition to form the proposed ADWID. He read aloud the Certificate, which stated the following from A.R.S. §48-903. 2C, "Except as provided in subsection G of this section, if the petition is signed by the owners of all of the real property in the proposed district and if the petitioners provide a copy of a record search that shows the names of the owners of all the property in the proposed district, the Board of Supervisors may summarily order the formation of the district and a hearing is not required." He further stated, "The results of the owners who signed the petition are as follows: 100% of the owner(s) of the real property within the limits of the proposed ADWID signed a petition." Supervisor Pastor wanted to comment for the record that he had a conversation with William Sturges, who has been working with Jake Garrett, Environmental Engineering Manager, on this project, and Mr. Garrett "had nothing but good words on the development of this project." He also added that Mr. Sturges was hopeful that the Board would look favorably on the project. Chairman Martin then called on Steve Wene, the attorney representing the Sturges's. Mr. Wene introduced James Downing, the Engineer, and stated that unless the Board had any questions, they would like the matter to proceed. Mr. Downing added that he was also available for any questions of the Board. Vice-Chairman Dawson stated, "I think one record that we need to make is that the people of Alhambra District will be among those who yelled that their taxes have increased and that it's our fault. They have to understand that these actions, whether it's a fire district, a wastewater improvement district, a school district or whatever, has no effect upon what their county tax rate is. They will have their special district (tax)

rate that they need and are approving of at this time. It will be later that they scream.” Chairman Martin added, “They need to pay close attention to who they put on their board as those folks will decide the important things for these people and the closer boards get to you, the more important it is to pay attention to who is on them.” Upon motion by Supervisor Pastor, seconded by Vice-Chairman Dawson, the Board unanimously adopted the Order establishing the Alhambra Domestic Wastewater Improvement District and instructed the Clerk of the Board to notify the State Department of Property Valuation and the Gila County Assessor of the establishment of said District. **(A copy of the Order is permanently on file in the Board of Supervisors' Office)**

4B. Information/Discussion/Action to discontinue the 120-day hiring freeze on all vacancies in budgeted positions effective upon Board of Supervisors' approval.

Berthan DeNero, Human Resources Director, requested that the Board discontinue the 120-day hiring freeze as it has outlived its usefulness. She stated that the Board of Supervisors, managers and elected officials are very creative and compelling in their reasons for waiving the 120 days. Vice-Chairman Dawson stated that at the time this freeze was adopted, there was a crisis of how to manage to stay within the County's budget. She believes that the County is now in a position to be able to discontinue this freeze; however, she noted that this doesn't mean that there's going to be a bunch of newly created positions, but rather these are vacancies in budgeted positions only. Supervisor Pastor stated that he believes a good process has been set in place for reviewing any requests for positions and although it has taken a while to develop, he believes it is working well enough to lift the 120-day hiring freeze. Chairman Martin stated that she think it's time the Board allowed the supervisors and directors to make the choice; however, the Board will keep an eye on it and if this action needs to be rescinded that could be done. Upon motion by Vice-Chairman Dawson, seconded by Supervisor Pastor, the Board unanimously discontinued the 120-day hiring freeze on all vacancies in budgeted positions effective upon Board of Supervisors' approval.

4C. Information/Discussion/Action to approve the use of National Joint Power Alliance Contract No. 062909 with ADT Security Services, Inc. whereby the contractor will provide for the material and installation of video surveillance cameras at the Gila County Courthouse in the amount of \$82,013.09.

Steve Stratton, Public Works Division Director, stated that the Security Committee, chaired by Ms. DeNero, has been working with the courts and the law enforcement agencies to implement security measures at the Globe County Courthouse. This is the next step being proposed to provide Courthouse security. He advised that there are multiple cameras involved in this project and the County has been working with the contractor, which has suggested

different angles and locations giving the County the ability to monitor and record every hallway and portion of the courthouse so that if there is an incident, it could be reviewed. He stated that this is very similar to the system that was installed in the new Public Works Division buildings and within the first couple of months it paid off because someone was caught stealing. He suggested that there be a secure place for the recording device and viewing. After a review with Ms. DeNero and Bob Hickman, Facilities Director, it was decided that the security key will be left with the IT Director in the event law enforcement needed to review the recordings. Also suggested was that the recording discs be kept on file for a minimum of 1 year. Vice-Chairman Dawson stated that it's amazing today what can be done with video surveillance and how technology continues to improve, which she hopes will help management in this area. Mr. Stratton pointed out that the cameras are of such high quality that they will be able to record a visual on a face and working in cooperation with law enforcement, people could be identified. Supervisor Pastor inquired if the cameras are going to be placed in hallways and in the court rooms to monitor security access to the Courthouse and will not be used to monitor employees. Mr. Stratton replied that was absolutely correct. He stated that this project will be paid with capital improvement funds of which the security portion has been budgeted. Upon motion by Supervisor Pastor, seconded by Vice-Chairman Dawson, the Board unanimously approved the use of National Joint Power Alliance Contract No. 062909 with ADT Security Services, Inc. whereby the contractor will provide for the material and installation of video surveillance cameras at the Gila County Courthouse in the amount of \$82,013.09.

4D. Information/Discussion/Action to approve United States Department of Agriculture, Forest Service, Tonto National Forest Road Project Agreement (FS No. 12-RO-11031200-024) for FY2012 through December 31, 2012, in the amount of \$283,825 to double chip seal Forest Road 423 (Cline Boulevard).

Mr. Stratton stated that several months ago Steve Sanders, Public Works Division Deputy Director, and Jacque Griffin, Assistant County Manager/Librarian, applied for a RAC (Resource Advisory Committee) Grant to the U.S. Forest Service, which included funding for 2 years. The County was awarded 2 road projects—Russell Road and Cline Boulevard; however, due to a “snafu” at the state, the money for next year will now not be awarded and the County is only receiving a partial allotment and will lose about \$150,000 on this particular project. He does; however, feel this project can be completed by changing the scope of work so instead of running a chip seal on the portion that is already paved, the County will do a double chip seal on the dirt portion along with some other creative measures. He also noted that the project will be completed in September. Vice-Chairman Dawson stated that in regard to this snafu, it is known that the Pinal Mountains are extremely dry and not getting that Russell Road chip sealed is very frustrating. She stated that in the event there was a forest fire and people had to be evacuated, that road would be a

difficult one and although it's better than it was years ago, it's still in need of being chip sealed. Mr. Stratton stated that because the County spends an extreme amount of time blading Russell Road, he is trying to work that into the 5-year plan if funds allow; however, his department is having difficulty with a shortage of funds as are other departments. Chairman Martin noted that this snafu didn't have anything to do with the County as several other counties were affected as well. Vice-Chairman Dawson stated that at next year's meeting there needs to be a loud discussion as to the reason this happened. Mr. Stratton deferred to Ms. Griffin for additional information as to why this problem with the funding occurred. Ms. Griffin stated that she wasn't sure where the error occurred, but it was her understanding that the County is supposed to be notified by the State Treasurer if the County is going to put 15% of its funds into the RAC. She believes the problem was because it was for 2 years of funding at once and because Graham County caught the error, they are receiving full funding, but the other grant applicants are not, which involves 3 different states and several counties. Upon motion by Vice-Chairman Dawson, seconded by Supervisor Pastor, the Board unanimously approved United States Department of Agriculture, Forest Service, Tonto National Forest Road Project Agreement (FS No. 12-RO-11031200-024) for FY2012 through December 31, 2012, in the amount of \$283,825 to double chip seal Forest Road 423 (Cline Boulevard). Supervisor Pastor noted that Les Hannar (a resident residing on Cline Boulevard) will be very happy that this project is finally going to be done because "he's been on my case for the last 6 months." Mr. Stratton added that's why he made the public commitment to start the project in September.

4E. Information/Discussion/Action to approve an Intergovernmental Agreement-Economic Development Grant between Gila County and the Town of Miami whereby the County will disburse up to \$3,200 to the Town of Miami for use in the construction and repair of the Miami Community Pool Project.

Don McDaniel, County Manager, stated that this is an Intergovernmental Agreement with the Town of Miami for the purpose of repairing or replacing some of the unsightly and unsafe shade structures at the community pool. He stated, "We consider this to be a community benefit and County benefit as well" and recommended that the Board approve same. Upon motion by Supervisor Pastor, seconded by Vice-Chairman Dawson, the Board unanimously approved an Intergovernmental Agreement-Economic Development Grant between Gila County and the Town of Miami whereby the County will disburse up to \$3,200 to the Town of Miami for use in the construction and repair of the Miami Community Pool Project.

Item 5 – CONSENT AGENDA ACTION ITEMS:

5A. Approval of Contract No. SRPWX05012012 between the Arizona Community Action Association and Gila County Community Action

Program, a department of the Division of Community Services, to utilize funding provided by Salt River Project in the amount of \$7,000 to be used for weatherization services to eligible households residing in Gila County for the period from May 1, 2012, through April 30, 2013.

5B. Approval of Amendment No. 1 to Contract No. SW-ESA-12-2182-02 between the Governor's Office of Energy Policy and Gila County (Division of Community Services, Weatherization Program) amending the amount of funding from \$28,434 to \$33,474 to continue to provide weatherization services to eligible citizens residing in Gila County, effective upon signature of both parties and continuing through June 30, 2012.

5C. Authorization for the Chairman's signature on Amendment No. 2 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.

5D. Approval of the reappointment of Judge Gary V. Scales and Judge Peter J. DeNinno as Judges Pro Tempore for the Superior Court in Gila County for the period of July 1, 2012, through June 30, 2013.

5E. Approval to appoint Perry Schaal to fill the unexpired term of office for Bernie Lieder on the Building Safety Advisory & Appeals Board, which expires December 31, 2013.

5F. Acknowledgment of the resignation of Quentin Johnson from the Canyon Fire District Governing Board and the appointment of Michael Peterson to complete the term of Mr. Johnson, which expires November 30, 2012.

5G. Approval of a Special Event Liquor License Application submitted by the Pleasant Valley Historical Society to serve liquor at the Ted Meredith Memorial Roping event to be held on July 20-22, 2012.

5H. Approval of the May 1, 2012, BOS meeting minutes.

5I. Approval of the March 2012 monthly activity report submitted by the Payson Regional Justice of the Peace's Office.

5J. Approval of the March 2012 monthly activity report submitted by the Recorder's Office.

5K. Acknowledgment of contracts under \$50,000 which have been approved by the County Manager for the weeks of April 14, 2012, to April 20, 2012, April 21, 2012, to April 27, 2012, and April 28, 2012 to May 4, 2012.

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

5L. Approval of finance reports/demands/transfers for the weeks of May 8, 2012, May 15, 2012, and May 22, 2012.

May 8, 2012

\$809,994.43 was disbursed for County expenses by check numbers 245424 through 245564.

May 15, 2012

\$1,519,738.82 was disbursed for County expenses by check numbers 245565 through 245750.

May 22, 2012

\$663,439.07 was disbursed for County expenses by check numbers 245751 through 245884. **(An itemized list of disbursements is permanently on file in the Board of Supervisors' Office.)**

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

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.

Chairman Martin called on Peter Beesley, owner of a business known as Hoofin' It Feed & Tack located on Russell Road in Globe. Mr. Beesley stated that related to the last agenda item discussed by the Board, his business is also located on Russell Road and that road is in real bad shape. He noted that all of the County trucks have now moved over to the new barn in that area, which has increased traffic and that road needs more than a chip seal. Mr. Beesley then moved on to the reason for being present to address the Board. Mr. Beesley and his wife own a feed store and they are having an increasing problem with vendors/peddlers who are coming into the area, in particular hay vendors, who are bringing in trailer loads of hay from out of town and then parking on the side of the road on anyone's property and setting up small businesses. Mr. Beesley felt that legitimate business owners should have some type of protection against people that aren't operating under the same rules

and are not a licensed business that collects and pays sales tax. He requested that this be addressed by the County on a future Board agenda.

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