

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

Date: September 4, 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. Mike Pastor led the Pledge of Allegiance and Shirley Dawson delivered the invocation.

**Item 2 – PRESENTATIONS:**

**2A. Public recognition of 1 employee for August's "Spotlight on Employees" Program, as follows: Minda Thompson.**

Julie Bocardo-Homan, Human Resources Assistant, presented a gift card as a recognition award to Minda Thompson for August's "Spotlight on Employees." Each Board member thanked Ms. Thompson for her dedicated work.

**ITEM 3 – PUBLIC HEARINGS:**

**3A. Public Hearing-Information/Discussion/Action to adopt Resolution No. 12-09-01 accepting Vertical Heights Road into the County Maintained Road System as a County Highway.**

Steve Sanders, Public Works Division Deputy Director, stated that Vertical Heights Road is located north of Globe behind the Fry's Shopping Center area. On September 9, 2011, the County received a Citizens' Petition requesting that this road be brought into the County's Maintained Road System. The first 4,000 feet of Vertical Heights Road was previously brought into the County's

Road System. The remaining portion of the road had some issues with a steep drop off and geometry site distance, etc. In working with Supervisor Pastor and the Gila County Public Works Division, the homeowners, who reside alongside the subject road, paid at their own expense to have this portion of the road widened, thus creating a safer road with berms in place. He advised that Arizona Counties Insurance Pool, which is a risk management insurance provider of the County, visited the site and stated that the work done was satisfactory. At that point the County moved forward with bringing the road into its system. It required that some easement and map work be done, which has been completed. The map, if approved by the Board, will be recorded and this portion of Vertical Heights Road will become a County highway in the Gila County Maintained Road System. Chairman Martin opened the public hearing and called for comments from the public. Bill Marshall, a resident residing on Vertical Heights Road in Globe, thanked the Board of Supervisors, specifically Supervisor Pastor, and the Public Works Division staff who helped facilitate the completion of this road as this long process initially began in 1993. Chairman Martin closed the public hearing and entertained a motion. Vice-Chairman Dawson thanked those involved in following County policy to accomplish this work rather than it being done the “good old boys” way of the past. Supervisor Pastor also thanked Mr. Marshall for the efforts that he and the neighbors provided in this process. Vice-Chairman Dawson also stated, “I would like to add as an outgoing supervisor that during campaign season people make promises that are illegal and I’m hoping that the public will be aware of the fact that private roads, in order to be graded by the County, have to come up to certain standards, or only during emergencies. They can’t be graded because you like their Mexican food or whatever the case may be. We don’t do favors for individuals. This is County taxpayer money and it needs to be wisely spent.” Upon motion by Vice-Chairman Dawson, seconded by Supervisor Pastor, the Board unanimously adopted Resolution No. 12-09-01 accepting Vertical Heights Road into the County Maintained Road System as a County Highway. **(A copy of the Resolution is permanently on file in the Board of Supervisors’ Office.)**

**3B. Public Hearing-Information/Discussion/Action to adopt Resolution No. 12-09-02, amending the Gila County Comprehensive Master Plan from Residential to Neighborhood Commercial-P&Z Case No. CPA-12-01, for an application submitted by Robert VerHeyen, agent for owner J Pak, for Gila County Tax Assessor's Tax Parcel 301-21-046, 6261 W. Hardscrabble Mesa Drive, Pine, Arizona.**

Chairman Martin stated that this would be a public hearing for both agenda item numbers 3B and 3C as they would be addressed together. Robert Gould, Community Development Division Director, stated that items 3B and 3C both pertain to a ¼-acre parcel of land located at 6261 W. Hardscrabble Mesa Drive in Pine. He stated that there has been a problem with the process for these items and requested that the Board table both items to the next Board meeting specifically identified as September 18, 2012. He explained that item 3B is a

resolution that will amend the County's Comprehensive Master Plan and item 3C is an Ordinance that would amend the County's zoning map. Upon motion by Supervisor Pastor, seconded by Vice-Chairman Dawson, the Board unanimously tabled agenda item numbers 3B and 3C until the next regular Board meeting of September 18, 2012.

**3C. Public Hearing-Information/Discussion/Action to adopt Ordinance No. 11-05, amending the Gila County Planning and Zoning Ordinance, Planning and Zoning Case No. Z-12-01, for an application submitted by Robert VerHeyen, agent for owner J Pak, to rezone Gila County Tax Assessor's Parcel No. 301-21-046 located at 6261 W. Hardscrabble Mesa Drive, Pine, Arizona, from R1 (Residence One District) to C-2 (Commercial Two District).**

See agenda item 2B above.

**ITEM 4 – REGULAR AGENDA ITEMS:**

**4A. (Motion to adjourn as the Gila County Board of Supervisors and convene as the Gila County Library District Board of Directors.) Information/Discussion/Action to authorize the submission of a State Grants-In-Aid Application by the Gila County Library District to the Arizona State Library, Archives and Public Records, Library Development Division, for the 2012-2013 fiscal year in the amount of \$23,000 designated to Gila County for the period July 1, 2012, through June 30, 2013.**

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 Library District Board of Directors.

Jacque Griffin, Assistant County Manager/Librarian, stated that the State Grants-In-Aid is a non-competitive grant with the amount set by the State at \$23,000 per county. She stated that as in past years, these grant funds will be used to benefit library services as a whole. Specifically, \$16,000 will be divided among the 8 libraries to be used for the summer reading programs, etc. and \$7,000 will be retained at the District level to be used to purchase online resources, movie licenses, etc. that benefit all of the libraries. Upon motion by Vice-Chairman Dawson, seconded by Supervisor Pastor, the Board unanimously authorized the submission of a State Grants-In-Aid Application by the Gila County Library District to the Arizona State Library, Archives and Public Records, Library Development Division, for the 2012-2013 fiscal year in the amount of \$23,000 designated to Gila County for the period July 1, 2012, through June 30, 2013.

**4B. Information/Discussion/Action to approve a Library Service Agreement between the Gila County Library District and the Globe Public**

**Library to cooperate in the provision of library services to the citizens of the District for the period July 1, 2012, through June 30, 2013, with a funding match up to \$116,750.00. (Motion to adjourn as the Gila County Library District Board of Directors and reconvene as the Gila County Board of Supervisors.)**

Ms. Griffin stated that Library Service Agreements are the mechanisms used by the County to provide funding for maintenance and operations for the 8 libraries within Gila County. Ms. Griffin stated that 2-3 weeks ago she presented 6 of the 8 agreements to the Board for approval. This agreement with the Globe Public Library is number 7 and the last one with San Carlos has been approved by the Tribal Council, but the County has not received the signed agreement yet. These agreements will allow the County Library District to issue funds to the libraries in November and May. Upon motion by Supervisor Pastor, seconded by Vice-Chairman Dawson, the Board unanimously approved a Library Service Agreement between the Gila County Library District and the Globe Public Library to cooperate in the provision of library services to the citizens of the District for the period July 1, 2012, through June 30, 2013, with a funding match up to \$116,750.00.

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

**4C. Information/Discussion/Action to adopt Resolution No. 12-09-03 electing the full Gila County share of the State Payment option, pursuant to Public Law 112-141, for the "Secure Rural Schools and Community Self-Determination Act of 2000" and further allocates 80 percent of the Gila County share to Title I - Secure Payments for Schools and Roads and 20 percent of the Gila County share to Title II - Special Projects.**

Ms. Griffin stated that the "Secure Rural Schools and Community Self-Determination Act of 2000" (SRSCSDA) was set to expire; however Congress continued the funding at the same rate for the same programs, which in effect extended this Act for 1 more year. She explained that in 2008 the Board adopted a similar resolution identifying the funds in a similar fashion; however, those resolutions referenced a law that expired. This new resolution references the new Public Law 112-141. Also, because it was a 4-year renewal the last time the Board approved it, there were 2 resolutions--one which chose to do the full state payment share option and the other one was to allocate 20% to Title II, Special Projects. She stated that with this request, both actions will be handled with this one resolution. Vice-Chairman Dawson stated that regarding this 1-year extension, "These funds hold the school districts and special projects over a barrel while Congress sits back there not being willing to work together and they finally know it's an election year so they are extending it for 1 year." She believes it is just "another whack" at taking away funding from schools and necessary projects within counties and states. Upon motion by

Vice-Chairman Dawson, seconded by Supervisor Pastor, the Board unanimously adopted Resolution No. 12-09-03 electing the full Gila County share of the State Payment option, pursuant to Public Law 112-141, for the "Secure Rural Schools and Community Self-Determination Act of 2000" and further allocates 80 percent of the Gila County share to Title I - Secure Payments for Schools and Roads and 20 percent of the Gila County share to Title II - Special Projects. **(A copy of the Resolution is permanently on file in the Board of Supervisors' Office.)**

**4D. Information/Discussion/Action to approve the submittal by the Gila County Public Works Department of the grant application for a "Secure Rural Schools and Community Self-Determination Act of 2000" Title II - Special Project Grant for fiscal year 2012 funding for a Forest Road 512 Surfacing Project.**

Ms. Griffin stated that because SRSCSDA (as discussed in agenda item 4C above) was extended for a year, it also then extends the Special Projects Title II process, which includes the Resource Advisory Committee (RAC) where the County allocates 20% of its money to special projects. The County now must apply for a grant through the U.S. Forest Service to access that money for projects that benefit the forest or the infrastructure. She explained that this particular turn-around time was incredibly short as it was posted and announced on July 26, 2012; grants were due on August 28, 2012, and the RAC meeting will be held about September 18<sup>th</sup> to identify which projects are eligible for funding. The following step will be for the U.S. Forest Service to certify the recommendations made by the RAC and get to the end of the process by September 30, 2012. Ms. Griffin requested that the Board approve the submittal of a grant application for about \$330,000 to put surfacing on the 512 Road. Steve Stratton, Public Works Division Director, stated that the County does not hold easement to this portion of the 512 Road; therefore, the County cannot utilize the ½-cent sales tax dedicated to transportation, which is usually used to purchase the materials. This is an important grant to the County and to the citizens of Young in order to have funds to purchase the materials for that portion of the road. Upon inquiry by Supervisor Pastor as to the type of surfacing for this road, Mr. Stratton advised that it will be a material, but not a chip seal, that will come from various U.S. Forest Service pits dependent upon the availability. Vice-Chairman Dawson stated that 8 years ago she presented this project in Washington D.C. and everything was set until the U.S. Government found out the project would only serve a population of 820, not 820,000. Then one of the residents of Young chose to talk to a local newspaper stating that Vice-Chairman Dawson did not value the people of Young because there were only 800 in population. Vice-Chairman Dawson stated, "It was not me; it was the U.S. Government saying they have to look at per capita costs." She concluded by stating that any type of improved surfacing going north will be really important to the people of Young and thanked the Public Works Division staff for its long-range planning. Upon

motion by Supervisor Pastor, seconded by Vice-Chairman Dawson, the Board unanimously approved the submittal by the Gila County Public Works Department of a grant application for a "Secure Rural Schools and Community Self-Determination Act of 2000" Title II - Special Project Grant for fiscal year 2012 funding for a Forest Road 512 Surfacing Project.

**4E. Information/Discussion/Action to consider issuing official comments from the Board of Supervisors to the Tonto National Forest regarding the Draft Environmental Assessment of the Tonto Basin, Walnut, and 7/K Grazing Allotments, and to support the continued livestock grazing on these allotments within the Tonto Basin Ranger District, Gila County, Arizona.**

Ms. Griffin advised that the 3 allotments for allotment holders in Tonto Basin are fairly long with this National Environmental Policy Act process to reauthorize grazing on their ranges. The Tonto National Forest published a legal notice on August 7, 2012, in the Payson Roundup newspaper announcing the opportunity to comment on a draft of its Environmental Assessment. Back in 2011 the Board received a scoping letter regarding this proposal, which sort of fell through the cracks and the Board didn't make any comments at that time. This draft Environmental Assessment proposes to reauthorize livestock grazing on Tonto Basin 7/K, the Walnut Allotments, in all the foothills of the Sierra Anchas, the Matzatzal Mountains and the Tonto Basin Ranger District. The draft has about 102 pages and includes several alternatives that are under consideration. She stated that it appears that an alternative has been added after the scoping process. Ms. Griffin stated that the Board commented back in 2011 that there was at least one alternative that the Board wouldn't have had the opportunity to consider and she understands that there is another set of ranches in the same sort of process where that is the case as well. She stated that the County did make scoping comments and she believes the Forest Service is adding alternatives even as the "process is in the middle of the process." She stated that the County was asked by one of the allotment holders to have some County folks review it and make comments. Ms. Griffin stated that she has included a draft response and would assume that there would be additions and changes after this discussion by the Board. Ms. Griffin's draft response also references the review of the soil analysis that Jake Garrett, Gila County Environmental Engineering Manager, who understands soils, has made with regard to some of the processes that were used and his analysis was also being attached. She also passed out a copy of some comments also in draft form that were received this morning from resident Carolyn Eppler. Ms. Griffin advised that she has had an email second hand that says that according to the Tonto Basin staff, the comment period closes on Thursday, September 6, 2012, but if August 7, 2012, is the date to be used, then the comments are due on September 5, 2012, so she has a call into the Forest Service for clarification. Chairman Martin stated, "I believe we are also in the middle of commenting on alternatives that are being proposed in that area. We made the comments and then a year later we found out there was

another alternative that was worked up that we don't know anything about that's being considered. I'm getting darn tired of being caught up in a process and it keeps being moved one way or the other and we keep going with it until we get out to the end and get ready to drop off. I'm not sure that it's not time we go back and say all of this is fine and dandy, but where are you discussing economic units? Where are you talking about the economics of this conversation and isn't it time that we begin to dial in not on chasing after every strange little side trail that they are talking about, whatever, and we go back and say what is the economic unit here? I mean to say that we are in support of grazing; one critter is grazing. Are we willing to support 1 critter? Are we willing to support the continued slow demise of this industry? That's where we are headed with this if we keep playing this game." She inquired about the views of the other supervisors. Supervisor Pastor stated that the draft from Carolyn Eppler seems to be concise and factual, so he had no problem with attaching her comments to the Board's letter. Supervisor Pastor stated, "Having Tonto Basin and Roosevelt in my district, and listening to some of the concerns that the ranchers have there, they do have some concerns and it seems like it's nothing but a big bureaucratic merry-go-round when it comes to the Forest Service asking for any comments on their scoping...I think as complicated as this process gets, we have to stay right on top of it and continue pushing the Forest Service to look at all alternatives and not just the alternatives they want to. I know that I've sat in some meetings with different allotment holders and there are some hard, hard feelings between the allotment holders and the Forest Service, but at least they sit and communicate and I think that's important...So we have taken that process and gotten involved in more detail and I think that we need to stay involved in the process and whatever we have to push to make the Forest Service realize that these are issues that matter to us." Vice-Chairman Dawson stated, "I just always think back to you suggesting that I go visit Deserrett Ranch (in Utah). I think when we make comments we have to try to look at where are they coming from; why is the Forest Service doing what it is doing? That said, there are ranches that not only ranch right, but enhance the land, and Deserrett is certainly the prime example of that and hopefully we'll see more of that type ranching in the near future. I appreciate the comments Carolyn Eppler has added to this, and I appreciate the short times that we end up with and you almost wonder if (it is) by design on some of the things. It's good to have a couple of Ranger Districts with people that we can work with in both in Young and in Tonto Basin. It's been great. So I'm certainly happy to agree with submitting these comments on this draft Environmental Assessment." Chairman Martin stated, "I just go back and forth feeling like instead of being involved in the process, we are sanctioning their process about half the time. And I'm not sure that's the right process for us to even be involved in. I would like to switch the gears sometimes. I very much appreciate Carolyn Eppler's and Jake Garrett's comments. I'm thinking that we need to go right on and submit these, but I still want to go back and look at economic units. I'm not sure we're doing anybody any good keeping them at a rate that they simply can't stay in business. That's for a future discussion and I know that today we are looking

at submitting these comments with those additions made and if we have any further comments or questions to those folks, but a bigger piece of heartburn for me is what we do coming down the road. I had asked for us to be cooperator/coordinator status with the Forest Service and that hasn't happened yet. I'm going to be back on this—I've been back on it about 2 weeks because we now do have a supervisor in the Phoenix office that is the designated supervisor there so while we had an acting supervisor that wanted to visit about it, but didn't want to take any action, now that we have the supervisor Neil Bosworth, I will back on top of that and have been the last 2 weeks. I'm going to get us cooperator/coordinator status and then we'll see if that makes any difference or not and that's the only thing that I know to do next." Chairman Martin advised Ms. Griffin that she would like to add language pertaining to the economic unit to the letter this afternoon. Upon motion by Vice-Chairman Dawson, seconded by Supervisor Pastor, the Board unanimously approved issuing official comments from the Board of Supervisors to the Tonto National Forest regarding the Environmental Assessment of the Tonto Basin, Walnut, and 7/K Grazing Allotments; to support the continued livestock grazing on these allotments within the Tonto Basin Ranger District, Gila County, Arizona; and to approve the cover letter with the addition of economic units and with the additional comments that the Board received from Carolyn Eppler and from Jake Garrett.

**4F. Information/Discussion/Action to canvass the election results contained in the Official Canvass of the Primary Election held August 28, 2012, in Gila County, Arizona, and declare the results official.**

Linda Eastlick, Elections Director, thanked the many people who helped accomplish the Primary Election including her staff and the Recorder's Office staff, as well as those employees of the Public Works Division, the Board staff, Ms. Griffin, the IT Department staff and many others. She noted that this was the earliest that the Elections Department has been able to get the early ballots processed and that was really helpful because there was a lot of anxiety about the results. Ms. Eastlick advised that the canvass was divided into 5 sections, as follows: 1) Precinct Listing - The initial pages were precinct listings included for informational purposes because of the changes in the County's precincts; 2) Voter Turn-Out - This section contains voter turn-out for Gila County and all counties. Gila County's turnout was at a little over 38% and the second highest in the state. The first 2 pages in this section showed each precinct's voter turn-out within Gila County followed on the next page with each county's voter turn-out as of Saturday because it changes slightly as the canvasses are finished; 3) Total Ballots - This was the largest section, which included all of the total ballots with the first 8 pages consisting of a summary of the County results and the following pages were a precinct by precinct detail that the Board could review at its leisure; 4) Provisional Ballots - This section contained a summary of the results of the provisional ballots and also a provisional ballot rejection summary. Of the 398 provisional ballots that were cast, 102 were rejected and 206 were verified for tabulation. A list of the reasons that

those provisional ballots were not verified by the Recorder's Office was also provided. Provisional ballots by precinct was also included in this section, which included the number of ballots received, accepted and rejected and the reasons they were rejected; and 5) Official Write-In Candidates – This section was a listing of the official write-in candidates from the Republican, Green, Libertarian, and the Americans Elect parties as well as 4 precincts that had write-in precinct committeemen, with the results of those write-ins also included in the canvass. Vice-Chairman Dawson noted that this morning on the radio there were quite a few comments about the election and the election process. Vice-Chairman Dawson stated that she remained out of this election because there were 3 good people running for her position. On Thursday she received a call from one of the candidates who had an attorney from the San Carlos Apache Tribe involved in trying to find out about the provisional ballots. Vice-Chairman Dawson stated that she suggested that the candidate take someone with him (to the Recorder's Office) who could record the conversation if the attorney could not be present. At the meeting, a tape recorder was taken; it was not hidden and was very evident during the discussion so that this candidate could take the information back to his attorney. Vice-Chairman Dawson stated that she feels very confident of how the elections are run; however, she doesn't feel confident about how the voter registration is handled, citing an example of the use of post office boxes in Carrizo Creek being used on the Apache Reservation for receiving their mail in Show Low. She also noted that in Canyon Day and Cedar Creek they receive their mail in White River which is located in Navajo County, thus creating a lot of confusion. She stated, "There's a very strong question of whether there is an effort to suppress the Native American vote. They don't understand our process and they certainly didn't understand the process of provisional ballots and it has a lot to do with how those people are notified and followed up with whether they are registered so they are allowed to vote for the General Election...I expect that we will be hearing from the Justice Department regarding voter suppression and that will help clarify it. Maybe we'll be back to where we have a voter outreach person in the Recorder's Office to help secure the Native Americans in their feeling of justice. Whether there's any problem or not that's to be seen, but when a trash radio is reporting that voter registrations have lines drawn through them, I recall some voter registrations being turned in and then suddenly being told they needed to be clarified and so they tried to clarify them using a very good person knowledgeable of how it goes. I have no idea about how that was handled, but we move forward." She thanked Ms. Eastlick and her staff for what she considered to be "some pressure-filled moments" during the election process. Supervisor Pastor thanked the Elections Department and Recorder's Office staff for the efforts put forth during the election. Chairman Martin also thanked the staffs involved and questioned why the state changed the date for the Primary Election from after Labor Day to before causing staff to have to miss their Labor Day holiday in order to finalize the election results. She appreciated the time and effort put in by them. Chairman Martin also suggested that the Board consider providing a person for the upcoming General Election to be a link between the public and the election officials trying to get

their work done--somebody that people can go to for information that is discreet, that knows the process, and that would know when to ask Ms. Eastlick questions or when to ask somebody else questions to provide a buffer. She believes the election process could have been done quicker if the election officials hadn't been on the telephone so much answering nonsensical questions. She suggested that the Board think about getting Ms. Eastlick some help along those lines. Chairman Martin then called on Don Ascoli, a resident of Payson. Mr. Ascoli, as a candidate, thanked the Elections Department and Recorder's Office for doing the best they could with the influx of ballots coming in at the holiday and thanked them for working together with a concise staff of people. Mr. Ascoli then stated that speaking as Chairman of the Republican Party he requested of the Board that an official copy of the canvass of the election results be made available to the chairman of each party as opposed to having to purchase it. David Rogers, Elections Specialist, stated that the summary of the election results was available on the County's website, but he was not sure if Ms. Eastlick would be adding the individual reports contained in the canvass. Ms. Eastlick replied that the 8-page summary was available on the website; however, she has never put the detail on the website in the past because of the fact that it takes up humongous amounts of space with the hundred plus pages of detail and bogs down the website. Ms. Eastlick requested an opinion from Bryan Chambers, Chief Deputy County Attorney, if the canvass could be provided free of charge since the County's policy requires a fee for all copies of public records. Chairman Martin stated that she didn't have a problem with providing her copy of the canvass and allowing the Chairmen of both the Republican Party and the Democratic Party to pay for the printing of it elsewhere. Mr. Chambers replied, "Currently it is a public record and so anyone who would like to get a copy certainly can. According to County policy, they would need to follow the same procedures that everyone else follows for public records. If the Board wanted to consider changing that policy to provide copies at a reduced rate or free of charge to the political party chairmen, they could do that but not at this meeting; that would need to be a separate agenda item at a future meeting." Chairman Martin then called on James Feezor, a resident of Payson. Mr. Feezor, a candidate for the office of Gila County Recorder, stated, "We've just certified an election and I feel compelled to tell you that I will be filing a formal complaint pursuant to A.R.S. §16-672 because of numerous incidents of misconduct on the part of the elections personnel, specifically the Recorder's Office. The abuse of power by the incumbent was early in onset and pervasive in nature throughout the election cycle." Mr. Feezor then proceeded to name some of the incidents he perceived as disdainful of state law and County policies. Mr. Feezor concluded at the end of his 3 minutes of allowed speaking time by stating, "How can we possibly believe that the other election rules were complied with when we've seen open violations of this class?" Vice-Chairman Dawson stated, "It's been very public that the County Recorder feels I have some personal vendetta towards her. Mr. Feezor mentioned the March meeting in which Ms. Dalton (County Recorder) stated that she didn't have my opponent during the last election in her office. She did and there's many people who will verify that.

Integrity and security policies - I appreciated Ms. Eastlick presenting those to us and I thought that they were adopted. The fact is, in my belief, integrity and security is lacking in the County Recorder's Office. Last March I stated that if necessary to protect the election this year, I would step down from my office and I may well be doing that because I do believe that all people should feel they have a right to register to vote. It is the Recorder's Office responsibility to go beyond just accepting a piece of paper and saying, 'Oh, you've got a Show Low post office box; therefore, you reside in Navajo County.' Trying to make contact with people by phone when they can't afford a phone is not a reasonable way of contacting them. Eliminating and suppressing people's right to vote is paramount to abdicating the responsibility of one's office. I'm not resigning today. I have talked with Mr. Marcanti (the successful candidate for Vice-Chairman Dawson's supervisory position). I did congratulate him on his position, but I will be not harassing the Recorder's Office, but I will be actively engaged as voter registrations are conducted as the people that I represent try to become eligible to vote. And the fact someone has a driver's license and they've just moved to San Carlos and are employed full time and their driver's license was not renewed in Arizona at that time, is not grounds for rejecting their voter registration. I'm just really sad to feel when you think about horrible incidents that were publicized by the Association of Community Organizations for Reform Now (ACORN) movements, for example, where minorities take up actions unbecoming to people in order to have their voice heard. I see that San Carlos is an area where a Republican in office does not want Democrats voting and I will be working hard to make sure that the people of San Carlos and the White Mountain Apache Tribe understand what has taken place and understand that they are members of the United States and they have a right to vote and I will be helping them get there." Upon motion by Vice-Chairman Dawson, seconded by Supervisor Pastor, the Board canvassed the election results contained in the Official Canvass of the Primary Election held August 28, 2012, in Gila County, Arizona, and unanimously declared the results official.

**4G. Information/Discussion/Action to approve a Detention Services Intergovernmental Agreement No. 08-99-0015 between the United States Marshals Service and Gila County, on behalf of the Gila County Juvenile Detention Center, to continue to provide detention services to the United States Marshals Service at a rate of \$131.40 per detainee per day.**

Kendall Rhyne, Chief Probation Officer, stated that there are 2 major changes to this Intergovernmental Agreement (IGA). The first change is that the County is moving away from a Limited Use Agreement, which over the last 1-1/2 years the County was renewing at 6-month time limits per contract. This is being changed to a 3-year contract. The other difference is that the County will now be able to charge the U.S. Marshal's Office for transportation at \$18/hour, which is quite considerable since most of the places the County has to transport the probationers are down to the southern borders or up north. Mr. Rhyne stated that, in essence, the County is asking to develop a deeper

relationship with the Marshal's Office so that at some point in time he would like to recruit the U.S. Marshal because the County has a vacant wing sitting over in its detention center, which, if filled, could help offset some of the costs of running the facility. Mr. Rhyne also stated that the Probation Department is in the middle of a transformational change that is making a lot of people nervous because the State Supreme Court is always a capacity-driven system. The Supreme Court is always going to fund the County based on how many probationers it has, and with the County reducing its capacity, unfortunately, that means Mr. Kendall will have to fight with the Supreme Court about keeping the County's existing positions. He stated that if the Supreme Court wants the County to continue to do well, these will be the efforts that the Supreme Court is going to need to compromise on. Vice-Chairman Dawson stated that she believes this Board and the County Supervisors Association would be willing to help. She stated that the fact that these kids are not kept in detention and jails but are more closely supervised and more positively supervised means the cost is still there, but it's a cost of building instead of housing and protecting the public from these kids who have made terrible mistakes. She stated, "I believe that battle can be won. I know a judge that would be happy to work in supporting with those finances. And you know it's just crazy how we decide not to spend money on education or intensive training on these young people, but we will spend it on ware-housing them. Thank you for your efforts and thank your staff." Chairman Martin stated, "I think Gila County is doing some very right things and this needs to be the next place that we take a good hard look at and see if we can't make a difference at that stage of the game following what Mr. Rhyne is trying to do and doing and give him support to continue to do so...I agree, we need to be spending some more time and energy at this stage of the game and, Kendall, I so appreciate what you are doing and I think we need to get on your boat and help you row." Vice-Chairman Dawson suggested that this issue be discussed by the supervisors at the County Supervisors Association (CSA) Legislative Summit in October as a special action, not legislation, but a concern expressed by CSA on whether the Supreme Court decides to cut funds. She also suggested that maybe Mr. Rhyne could speak at the Summit and ask CSA to have a referendum of support for the Supreme Court to stop taking funds that are helping save kids. Mr. Rhyne stated that he would be more than happy to speak to the CSA group. Chairman Martin stated that this topic would be a good one for discussion at a work session. Supervisor Pastor thanked Mr. Rhyne for his work in the Probation Department and also thanked him for allowing the juveniles to assist in cleaning the local cemeteries. Upon motion by Supervisor Pastor, seconded by Vice-Chairman Dawson, the Board unanimously approved a Detention Services Intergovernmental Agreement No. 08-99-0015 between the United States Marshals Service and Gila County, on behalf of the Gila County Juvenile Detention Center, to continue to provide detention services to the United States Marshals Service at a rate of \$131.40 per detainee per day.

**4H. Information/Discussion/Action to authorize the Chairman's signature on Amendment No. 2 to the Power Purchase Agreement between Gila County and Tioga Solar Gila, LLC, to relocate the Point of Delivery at the Globe Courthouse in the not-to-exceed amount of \$50,000.**

Joe Heatherly, Finance Director, stated that after review of the existing setup by the Public Works Division, Facilities Department, they identified some potential areas to save money from an operating, cost and efficiency standpoint, which has been incorporated into Addendum 2. If approved, it will then kick off the next phase of this project. Upon motion by Vice-Chairman Dawson, seconded by Supervisor Pastor, the Board unanimously authorized the Chairman's signature on Amendment No. 2 to the Power Purchase Agreement between Gila County and Tioga Solar Gila, LLC, to relocate the Point of Delivery at the Globe Courthouse in the not-to-exceed amount of \$50,000.

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

**5A. Approval of an Intergovernmental Agreement for Election Services between Gila County and the Tri-City Fire District.**

**5B. Approval of an Intergovernmental Agreement for Election Services between Gila County and the Christopher-Kohl's Fire District.**

**5C. Approval of an Order to cancel November 6, 2012, governing board elections for the fire districts, water and wastewater improvement districts, sanitary districts, technological districts, college district, and school districts named on Attachments A through E.**

**5D. Approval of Amendment No. 8 to an Intergovernmental Agreement (Contract No. DE111006001) between the Arizona Department of Economic Security and the Gila County Board of Supervisors increasing the Contract amount from \$8,642,496 to \$8,699,003 due to the Gila-Pinal Workforce Investment Area exceeding 14 out of 15 core performance measures.**

**5E. Authorization of the Chairman's signature on Amendment No. 3 to Professional Services Engineering Contract No. 6510.526.REC04/8-2010 between Gila County and C.L. Williams Consulting, Inc. to increase the contract amount by \$20,000 for professional engineering services on the Pine Creek Canyon Road Reconstruction Project with the term ending June 30, 2013.**

**5F. Approval of revisions to Public Works Division Policy No. RM 09-02 - Commercial Driver's License Expenses.**

**5G. Approval of two Special Event Liquor License Applications submitted by the Lions Club of Globe, Arizona, Inc. to serve liquor on September 20, 2012, and September 22, 2012, during the Gila County Fair.**

**5H. Approval of an Application for Extension of Premises/Patio Permit submitted by Tamara Morken of Rimside Grill to temporarily extend the Rimside Grill patio area in order to serve liquor in that area on September 22, 2012, and September 29-30, 2012 during special charity events.**

**5I. Approval of the July 2012 monthly activity report submitted by the Payson Regional Constable.**

**5J. Approval of the July 2012 monthly activity report submitted by the Globe Regional Justice Court.**

**5K. Approval of the July 2012 monthly activity report submitted by the Recorder's Office.**

**5L. Approval of the July 2012 monthly activity report submitted by the Payson Regional Justice of the Peace.**

**5M. Acknowledgment of the Human Resources reports for the weeks of August 7, 2012, August 14, 2012, August 21, 2012, and August 28, 2012.**

**August 7, 2012:**

Departures from County Service:

1. Darcia Bender – Sheriff’s Office – Deputy Sheriff – 08/01/12 – General Fund – DOH 10/29/07 – Resignation
2. Janice Roberts – County Attorney – Legal Secretary Senior – 08/03/12 – General Fund – DOH 09/23/86 – Resignation
3. Tina Reyes – County Attorney – Legal Secretary Senior – 08/03/12 – General Fund – DOH 06/22/05 – Resignation
4. Kendall Horta – Probation – Juvenile Detention Officer – 08/11/12 – General Fund – DOH 03/29/12 – Resignation

Hires to County Service:

5. Tracy Stone – County Attorney – Legal Secretary – 08/09/12 - Attorney’s Justice Enhancement Fund – Replacing Kristin Klee-Martinez
6. Patricia Keyworth – Probation – Administrative Clerk Senior – 08/06/12 – Court Appointed Special Advocate (.50)/Court Improvement Project (.50) Funds – Replacing Judy Alexander
7. Ursulynn Yazzie – Probation – Juvenile Detention Officer – 08/27/12 – General Fund – Replacing Leigh Ann Kenton
8. Christopher Gray – Probation – Juvenile Detention Officer – 08/27/12 – General Fund – Replacing Kendall Horta
9. Larry Perez – Probation – Juvenile Detention Officer – 08/13/12 – General Fund – Replacing Lorenzie Corvin

10. Brian Martin – Probation – Juvenile Detention Officer – 08/13/12 – General Fund – Replacing Martin Feldhake
11. Nancie Denogean – Probation – Juvenile Detention Officer 08/13/12 – General Fund – Replacing Andrew Gatewood

Temporary Hires to County Service:

12. Nacelle Reynolds – Library District – Community Liaison – 08/06/12 – Library District Grants Fund
13. Robin Holt – Library District – Community Liaison – 08/06/12 – Library District Grants Fund
14. Josephine Castano – Library District – Community Liaison – 08/06/12 – Library District Grants Fund
15. Maxine Piper – Library District – Community Liaison – 08/06/12 – Library District Grants Fund
16. Andressa Kumparak – Library District – Community Liaison – 08/06/12 – Library District Grants Fund

Departmental Transfers:

17. Brenda Van Haren – County Attorney – From Legal Secretary Senior – To Victim Advocate – 08/09/12 – From Attorney’s Justice Enhancement Fund – To Crime Victim Assistant Program (.50)/General Fund (.50) Fund – Replacing Lizabeth Fetterman
18. Lisa King – From Probation – To County Attorney – From Administrative Clerk Senior – To Legal Secretary – 08/13/12 – General Fund – Replacing Lana Dever
19. Juley Bocardo-Homan – From Sheriff’s Office – To Human Resources – From Executive Administrative Assistant – To Human Resources Assistant – 08/13/12 – General Fund – Replacing Erica Raymond
- 20 Zackery Andrade – Public Works Consolidated Roads – From Road Maintenance Worker – To Road Maintenance/Equipment Operator – 08/09/12 – Public Works Fund – Replacing Arthur Alvarado
21. Martina Burnam – Probation – From Administrative Clerk Senior – To Probation Aide – 07/30/12 – From Juvenile Standards Probation (.75)/Diversion Intake Funds – To General (.50)/Juvenile Probation Service Fee Funds – Replacing Debra Gildersleeve
22. Rodney Cronk – Sheriff’s Office – From Deputy Sheriff – To Deputy Sheriff Sgt. - 08/13/12 – General Fund – Replacing Craig Smith

Position Review:

23. Travis Shields – County Attorney – Law Clerk – 07/30/12 – General Fund – Change in hours
24. Sigifredo Marquez – Probation – Deputy Probation Officer – 07/02/12 – Change in fund codes
25. Jay Boyer – Probation – Deputy Probation Officer Supervisor – 07/02/12 – Change in fund codes
26. Katrisha Stuler – Probation – CASA/Foster Care Manager – 07/02/12 – Change in fund codes
27. Michael Lorca – Probation – Juvenile Detention Officer (part time) – 07/02/12 – Change in fund codes

Request Permission to Post:

28. Superior Court – Bailiff/Interpreter – Position vacated by James Cox
29. County Attorney – Legal Secretary Senior – Position vacated by Janice Roberts
30. County Attorney – Legal Secretary Senior – Position vacated by Tina Reyes
31. County Attorney – Detective – Position vacated by William Murphy
32. Sheriff’s Office – Administrative Clerk ( part time) – Position vacated by Kristine Feezor
33. Finance – Payroll Specialist – Position vacated by Debra Overholt

**August 14, 2012:**

Departures from County Service:

1. Ernest Salcido – Board of Supervisors – Temporary Laborer – 07/20/12 – District II Constituents Fund – DOH 04/16/12 – Temporary position
2. Donna DeBolt – Clerk of Superior Court – Court Clerk – 06/08/12 – General Fund – DOH 08/29/05 - Retired

Hires to County Service:

3. Mark Daunce – Sheriff’s Office – Detention Officer – 08/20/12 – General Fund – Replacing Lynn Durst
4. Jacob Martin – Sheriff’s Office – Detention Officer – 08/20/12 – General Fund – Replacing Richard Stockwell
5. Lauren Savaglio – Health and Emergency Management – Health Programs Manager – 08/20/12 – Misc. Funds – Replacing Paula Horn
6. Stewart Jones – Public Works Consolidated Roads – Road Maintenance/Equipment Operator – 08/20/12 – Public Works Fund – Replacing John Geer
7. Shawn Christensen – Public Works Consolidated Roads – Road Maintenance/Equipment Operator – 08/20/12 – Public Works Fund – Replacing James Anderson

Temporary Hires to County Service:

8. Amanda Aguirre - Library District – Community Liaison – 08/06/12 – Library District Grants Fund

Departmental Transfers:

9. Jessica Cruz – From Sheriff’s Office – To Clerk of Superior Court – From 911 Radio Dispatcher – To Court Clerk – 08/20/12 – General Fund

Request Permission to Post:

10. Public Works Consolidated Roads – Road Maintenance Worker – Vacated by Zackery Andrade
11. Emergency Management – Temporary Rural Addressing Analyst
12. Sheriff’s Office – Executive Administrative Assistant – Vacated by Juley Bocardo-Homan
13. Superior Court – Bailiff/Interpreter – Vacated by Timoteo Campos

**August 21, 2012:**

Departures from County Service:

1. Christian Michael Young – Sheriff’s Office – Deputy Sheriff – 07/31/12 – General Fund – DOH 06/25/12 – Failure to complete probationary period

Departmental Transfers:

2. Kenneth Payne, Jr. – Public Works – From Solid Waste Operations Worker – To Solid Waste Operations Worker Sr. – 08/23/12 – Solid Waste Fund

End Probationary Period:

3. Cynthia Gonzales – Public Works – Custodian Lead – 08/16/12 – Facilities Management Fund

Position Review:

4. Bertina Pratt – Public Works – Custodian PT – 07/23/12 – Change in fund codes

Request Permission to Post:

5. Public Works Solid Waste – Solid Waste Operations Worker – Vacated by Kenneth Payne Jr.

6. Health and Emergency Services – Worksite Wellness Coordinator

7. Sheriff's Office – Jail Captain

**August 28, 2012:**

Departures from County Service:

1. Matthew Cruz – Board of Supervisor – Temporary Laborer – 08/17/12 – General Fund/Constituent Services District II – DOH 06/21/12 – Temporary 3-month employment ended

2. Tannyn Garcia – Board of Supervisor – Temporary Laborer – 08/17/12 – General Fund/Constituent Services District II – DOH 06/21/12 – Temporary 3-month employment ended

3. David Oropeza – Board of Supervisor – Temporary Laborer – 08/17/12 – General Fund/Constituent Services District II – DOH 05/14/12 – Temporary 4-month employment ended

4. Darwin (Chuck) DeClay – Board of Supervisor – Temporary Laborer – 08/15/12 – General Fund/Constituent Services District III – DOH 08/09/11 – Job assignment ended

5. Jennifer Caster – Probation – Administrative Clerk Senior – 08/23/12 – Juvenile Intensive Probation Supervision Fund – DOH 12/20/10 – Resignation

6. Angelina M. Thompson – Finance – Payroll Specialist – 08/21/12 – General Fund – DOH 04/12/10 – Termination

Temporary Hires to County Service:

7. David Falquez – Community Services – Temporary Mobile Crew – 08/27/12 – GEST Fund

Departmental Transfer:

8. Erwin Diaz – Probation – From Deputy Probation Officer 2 – To Juvenile Detention Shift Supervisor – 09/10/12 – General Fund

Position Review:

9. Rebecca Baeza – Globe Regional Justice Court – Judge Pro Tempore – 08/13/12 – Change in number of hours worked

Request Permission to Post:

10. Board of Supervisors District II – Temporary Laborer (2 positions available) – Vacated by David Oropeza and Matthew Cruz

11. Finance – Contracts Support Specialist – Vacated by Valrie Bejarano

12. Finance – Payroll Specialist – Vacated by Angelina M. Thompson

**5N. Acknowledgment of contracts under \$50,000 which have been approved by the County Manager for the week of August 4, 2012, to August 10, 2012, and the week of August 11, 2012, to August 17, 2012.**

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

**5O. Approval of finance reports/demands/transfers for the weeks of August 28, 2012, and September 4, 2012.**

**August 28, 2012**

\$388,128.17 was disbursed for County expenses by check numbers 248364 through 248478.

**September 4, 2012**

\$1,229,468.37 was disbursed for County expenses by check numbers 248479 through 248612. **(An itemized list of disbursements is permanently on file in the Board of Supervisors' Office.)**

Supervisor Pastor stated that there was a question about Consent Agenda item numbers 5A and 5B; however, he has since discussed those with the County Manager concerning no expiration dates for those contracts. Supervisor Pastor stated that the County Manager has advised him that intergovernmental agreements don't need to have an ending date as are required for other contracts and he just wanted that clarified. Upon motion by Supervisor Pastor, seconded by Vice-Chairman Dawson, the Board unanimously approved Consent Agenda action items 5A through 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.**

David Cook, a resident of Globe and a supervisorial candidate, congratulated all the winners in the Primary Election as well as those who were unsuccessful for being willing to put themselves in front of public scrutiny to serve everyone in Gila County. Another item of concern was on the environmental analysis on the ranches on Tonto Basin and Mr. Cook wanted to applaud for someone to finally step up and try to get some things done. He suggested that the County hire a Natural Resources Director to assist Bob Gould, Director of Community Development, and the Planning and Zoning Commission, which does a good job, but there should be that one person with expertise in natural resources that could follow these issues with the Forest Service. Mr. Cook then spoke on

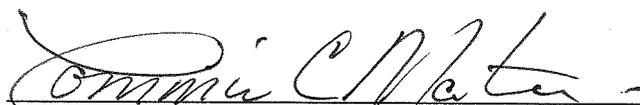
the previous award of a fuel contract for the County, where he spoke at the Board meeting on behalf of the past contractor and noted that with the new contractor, Tonto Basin recently ran out of fuel. He believes it's just the beginning of problems for Gila County that will get worse in the winter and urged the Board to revisit that contract. Mr. Cook stated, "The last thing I would like the Board to consider, but not until one of the supervisors does resign or leave, but I believe the Elections Department needs to be placed underneath the Recorder's Office. I'm not going to respond to the comments and stuff that I've heard here today, which I think are despicable. What I will say is that until there is one pipeline for the Elections Department and voter registration and everything to work in under somebody that has the ability to do so, then I think we're going to still be known throughout the state as the county where dead people vote and people from out of county vote in our county. So I would like you guys to think about that and I appreciate your time. Thank you."

**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.

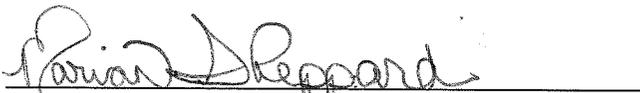
There being no further business to come before the Board of Supervisors, Chairman Martin adjourned the meeting at 11:45 a.m.

**APPROVED:**



Tommie C. Martin, Chairman

**ATTEST:**



Marian Sheppard, Chief Deputy Clerk