

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

Date: November 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 (by phone 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.

At the request of Chairman Martin, Vice-Chairman Dawson was asked to chair this meeting.

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. Linda Eastlick led the Pledge of Allegiance and Reverend Rich Richey of the Payson First Church of the Nazarene delivered the invocation.

Item 2 – REGULAR AGENDA ITEMS:

2A. Information/Discussion/Action to canvass the election results contained in the Official Canvass of the General Election held November 6, 2012, in Gila County, Arizona, and declare the results official. (Linda Eastlick)

Linda Eastlick, Elections Director, thanked the Recorder, Sadie Tomerlin, and her staff who worked very hard to provide the early ballots and provisional ballots to the Elections Department in a timely manner. She advised the Board that this has been a very difficult closing for all the counties in Arizona due to the increased number of early and provisional ballots received. The Secretary of State Bennett has talked about making some changes in the voting process and Ms. Eastlick will also be looking at some changes within Gila County to help eliminate some of the delays. Ms. Eastlick then presented the election

results to the Board. She began with the voting trends noting that voter registration from 2004 to 2012 for the General Election has increased by 20%; the number of people voting at a polling place has decreased by 46%; the early voting increased by 70%; and all of these changes have made a tremendous impact on the way the Election's Department counts and tabulates the ballots and the length of time it is now taking to complete the election process. The Recorder's Office mailed out 17,231 ballots and of those 14,126, nearly 82%, was actually tabulated. There were a few rejections as noted in the report. She stated that these huge changes in Gila County voting leads even more to the point of establishing vote centers or calling places, which are a consolidation of polling places into fewer locations and where the County would provide the opportunity for people to vote at almost any place within the County. She stated that this will be one of the goals for the year with some funding established and an evaluation will be done to see how much of the funding can be used to create these new vote centers. She advised that another item that needs to be reviewed is called central count, which is the ability for the County to process ballots not by precinct, but just in total as it is very time consuming to sort ballots and process each one by precinct. So that will be reviewed as a way for the Election's Department to increase its efficiency for counting early and provisional ballots. Supervisor Pastor inquired if that change would require preclearance approval from the U.S. Department of Justice (DOJ). Ms. Eastlick replied that it would require DOJ approval and there are already 2 other Arizona counties that have moved forward with the vote centers and many counties already do central counts. Ms. Eastlick then continued with the canvass of the election by reviewing the section that included the list of precincts and voter turnout for Gila County as well as for the entire state, which showed that Gila County's turnout was about 5% less than the turnout for the 2008 election by county. Also reviewed were the precinct by precinct total ballots, the polling place ballots, the early ballots and provisional ballots processed for each of the precincts and lastly a total ballot summary. Also provided were numerous details for each of the precincts that could be reviewed by the Board at its leisure. The next section included the election results of the early ballots and a summary of the early ballots including the 16 that were rejected and the reasons. The following section included information about the provisional ballots in regard to each precinct, the results of the election and a provisional ballot summary, which showed there were 1,317 provisional ballots received, 266 were rejected and 178 of those people were not registered, so 1,051 were verified for tabulation. The next section was on the official write-in candidates; however, there were none for Gila County. The final item was a complete summary of the results for the Northern Gila County Sanitary District (District), which have been forwarded to the District's Board to review. Supervisor Pastor thanked Ms. Eastlick and her staff, as well as the Recorder and staff for all of the hard work they had accomplished over the past weeks noting that it was much appreciated. Vice-Chairman Dawson thanked Ms. Eastlick for the work done by the Elections Department staff. She then stated, "We have miles to go on voter registration and provisional ballots

especially in minority groups and hopefully that will be something that will be addressed in the coming years and Mr. Bennett and I will be discussing some of the efforts among the Native Americans and also Ann Kirkpatrick is going to take that as one of her objectives.” Chairman Martin thanked Ms. Eastlick and her staff for the time and effort invested in this election. Chairman Martin stated that she was anxious to get into the conversation about how to make the changes that need to come because she thinks the County needs to have far fewer polling places and more accommodating ways to do the early balloting. She stated that both the Recorder’s Office and the Election’s Department do a yeoman’s job with the early voting and she believes that will increase in the future. Upon motion by Supervisor Pastor, seconded by Supervisor Martin, the Board canvassed the election results contained in the Official Canvass of the General Election held November 6, 2012, in Gila County, Arizona, and unanimously declared the results official.

2B. Information/Discussion/Action to acknowledge the extension of the Edward Byrne Memorial Justice Assistance Grant Program (JAG) #2009-DJ-BX-0304 between Gila County and the U.S. Department of Justice in the amount of \$11,053 to continue to support overtime pay for deputies working with the Gila County Sheriff’s Office Drug, Gang, and Violent Crime Task Force agents for the period October 1, 2012, through March 31, 2013. The Gila County Sheriff’s Office would like to entertain any public comments from the audience.

Johnny Sanchez, Task Force Commander, stated that this is an extension of the Edward Byrne Grant that will allow the Sheriff’s Office to use the funds for overtime pay for the officers. This is an extension for 2013 in the amount of \$11,053. Chairman Dawson stated that she appreciates the work that goes into this group and believes there has been a decrease in violent crimes, but any violent crime often involves extra work and jeopardy to those involved. Upon motion by Supervisor Martin, seconded by Supervisor Pastor, the Board unanimously acknowledged the extension of the Edward Byrne Memorial Justice Assistance Grant Program (JAG) #2009-DJ-BX-0304 between Gila County and the U.S. Department of Justice in the amount of \$11,053 to continue to support overtime pay for deputies working with the Gila County Sheriff’s Office Drug, Gang, and Violent Crime Task Force agents for the period October 1, 2012, through March 31, 2013. Chairman Dawson called for comments from the public; none were received. She then called for a vote and the motion was unanimously passed.

2C. Information/Discussion/Action to approve a Professional Services Contract between Gila County and Terry Doolittle, Consultant, to perform an operational review and report of the Community Services Department for a sum not to exceed \$15,000 for the period December 3, 2012, to February 28, 2013.

Don McDaniel, County Manager, stated that with the resignation of David Fletcher as the Director of the Community Services Division, this provides an opportunity to do an operational review of this Division. Due to the complexity of the financial areas and management structure of having so many different programs that are funded by grants, other outside funding, overlapping of fiscal years and the methods for reporting the funding and spending, it makes it very complex. He stated that this is an opportunity to have an individual like Mr. Doolittle, who has considerable experience in county management and has worked for the Auditor General, to do an operational review of the Division. He recommended that the Board approve this contract in an amount not to exceed \$15,000 and the term of the contract would run through the end of February 2013, although he believes the work will be done sooner. Upon motion by Supervisor Pastor, seconded by Supervisor Martin, the Board unanimously approved a Professional Services Contract between Gila County and Terry Doolittle, Consultant, to perform an operational review and report of the Community Services Department for a sum not to exceed \$15,000 for the period December 3, 2012, to February 28, 2013.

ITEM 3 – CONSENT AGENDA ACTION ITEMS:

3A. Approval of Amendment No. 3 to an Intergovernmental Agreement (Contract No. DE101056001) between the Arizona Department of Economic Security and Gila County pursuant to Paragraph 3.3 Termination, Section 3.3.1 at the Contractor's request, and by mutual agreement of both parties, the Agreement is terminated effective the date of last signature.

3B. Approval of a Memorandum of Understanding between the Gila County Division of Health and Emergency Services and the Globe Unified School District No. 1 to continue providing the Tobacco Free Environments Program in the schools for the period July 1, 2012, through June 30, 2013.

3C. Approval of a Memorandum of Understanding between the Gila County Division of Health and Emergency Services and the Miami Area Unified School District No. 40 to continue providing the Tobacco Free Environments Program in the schools for the period July 1, 2012, through June 30, 2013.

3D. Approval of a Special Event Liquor License Application submitted by the Knights of Columbus to serve liquor at a special event on December 15, 2012.

3E. Acknowledgment of contracts under \$50,000 which have been approved by the County Manager for the weeks of October 22, 2012, to October 26, 2012; and October 29, 2012, to November 02, 2012.

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

3F. Approval of finance reports/demands/transfers for the week of November 20, 2012.

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\$402,185.20 was disbursed for County expenses by check numbers 250292 through 250611. **(An itemized list of disbursements is permanently on file in the Board of Supervisors' Office.)**

Upon motion by Supervisor Martin, seconded by Supervisor Pastor, the Board unanimously approved Consent Agenda action items 3A through 3F.

Item 4 - 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 Dawson called on Sadie Tomerlin, Recorder, and a resident of Globe, to speak to the Board. Ms. Tomerlin stated, "I just wanted to make a few comments. First of all if the Board of Supervisors is going to question the integrity of the Gila County Recorder's Office, maybe they should be educated and understand the procedures and process. I was very happy to see Supervisor Pastor come down into my office and ask, 'Where do all these go?' 'How do you do this?' 'Let's look at this.' 'Let's see the voter registration.' 'Let's see the early ballots.' I'm sure he walked away going, 'Wow, I didn't realize that you have to do all of this.' 'I didn't realize there was that many laws and procedures that you have to follow.' So at this time, I would like to give this to the new supervisor, Mr. Marcanti. It's a procedures manual and also the Arizona Revised Statutes. If you have any questions, all of the laws are right there and also at any time you can come down to our office. Our doors are open. We have extended this to the County Manager. We have extended this to the public. We actually had quite a few people from the public come into our office and the only business was they said that 'such and such person said this and I want to see it.'" And they were shocked when they came into my office and realized the integrity that my staff has and myself that we try and allow every vote to go through, but we have laws and procedures that we do have to follow. If I could, I would allow anybody to vote at any time. Unfortunately, we can't. But also it meant a lot that the day after the election Secretary (of State) Ken Bennett called me and he said 'Congratulations, I cannot wait to work with you another 4 years because I know that what you

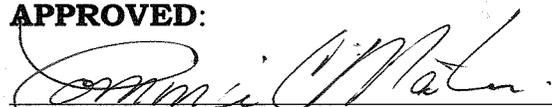
are doing is right. You are making sure that every vote counts. You're registering people. Just look at the numbers and look at the percentages.' The percentages that Linda Eastlick has provided to you shows that we have done our job in voter registration—not just off the reservation, but also on the reservation. If you look at the inactives, the inactives have went down numerous--lots in the last 4-8 years. The numbers have also went up. I have a little message from a couple of people in my office. They are really saddened by how the Board is allowed to rake people over the coals and no repercussion. I think in the coming year we all need to get together and look at the policies and procedures of this County. It should not matter if you are an elected official or not, you should not treat anybody with disrespect and come into another elected official's office cutting them down, placing tape recorders throughout their office and making rude comments. They have also went to the newspaper and made vicious lies about my staff, not only me. You can attack me all you want, but as soon as it comes to my staff, there's an issue. They follow the policies and procedures of the County and also the state and the federal laws. I would suggest that the new Board of Supervisors and the ones that are returning go and take the Elections Certification Class. Learn. I know that I have forwarded the email from the state's office for each of the Board members to get certified. None of them have taken up the opportunity to go do that. If you are unsure, it is a simple call to my office or to Linda's (Eastlick) office to ask about a policy or a procedure. Is there any questions? I'm sure you can't answer questions from the public, but anyway, thank you for your time."

Item 5 - 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 10:37 a.m.

APPROVED:



Tommie C. Martin, Chairman

ATTEST:



Marian Sheppard, Chief Deputy Clerk