

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

Date: April 19, 2016

**MICHAEL A. PASTOR**  
Chairman

**MARIAN E. SHEPPARD**  
Clerk of the Board

**TOMMIE C. MARTIN**  
Vice-Chairman

By: Laurie J. Kline  
Deputy Clerk

**JOHN D. MARCANTI**  
Member

Gila County Courthouse  
Globe, Arizona

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PRESENT: Michael A. Pastor, Chairman; Tommie C. Martin, Vice-Chairman (via ITV); John D. Marcanti, Member; Don E. McDaniel, Jr., County Manager; Jefferson R. Dalton, Deputy Gila County Attorney, Civil Bureau Chief; Marian E. Sheppard, Clerk of the Board; and Laurie J. Kline, Deputy Clerk.

**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. Sheriff J. Adam Shepherd led the Pledge of Allegiance and Pastor Phillip Lindsay of the Expedition Church in Payson delivered the invocation.

Chairman Pastor stated that he received a request from some citizens to move Consent Agenda item 3-A to the Regular Agenda item so there could be a discussion. Vice-Chairman Martin advised that there were a lot of people in attendance in Payson, so she also requested that the Board address this item before any other agenda items are addressed. Upon motion by Vice-Chairman Martin, seconded by Supervisor Marcanti, the Board unanimously moved Consent Agenda item 3-A to the Regular Agenda at this time.

**Item 2 – REGULAR AGENDA ITEMS:**

**(Previously Consent Agenda Action Item 3-A) Approval of Delegation Agreement No. ADEQ16-114067 (replaces Agreement No. EV12-0053) with the Arizona Department of Environmental Quality (ADEQ) to accept functions of ADEQ statutes, rules and policies for water quality and solid waste management functions and duties.**

Michael O'Driscoll, Health and Emergency Services Division Director, stated that he received information and concerns from citizens in Payson regarding the proposed changes to the Delegation Agreement. He advised that Mr. Maher Hazine submitted a written document entitled "Fact Sheet – Gila County Delegation Agreement" which outlines his concerns regarding the proposed changes to the Delegation Agreement. Mr. Hazine has recommended that the Board hold some public hearings with impacted constituents prior to taking any action on the Delegation Agreement. Mr. O'Driscoll concurred with Mr. Hazine's recommendation and stated that the best course of action would be to continue this agenda item to a future Board meeting in order to allow time to meet with the citizens in Payson to address their concerns and discuss this agenda item further.

Chairman Pastor asked if the members of the public present in the audience in Payson were amenable to waiting to discuss their concerns regarding this issue for a future meeting with Mr. O'Driscoll to be held in Payson.

Vice-Chairman Martin stated that she felt that it would be appropriate to hear the comments from the members of the public in the audience since they may not have another opportunity to attend another meeting and they were prepared to speak to this issue this day. Chairman Pastor agreed and advised the citizens that they each had three minutes to speak. Vice-Chairman Martin then invited the members of the public present in the audience in Payson to provide comments. The members of the public present in the audience who spoke in opposition to the Board of Supervisors approving the Delegation Agreement are as follows: Maher Hazine, 5223 W. Lufkin Dr., Strawberry; Ralph Bossert, 1109 N. McLane Rd., Payson; Ray Pugel, 3462 Old Country Rd., Pine; Shirley Dye, 1107 S. Deer Born Dr., Payson; Todd Christian, 209 N. Edison Way, Payson; Dawn Brunson, 1108 N. Alyssa Circle, Payson; Tamara Morken, P.O. Box 1751, Pine; Jerry Lewnson, 182 N. Matthews Lane, Payson; James Widger, 111 W. Cedar Lane, Payson; and Randy Slapnicka, 209 N. United States Forest Service Road 289, Payson.

A summary of the comments and concerns are as follows:

- This item should not have been placed on the Consent Agenda.
- The Board of Supervisors should have solicited comments from those citizens affected by the proposed changes to the Delegation Agreement *prior* to placing the item on a meeting agenda for Board action.
- For years, Gila County staff has done an excellent job to ensure that ADEQ statutes, rules and policies for water quality and solid waste management functions and duties are adhered, so the general consensus of those that spoke is "if it's not broke; don't fix it."

- Of particular concern is transferring the review and permitting of General Aquifer Protection Permits (On-site Wastewater Treatment Facilities and Sewage Collection Systems) from Gila County to ADEQ.
- ADEQ staff is slow to respond to issues, and it was noted that Gila County staff are very professional, thorough and quick to respond to issues.

Chairman Pastor thanked the members of the public for their comments and participation in the meeting. Upon motion by Vice-Chairman Martin, seconded by Supervisor Marcanti, the Board unanimously continued discussion and possible action on this item to a future Board of Supervisors' meeting.

After the meeting, Vice-Chairman Martin submitted a letter of opposition from Ralph Bossert that she wanted to be noted in the record. **(A copy of the fact sheet from Mr. Hazine and letter of opposition from Mr. Bossert are both on file in the Board of Supervisors' Office.)**

**A. Information/Discussion/Action to adopt Proclamation No. 2016-02 proclaiming April 2016, as "March for Babies Month" in Gila County.**

Margret Celix, Globe-Miami March of Dimes Committee Chairman, thanked the Board for proclaiming April 2016 as "March for Babies Month" in Gila County. Ms. Celix read aloud Proclamation No. 2016-02. She added that on Thursday, April 14, 2016, Lee Kornegay Middle School in Miami held a fund-raising walk and raised \$333; and, on April 16, 2016, \$10,400 was raised in the annual "Walk for Babies" event. The fund-raising effort continues through the end of April and she encouraged citizen participation. Upon motion by Vice-Chairman Martin, seconded by Supervisor Marcanti, the Board unanimously adopted Proclamation No. 2016-02. **(A copy of the Proclamation is attached to the minutes and permanently on file in the Board of Supervisors' Office.)**

**B. Information/Discussion/Action to adopt Proclamation No. 2016-03 proclaiming April 21, 2016, as "PowerTalk 21® Day" in Gila County to encourage parents, families and caregivers of youth to begin the conversation with the youth in their lives about alcohol and the dangers of underage drinking.**

John Marcanti, District III Supervisor, stated that this Proclamation is designed to create awareness in the community among youth, parents, and grandparents. The hope is to reduce the large number of underage drinking, and drinking and driving accidents which occur each year. Upon motion by Supervisor Marcanti, seconded by Vice-Chairman Martin, the Board unanimously adopted Proclamation No. 2016-03. **(A copy of the**

**Proclamation is attached to the minutes and permanently on file in the Board of Supervisors' Office.)**

**C. Information/Discussion/Action to adopt an Order designating vote centers and polling places, and appointing poll workers and election board workers for the purpose of conducting the May 17, 2016, Statewide Special Election.**

Eric Mariscal, Elections Director, stated that the voting equipment recently purchased from Election Systems & Software has been received and tested, and it will be utilized during the May 17, 2016, Statewide Special Election. The Elections Department will set up three vote centers in the Payson area and two vote centers in Globe, and there will be 11 precinct specific polling sites. Voters must be registered to vote in those precincts in order to cast a valid ballot. The 11 precinct specific polling sites will not have vote centers because of the added cost to set up vote centers in these remote locations of the County. Mr. Mariscal added that he presented this item as a regular agenda item in order to better inform the public of the voting changes. Vice-Chairman Martin thanked Mr. Mariscal for his hard work in getting the County to this point with regard to elections. Supervisor Marcanti inquired if citizens would be allowed to vote at any polling place in Gila County. Mr. Mariscal clarified that the citizen must be a registered voter in Gila County and the polling place must be a designated vote center. Upon motion by Vice-Chairman Martin, seconded by Supervisor Marcanti, the Board unanimously adopted the Order. **(A copy of the Order is attached to the minutes and permanently on file in the Board of Supervisors' Office.)**

**D. Information/Discussion/Action to increase to the Sheriff's Office fee schedule for out-of-county housing costs for self-surrenders from \$54.63 per day to \$175 for the first day and \$90 for every day thereafter effective July 1, 2016.**

Justin "Matt" Solberg, Detention Commander, stated that this item was presented at the March 29, 2016, Board of Supervisors' work session, and the direction from the Board was to present the item for action at a future regular meeting. A study of the fees charged by other Arizona counties was conducted by the Sheriff's Office and it was discovered that Gila County's current fee schedule with regard to the cost to provide housing to out-of-county persons choosing to serve their sentence in Gila County is much less than other counties. Upon motion by Supervisor Marcanti, seconded by Vice-Chairman Martin, the Board unanimously increased the Sheriff's Office fee schedule for out-of-county housing costs for self-surrenders from \$54.63 per day to \$175 for the first day and \$90 for every day thereafter effective July 1, 2016.

**E. Information/Discussion/Action to authorize the Sheriff's Office electronic submission of a FY 2017 Speed Enforcement Grant Application in the amount of \$21,675.40 submitted to the Arizona Governor's Office of Highway Safety; and adopt Resolution No. 16-04-06 and authorize the Chairman's signature on the Resolution Certification, both of which are a part of the Grant Application.**

Michael "Mike" Johnson, Undersheriff, stated that the Gila County Sheriff's Office is requesting assistance from the Governor's Office of Highway Safety to purchase 10 Golden Eagle II radar units to be used for speed enforcement throughout Gila County. Upon motion by Vice-Chairman Martin, seconded by Supervisor Marcanti, the Board unanimously authorized the Sheriff's Office electronic submission of a FY 2017 Speed Enforcement Grant Application in the amount of \$21,675.40 submitted to the Arizona Governor's Office of Highway Safety; and adopted Resolution No. 16-04-06 and authorized the Chairman's signature on the Resolution Certification, both of which are a part of the Grant Application. **(A copy of the Resolution is attached to the minutes and permanently on file in the Board of Supervisors' Office.)**

**F. Information/Discussion/Action to authorize the Sheriff's Office electronic submission of a FY 2017 Drug, Gang and Violent Crime Control Grant Application in the amount of \$708,778 (25% match requirement) submitted to the Arizona Criminal Justice Commission to renew grant funding that will be used for the salaries and benefits of the Gila County Sheriff's Office Drug, Gang and Violent Crimes Task Force.**

Travis Baxley, Task Force Commander, stated that the Gila County Sheriff's Office Drug, Gang, and Violent Crimes Task Force (Task Force) has been in operation in Gila County since 1988. The federal funding available to assist with the Task Force continues to decrease throughout the State of Arizona; consequently, the subject grant is highly important to the operation and public safety. Mr. Baxley provided statistical information to support the success of the Task Force. He added that in addition to the law enforcement aspect of the Task Force, educational presentations are also offered to the public and to children to provide information regarding what is going on in the County and to provide a warning about the danger and consequences of misusing drugs. Commander Baxley believes that all of these efforts are having a positive impact. He stated that this is an annual grant for which the Sheriff's Office applies, and that Sheriff J. Adam Shepherd recommends Board approval to submit the application as described above. Supervisor Marcanti inquired if the County is provided assistance with eradicating marijuana cultivation in the forest areas. Mr. Baxley replied that there is a different reimbursement program set up through the U.S. Federal Drug Administration whereby the County is given \$20,000 to help with overtime for the Sheriff's Office employees to eradicate

marijuana cultivation. Chairman Pastor inquired if there is very much marijuana misuse by citizens possessing a medical marijuana card. Mr. Baxley stated that 98% percent of citizens who possess a medical marijuana card use it lawfully, and only 2% use it unlawfully. Upon motion by Supervisor Marcanti, seconded by Vice-Chairman Martin, the Board unanimously authorized the Sheriff's Office electronic submission of a FY 2017 Drug, Gang and Violent Crime Control Grant Application in the amount of \$708,778 (25% match requirement) submitted to the Arizona Criminal Justice Commission.

**G. Information/Discussion/Action to authorize the advertisement of Invitation for Bids No. 031416-Timber Region Asphalt Patching Project.**

Jeff Hessenius, Finance Division Director, stated that Steve Sanders, Public Works Division Director, and he recommend and believe it to be in the best interest of the County to advertise Invitation for Bids to perform maintenance work and remove existing road surfaces in various areas of the County, apply new surface, and then chip seal the roads which are in need of repair. Upon motion by Vice-Chairman Martin, seconded by Supervisor Marcanti, the Board unanimously authorized the advertisement of Invitation for Bids No. 031416.

**H. Information/Discussion/Action to review all bids submitted for Invitation for Bids No. 021616-1 for the purchase of up to five, new full size, 4 door, 4x4, SSVs (special service vehicles); award to the lowest, responsible and qualified bidder; and authorize the Chairman's signature on the award contract for the winning bid.**

Mr. Hessenius stated that the Invitation for Bids (described above for use by the Sheriff's Office) was advertised a few months ago, and he was happy to announce that McSpadden Ford, Inc., a local dealer, was the lowest, most responsible, qualified bidder and the recommended choice for award of the contract. Upon motion by Supervisor Marcanti, seconded by Vice-Chairman Martin, the Board unanimously awarded a contract to McSpadden Ford, Inc. for Invitation for Bids No. 021616-1 at a price of \$36,775.80 per vehicle and authorized the Chairman's signature on the contract.

**I. Information/Discussion/Action regarding changes in the Arizona Local Government Employee Benefit Trust for Gila County's employee insurance and benefit plans to be effective as of July 1, 2016, as follows: Adopt Schedule A - Employee Insurance Contributions FY 2017 (attached to the agenda item).**

Jacque Sanders, Assistant County Manager, Librarian, stated that this is the annual adoption of the employee insurance contribution schedule. The Arizona

Local Government Employee Benefit Trust Fiscal Year 2017 total cost of the health insurance premiums will increase approximately 5.66%, or \$29.19 per month for employee only, and 4.81%, or \$59.77 per month for family coverage. In order to remain fair and consistent with the employee contributions to the cost of premiums, sharing the increase is a prudent financial step for the County. The cost increase to employees per month for employee-only coverage is \$3.50, and the cost increase to employees for family coverage is \$14.50. Upon motion by Vice-Chairman Martin, seconded by Supervisor Marcanti, the Board unanimously adopted Schedule A – Employee Insurance Contributions FY 2017.

Upon motion by Supervisor Marcanti, seconded by Vice-Chairman Martin, the Board unanimously adjourned as the Gila County Board of Supervisors and convened as the Gila County Library District Board of Directors.

**J. Information/Discussion/Action to approve Grantee Agreement GRA-RC004-17-0838-01 between the Gila Regional Partnership Council, Arizona Early Childhood Development and Health Board (First Things First) and Gila County Library District in the amount of \$60,000 for fiscal year July 1, 2016, through June 30, 2017.**

Ms. Sanders stated that First Things First has a three-year grant cycle; this would be the first year for this grant. Approval of this Grantee Agreement would allow for the continuation of the parenting outreach and awareness, early literacy strategy that began in fiscal year 2011. Parents of children ages birth to five are given information regarding the importance of early literacy, brain development, and how to prepare children for kindergarten. She noted that the grant has decreased by \$5,000; however, approximately 80% of children ages birth to five in the Gila Region are enrolled in the program and receive books each month.

Chairman Pastor stated for the record that the County Attorney's Office has provided written comments regarding this agreement and is unable to approve it as to form for the reasons provided in the written comments attached to this agenda item.

Upon motion by Supervisor Marcanti, seconded by Vice-Chairman Martin, the Board unanimously approved Grantee Agreement GRA-RC004-17-0838-01.

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

**Item 3 – CONSENT AGENDA ACTION ITEMS: (Any matter on the Consent Agenda will be removed from the Consent Agenda and discussed and voted upon as a regular agenda item upon the request of any member of the Board of Supervisors.)**

**A. Approval of Delegation Agreement No. ADEQ16-114067 (replaces Agreement No. EV12-0053) with the Arizona Department of Environmental Quality (ADEQ) to accept functions of ADEQ statutes, rules and policies for water quality and solid waste management functions and duties. (This item was removed from the Consent Agenda and it was addressed as the first Regular Agenda item.)**

**B. Authorization of the Chairman's signature on the Quit Claim Deed for the sale of Assessor's tax parcel number 207-15-286 to Laurie Devine.**

**C. Approval to reappoint two members to the Gila County Board of Adjustment and Appeals, as follows: Don Ascoli - January 1, 2016, through December 31, 2017; and, Mary Lou Myers - January 1, 2016, through December 31, 2019.**

**D. Approval to reappoint Lynn Canning to the Gila County Community Action Program Advisory Board as a public sector representative retroactive for a term beginning January 1, 2016, through December 31, 2019.**

**E. Approval of two Special Event Liquor License applications submitted by the Gila County Rodeo Committee to serve liquor at the Copper Dust Stampede Rodeo Kick-Off Dinner on April 30, 2016, and the Copper Dust Stampede Rodeo on May 6-7, 2016, both to be held at the Gila County Fairgrounds.**

**F. Acknowledgment of the January 2016 and February 2016 monthly activity reports submitted by the Recorder's Office.**

**G. Acknowledgment of the February 2016 monthly activity report submitted by the Payson Regional Justice of the Peace's Office.**

**H. Acknowledgment of the March 2016 monthly activity report submitted by the Globe Regional Justice of the Peace's Office.**

**I. Approval of the March 29, 2016, Board of Supervisors' meeting minutes.**

**J. Acknowledgment of contracts under \$50,000 which have been approved by the County Manager for the weeks of March 21, 2016 through March 25, 2016; and March 28, 2016 through April 01, 2016.**

Upon motion by Vice-Chairman Martin, seconded by Supervisor Marcanti, the Board unanimously approved Consent Agenda action items 3-B through 3-J as presented.

**Item 4 – CALL TO THE PUBLIC: Call to the Public is held for public benefit to allow individuals to address the Board of Supervisors on any issue within the jurisdiction of the Board of Supervisors. Board members may not discuss items that are not specifically identified on the agenda. Therefore, pursuant to Arizona Revised Statute §38-431.01(H), at the conclusion of an open call to the public, individual members of the Board of Supervisors may respond to criticism made by those who have addressed the Board, may ask staff to review a matter or may ask that a matter be put on a future agenda for further discussion and decision at a future date.**

There were no comments from the public.

**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 County Manager may present a brief summary of current events. No action may be taken on information presented.**

Each Board member presented information on current events. The County Manager provided no comments.

There being no further business to come before the Board of Supervisors, Chairman Pastor adjourned the meeting at 11:30 a.m.

APPROVED:



Michael A. Pastor, Chairman

ATTEST:

for Laurie J. Kline, Deputy Clerk  
Marian Sheppard, Clerk of the Board