

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

Date: November 15, 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

PRESENT: Michael A. Pastor, Chairman; Tommie C. Martin, Vice-Chairman; 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. Jeff Dalton led the Pledge of Allegiance and Father Arnold Aurillo of the Holy Angels Catholic Church in Globe delivered the invocation.

Chairman Pastor advised that he received two requests from the public to speak to the Board. He stated that he would give the citizens the opportunity to address the Board at this time via a call to the public.

Item 5 – 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.

Laurie Hilliard of Community Bridges provided information and an open invitation to an event to be held at 6:00 p.m. on Wednesday, November 16, 2016; and stated that this would be a good opportunity for the community to come together at Miami High School Auditorium for a town hall event entitled, "Call for Action" regarding opioid abuse awareness and prevention.

George Stetson of Strawberry, Arizona asked the Board to consider his request to stop paying taxes to and to be eliminated or excluded from the Pine-Strawberry Water Improvement District (District) boundary. He stated that the property owners in the area adjacent to Fossil Creek have private wells because there is no main water line in the area. He added that all of the neighboring property owners have signed a petition to become independent from the District's boundary.

Chairman Pastor advised that under the Call to the Public agenda item, the Board is not allowed to make decisions; however, he would direct staff to provide Mr. Stetson with additional information on the Board's level of authority with regard to special taxing districts.

Don McDaniel, County Manager, stated that he would follow up with Mr. Stetson and commented that the District's Board of Directors will need to be heavily involved in this issue because the Board of Supervisors has limited involvement. He offered to seek help from the District's Board of Directors to resolve this issue.

Item 2 – PUBLIC HEARINGS:

A. Information/Discussion/Action to adopt Order No. LL-16-05, a liquor license application submitted by James Martin Escobar for a new Series No 12 Restaurant License at the Mi Familia Mexican Food 3 restaurant located in Pine.

Marian Sheppard, Clerk of the Board, advised that there is an internal review process for all liquor license applications submitted to the Board of Supervisors. She stated that the Planning and Zoning Department, Health Department, and Treasurer's Office have reviewed the application and have verified that there are no pending issues with regard to their departments/office. Ms. Sheppard hasn't received any written objections to this application; therefore, she recommended proceeding with the public hearing. Chairman Pastor opened the public hearing and no comments were received; therefore, he closed the public hearing. Upon motion by Vice-Chairman Martin, seconded by Supervisor Marcanti, the Board unanimously adopted Order No. LL-16-05. The Board's recommendation for approval will be sent to the Arizona Department of Liquor Licenses and Control for final review and approval.

Item 3 – REGULAR AGENDA ITEMS:

A. Information/Discussion/Action to authorize the Chairman's signature on the CenturyLink Quote and Managed Services Agreement for Implementation of Next Generation 9-1-1 technology.

Debra Williams, 9-1-1 Coordinator, stated that the above stated agreement essentially defines how CenturyLink is going to update the 9-1-1 technology from analog to digital for the County. It also defines the components and who is responsible for the maintenance. The Managed Services Agreement for Implementation of Next Generation 9-1-1 technology defines the cost of installation of the hardware needed to support digital 9-1-1 and to provide maintenance for a 5-year period. "Managed Services" means a change in the way the costs of the 9-1-1 network are recovered by CenturyLink. Under the analog system all costs related to support of the network are billed individually. "Managed Services" combines these costs and bills per 9-1-1 workstation or seat. The Gila County Sheriff's Office has three 9-1-1 seats.

The Arizona Department of Administration 9-1-1 Program office currently provides financial support of the County 9-1-1 network via the Arizona State 9-1-1 fee charged to customers by telephone companies. Annually, State 9-1-1 personnel develop the budget and manage the funds approved by the Arizona Legislature. Should this funding become unavailable during the agreement period, the County has the option to cancel the CenturyLink agreement, or pay the remainder of the agreement from the County budget. Ms. Williams added that she will be responsible to authorize payments to CenturyLink. The funding for this agreement has been approved by the Arizona Department of Administration 9-1-1 Program office for a five-year term effective from the start of service date as determined by the agreement and in the amount of approximately \$370,000. The Board held a clarifying discussion with Ms. Williams and Sarah White, Chief Administrative Officer (via ITV), regarding the execution of the agreement, Finance Department involvement, and the monthly cost to the County. Upon motion by Supervisor Marcanti, seconded by Vice-Chairman Martin, the Board unanimously authorized the Chairman's signature on the CenturyLink Quote and Managed Services Agreement for Implementation of Next Generation 9-1-1 technology.

B. Information/Discussion/Action to review all responses received for Request for Qualifications No. 061916 - Pre-Design (Phase 1) - Site Development Alternatives for the Payson Courthouse Complex; award to the most qualified respondent; and authorize the Chairman's signature on the award contract for a contract amount of \$71,940 with project completion no later than 120 days from the Notice to Proceed date.

Steve Sanders, Public Works Division Director, stated that on July 26, 2016, the Board of Supervisors authorized the advertisement of Request for Qualification (RFQ) No. 061916 - Pre-Design (Phase 1) - Site Development Alternatives for the Payson Courthouse Complex. The RFQ was advertised in the Arizona Silver Belt on August 3, 2016, and August 10, 2016, with a bid due date of August 19, 2016. A mandatory pre-proposal walk-through was held on August 10, 2016, at 9:30 a.m. Twelve contractors attended the walk-through and were qualified; and, five proposals were received. Staff ranked the

proposals and Woodson Engineering & Surveying ranked the highest. The Payson Courthouse Complex is in need of site improvements to address both existing and future pedestrian and vehicular traffic usage. The services to be provided by Woodson Engineering & Surveying will play a critical role in helping Gila County to identify the best utilization of the site and associated costs of potential improvements; and, the services of an architect will be provided. Upon motion by Vice-Chairman Martin, seconded by Supervisor Marcanti, the Board unanimously awarded a contract for Request for Qualifications No. 061916 - Pre-Design (Phase 1) - Site Development Alternatives for the Payson Courthouse Complex to Woodson Engineering & Surveying, and authorized the Chairman's signature on the award contract.

C. Information/Discussion/Action to approve an Intergovernmental Agreement with Navajo County for the repair of a portion of Route 12 within Gila County.

Mr. Sanders stated that approval of this Intergovernmental Agreement with Navajo County will allow road work to be done by Navajo County on Route 12 in Gila County. Route 12 provides the primary access to the community of Cibecue. Navajo County is funding this road work; therefore, it will be done at no cost to Gila County. Upon motion by Supervisor Marcanti, seconded by Vice-Chairman Martin, the Board unanimously approved an Intergovernmental Agreement with Navajo County for the repair of a portion of Route 12 within Gila County.

D. Information/Discussion/Action to consider an offer to purchase Assessor's parcel number 301-24-144F located in Pine and, if approved, authorize the Chairman's signature on the Quit Claim Deed.

Mr. McDaniel stated that this item for Board consideration is a written offer from Patrick and Debora Cottrell to purchase Assessor's parcel number 301-24-144F, which was deeded to the State of Arizona in care of the Board of Supervisors by the County Treasurer in 2016. The property is located in Pine and it is within the Cottrell's fenced back yard. Mr. McDaniel advised that the Board may consider accepting the Cottrell's offer of \$50 to purchase the property because the Cottrells are owners of contiguous real property and the conditions for purchase apply according to the Arizona Revised Statutes. Staff recommended that the Board sell this parcel to the Cottrells. Upon motion by Vice-Chairman Martin, seconded by Supervisor Marcanti, the Board accepted an offer of \$50 from Mr. and Mrs. Cottrell for the purchase of Assessor's parcel number 301-24-144F, and authorized the Chairman's signature on the Quit Claim Deed.

Item 4 – 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. Adoption of revised Resolution No. 16-10-01, a 25-year franchise granted to Arizona Electric Power Cooperative, Inc., to add language to the resolution (section numbers 15-17) that is required in all contracts. (A copy of the Resolution is attached to the minutes and permanently on file in the Board of Supervisors' Office.)

B. Approval of FY 2017 Victims' Rights Program Award Agreement No. AG No. 2017-004 between the Gila County Attorney's Office and the Arizona Attorney General's Office in the amount of \$33,900 to cover the existing salary and employee-related expenses for a full-time advocate, with no cash match funds required, for the period July 1, 2016, through June 30, 2017.

C. Approval of the following individuals to serve as Justices of the Peace Pro Tempore for the respective justice courts with all terms expiring on December 31, 2017: Globe Regional Justice Court - Rebecca Baeza, Ron McDaniel, Don Calendar, Paul Larkin, Paul Julien and Gary Scales; and, Payson Regional Justice Court - John Perlman, Paul Larkin, Ron McDaniel, Jerri Antunes, Paul Julien and Gary Scales.

D. Approval of Amendment No. 3 to Professional Services Contract No. 040815 between the Superior Court in Gila County and Raymond Geiser to increase the contract amount by \$3,488.16 for an amended contract amount of \$139,131.16 to cover the 5% increase received by attorneys in Fiscal Year 2015.

E. Approval of Amendment No. 1 to an Intergovernmental Agreement (Contract No. ADHS17-133182) between the Arizona Department of Health Services and the Gila County Health and Emergency Management Division to accept an increase in the contract amount by \$55,870 to provide continued Public Health Emergency Preparedness services and Zika Virus community outreach, public education, and mosquito surveillance programs.

F. Approval of Intergovernmental Agreement No. 071816 between Gila County and the Town of Hayden whereby, upon request from the Town of Hayden, the County will provide various types of equipment and/or services on occasion and when available for safety needs and/or various activities and events by the Town of Hayden beginning July 1, 2016, through June 30, 2017.

G. Approval to reappoint Walter Del Campo to the Gila County Building Safety Advisory and Appeals Board for another 4-year term of office beginning January 1, 2017, through December 31, 2020.

H. Acknowledgment of the September 2016 monthly activity report submitted by the Recorder's Office.

I. Acknowledgment of the September 2016 monthly activity report submitted by the Payson Regional Justice of the Peace's Office.

J. Acknowledgement of the October 2016 monthly departmental activity report submitted by the Globe Regional Constable's Office.

K. Approval of the October 25, 2016, and November 1, 2016, Board of Supervisors' meeting minutes.

L. Acknowledgment of contracts under \$50,000 which have been approved by the County Manager for the weeks of October 17, 2016 through October 21, 2016; October 24, 2016 through October 28, 2016.

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There were no comments from the public at this time.

Item 6 – At any time during this meeting pursuant to A.R.S. §38-431.02(K), members of the Board of Supervisors and the County Manager may present a brief summary of current events. No action may be taken on information presented.

Each Board member and the County Manager presented information on current events.

At 10:40 a.m. upon motion by Vice-Chairman Martin, seconded by Supervisor Marcanti, the Board unanimously voted to go into executive session.

Item 7 – EXECUTIVE SESSION ITEMS: (The Board of Supervisors may vote to go into executive session on one or all of the items listed in this section. No action will be taken by the Board while in executive session.)

A. Information/Discussion/Action to vote to go into executive session to receive legal advice from its attorney regarding the lawsuit of Strawberry Ridge Estates LLC v. Gila County, 1 CA-TX-14-0004; consider its position in the lawsuit; and instruct its attorney how to proceed pursuant to A.R.S. § 38-431.03(A)(3)-(4). If the Board does go into executive session, the County Attorney’s Office suggests that after the Regular Meeting has been reconvened, the Board vote to instruct the County Attorney’s Office to proceed as directed in executive session.

At 11:35 a.m., Chairman Pastor reconvened the regular session and asked for a motion from the Board regarding the executive session agenda item. Upon motion by Supervisor Marcanti, seconded by Vice-Chairman Martin, the Board unanimously instructed the County Attorney’s Office to proceed as directed in executive session.

There being no further business to come before the Board of Supervisors, Chairman Pastor adjourned the meeting at 11:36 a.m.

APPROVED:



Michael A. Pastor, Chairman

ATTEST:



Marian Sheppard, Clerk of the Board