

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

Date: January 8, 2008

**JOSÉ M. SANCHEZ**  
Chairman

**STEVEN L. BESICH**  
Clerk of the Board

**TOMMIE C. MARTIN**  
Vice-Chairman

By: Marian Sheppard  
Chief Deputy Clerk

**SHIRLEY L. DAWSON**  
Member

Gila County Courthouse  
Globe, Arizona

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PRESENT: Jose M. Sanchez, Chairman; Tommie C. Martin, Vice-Chairman; Shirley L. Dawson, Member; Steve Besich, 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 Regular Session at 10:00 a.m. this date. Tommie Martin led the Pledge of Allegiance and Reverend Dan Morton of the First Christian Church delivered the Invocation.

**Item 2 - Information/Discussion/Action to approve Planning and Zoning Department Case No. Z-07-02, a final plat submitted by Canyon River Ranch (Doll Baby Ranch) for a proposed subdivision to develop 116 family residential lots on 159 (+-) acres, tax parcel numbers 301-46-001A and 301-46-001C, Sections 8 and 17, T10N, R9E of the G &SRM, Gila County, Arizona.**

Bob Gould, Community Development Division Director, presented this agenda item. He provided the location of the subject property which is approximately 6 miles south and west of the Town of Payson at the end of Doll Baby Road. Chris Anderson, the developer of this proposed subdivision and representative for the applicant, Simonton Flat, LLC, submitted this final plat to Gila County, which requires Board of Supervisors' approval prior to proceeding with the development of the subdivision. Mr. Gould provided a 4-page handout he wrote to the Board which outlines the conditions applied to rezoning the property; conditions applied to the preliminary plat; floodplain issues; waivers requested by the developer with regard to the water supply, street system and fire protection; the Planning and Zoning Commission's recommendation for the Board of Supervisors' approval with the incorporation of changes recommended in the areas of fire protection and the use of Cracker Jack Road; and, the

Planning and Zoning Department's staff recommendations and recommended Board of Supervisors' motion for approval with certain conditions. (The entire document is permanently on file in the Board of Supervisors' Office.) Sections of the handout which address the developer's requested waivers, Planning and Zoning Commission recommendation, and the Planning and Zoning Department staff's recommendations are as follows:

**Waivers Requested:**

**Water Supply -**

- **Section 505.05 dealing with dry lot subdivisions**
- **Section 505.06 dealing with requirement for mutual water system**
- **Section 505.07 dealing with Water Availability Guidelines**

**Street System -**

- **507.00 dealing with requirements for minimum 8 foot wide utility easement**
- **503.01 & 505.03 dealing with requirements for minimum roadway standards**
  - **Requires 24 foot wide street section (applicant has 22 foot wide with ribbon curb.)**

**Fire Protection -**

- **505.06 dealing with requirements for fire hydrants**
  - **Provide two water storage tanks for this purpose**
  - **Provide firefighting equipment**

**The Planning & Zoning Commission reviewed this final plat during its regularly scheduled meeting in October. The Commission is aware of the changes in fire protection and use of Cracker Jack Road and it has recommended approval with those changes. The Commission is not aware of the change from a public water system to individual wells or shared wells.**

**Staff Recommendation: Staff has no concerns regarding the waiver of street requirements due to the fact that by adding the ribbon curb to the 22 foot wide pavement section you actually have a higher quality road section than required by standards.**

**Staff has no concerns regarding the waiver of utility easement width as long as the roadway easement allows utilities also.**

**Staff does have a concern regarding the waiver of regulations that allow a dry lot subdivision.**

- **We also lose the placement of fire hydrants by waiving current regulations and need to waive that regulation also. This creates a public safety concern.**

- We also create more difficulty in ensuring that each lot can accommodate a private septic system due to State mandated setback requirements.
- On the other hand the applicant is going to provide two holding tanks and purchase a fire truck to get water to any possible fire. They are also building a water storage pond to help in fighting forest fires and providing a fire break around the perimeter of the proposed subdivision.

**Recommended Motion:**

I move to approve the final plat for Canyon River Ranch Subdivision with the following conditions:

- a. Waiver of the requirements for a minimum 8 foot wide utility easement with the condition that utilities are allowed in the roadway easement.
- b. Waiver of the requirements for a minimum 24 foot wide road section for interior roads with the condition that they provide a 22 foot wide pavement section with ribbon curb. Actual design standards will be based on geo-tech data supplied by applicant
- c. Submittal of appropriate assurances of construction approved by the Gila County Manager.
- d. Waiver of the requirements for a dry lot subdivision with the following conditions
  - i. That the applicant identify well drilling zones to demonstrate the ability to comply with setback requirements for septic systems and/or identify well sharing areas where up to 15 lots can share a well, and
  - ii. Submission of a copy of the well sharing agreement to be approved by the Community Development Director.
  - iii. That the applicant will submit a plan to be approved by the Community Development Director for location of wells within the project site.
  - iv. Waive requirements for fire hydrants if applicant provides two water storage facilities for firefighting within the subdivision and one water storage pond for fighting forest fires in the area.
- e. Waiver of the Preliminary Plat requirement for the Loop Road with the condition that Cracker Jack Road will be maintained so that it qualifies for the secondary point of ingress and egress and is approved by the Public Works Director.
- f. Approval from the Floodplain Administrator for all improvements within the roadways and provide all data requested for the maps
- g. Change the names for Canyon River Ranch Road and Mazatzal City Road to names that are acceptable to the Emergency Services Division.
- h. Once items A thru G above have been completed the Chairman is authorized to sign the Final Plat.

**i. Finally the developer understands that no building permits will be issued until the Board accepts the required improvements.**

The Board, Mr. Besich, Mr. Gould, Mr. Anderson and Justin Roylance, a member of Chris Anderson's development team, discussed the issues of concern. Issues regarding the water supply system and the wastewater supply system are of the greatest concern to the Board of Supervisors because the water will be provided by wells instead of a public water system and septic tanks will be used instead of having a public wastewater system. Due to the fact that water will be provided to the proposed subdivision by wells rather than a public water system, the developer is submitting the final plat for a dry lot subdivision. One of the waivers requested by the developer pertains to Section 505.05 of Gila County's Subdivision Regulations which states that a dry lot subdivision with lots smaller than 5 acres is not permitted. Lots in this subdivision are approximately 1 acre in size. When developing a public water system, the Arizona Department of Environmental Quality (ADEQ) requires an assured 100 year water supply. Mr. Anderson advised that a public water system was initially approved for this subdivision; however, due to ADEQ's regulations that public water systems must assure a 100 year water supply, a decision was made to be designated as a dry lot subdivision. Upon the advice of the Arizona Department of Water Resources (ADWR), the Canyon River Ranch Domestic Water Improvement District (DWID) was formed. Mr. Anderson stated that he was reluctant to point out that fact because he does not want to obtain the Board's approval based on the fact that a DWID has been formed. He expressed frustration regarding ADEQ's requirement that this subdivision assure a 100 year water supply when the Towns of Payson and Pine don't have 100 year water supplies for their public water systems. Mr. Anderson advised that there are large volumes of water in the subject area due to the amount of annual rainfall and the close proximity of the East Verde River. Mr. Gould also expressed frustration with ADEQ's requirements. During the discussion each Board member provided examples of subdivisions that were authorized by previous Boards of Supervisors. At such times when property owners living within a subdivision incurred problems with the roads, water supply, etc., the complaints were directed to County officials who have no control over those issues. The Board emphasized the need to disclose all issues up-front to any potential owner of property within the subdivision and if that assurance could be given, it would make it easier to approve this subdivision and any future subdivisions. In ending the discussion on the water supply, Supervisor Dawson stated that it may be the Board's responsibility to ask ADEQ to help clarify some issues so that the developer could proceed with this project. Mr. Gould and Mr. Besich offered to meet with ADEQ representatives. Supervisor Dawson stated that because there are a number of issues related to the approval of the final plat, she suggested that Mr. Gould work with Mr. Anderson to identify any issues that could be presented to the Board for approval which are separate from the more difficult issues such as the water and wastewater systems. Upon motion by Vice-

Chairman Martin, seconded by Supervisor Dawson, the Board unanimously tabled this agenda item for 2-3 weeks in order to allow the meeting to take place with ADEQ.

**Item 3 - Information/Discussion/Action to authorize the Treasurer's Office to add Merrill Lynch, Pierce, Fenner & Smith Incorporated (Merrill Lynch) to its List of Investors for Gila County by submitting a Working Capital Management Account Application designating certain Treasurer's Office employees authority to conduct business with Merrill Lynch on behalf of Gila County.**

Debora Savage, Gila County Treasurer, presented this agenda item. Mr. Besich commended Ms. Savage on presenting this issue to the Board to allow public discussion rather than making an independent decision of which she is authorized. Chairman Sanchez also commended Ms. Savage for presenting this issue to the Board as this was not done in the past. Upon motion by Supervisor Dawson, seconded by Vice-Chairman Martin, the Board unanimously authorized the Treasurer's Office to add Merrill Lynch, Pierce, Fenner & Smith Incorporated (Merrill Lynch) to its List of Investors for Gila County by submitting a Working Capital Management Account Application.

**Item 4 - Information/Discussion/Action to authorize the advertisement of Request for Sealed Bids No. 091407-1 for the West First Avenue and North Arbor Avenue Intersection Reconstruction Project.**

Steve Stratton, Public Works Division Director, presented this agenda item. No discussion took place on this agenda item. Upon motion by Vice-Chairman Martin, seconded by Supervisor Dawson, the Board unanimously authorized the advertisement of Request for Sealed Bids No. 091407-1.

**Item 5 - Information/Discussion/Action to authorize the advertisement of a Notice of Lease of Real Property notifying the public of the proposed lease of the Historic Gila County Courthouse by Gila County to the Cobre Valley Center for the Arts, a non-profit corporation, pursuant to A.R.S. §11-256.01.**

Mr. Stratton presented this agenda item and advised that publishing a notice of lease of real property is a statutory requirement. Supervisor Dawson complimented Kip Culver, Cobre Valley Center for the Arts Director, for efforts he has put forth to raise money for this Center and other historic community projects. Vice-Chairman Martin and Chairman Sanchez expressed that same sentiment. Upon motion by Vice-Chairman Martin, seconded by Supervisor Dawson, the Board unanimously authorized the advertisement of a Notice of Lease of Real Property notifying the public of the proposed lease of the Historic Gila County Courthouse to the Cobre Valley Center for the Arts.

**Item 6 - Information/Discussion/Action to authorize the advertisement of Request for Sealed Bids No. 120307-1 to provide pavement marking on various roads in Gila County.**

Mr. Stratton presented this agenda item. No discussion took place on this agenda item. Upon motion by Vice-Chairman Martin, seconded by Supervisor Dawson, the Board unanimously authorized the advertisement of Request for Sealed Bids No. 120307-1.

**Item 7 - Information/Discussion/Action to authorize the advertisement of Request for Proposals Bid No. 121707-1 for the purchase of SBS polymer chip seal oil for various locations within the Public Works Consolidated Roads Department's Copper and Timber Regions of Gila County.**

Mr. Stratton presented this agenda item. No discussion took place on this agenda item. Upon motion by Supervisor Dawson, seconded by Vice-Chairman Martin, the Board unanimously authorized the advertisement of Request for Sealed Bids No. 121707-1.

**Item 8 - Presentation of information related to Gila County Policy No. BOS-4-2005, Disclosure of Conflicts of Interest.**

Marian Sheppard, Chief Deputy Clerk of the Board, presented this agenda item. She advised that in 2005, the Board adopted this countywide policy which states that each elected official and department head shall develop and implement a departmental procedure requiring employees to give notice of potential conflicts of interest. The policy also states that the Chief Deputy Clerk of the Board shall issue a reminder of the policy each year during the first regularly scheduled meeting of the Board of Supervisors. No action was taken by the Board.

**Item 9 – CONSENT AGENDA ACTION ITEMS:**

**A. Ratification of the Chairman's signature and approval of Amendment No. 10 to Intergovernmental Agreement No. RSA-E5311526 between Gila County and the Arizona Department of Economic Security extending the period of the contract from January 8, 2008, to February 29, 2008, to allow the GEST Program to continue to provide vocational rehabilitation services to eligible clients.**

**B. Approval of Amendment No. 2 to Intergovernmental Agreement No. HG661112 between Gila County and the Arizona Department of Health Services to include an updated price sheet in the amount of \$125,000 of which said funds will be used to continue the Teen Pregnancy Prevention Program for the period July 1, 2007, through June 30, 2008.**

- C. Approval of a Support and Maintenance Agreement between the Gila County Recorder and LASON Service Administration for a Minolta Micro-film Reader Printer and Minolta FC5 Fiche Carrier in the amount of \$810 for the period January 20, 2008, through January 18, 2009.**
- D. Approval of two Maintenance Agreements (Nos. 2285806 & 2285808) between the Gila County Clerk of the Superior Court and Interstate Copy Shop to provide maintenance on two Konica copiers at no charge for the period September 1, 2007, through August 31, 2008.**
- E. Approval of Amendment No. 2 to Intergovernmental Agreement No. DE070295001 between Gila County and the Arizona Department of Economic Security to increase the contract amount from \$2,136,441 to \$2,230,651, an increase of \$94,210 in Set-A-Side funds of which \$58,000 is for Business Outreach Services and \$36,210 for PY 2006 Incentive funds.**
- F. Approval of the December 11, 2007, and December 18, 2007, BOS meeting minutes.**
- G. Approval of the November 2007 monthly departmental activity reports submitted by the Recorder and Payson Regional Justice of the Peace and the December 2007 monthly activity report submitted by the Globe Regional Constable.**
- H. Approval of personnel reports/actions for the weeks of December 25, 2007, January 1, 2008, and January 8, 2008.**

**December 25, 2007:**

Departures from County Service:

1. Laborer – Constituent Services II – 12-19-07 – General Fund – Ruben Avalos – 01-22-07 – Temporary Position

Temporary Hires to County Service:

2. Laborer – Constituent Services II – 12-24-07 – General Fund – Andrew Vargas

End Probationary Period:

3. Payroll Specialist – Finance – 01-07-08 – General Fund/WIA Fund – Michele Epperson
4. Accounting Clerk – Health and Community Services – 01-07-08 – Play Fund/Bio-Terrorism Program Fund – Chris Phillips
5. Assessor's Aide – Assessor – 01-07-08 – General Fund – Wanda Rakoczy

Position Review:

6. Change position control number – Deputy Attorney Senior – County Attorney – 12-24-07 – From Cost of Prosecution Fund To General Fund – Carolyn Borcharding
7. Change position control number – Deputy Attorney Principal – County Attorney – 12-24-07 – From Attorney’s Justice Enhancement Fund To General Fund – Robert S. Miller
8. Change position control number – Detective – County Attorney – 12-24-07 – From General Fund To Cost of Prosecution Fund – Vacant

Request Permission to Post:

9. Lube Specialist – Public Works/Auto Equipment Maintenance – 12-25-07 – Vacated by Jim Les Edmiston

**SHERIFF’S PERSONNEL ACTION ITEMS**

Departures from County Service:

10. 911 Dispatcher – Sheriff’s Office/Payson – 12-07-07 – General Fund – Cathy Pirtle – 01/22/07 – Failure to complete probationary period

End Probationary Period:

11. 911 Dispatcher – Sheriff’s Office/Payson – 12-24-07 – General Fund – Amy E. Walker

Position Review:

12. Reclassification – From Deputy Sheriff Recruit To Deputy Sheriff – Sheriff’s Office/Globe – 12-10-07 – General Fund - Robert Campbell III
13. Reclassification – From Deputy Sheriff Recruit To Deputy Sheriff – Sheriff’s Office/Payson – 12-10-07 – General Fund – Wayne W. Dorsett
14. Reclassification – From Deputy Sheriff Recruit To Deputy Sheriff – Sheriff’s Office/Globe – 12-10-07 – General Fund – Ronald Escobedo
15. Reclassification – From Deputy Sheriff Recruit To Deputy Sheriff – Sheriff’s Office/Globe – 12-10-07 – General Fund – Christopher C. Pena

**January 1, 2008:**

Departures from County Service:

1. Detective – County Attorney – 12-21-07 – General Fund – Chad Chesley – DOH - 11-02-92 – Resigned
2. Public Agency Liaison – County Attorney – 12-14-07 – General Fund – William Wright – DOH – 05-07-07 – Resigned
3. Justice Court Clerk Associate – Globe Justice Court – 12-28-07 – General Fund – Ethel Hammer – DOH 04-22-97 - Retired

Departmental Transfers:

4. From Community Health Assistant Senior – Health and Community Service To Community Health Assistant Coordinator – Health and Community Service – 01-07-08 – Teen Pregnancy Prevention Services Fund – Nancy Mach

End Probationary Period:

5. Justice Court Clerk Associate – Globe Justice Court – 01-07-08 – General Fund – Judith Moss

Position Review:

6. From part time to temporary – Justice Court Clerk Associate – Globe Justice Court – 01-07-08 – General Fund – Charlotte Williams
7. From 25 hours a week to 27 hours a week – Community Health Assistant (part time) – Health and Community Services – 01-07-08 – From Health Start Fund 80%/Immunization Program Fund 20% To Health Start Fund 74%/Immunization Program Fund 19%/TB Fund 7% - Sheila Hibdon
8. Change in fund codes – Environmental Health Manager – Health and Community Services – 01-07-08 – From Direct Grant Fund 100% To Direct Grant Fund 95%/Smoke Free AZ Fund 5% - Shane Stuler
9. Change in fund codes – Career and Employment Specialist – Health and Community Services – 01-07-08 – From Workforce Investment Act 100%/To Workforce Investment Act 5%/JTPA Title III Program Fund 95% - Leo Thomas
10. From 30 hours a week to 35 hours a week – Accounting Clerk – Health and Community Services – 01-07-08 – GEST Fund 5%/CAP Department Fund 85%/Housing Department Fund 10% - Sandy Lautigar

### **SHERIFF'S PERSONNEL ACTION ITEMS**

#### Departures from County Service:

11. Administrative Clerk – Sheriff's Office/Globe – 12-17-07 – General Fund Frances Avalos – DOH 10-29-07 – Resigned
12. Detention Officer – Sheriff's Office/Globe – 12-27-07 – General Fund – Jordan Reardon – DOH 05-28-07 – Resigned

#### Hire to County Service:

13. Detention Officer (part time) – Sheriff's Office/Globe – 01-21-08 – General Fund – Clifford Carnahan – Replacing Freddie Ramos
14. Detention Officer – Sheriff's Office/Globe – 12-24-07 – General Fund – Jonathan Lawrence – Replacing Pat Salcido
15. Detention Officer – Sheriff's Office/Globe – 01-07-08 – General Fund – Ruben Mariscal – Replacing Sabrina Hlebichuk
16. Detention Officer (part time) – Sheriff's Officer/Globe – 12-24-07 – General Fund – Clarence Rice – Replacing Helen Brown

#### End Probationary Period:

17. 911 Dispatcher – Sheriff's Office/Payson – 12-24-07 – General Fund – Malinda Harris

### **January 8, 2008:**

#### Departures from County Service:

1. Administrative Clerk Senior – Probation – 12-14-07 – Juvenile Standards Probation Fund 75%/Diversion Intake Fund 25% – Thelma Bussey – DOH 03-06-06 – Resigned for other employment
2. Title Examiner – Assessor – 01-04-08 – General Fund – Lisa Garcia – DOH 07-09-01 – Resigned for other employment

#### Hires to County Service:

3. Juvenile Detention Officer – Probation – 01-07-08 – General Fund – Rick Cayouette – Replacing Robert Campbell

Temporary Hires to County Service:

4. Accounting Clerk – Finance – 12-31-07 – General Fund – Brenda Kell

Departmental Transfers:

5. From Assessor’s Aide/Assessor – To Title Examiner/Assessor – 01-07-08 – General Fund – Wanda Rakoczy

End Probationary Period:

6. Deputy Probation Officer 2 – Probation – 11-26-07 - State Aid Enhancement Fund – Lisa Ortega
7. CASA/Foster Care Manager – Probation – 01/21/08 – Court Appointed Special Advocate Fund 75%/General Fund 25% - Katrisha Stuler

Position Review:

8. From temporary to regular status – Assessor’s Aide – Assessor – 01-07-08 – General Fund – Debra Aguirre
9. From temporary to regular status – Administrative Clerk Senior – 12-17-07 – State Aide Enhancement Fund – Yvette Olvera
10. Change in fund distribution and position control numbers – Administrative Clerk Senior – Probation – 12-17-07 – From State Aid Enhancement Fund To Juvenile Standards Probation Fund 75%/Diversion Intake Fund 25% - Martina Burnam

**SHERIFF’S PERSONNEL ACTION ITEMS**

Hire to County Service:

11. Deputy Sheriff – Sheriff’s Office/Payson – 12/20/07 – General Fund – Thomas Shorts

End Probationary Period:

12. Detention Officer – Sheriff’s Office/Globe – 01-21-08 – General Fund – Erin Perkins
13. Detention Officer – Sheriff’s Office/Globe – 12-24-07 – General Fund – Christina Lopez –
14. Deputy Sheriff (Lt.) – Sheriff’s Office/Globe – 01-07-08 – General Fund – Michael Johnson

Request Permission to Post:

15. Administrative Clerk Senior – Sheriff’s Office/Globe – Position vacated by Esther Klinger

**I. Approval of finance reports/demands/transfers for the weeks of December 25, 2007, January 1, 2008, and January 8, 2008. (separate handout)**

**December 25, 2007:**

\$252,248.61 was disbursed for County expenses by check numbers 204483 through 204485 and 204652 through 204785. **(An itemized list of disbursements is permanently on file in the Board of Supervisors’ Office.)**

**January 1, 2008:**

\$2,047,716.71 was disbursed for County expenses by check numbers 204786 through 204827 and 204831 through 204987. **(An itemized list of disbursements is permanently on file in the Board of Supervisors' Office.)**

**January 8, 2008:**

\$458,471.97 was disbursed for County expenses by check numbers 204828 through 204830 and 204988 through 205125. **(An itemized list of disbursements is permanently on file in the Board of Supervisors' Office.)**

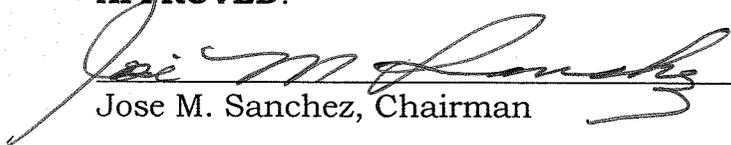
Upon motion by Supervisor Dawson, seconded by Vice-Chairman Martin, the Board unanimously approved Consent Agenda Action Item numbers 9A-9I.

**Item 10 - 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 Mr. Besich presented information on current events.

There being no further business to come before the Board of Supervisors, Chairman Sanchez adjourned the meeting at 12:03 p.m.

**APPROVED:**

  
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Jose M. Sanchez, Chairman

**ATTEST:**

  
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Steven L. Besich, County Manager/Clerk