

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

Date: September 7, 2010

MICHAEL A. PASTOR
Chairman

JOHN F. NELSON
Clerk of the Board

TOMMIE C. MARTIN
Vice-Chairman

By: Marilyn Brewer
Chief Deputy Clerk

SHIRLEY L. DAWSON
Member

Gila County Courthouse
Globe, Arizona

PRESENT: Michael A. Pastor, Chairman; Tommie C. Martin, Vice-Chairman; Shirley L. Dawson, Supervisor (via ITV conference from Utah); Don McDaniel, Jr., County Manager; 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. Darryl Griffin led the Pledge of Allegiance and Reverend Dan Morton of the First Christian Church in Globe delivered the invocation.

Item 2 - PRESENTATIONS:

2A - Recognition of 4 employees for August's "Spotlight on Employees" Program.

Juley Bocardo-Homan, Deputy Personnel Director, presented gift cards as recognition awards to 4 employees for August's "Spotlight on Employees" program. They are as follows: Lisa King of the Probation Department; William McDaniel of the Facilities Department; Linda Carnahan of the Sheriff's Office; and Hazel Young of the Sheriff's Office. Each Board member thanked the employees for their dedicated work.

Item 3 - REGULAR AGENDA ITEMS:

3A - (Motion to 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 2010 fiscal year in the amount of \$23,000

designated to Gila County for the period July 1, 2010, through June 30, 2011. (Motion to reconvene as the Gila County Board of Supervisors.)

Upon motion by Vice-Chairman Martin, seconded by Supervisor Dawson, the Board convened as the Gila County Library District Board of Directors.

Jacque Griffin, Assistant County Manager/Librarian, stated that this State-funded \$23,000 grant is a non-competitive grant that is awarded to all counties and a couple of large cities in Maricopa County. It is used for those items that the regular budget does not cover. Approximately \$7,000 will be retained by the Library District to be used for the libraries as whole to purchase technology items such as data bases and movie licenses for showing movies in the libraries. The remaining \$16,000 will be given to the 8 libraries at \$2,000 each, which is often used for summer reading programs or other programming. Upon motion by Vice-Chairman Martin, seconded by Supervisor Dawson, the Board unanimously authorized the submission of 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 2010 fiscal year in the amount of \$23,000 designated to Gila County for the period July 1, 2010, through June 30, 2011.

Upon motion by Vice-Chairman Martin, seconded by Supervisor Dawson, the Board reconvened as the Gila County Board of Supervisors.

3B - Information/ Discussion/Action to adopt Proclamation 10-07, a proclamation of the Board of Supervisors of Gila County, Arizona to declare September 27, 2010, as "Family Day-A Day to Eat Dinner with your Children" in Gila County.

Ms. Griffin stated that the Center on Addiction and Substance Abuse (CASA) at the Columbia University has been conducting research for more than a decade and the research has consistently found that the more often kids eat dinner with their families, the less likely they are to drink, smoke or use drugs. This 10th year of "Family Day" is a national movement reminding parents of the importance of parental engagement in their children's lives. "Family Day" is celebrated annually on the fourth Monday in September, which will be on September 27th this year. Supervisor Dawson stated, "It's sad that in our country we've come to a point of trying to encourage parents to have a sit-down meal with their children. Having dinner together is an important part of family life and somehow we need to build families back together." Upon motion by Supervisor Dawson, seconded by Vice-Chairman Martin, the Board unanimously adopted Proclamation No. 10-07, declaring September 27, 2010, as "Family Day--A Day to Eat Dinner with Your Children" in Gila County. **(A copy of the Proclamation is permanently on file in the Board of Supervisors' Office.)**

3C - Information/Discussion/Action to approve an Intergovernmental Agreement (Contract #DE111093-001) between Arizona Department of Economic Security, Rehabilitation Services Administration, and Gila County Division of Health and Community Services dba Gila Employment and Special Training (GEST) to provide Work Exploration and Supported Education services to Vocational Rehabilitation clients through September 30, 2015, unless otherwise agreed upon by both parties in writing.

Dave Caddell, GEST Program Manager, stated that this contract will replace the current contract that began in 1988 to provide vocational rehabilitation services through GEST. Supervisor Dawson inquired whether this grant covered a past employee that worked in the mail room. Mr. Caddell explained that when the State made its budget cuts, some of the services under the Division of Developmental Disabilities were no longer funded through the Arizona Long Term Care System, which was a different contract. Upon motion by Vice-Chairman Martin, seconded by Supervisor Dawson, the Board unanimously approved an Intergovernmental Agreement (Contract #DE111093-001) between the Arizona Department of Economic Security, Rehabilitation Services Administration, and Gila County Division of Health and Community Services dba as GEST to provide Work Exploration and Supported Education services to Vocational Rehabilitation clients through September 30, 2015, unless otherwise agreed upon by both parties in writing.

3D - Information/Discussion/Action to adopt Resolution 10-09-02 to designate Yavapai County Restoration to Competency as Gila County's primary competency restoration program and authorize the Chairman to sign the Intergovernmental Agreement (IGA) between Yavapai County and Gila County for restoration to competency services at a cost of \$350/day per client for the first day and \$250/day for each subsequent client day; the term of the IGA is for the period July 1, 2010, to June 30, 2011, renewable annually for up to three one-year terms by mutual agreement of the parties.

Don McDaniel, County Manager, stated that the adoption of this Resolution and IGA will provide Gila County an opportunity to save approximately 50% of what it now costs for the Restoration to Competency Program. Gila County currently contracts with the State at a cost of \$660,000 per year. This program used to cost Gila County \$330,000, but last year the State shifted its 50% of the cost back to the counties. This IGA will change the cost for Gila County back to \$330,000 per year. The contract will be with Yavapai County, which has initiated a program whereby other counties may contract with them for this program and the other counties seem pleased with the level and quality of service. He stated that Gila County will not abandon its contract with the State if needed in the future. Chairman Pastor inquired whether the State could boost the County's cost because it has switched to another provider. Mr.

McDaniel replied that he believes there would be some legal issues involved that would prevent the State from increasing the County's rate. Supervisor Dawson inquired as to the length of time Yavapai County has been handling this program for other counties. Mr. McDaniel stated that he understood they have been doing this for over 2 years and have contracted with other counties for a year. Supervisor Dawson stated that she doesn't have a problem in contracting with Yavapai County, but she believes that the judges and courts need to be aware of same. She would also like to visit the facility and see how the program is operated. She stated that Gila County used to provide this service that was discontinued when the County's hospital was closed. She would like some background information on what happens to someone from Gila County who is sent there for restoration services. She will look into the matter when she returns as she believes this service is critical. Mr. McDaniel stated that through staff research, talks were held with Sheriff Armer, County Attorney Flores and Judge Cahill, and all are on board with this approach. He stated that program details can be provided at a later date. Bryan Chambers, Chief Deputy County Attorney, explained that this program is for restoration to competency, so these are criminal residents who have been found to be mentally incompetent to stand trial. This program would actually attempt to restore the individual to competency in order for that person to be tried in court. He clarified that the Restoration to Competency Program is not the same as the County's Title 36, Civil Mental Health Services Program. Upon motion by Supervisor Dawson, seconded by Vice-Chairman Martin, the Board unanimously adopted Resolution No. 10-09-02 designating Yavapai County Restoration to Competency as Gila County's primary competency restoration program and authorize the Chairman to sign the Intergovernmental Agreement between Yavapai County and Gila County for restoration to competency services at a cost of \$350/day per client for the first day and \$250/day for each subsequent client day; the term of the IGA is for the period July 1, 2010, to June 30, 2011, renewable annually for up to three one-year terms by mutual agreement of the parties. **(A copy of the Resolution is permanently on file in the Board of Supervisors' Office.)**

3E - Information/Discussion/Action to adopt Resolution No. 10-09-03 authorizing the Board of Supervisors to sign an Intergovernmental Agreement (IGA) with the State of Arizona, Department of Transportation, (ADOT) for Arizona Department of Transportation File No. IGA/JPA 10-1611 for the paving of a portion of Forest Road 512 (Young Road) from SR 260 to Forest Road 291.

Steve Stratton, Public Works Division Director, stated that recently the Public Works Division sent the State \$1.45 million to front the money for this project in order to compete in the bidding cycle. By signing this IGA, it will allow the County to recover approximately \$674,000 in federal Public Lands Highway Discretionary Funds of that \$1.45 million. This is money that Congressional Representative Rick Renzi had earmarked for the County many years ago. It

started at \$750,000. He stated that by also signing this IGA, it will allow the ADOT board to award the project next Thursday in Eager, Arizona, to the low bidder, which was Intermountain West Contractors of Payson, thereby providing the small window for the nesting of the owl and the first snow storm in which to complete this project. Upon inquiry from Chairman Pastor, Mr. Stratton stated that he believes there will be enough time to complete the 3.2 mile project; however, it will be dependent upon whether the nesting cycle is right and if the first snow storm holds off. He also noted that this project is in the Apache-Sitgreaves National Forest, not the Tonto National Forest and is located in Coconino County, but the County does have an IGA whereby Gila County maintains that portion of the road and it is claimed on the County's Highway User Revenues Fund mileage. Supervisor Dawson inquired as to the agency that will be monitoring the birds. Mr. Stratton stated that he believes it is being monitored by a combination of the U.S. Forest Service, Apache-Sitgreaves Forest and ADOT. ADOT will be administering the project. Upon inquiry by Vice-Chairman Martin as to the project start date, Mr. Stratton replied that the County would like to start within a week or two after the project is awarded next week. He stated that the low bid was a little under \$1.2 million and with the RAC (Resource Advisory Committee) grant received, the County should be able to recover all of its \$1.45 million in funds that were put up front. Supervisor Dawson stated that she is grateful for finally getting at least a portion of this project done. She stated, "I know there will be a question and people will wonder why the Renzi money isn't going on the road. Maybe you can answer that one." Mr. Stratton stated, "That money is going on the road. We simply fronted the money for federal highways because they did not have an agreement in place to put that money up. That's why we put it up front and we're just recovering our money." Supervisor Dawson stated, "I appreciate you making that an official comment because I've answered this about 5 times already and I'm sure you will get a call or 2 from people. I have received calls from people who are not interested in having that road paved; however, the majority of the people are very interested in having it paved...This is certainly an important step in getting emergency assistance to that area." For the Board's information, Mr. Stratton advised that last week there were several conversations and e-mails that took place concerning drainage on this particular portion of the road. Some of the ADOT staff in the Prescott District and the Tonto Forest District wanted to do some upgrades and put in new culvert, turnouts, etc. Mr. Stratton stated, "We did bring to their attention that this would cause problems because the NEPA (National Environmental Protection Act) was only a surface NEPA and it would delay the project at least one year and put it in jeopardy so we did ask ADOT and the U.S. Forest Service to back away from those things so we could get this project done. The turnouts and culverts can be done later and some internal work on the culverts is being done this week to ensure they are open for improving the drainage without interfering with NEPA." Upon motion by Vice-Chairman Martin, seconded by Supervisor Dawson, the Board unanimously adopted Resolution No. 10-09-03 authorizing the Board of Supervisors to sign an Intergovernmental Agreement

with the State of Arizona, Department of Transportation, for Arizona Department of Transportation File No. IGA/JPA 10-1611 for the paving of a portion of Forest Road 512 (Young Road) from SR 260 to Forest Road 291. Vice-Chairman Martin thanked Mr. Stratton and his staff for “making this happen this year.” **(A copy of the Resolution is permanently on file in the Board of Supervisors’ Office.)**

3F - Information/Discussion/Action to award Contract No. 051910 VHF Repeater System Implementation to Canyon State Wireless, Inc. in the amount of \$49,826.81 to provide for VHF Repeater System implementation at Aztec Peak for the Gila County Sheriff's Office.

Adam Shepherd, Undersheriff, stated that the selection committee met last month after receiving 4 Statements of Qualification after this project was published—2 from within the County and 2 outside of the County. He thanked all of the staff who worked to get this project going. He stated that the recommendation from the committee was that Canyon State Wireless, Inc., the new local vendor that replaced Shores Communication, be awarded the contract. Upon motion by Supervisor Dawson, seconded by Vice-Chairman Martin, the Board unanimously awarded Contract No. 051910 VHF Repeater System Implementation to Canyon State Wireless, Inc. in the amount of \$49,826.81 to provide for VHF Repeater System implementation at Aztec Peak for the Gila County Sheriff's Office.

Item 4 - CONSENT AGENDA ACTION ITEMS:

4A. Adoption of an Order designating polling places for the purpose of conducting the General Election on Tuesday, November 2, 2010.

4B. Adoption of an Order appointing poll workers for the purpose of conducting the General Election on Tuesday, November 2, 2010.

4C. Adoption of an Order appointing election board workers for the purpose of conducting the General Election on Tuesday, November 2, 2010.

4D. Approval of an Application for Extension of Premises/Patio Permit submitted by Tamara L. Morken to temporarily extend the patio area of the Rimside Grill in order to serve liquor in that extended area for the following events/dates: 9/19/10 - Strawberry's Elite Blues and BBQ charity function; 9/25/10 through 9/26/10 - Rimside Grill's Oktoberfest Celebration; and 10/9/10 - Justice McNeely Foundation Quad Run and Auction.

4E. Approval of an Application for Special Event License submitted by the Lions Club of Globe, AZ, Inc. to serve liquor at the Gila County Fair on

September 16, 2010, and September 18, 2010.

4F. Approval of personnel reports/actions for the week of September 7, 2010.

Departures from County Service:

1. Clifford Horn – Public Works Facility Management – Building Maintenance Supervisor – 09/02/10 - Facilities Management Fund – DOH 05/09/94 – Separated without prejudice
2. Concepcion Ajagbe - Health and Community Services – Career and Employment Specialist – 08/20/10 – WIA Fund – DOH 03/22/10 - Resigned

Hires to County Service:

3. Christina Ortiz – Globe Regional Justice Court – Justice Court Clerk Associate – 09/06/10 - General Fund – Replacing Angela Ramirez
4. Robert Gamboa – County Attorney – Administration Clerk Part Time – 08/30/10 - General Fund – Replacing Janice McGann

Position Review:

5. Samuel Leverance – From 100% Public Works Engineering – To 50% Public Works Engineering 50% Public Works Survey – Surveyor Assistant – 08/23/10 – Public Works Fund
6. Jesse McGill – Public Works-Flood Management – Engineering Technician Senior – 07/05/10 - General Fund – Correction to a step 9
7. Mike Lemon - Health and Community Services – Environmental Health Specialist Senior – 08/16/10 – Health Services Fund – From 19.5 hours – To 30 hours

SHERIFF'S PERSONNEL ACTION ITEMS

Hires to County Service:

8. Beth Ann Davies - Sheriff's Office - Detention Officer – 09/27/10 - General Fund – Replacing Dan Evans
9. John Earl Rittenbach - Sheriff's Office - Detention Officer – 08/30/10 - General Fund – Replacing Guy Jones

End Probationary Period:

10. Marcus Teague - Sheriff's Office - Detention Officer – 09/13/10 – General Fund

4G. Approval of finance reports/demands/transfers for the week of September 7, 2010. (separate handout)

\$1,892,297.72 was disbursed for County expenses by check numbers 230071 through 230490. **(An itemized list of disbursements is permanently on file in the Board of Supervisors' Office.)**

Upon motion by Vice-Chairman Martin, seconded by Supervisor Dawson, the Board unanimously approved Consent Agenda action items 4A-4G.

Item 5 - 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.

There were no requests to speak from the public.

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 Chief Administrator may present a brief summary of current events. No action may be taken on issues presented.

Each Board member and Mr. McDaniel presented information on current events. Each Board member thanked Marian Sheppard, Chief Deputy Clerk, and Marilyn Brewer, Deputy Clerk, for their efforts over the past several months in getting the new paperless agenda system, known as AgendaQuick, on line for the Board's agendas and the training that was provided for all staff.

There being no further business to come before the Board of Supervisors, Chairman Pastor adjourned the meeting at 10:53 a.m.

APPROVED:

Michael A. Pastor, Chairman

ATTEST:

Marian Sheppard, Chief Deputy Clerk