

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

Date: June 5, 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 (via ITV 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.

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. Shirley Dawson led the Pledge of Allegiance and Pastor Bart Campbell of the Church of Christ in Globe delivered the invocation.

Item 2 – PRESENTATIONS:

2A. Update on the activities of the County Supervisors Association (CSA) by Craig Sullivan, CSA Executive Director, including a discussion of recent legislative activities.

Craig Sullivan, CSA Executive Director, gave a PowerPoint presentation providing an update of the activities of the recent Arizona legislative session. Some of the highlights reviewed included the following: County directives that were given to CSA staff at the 2011 CSA Summit, which included repealing the triggered prison shift from state prisons to county jails, eliminating the mandated county contributions, and freezing or restoring HURF (Highway User Revenue Funds) shifts to the Department of Public Safety and the Motor Vehicle Division; advancing client-initiated CSA-sponsored legislation; and engaging legislation that impacted county resources, services or authorities. Mr. Sullivan also spoke about state budget mobilization efforts and county mobilization efforts that achieved early results with the governor responding to county concerns. This was followed by a brief review of the Enacted FY2012-2013 State Budget that contains \$43 million in county impacts, \$50 million

Relocation Act. All property owners were given the opportunity to follow the appraiser while he was on their property and one owner did meet with the appraiser, but none of the others responded. Mr. Sanders requested that the Board authorize the Public Works Division to simply send out the offer letters to make the initial contact with the appraisal package. He also added that right now is a critical period as the County is also 90 days into the request for a 404 Permit from the U.S. Army Corps of Engineers (Corps) and hasn't received a response back from them at this time, but the County was told initially that it would be about a 90-day review. So hopefully within the next 30 days the County will have its permit in place from the Corps, these right-of-ways will move forward and by the end of summer a set of plans will be ready so the County can actually start going after some money to build the bridge. Supervisor Pastor inquired if Mr. Sanders foresees any problems with the 5 property owners. Mr. Sanders replied that he didn't believe there would be any opposition; however, he would be willing to sit down with the owners and go through the logistics. Supervisor Pastor inquired as to the company that conducted the appraisals. Mr. Sanders stated that Dennis Lopez & Associates, the sub-consultant to the County's consultant, is the real estate firm that did all the appraisals and put all the packages together. Upon motion by Vice-Chairman Dawson, seconded by Supervisor Pastor, the Board unanimously authorized the Public Works Division to send out 5 Offer Letter packages to property owners for acquisition of Right-of-Way based upon the appraised value as determined by the consultant appraiser so the Tonto Creek Bridge Project can move forward to design completion.

3F. Information/Discussion/Action to approve the distribution of Local Transportation Assistance Funds (LTAF II) to senior centers and other entities for their continued transportation operations.

Steve Stratton, Public Works Division Director, stated the LTAF funding (lottery money) will no longer be forthcoming from the state; however, there may now be a possibility of it coming back some time, but this distribution would deplete the current fund. He stated that Diana Jones, Management Analyst, has provided 2 scenarios to equally divide the remaining funds. One scenario (Column B) includes the San Carlos Apache Tribe (Tribe) and the other one (Column A) does not because the County is still trying to get an agreement with the Tribe from the last distribution of LTAF funds. Mr. Stratton advised that if the Board opts to distribute according to Column B, which includes the Tribe, then the County will still have a problem of depleting this fund because the funds are required to be spent within 2 years. He stated that had the Tribe responded and had an agreement been in place, then obviously the County would want to include them in this distribution also. However, if the Board does select Column B, it could create further problems down the road and he would just have to come back to the Board and request a redistribution of the funds. Vice-Chairman Dawson stated, "I have not been asked for assistance in getting this response from San Carlos and I think I could get a response from them, so I don't see basing our decision on that. I would like to recommend

that we use column B and that you said we have 2 years for this distribution?” Mr. Stratton replied that the County had 2 years from the time of receipt of the funds, but that timeframe is closing quickly although he was not sure of the exact date. Vice-Chairman Dawson made a motion that the LTAF II funds be distributed based on Column B to senior centers and entities for their continued transportation operations. Supervisor Pastor inquired if the Board wanted to include in the motion a restriction on how soon to expect an answer from the Tribe. Vice-Chairman Dawson amended her motion to state that the LTAF II funds be distributed based on Column B to senior centers and entities for their continued transportation operations and that within 2 weeks there be a response from the San Carlos Apache Tribe. Supervisor Pastor seconded the motion, which was unanimously passed. Chairman Martin inquired if the Board wished to discuss what should be done if there isn't a response from the Tribe within the 2 weeks. Mr. Stratton suggested that if the County does not get a response, he will bring the remaining balance back to the Board for redistribution, which was agreeable to the Board.

3G. Information/Discussion/Action to direct the Public Works Division to investigate the possibilities of accepting Copper Hills Road into the Gila County Maintained Roadway System as a public road.

Mr. Stratton stated that he, the County Manager and the County Attorney met with representatives of the Homeowners Association of the Copper Hills Subdivision. The Association presented sufficient evidence, which Mr. Stratton believes warrants investigation into bringing Copper Hills Road into the County system as a public road. Mr. Stratton stated that in reviewing the statutes, before he can spend restricted funds for reading legal descriptions and sending surveyors out, etc. he needs the authorization of the Board. He recommended that the County investigate bringing Copper Hills Road into the County Maintained Roadway System as a public road. Upon inquiry by Supervisor Pastor if this is a continuation of the road that the County currently monitors, Vice-Chairman Dawson explained that the County maintains a section of the road to a certain point, then skips a section and then per a service agreement maintains the Forest Service road. If this portion of the road is brought into the County's Maintained Roadway System, then the entire road would be maintained. Mr. Stratton clarified that this would only be to maintain the main road and would not include any offshoots or side streets, etc. Mr. Stratton stated that there were a couple of representatives from the Homeowners Association and he wanted to make a couple of points clear to them and to the Board that if the Board decides to bring the entire road into the County's System, all of the signage would have to be in accordance with the MUTCD (Manual on Uniform Traffic Control Devices) as adopted by AASHTO (American Association of State Highways and Transportation Officials) as well as all of the regulations the County has for roadways. He noted that there are quite a few signs out there that do not meet those standards at this time and they would have to be removed. Vice-Chairman Dawson stated, "I was here when this subdivision was approved by, not this board, but a board of the past