BOARD OF SUPERVISORS MINUTES
GILA COUNTY, ARIZONA

Date: July 15, 2014

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, Supervisor; Don E. McDaniel, Jr., County Manager; Jacque Griffin, Assistant County Manager/Librarian; Bryan B. Chambers, Deputy Attorney Principal; and Laurie J. Kline, Deputy Clerk.

ABSENT: Marian E. Sheppard, Clerk of the Board

Item 1 – CALL TO ORDER - PLEDGE OF ALLEGIANCE - INVOCATION

The Gila County Board of Supervisors met in a special session at 10:00 a.m. this date in the Board of Supervisors' hearing room. Bob Gould led the Pledge of Allegiance and Reverend Bill Norton of the First Presbyterian Church in Globe delivered the invocation.

Item 2 – PRESENTATIONS:

Information/Discussion: Update of legislative activity in Washington, D.C. by Patricia Power of Bose Public Affairs Group.

Ms. Power, via telephone, briefed the Board on the activity regarding the following issues:

1) Met with Congresswoman Ann Kirkpatrick and her staff, on a number of occasions, to discuss federal transportation legislation.

2) Attended a congressional leadership meeting with Department of Transportation Secretary Anthony Foxx on the Administration's transportation reauthorization proposal.

3) Worked with District One Supervisor Tommie Martin on her testimony before the House Natural Resources Committee on managing federal lands to

sequester carbon. The hearing and multiple points of contact in follow-up allowed updated conversations on the County's position on Payment in Lieu of Taxes (PILT) funding, U.S. Forest Service management in the Tonto Forest, and the County's innovative "bucket and bladder" wildfire suppression project.

4) Edited Supervisor Martin's article for the National Association of Counties News on the carbon sequestration hearing and need for the federal government to improve federal land management practices, starting with ecosystem scale pilot projects.

5) Continued to monitor County priorities including forest health and wildfire threats and the Four Forests Restorative Initiative; transportation, including ongoing forest road projects and the Tonto Creek Bridge; federal funding and land management issues related to PILT and Secure Rural Schools; Clean Water Act regulations and legislation related to the definition of navigable waters; Endangered Species Act decision impacts; water projects in Payson; and global issues like immigration.

Item 3 – PUBLIC HEARINGS:

A. Information/Discussion/Action to adopt Resolution No. 14-07-01, which authorizes the Gila County Housing Authority to submit its Revised Annual Plan for FY2014 to the U.S. Department of Housing and Urban Development.

Malissa Buzan, Community Services Division Director, stated that there was a revision to the Public Housing Authority (PHA) Annual Plan to include the Violence Against Women Act (VAWA) policy; therefore, a public hearing is required to be held in order to obtain public comment on the revised PHA Annual Plan which includes the VAWA policy.

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 Resolution No. 14-07-01, which authorizes the Gila County Housing Authority to submit its Revised Annual Plan for FY2014 to the U.S. Department of Housing and Urban Development. **(A copy of the Resolution is permanently on file in the Board of Supervisors' Office.)**

B. Information/Discussion to obtain public comment regarding the adoption of the final FY 2014-2015 Gila County Budget.

Don McDaniel, County Manager, recommended that before the Chairman opened the public hearing, it would be appropriate for staff to offer information regarding the final FY 2014-2015 Gila County Budget.

Jeff Hessenius, Finance Division Director, stated that the tentative FY 2014-2015 Gila County Budget was adopted by the Board of Supervisors on June 24, 2014, and a public hearing notice to adopt the final budget was published in the Arizona Silver Belt newspaper on July 2nd and on July 9th. He provided a PowerPoint® presentation to highlight portions of the budget, and added that the overall budget was reduced by 1.2% and that it was balanced. There were no increases in property taxes, no changes to the upper limit of the budget, and there were no changes to the numbers contained therein. Mr. Hessenius advised that the County's intention is to continue to maintain the same level of customer service currently provided to Gila County citizens. He added that the implementation of the Classification and Compensation Study was fully funded for FY2014-2015 without any impact to the department budgets.

Chairman Pastor clarified that the Classification and Compensation Study was budgeted for the first year and that the property taxes did not increase, to which Mr. Hessenius concurred that Chairman Pastor was correct in that statement. He also stated that the budget presentation would be available on the Gila County website following today's meeting.

Chairman Pastor opened the public hearing and no comments were received; therefore, he closed the public hearing.

Item 4 – REGULAR AGENDA ITEMS:

A. Information/Discussion/Action to adopt the final FY 2014-2015 Gila County Library District Budget in the amount of $1,762,073.

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.

Jacque Griffin, Assistant County Manager/Librarian, stated that for the FY 2014-2015 budget it was necessary to reduce the funding to the libraries in the County by 5% due to overall reduced revenue to the Library District; and although there has been a decline in revenue since 2010, this is the first year the libraries will be financially impacted. She also stated that despite the decline in revenue, the service levels to the libraries will remain the same. The grant revenue for the Library District has increased for the Community Outreach and Early Literacy Programs which aids in the ability to maintain service levels to the libraries in the Gila and San Carlos regions of the County.

Chairman Pastor verified that the tax rate for the Library District would remain the same, to which Ms. Griffin replied that was correct. Upon motion by Supervisor Marcanti, seconded by Vice-Chairman Martin, the Board unanimously adopted the final FY 2014-2015 Gila County Library District Budget in the amount of $1,762,073.

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

B. Information/Discussion/Action to adopt Resolution No. 14-07-03, which authorizes the adoption of the final FY 2014-2015 Gila County Budget in the amount of $94,444,905.

Mr. Hessenius stated that County policy was followed with regard to the publishing the tentative FY 2014-2015 Gila County Budget as outlined in the public hearing agenda item 3B above. Upon motion by Vice-Chairman Martin, seconded by Supervisor Marcanti, the Board unanimously adopted Resolution No. 14-07-03, which authorizes the adoption of the final FY 2014-2015 Gila County Budget in the amount of $94,444,905. **(A copy of the Resolution is permanently on file in the Board of Supervisors' Office.)**

C. Information/Discussion/Action to approve two Professional Services Contracts for the attorneys which the Superior Court in Gila County utilizes on an annual basis.

Jonathan Bearup, Deputy Court Administrator, stated that the two contracts as stated above would replace two contracts with attorneys who formerly provided court appointed legal services to Gila County citizens in the past. He added these are the final two contracts that have been prepared in order to retain the services of various attorneys to provide indigent legal representation to citizens in Gila County. One of the attorney contracts provides for the following legal representation in Globe; juvenile and delinquency representation, criminal misdemeanor services in Justice Court and felony representation in Superior Court; and the other contract is for dependency representation in Payson.

Supervisor Marcanti asked for clarification as to the associated costs of dependency representation to which Mr. Bearup replied that the $1,000 cost outlined in the contract is per appointment and the $22,000 is a cap on the encumbrance. Upon motion by Supervisor Marcanti, seconded by Vice-Chairman Martin, the Board unanimously approved two Professional Services Contracts for the attorneys which the Superior Court in Gila County utilizes on an annual basis.

D. Information/Discussion/Action to receive updated information on Planning and Zoning Department Case No. Z-14-01, a rezoning application submitted by Beau Woodring to rezone tax parcel number 301-19-055B which is located in Pine, and to acknowledge Mr. Woodring's withdrawal of this rezoning application.

Bob Gould, Community Development Division Director/Planner, provided a brief summary of the events that have transpired thus far with regard to this rezoning application submitted by Mr. Beau Woodring, who has since withdrawn his rezoning application. Mr. Gould stated that there was a public hearing on June 24, 2014, at which time the Board of Supervisors remanded this application to the Planning and Zoning Commission. Following that meeting, another community meeting was held by the Planning and Zoning Commission at the Pine Community Center. At that time Mr. Woodring withdrew the rezoning application. Mr. Gould recommended that the Board accept the withdrawal of the application by Mr. Woodring. The Board concurred with Mr. Gould and also thanked the Planning and Zoning Commission members for the volunteer service they provide. Upon motion by Vice-Chairman Martin, seconded by Supervisor Marcanti, the Board unanimously acknowledged Beau Woodring's withdrawal of this rezoning application for tax parcel number 301-19-055B, known as Planning and Zoning Department Case No. Z-14-01.

E. Information/Discussion/Action to appoint Peter Van Haren as an alternative Hearing Officer for the Community Development Division's Code Enforcement Program.

Mr. Gould stated that it would be beneficial for the County to have an alternate Community Development Code Enforcement Hearing Officer in the event that Jim Weeks, the current Hearing Officer, declares a conflict of interest or is otherwise unable to perform the duty. Peter Van Haren has offered to be an alternate Hearing Officer should his services be needed at no cost to the County except for any associated travel that may be required. Upon motion by Supervisor Marcanti, seconded by Vice-Chairman Martin, the Board unanimously appointed Peter Van Haren as an alternative Hearing Officer for the Community Development Division's Code Enforcement Program.

F. Information/Discussion/Action to approve the award of the lubricant portion for Invitation for Bids No. 041414 for the purchase and delivery of bulk lubricants; award to the lowest, most responsive, responsible and qualified bidder; and authorize the Chairman's signature on Amendment No. 1 to Canyon State Oil, which will allow for the award of both fuel and lubricants on Contract No. 041414.

Jeff Hessenius, Finance Division Director, stated that on June 24, 2014, the Board approved the award of the fuel portion of the Invitation for Bids 041414 to Canyon State Oil. Since that time staff has completed the review and evaluation of the bids submitted to supply lubricants. Staff recommends that the Board now approve awarding the lubricant portion of the Invitation for Bids; thereby, awarding the entire contract to Canyon State Oil. Upon motion by Vice-Chairman Martin, seconded by Supervisor Marcanti, the Board unanimously awarded a contract for the lubricant portion of Invitation for Bids

No. 041414 for the purchase and delivery of bulk lubricants to Canyon State Oil, which is the lowest, most responsible and qualified bidder; and authorized the Chairman's signature on Amendment No. 1 to the contract with Canyon State Oil, which will allow for the award of both fuel and lubricants on Contract No. 041414.

G. Information/Discussion/Action to review all bids submitted for Invitation for Bids No. 012114 for the 2nd floor renovation for the School Superintendent's and Assessor's Offices; award to the lowest, most responsible and qualified bidder; and authorize the Chairman's signature on the award contract for the winning bidder.

Mr. Hessenius advised that awarding this contract will allow the County to move forward with plans outlined in the County's Long Range Facility Management Plan to eventually move County offices from leased space into County-owned space. He explained that the 2nd floor Courthouse renovation is necessary to further County goals, and that moving the Superintendent's Offices up one floor would accomplish getting the County Attorney's Offices out of leased space and into County-owned space. He stated that the bid submissions were reviewed and evaluated by staff; the determination is that Kroll Contractors, Inc. is the lowest, most responsible and qualified bidder.

Chairman Pastor asked for confirmation that the County owns the Michaelson building, to which Steve Stratton, Public Works Division Director, replied that the County owns the Michaelson building. Mr. Stratton provided additional information regarding the logistics of the renovation and emphasized the importance of proceeding with this portion of the project in order to increase the security of the Courthouse.

Mr. Stratton stated that there is a 10% change order allowance in the contract to cover the construction "unknowns" that may occur during the renovation of the Courthouse, which is 10% of the total contract amount. Anything beyond the 10% change order allowance will require Board approval before the contractor may proceed. Upon motion by Supervisor Marcanti, seconded by Vice-Chairman Martin, the Board unanimously reviewed all bids submitted for Invitation for Bids No. 012114 for the 2nd floor renovation for the School Superintendent's and Assessor's Offices; awarded the contract to Kroll Contractors, Inc., which is the lowest, most responsible and qualified bidder, in the amount of $375,276 with an additional 10% change order allowance if needed; and authorized the Chairman's signature on the award contract for the winning bidder.

H. Information/Discussion/Action to approve Intergovernmental Agreement No. 061714-1/Agreement between Gila County, Canyon Domestic Water Improvement District and Freeport-McMoRan in order to allow Gila County to transmit an amount of up to $50,000 in grant

monies provided by Freeport-McMoRan to the recipient of the grant, Canyon Domestic Water Improvement District; and to authorize the Chairman's signature on Intergovernmental Agreement No. 061714-1/Agreement.

Mr. Hessenius explained that the Canyon Domestic Water Improvement District (CDWID) applied for a grant from Freeport-McMoRan, which was awarded; however, the check was made payable to "County of Gila." Therefore, an Intergovernmental Agreement has been executed in order for the County to transfer the grant award funds to the CDWID. Upon motion by Vice-Chairman Martin, seconded by Supervisor Marcanti, the Board unanimously approved Intergovernmental Agreement No. 061714-1/Agreement between Gila County, Canyon Domestic Water Improvement District and Freeport-McMoRan in order to allow Gila County to transmit an amount of up to $50,000 in grant monies provided by Freeport-McMoRan to the recipient of the grant, Canyon Domestic Water Improvement District; and authorized the Chairman's signature on Intergovernmental Agreement No. 061714-1/Agreement.

I. Information/Discussion/Action to adopt Resolution No. 14-07-04 declaring a state of emergency within Gila County as a result of infrastructure and property damage caused by abnormally heavy monsoon rain and winds.

Don McDaniel, County Manager, stated that the reason for the resolution described above is to allow the Board to direct County staff and use County resources to repair damage to infrastructure, private or public roads, and property that has been caused by the impact of monsoon weather. He added that this resolution has not been prepared as a result of guidance from the state or federal government with regard to natural disasters and the state of emergency concludes on September 30, 2014. Upon motion by Supervisor Marcanti, seconded by Vice-Chairman Martin, the Board unanimously adopted Resolution No. 14-07-04 declaring a state of emergency within Gila County as a result of infrastructure and property damage caused by abnormally heavy monsoon rain and winds. **(A copy of the Resolution is permanently on file in the Board of Supervisors' Office.)**

Item 5 – 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 Amendment No. 4 to a Weatherization Low Income Assistance Agreement (Contract No. SW-ESA-12-2182-02Y4) between the State of Arizona, Governor's Office of Energy Policy (OEP) and the Gila County Community Services Division, Housing Services, whereby OEP will

provide up to $7,150 in additional funding as a reimbursement ceiling for Fiscal Year 2015, for the period of July 1, 2014, through June 30, 2015.

B. Approval to sign and replace the signature page on a Contract Application between Gila County d/b/a Gila Employment and Special Training Program (GEST) and the Arizona Department of Economic Security, Rehabilitation Services Administration (ADES/RSA), which was previously approved by the Board of Supervisors on March 18, 2014, changing the section Contract Term to October 1, 2014, or on the date of last signature, whichever is later and shall terminate on September 30, 2019.

C. Approval of Amendment No. 1 to Contract No. 014-0444 between the Pinal-Gila Council for Senior Citizens Area Agency on Aging, Region V, (PGCSC) and the Division of Community Services, Housing Services, whereby PGCSC will provide funding in the amount of $6,242 to be used for emergency minor home repair to eligible citizens residing in Gila County effective July 1, 2014, through June 30, 2015.

D. Approval of Intergovernmental Agreement (Contract No. ADHS14-072102) between the Arizona Department of Health Services and the Gila County Division of Health and Emergency Services in the amount of $135,000 to continue to provide Tobacco Free Environments Program services from July 1, 2014, through June 30, 2017.

E. Adoption of an Order canceling precinct elections and appointing the precinct committeemen as shown on Attachment A of the Order, who have filed nomination petitions or nomination papers for precinct committeeman of their party in the precinct shown. (A copy of the Order is permanently on file in the Board of Supervisors' Office.)

F. Acknowledgment of the May 2014 monthly activity report submitted by the Recorder's Office.

G. Approval of the June 10, 2014, and July 1, 2014, Board of Supervisors' meeting minutes.

H. Acknowledgment of contracts under $50,000 which have been approved by the County Manager for the weeks of June 16, 2014 to June 20, 2014; and June 23, 2014 to June 27, 2014.

I. Approval of finance reports/demands/transfers for the weeks of July 8, 2014, and July 15, 2014.

<u>July 8, 2014</u>

$2,027,273.88 was disbursed for County expenses by check numbers 262875 through 263038.

July 15, 2014

$739,688.67 was disbursed for County expenses by check numbers 263039 through 263208. **(An itemized list of disbursements is permanently on file in the Board of Supervisors' Office.)**

Upon motion by Vice-Chairman Martin, seconded by Supervisor Marcanti, the Board unanimously approved Consent Agenda action items 5-A through 5-I.

Item 6 – 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 7 – 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 the County Manager presented information on current events.

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

APPROVED:

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Michael A. Pastor, Chairman

ATTEST:

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Marian Sheppard, Clerk of the Board