

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

Date: March 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 (via ITV); John D. Marcanti, Member; Don E. McDaniel, Jr., County Manager; Jefferson R. Dalton, Deputy 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. Michael Scannell led the Pledge of Allegiance and Pastor Kelly Woolridge of the First Assembly of God in Payson delivered the invocation.

Item 2 – REGULAR AGENDA ITEMS:

A. Information/Discussion/Action to approve the use of State of Arizona Procurement Office Contract No. ADSP013-054359 with Blackstone Security Services, Inc. whereby the contractor will provide armed security manpower for the safety of the public and employees at the Payson Courthouse in the amount of \$83,081 for the period of April 2, 2016, to April 1, 2017.

Jeff Hessenius, Finance Division Director, stated that on October 13, 2015, the Board approved the use of the State Procurement Office Contract No. ADSP013-054359 with Blackstone Security Services, Inc. in order to provide security services to the Payson Courthouse for a six-month period. The contract will expire soon and the services have been acceptable; therefore, staff recommends approval of the renewal of the contract for an additional year as described above. Vice-Chairman Martin and Supervisor Marcanti commented favorably. Upon motion by Vice-Chairman Martin, seconded by Supervisor Marcanti, the Board unanimously approved the use of State Procurement Office Contract No. ADSP013-054359.

B. Information/Discussion/Action to authorize the advertisement of Invitation for Bid No. 021616-1 for the purchase of up to five, new full size, 4 door, 4x4, SSVs (special service vehicles) for the Gila County Sheriff's Office.

Mr. Hessenius stated that around this time last year, the Board approved an item similar to this proposed purchase for the Sheriff's Office. The request today is for the Board to authorize the Finance Division to requests bids and secure pricing to allow for the procurement of special service vehicles for use by the Sheriff's Office at a future date if the need arises. Upon motion by Supervisor Marcanti, seconded by Vice-Chairman Martin, the Board unanimously authorized the advertisement of Invitation for Bid No. 021616-1.

C. Information/Discussion/Action to accept the Citizens' Petition to begin the process to establish Stageline Road and Singletree Lane as primitive roads.

Steve Sanders, Public Works Division Director, stated that a Citizens' Petition was submitted to Public Works requesting that the County establish Stageline Road and Singletree Lane, located southwest of Payson, as primitive roads. If the Board chooses to accept the Citizens' Petition, easements from the affected property owners will need to be granted. Once the easements are accepted by the County, providing maintenance will consist of grading the roads a few times a year. Providing maintenance on these roads will not create a hardship or reduce the level of service to other roads in the Gila County Maintained Roadway System. Vice-Chairman Martin inquired if these roads connect to roads that are maintained by the County, to which Mr. Sanders replied in the affirmative. He stated that these roads connect to Gibson Ranch Road of which the County has an easement across U.S. Forest Service land. Chairman Pastor inquired if it is unusual for the Citizens' Petition to request road maintenance from the County as a primitive road rather than normal County road maintenance. Mr. Sanders replied that the roads are dirt and unimproved. They are off of a paved road which is maintained by the County and there other similarly designated roads in the area. Upon motion by Vice-Chairman Martin, seconded by Supervisor Marcanti, the Board unanimously accepted the Citizens' Petition to begin the process to establish Stageline Road and Singletree Lane as primitive roads.

D. Information/Discussion/Action for the public sale of a portion of W. Cocopah Lane, located adjacent to Lot 14, Geronimo Estates Unit One, north of Payson as shown on Official Map No. 241, and to accept the bid in the amount of \$52 from Janet Mielke for said portion of W. Cocopah Lane.

Mr. Sanders advised that when Janet Mielke purchased her property, she had it surveyed at which time she learned that part of her driveway encroaches the

right-of-way of Cocopah Lane. She also had a fence and propane tank that was in the right-of-way. She moved those items that could be moved out of the right-of-way; however, the carport was not moved, as it would create a hardship for her. After meeting with staff from the Public Works Division, Ms. Mielke was encouraged to apply to the County for an abandonment of that portion of Cocopah Lane, which was done. On November 17, 2015, the Board authorized Public Works to begin the process to abandon an unnecessary portion of a portion of W. Cocopah Lane, as described above. Public Works established a value for the subject property and issued a notice of the public sale. Ms. Mielke submitted a bid in the amount of \$52 to purchase said property. Mr. Sanders advised that the bid meets the minimum requirements established by the current Gila County policy on the abandonment of roadways in the County. He added that abandoning this portion of W. Cocopah Lane will not create a hardship, nor will it affect the traveling public who use the roadway.

Jefferson Dalton, Deputy Gila County Attorney, Civil Bureau Chief, advised that if the Board chooses to accept the bid from Ms. Mielke, the Arizona Revised Statutes require that the Board include in its motion that the road is not necessary for public use. Upon motion by Supervisor Marcanti, seconded by Vice-Chairman Martin, the Board unanimously sold a portion of W. Cocopah Lane, located adjacent to Lot 14, Geronimo Estates Unit One, north of Payson as shown on Official Map No. 241, to Janet Mielke for \$52, and it was stated in the motion that the road was not necessary for public use.

E. Information/Discussion/Action for the public sale of a portion of Elaine Way, located adjacent to Lot 9, Christopher Creek Haven, Plat Five, east of Payson as shown on Official Map No. 448, and to accept the bid in the amount of \$144 from Jeffrey Yoder for said portion of Elaine Way.

Mr. Sanders stated that in the background information contained in the staff report regarding this agenda item, a correction needed to be made from December 15, 2015, to November 17, 2015, which is when the Board gave approval to begin the process to abandon an unnecessary public roadway being a portion of Elaine Way. This item mirrors the previous agenda item, except that a portion of this property owner's home, stairs, upper deck and another small building encroaches into the right-of-way of Elaine Way. This portion of Elaine Way has never been used as a public roadway nor will it be because of the change in elevation; therefore, this sale would not create a hardship. Jeffrey Yoder has submitted a bid in the amount of \$144 for this portion of Elaine Way. This bid meets the minimum requirements established by the current Gila County policy on the abandonment of roadways in the County. There have been no other bids or written objections received with regard to this sale. Upon motion by Vice-Chairman Martin, seconded by Supervisor Marcanti, the Board unanimously sold of a portion of Elaine Way, located adjacent to Lot 9, Christopher Creek Haven, Plat Five, east of Payson as shown

on Official Map No. 448, to Jeffrey Yoder for \$144, and it was stated in the motion that the road was not necessary for public use.

F. Information/Discussion/Action to approve Agreement No. 030116 between Gila County and the Gila County Cattle Growers Association; pursuant to A.R.S. §11-254.04, to find that to assist in the annual yearling auction/sale is an economic development activity because it will assist in the creation or retention of jobs or will otherwise improve or enhance the economic welfare of the inhabitants of Gila County; and, to authorize Public Works to supply requested tent, tables, chairs, and equipment with Gila County certified operators for the Gila County Cattle Growers Association's annual yearling auction/sale between April 25, 2016, through May 2, 2016.

Mr. Sanders stated that a letter was received from the Gila County Cattle Growers Association requesting County assistance for the annual yearling/auction sale in the way of a tent, tables, chairs, and equipment. If approved, the County would provide a road grader, water truck, and a backhoe, all to be operated by County certified operators. Providing this assistance will not create a hardship on the Facilities Department or Public Works. The Board commented that this event results in a positive economic impact and that the annual yearling auction/sale generates approximately \$2M in revenue for Gila County. The sale date was confirmed to be Monday, May 2, 2016. Upon motion by Supervisor Marcanti, seconded by Vice-Chairman Martin, the Board unanimously approved Agreement No. 030116.

G. Information/Discussion/Action to adopt Resolution No. 16-03-01 designating Randall Place as a public roadway and accepting said road into the Gila County Maintained Roadway System.

Mr. Sanders stated that Randall Place is an east/west road in Pine, which starts at State Route 87 and provides access to the Pine Public Library and to the Pine Public School. He provided a brief history of Randall Place and explained that this has been a laborious effort to accomplish a means for Public Works to maintain the road. Randall Place meets the requirements of A.R.S. §28-7041 (C) which states, *“All highways, roads or streets that have been constructed, laid out, opened, established or maintained for ten years or more by the state or an agency or political subdivision of the state before January 1, 1960 and that have been used continuously by the public as thoroughfares for free travel and passage for ten years or more are declared public highways, regardless of an error, defect or omission in the proceeding or failure to act to establish those highways, roads or streets or in recording the proceedings.”* Therefore, staff believes that the County can designate this road as a public road and accept it into the County Maintained Roadway System. The road connects to an existing County maintained road at the east end and will be a benefit to the users of the roadway. Vice-Chairman Martin was pleased to be

able to take this action and believes it will solve a lot of problems. Upon motion by Vice-Chairman Martin, seconded by Supervisor Marcanti, the Board unanimously adopted Resolution No. 16-03-01. **(A copy of the Resolution is attached to the minutes and it is permanently on file in the Board of Supervisors' Office.)**

H. Information/Discussion/Action to approve Gila County's response to the Survey of Counties Land Management and Conditions for submittal to the Arizona Transfer of Federally Managed Lands Committee.

Jacque Sanders, Assistant County Manager/Librarian, stated that in 2015 the Transfer of Public Lands Study Committee was established by the Arizona State Legislature and Governor to examine processes to transfer, manage, and dispose of federal lands within Arizona. One of the requirements of this committee was to survey the counties. She recommended that the Board approve the answers to the survey as prepared by Ms. Sanders in consort with Vice-Chairman Martin. Vice-Chairman Martin commented that the questions were answered very thoroughly and that the answers were informational. Supervisor Marcanti expressed that he was concerned that Payment in Lieu of Taxes (PILT) funding continues to be reduced; however, he is pleased to have had Ms. Sanders complete the survey as he feels that she is very knowledgeable regarding the subject matter. Chairman Pastor agreed that Vice-Chairman Martin and Ms. Sanders were the most appropriate individuals to complete the survey and he, too, felt that the questions were answered very well. Upon motion by Vice-Chairman Martin, seconded by Supervisor Marcanti, the Board unanimously approved Gila County's response to the Survey of Counties Land Management, and Conditions for submittal to the Arizona Transfer of Federally Managed Lands Committee.

I. Information/Discussion/Action to consider a sealed bid for the purchase of Assessor's tax parcel number 206-10-104.

Don McDaniel, County Manager, provided information that Assessor's tax parcel number 206-10-104 is located at 6151 S. Calle De Loma, in Claypool. The parcel was included in the list of properties to be sold at the Board of Supervisors' August 4, 2015, annual property tax sale/auction; however, the parcel did not sell. A nearby property owner has expressed an interest in purchasing this parcel, but for an amount less than the total lien amount of \$7,091.97. The interested party stated that he plans to clear off the rundown residence, remove the weeds and build a wall or fence around the property in order to use it for storage. Resolution No. 15-05-05 states, "*WHEREAS, the Board of Supervisors may waive the requirement to sell the property for no less than the total lien amount if a condition warrants selling a parcel at a lesser price.*" Mr. McDaniel believes that the indicated commitment of the interested party to clean up the parcel is a condition that warrants selling the parcel for a lesser price. Chairman Pastor requested that Marian Sheppard, Clerk of the

Board, open the sealed bid in her possession. Ms. Sheppard stated that the bid for Assessor tax parcel number 206-10-104 was from Max Norton in the amount of \$1,000. Supervisor Marcanti mentioned that there is an additional lien on this parcel. Chairman Pastor stated that Mr. Norton is aware of a lien on this parcel in the amount of \$42,441.30 placed by the Arizona Health Care Cost Containment System. Upon motion by Supervisor Marcanti, seconded by Vice-Chairman Martin, the Board unanimously sold parcel number 206-10-104 to Max Norton for \$1,000.

Item 3 – 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 a request submitted by the University of Arizona Gila County Cooperative Extension 4-H Program and the Globe FFA Program to waive fees for the use of the Gila County Fairgrounds facilities for their 2016 activities.

B. Approval of a request submitted by the Gila County Rodeo Committee to waive fees for the use of the Gila County Fairgrounds Rodeo Arena for the Copper Dust Stampede Rodeo on May 6-7, 2016, and the Exhibit Hall on April 30, 2016, for the Sponsors' Dinner.

C. Approval of a request submitted by the 2016 Junior Class of Globe High School to waive fees for the use of the Gila County Fairgrounds Exhibit Hall for the School's Junior/Senior Prom to be held on April 23, 2016.

D. Approval of a request submitted by the Greater Grace Fellowship/Classic Celebration's non-profit organization to use the Payson Courthouse Complex grounds (parking lot) for a "Memorialfest" craft show on May 28-30, 2016, and "Autumnfest" craft show on October 1-2, 2016.

E. Approval of a Special Event Liquor License application submitted by the Lion's Club of Globe, Arizona, Inc. to serve liquor at a fund raising event on April 16, 2016.

F. Authorization of the Chairman's signature on the Quit Claim Deed for the sale of Assessor's tax parcel number 206-22-073 to Joshua Sulwer and Savannah Jewell.

G. Authorization of the Chairman's signature on the Quit Claim Deed for the sale of Assessor's tax parcel number 304-14-004-G to Hannelore R. Inman.

H. Approval of changes to Gila County Policy No. BOS-HRS-610 - Disciplinary Action regarding disciplinary actions in the Sheriff's Office.

I. Approval of changes to Gila County Policy No. BOS-HRS-625 - Personnel Commission regarding Adult and Juvenile Probation statutes and the Superior Court Merit Rules.

J. Approval for the Board of Supervisors to appoint, reappoint or acknowledge members of the following boards, commissions or committees: 1) Appoint Jonathan Barber, as a citizen and head of the merit system (Personnel Commission) for Gila County, as follows: Public Safety Personnel Retirement System Local Board for a term ending 12/31/19; Correctional Officers Retirement Plan (CORP) Local Board for Sheriff's Office (S.O.) Dispatchers for a term ending 12/31/17; and, CORP Local Board for S.O. Detention Officers and Non-Uniformed Officers for a term ending 12/31/17; 2) Reappoint Gary Andress as a citizen to the CORP Local Board for S.O. Dispatchers and the CORP Local Board for S.O. Detention Officers and Non-Uniformed Officers retroactive to 1/1/16 through 12/31/19; and, 3) Acknowledge Erich Kenney as an elected member of the CORP Local Board for S.O. Detention Officers and Non-Uniformed Officers for a term beginning 10/6/15 through 12/31/17.

K. Acknowledgment of the January 2016 monthly activity report submitted by the Clerk of the Superior Court's Office.

L. Acknowledgment of the February 2016 monthly activity report submitted by the Globe Regional Justice of the Peace's Office.

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

N. Acknowledgment of the January 2016 monthly activity report submitted by the Payson Regional Constable's Office.

O. Acknowledgment of the February 2016 monthly activity report submitted by the Globe Regional Constable's Office.

P. Approval of the February 23, 2016, March 1, 2016, and March 4, 2016, Board of Supervisors' meeting minutes.

Q. Acknowledgment of contracts under \$50,000 which have been approved by the County Manager for the weeks of February 15, 2015, through February 19, 2016; and, February 22, 2016, through February 26, 2016.

Upon motion by Vice-Chairman Martin, seconded by Supervisor Marcanti, the Board unanimously approved Consent Agenda action items 3A – 3Q.

Item 4 – 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 5 – 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.

There being no further business to come before the Board of Supervisors, Chairman Pastor adjourned the meeting at 10:56 a.m.

APPROVED:

Michael A. Pastor, Chairman

ATTEST:

Marian Sheppard, Clerk of the Board