

PURSUANT TO A.R.S. §38-431.01, THE GILA COUNTY BOARD OF SUPERVISORS WILL HOLD AN OPEN MEETING AT THE GILA COUNTY COURTHOUSE, BOARD OF SUPERVISORS' HEARING ROOM, 1400 EAST ASH STREET, GLOBE, ARIZONA. ONE OR MORE BOARD MEMBERS MAY PARTICIPATE IN THE MEETING BY TELEPHONE CONFERENCE CALL OR BY INTERACTIVE TELEVISION VIDEO (ITV). THE MEETING IS ALSO TELEVISED TO THE GILA COUNTY COMPLEX, BOARD OF SUPERVISORS' CONFERENCE ROOM, 610 E. HIGHWAY 260, PAYSON, ARIZONA. **NOTE: Per the most recent guidelines from the federal government that no more than 10 people should be gathered in a room at the same time, no residents will be allowed in the Board of Supervisors' hearing room at the Globe Courthouse or at the County Complex, Board of Supervisors' conference room in Payson.**

Residents can watch the Board meeting live-streamed at: <https://youtu.be/PF7kv2q7P3k>

Residents can submit comments related to the March 24, 2020 Special Meeting agenda by no later than 9 a.m. on Tuesday, March 24 by emailing to the Clerk of the Board at msheppard@gilacountyaz.gov or calling 928-402-8757

THE AGENDA IS AS FOLLOWS:

**SPECIAL MEETING - TUESDAY, MARCH 24, 2020 - 10:30 A.M.
OR IMMEDIATELY FOLLOWING THE BOS REGULAR MEETING AT 10:00 A.M.
R E V I S E D**

1. **CALL TO ORDER**

2. **REGULAR AGENDA ITEMS:**
 - A. Information/Discussion/Action to canvass the election results contained in the Official Canvass of the Presidential Preference Election held on March 17, 2020, in Gila County, Arizona, and declare the results official. **(Eric Mariscal)**

 - B. Information/Discussion/Action to adopt Proclamation No. 2020-01 issuing a declaration of emergency in Gila County due to the Novel Coronavirus (COVID-19) outbreak and authorizing the Board's Chairman to take all further actions as may be necessary or appropriate to implement this proclamation pursuant to A.R.S. § 26-311. **(James Menlove/Michael O'Driscoll)**

3. **CALL TO THE PUBLIC:** A 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 A.R.S. §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.

IF SPECIAL ACCOMMODATIONS ARE NEEDED, PLEASE CONTACT THE RECEPTIONIST AT (928) 425-3231 AS EARLY AS POSSIBLE TO ARRANGE THE ACCOMMODATIONS. FOR TTY, PLEASE DIAL 7-1-1 TO REACH THE ARIZONA RELAY SERVICE AND ASK THE OPERATOR TO CONNECT YOU TO (928) 425-3231.

THE BOARD MAY VOTE TO HOLD AN EXECUTIVE SESSION FOR THE PURPOSE OF OBTAINING LEGAL ADVICE FROM THE BOARD'S ATTORNEY ON ANY MATTER LISTED ON THE AGENDA PURSUANT TO A.R.S. §38-431.03(A)(3).

THE ORDER OR DELETION OF ANY ITEM ON THIS AGENDA IS SUBJECT TO MODIFICATION AT THE MEETING.

ARF-5945

2. A.

Special BOS Meeting

Meeting Date: 03/24/2020

Submitted For: Eric Mariscal, Director

Submitted By: Erin Miller, Elections Assistant

Department: Elections

Information

Request/Subject

Canvass of the March 17, 2020 Presidential Preference Election Results.

Background Information

In accordance with Arizona Revised Statute §16-241, a Presidential Preference Election was held on March 17, 2020. The Democratic party participated in the election and only registered Democratic voters were able to vote in the election.

Evaluation

Arizona Revised Statute §16-645 provides that the governing body holding an election shall meet and canvass the election not less than six days nor more than twenty days following the election. The Secretary of State Election Procedures Manual states that the Board of Supervisors shall meet to canvass the Presidential Preference Election returns by congressional district within 10 days after the Presidential Preference Election and shall deliver the canvass to the Secretary of State. The last day to submit the election results to the Secretary of State's Office is Tuesday, March 31, 2020.

Conclusion

The Presidential Preference Election was conducted in Gila County on March 17, 2020, and the Board of Supervisors is required by law to canvass the returns of the election, declare them official and send a certified copy of the election results to the Secretary of State.

Recommendation

The Elections Director recommends that the Board of Supervisors canvass the election returns for the Presidential Preference Election held on March 17, 2020, and declare the results of the election official.

Suggested Motion

Information/Discussion/Action to canvass the election results contained in the Official Canvass of the Presidential Preference Election held on March 17, 2020, in Gila County, Arizona, and declare the results official.
(Eric Mariscal)

Attachments

Secutary of State 2020 Presidential Preference Election Canvass
Letter

ARS 16-241

ARS 16-645

Tommie C. Martin, District I
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GILA COUNTY
BOARD OF SUPERVISORS
1400 E. Ash Street
Globe, Arizona 85501

W. James Menlove,
County Manager
(928) 402-4257
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Marian Sheppard,
Clerk of the Board of Supervisors
(928) 402-8757
msheppard@gilacountyaz.gov

March 24, 2020

The Honorable Katie Hobbs
Arizona Secretary of State
1700 West Washington Street
Phoenix, AZ 85007

Dear Secretary Hobbs:

I, the undersigned, being the Chairman of the Gila County Board of Supervisors, do hereby certify that on Tuesday, March 24, 2020, the Gila County Board of Supervisors canvassed the returns of the March 17, 2020 Presidential Preference Election held within Gila County, Arizona, and testify that the tabulation of votes attached hereto is a true and correct copy of all votes cast at said election.

IN WITNESS WHEREOF, I have affixed my signature and the great seal of Gila County at Globe, Arizona, on this 24th day of March 2020.

Sincerely,

Woody Cline, Chairman

Attest:

Marian Sheppard, Clerk of the Board

/ms
Attachment

16-241. Presidential preference election; conduct of election

A. A presidential preference election shall be held on the Tuesday immediately following March 15 of each year in which the President of the United States is elected to give qualified electors the opportunity to express their preference for the presidential candidate of the political party indicated as their preference by the record of their registration. No other election may appear on the same ballot as the presidential preference election.

B. Notwithstanding subsection A of this section, the governor may issue a proclamation that the presidential preference election is to be held on a date later than the date prescribed in subsection A of this section. The proclamation shall be issued no later than one hundred eighty days before the date of the election as set forth in the proclamation. The governor shall transmit a copy of the election proclamation to the clerks of the county boards of supervisors.

C. Except as otherwise provided in this article, the presidential preference election shall be conducted and canvassed in the same manner as prescribed in this title for the primary election held pursuant to section 16-201. All provisions of other laws that govern elections and that are not in conflict with this article apply to a presidential preference election, including laws relating to registration and qualifications of electors.

D. Unless otherwise specifically prescribed by this article, the powers and duties conferred by law on boards of supervisors, officers in charge of elections, county recorders, precinct boards and central counting boards in connection with a primary election are conferred on those persons for purposes of a presidential preference election and shall be exercised by them for a presidential preference election.

E. Every act that is an offense pursuant to the election laws of this state is an offense for purposes of a presidential preference election, and a person is subject to the penalties prescribed by those laws.

16-645. Canvass and return of precinct vote; declaring nominee of party; certificate of nomination; write-in candidates

A. When the board of supervisors, or the governing body of a city or town, has completed its canvass of precinct returns, the person having the largest number of votes, or if more than one candidate is necessary, those candidates to the required number who have received the largest number of votes for the nomination for an office in the political party of which the person was set forth on the ballot as a candidate for the nomination, is declared the nominee of the party for that office and shall be given a certificate of nomination for that office by the board or governing body, which shall entitle the person to have the person's name placed on the official ballot at the ensuing election as the nominee of the party for the office. When canvassing write-in votes the apparent intent of the voter shall be taken into consideration to the extent possible and the standard prescribed for federal write-in candidates in section 16-543.02, subsection C applies.

B. The board of supervisors shall deliver the canvass to the secretary of state within ten days after the primary election, and the secretary of state shall on or before the second Monday following the primary election canvass the return and issue a letter declaring nomination as provided in this section to the nominees who filed nominating petitions and papers with the secretary of state pursuant to section 16-311, subsection D. For any partisan primary election, the governing body or officer in charge of elections shall prepare and transmit to the secretary of state along with the official canvass the total by party of partisan ballots selected in that primary election by voters who registered as no party preference, as independents or as members of a political party that is not qualified for representation on the ballot.

C. A certificate of election shall not be issued to a write-in candidate for precinct committeeman or a write-in candidate for a nonpartisan office unless the candidate receives a number of votes equivalent to at least the same number of signatures required by section 16-322 for nominating petitions for the same office.

D. Except as provided in subsection C of this section, a letter declaring nomination shall not be issued to a write-in candidate of a party that has not qualified for continued representation on the official ballot pursuant to section 16-804 unless the candidate receives a plurality of the votes of the party for the office for which the candidate is a candidate.

E. Except as provided by subsection C of this section, a letter declaring nomination shall not be issued to a write-in candidate of a party qualified for continued representation on the official ballot unless the candidate receives a number of votes equivalent to at least the same number of signatures required by section 16-322 for nominating petitions for the same office.

F. A certificate of election shall not be issued to presidential electors who are pledged to a write-in candidate for president unless that candidate received the highest number of votes cast for the office of president.

ARF-5986

Regular Agenda Item 2. B.

Special BOS Meeting

Meeting Date: 03/24/2020

Submitted For: James Menlove, County Manager

Submitted By: Marian Sheppard, Clerk of the Board

Department: County Manager

Information

Request/Subject

Proclamation No. 2020-01 - Declaration of Emergency due to the Novell Coronavirus (COVID-19) Outbreak

Background Information

On March 11, 2020, the World Health Organization officially declared a pandemic due to the COVID-19 outbreak.

On March 11, 2020, the Honorable Douglas A. Ducey, Governor of the State of Arizona, declared that a state of emergency exists in Arizona due to the COVID-19 outbreak.

The Gila County Health and Emergency Management Department has been taking measures to put into place all actions needed to protect the health and well-being of its residents from the spread of COVID-19, and prepare for the impacts the disease is likely to have on the County.

Evaluation

In order for the Chairman of the Board of Supervisors to declare that an emergency exists in Gila County due to the COVID-19 outbreak, the Board of Supervisors is required to adopt a proclamation to declare the emergency as outlined in A.R.S. § 26-311.

Conclusion

N/A

Recommendation

It is recommended that the Board of Supervisors adopt Proclamation No. 2020-01.

Suggested Motion

Information/Discussion/Action to adopt Proclamation No. 2020-01 issuing a declaration of emergency in Gila County due to the Novel Coronavirus (COVID-19) outbreak and authorizing the Board's Chairman to take all further actions as may be necessary or appropriate to implement this proclamation pursuant to A.R.S. § 26-311. **(James Menlove/Michael O'Driscoll)**

Attachments

Proclamation No. 2020-01



PROCLAMATION NO. 2020-01

A PROCLAMATION OF THE BOARD OF SUPERVISORS OF GILA, COUNTY, ARIZONA, ISSUING A DECLARATION OF EMERGENCY IN GILA COUNTY DUE TO THE NOVEL CORONAVIRUS (COVID-19) OUTBREAK AND AUTHORIZING THE BOARD'S CHAIRMAN TO TAKE ALL FURTHER ACTIONS AS MAY BE NECESSARY OR APPROPRIATE TO IMPLEMENT THIS PROCLAMATION PURSUANT TO ARIZONA REVISED STATUTE (A.R.S.) § 26-311

WHEREAS, A.R.S. § 26-311 authorizes the Chairman of the Gila County Board of Supervisors to proclaim the existence or threatened existence of a local emergency when Gila County is affected or likely to be affected by a public calamity; and,

WHEREAS, the Novel Coronavirus (COVID-19) was first reported in Wuhan City, Hubei Province, China in December 2019; and,

WHEREAS, the Centers for Disease Control and Prevention considers this virus to be a significant public health threat, which has spread globally; and,

WHEREAS, on January 30, 2020, the World Health Organization declared the COVID-19 outbreak a public health emergency of international concern; and,

WHEREAS, on January 31, 2020, the United States Secretary of Health and Human Services declared a public health emergency; and,

WHEREAS, on March 9, 2020, the Gila County COVID-19 Outbreak Response Team developed an incident command structure for the monitoring and preparedness measures surrounding COVID-19; and,

WHEREAS, on March 11, 2020, the World Health Organization officially declared a pandemic due to COVID-19; and,

WHEREAS, on March 11, 2020, the Honorable Douglas A. Ducey, Governor of the State of Arizona, declared that a state of emergency exists in Arizona due to the COVID-19 outbreak; and,

WHEREAS, on March 23, 2020, Gila County Health and Emergency Management activated the Health Emergency Operations Center (HEOC) for resource, logistics and tracking support as

needed. The Gila County HEOC continues to plan and prepare for event and facility closures, modified staffing plans, work-from-home programs, and enhanced communications available to employees to ensure for effective continuity of operations for the duration of the COVID-19 outbreak; and,

WHEREAS, Gila County has been working to protect the health and well-being of its residents from the spread of COVID-19, and to prepare for the impacts the disease is likely to have on the County; and,

WHEREAS, the Gila County Board of Supervisors has determined it is necessary to make all possible resources and means available to Gila County in order to protect the health, safety, and welfare of its residents from the threat posed by the continued spread of COVID-19; and,

WHEREAS, resources related to contact tracing, disease investigation and prevention, continuity of operations, public information, and funding are expected to be exhausted; and,

WHEREAS, the declaration of a local emergency will enable Gila County to provide emergency resources, request additional resources and receive mutual aid from other political subdivisions and entities; and,

WHEREAS, Gila County Policy No. BOS-FIN-113-*Procurement* allows for emergency procurements when there exists a threat to public health, welfare, property or safety such as this emergency that is being declared due to the COVID-19 outbreak; and,

WHEREAS, Gila County Policy Number BOS-FIN-113 (8) (B) (11) allows that contract awards shall be made by the County Manager or designee for those contracts under \$50,000.00, or if above \$50,000.00 by the Board, to the responsible offeror whose proposal is determined in writing to be the most advantageous to the County taking into consideration price and the other evaluation criteria set forth in the request for proposals; and,

WHEREAS, Rule 23.8-*Leaves of Absence with Pay* of Gila County Merit System Rules & Policies outlines those instances whereby an employee may be granted leave from work with pay; and,

WHEREAS, paragraph E of Rule 23.8 states, “*An Appointing Authority may authorize an employee to be absent with pay on administrative leave during a state of emergency declared by the Governor...*”;

NOW, THEREFORE, the Gila County Board of Supervisors does hereby proclaim an emergency exists in Gila County due to the COVID-19 outbreak and authorizes the Board’s Chairman to take all further actions as may be necessary or appropriate to implement this declaration of emergency pursuant to A.R.S. § 26-311.

IT IS FURTHER PROCLAIMED AND ORDERED that:

- 1) Emergency procurements shall be made in accordance with Gila County Policy No. BOS-FIN-113 until such time as the Board of Supervisors declares that the emergency due to the COVID-19 outbreak no longer exists.
- 2) The \$50,000.00 limitation for contract awards by the County Manager or designee, as specified in Gila County Policy No. BOS-FIN-113 (8) (B) (11), is hereby lifted such that the County Manager or designee is hereby authorized to make contract awards above \$50,000.00 without Board of Supervisors' approval for purchases directly related to the stated purpose of this declaration of emergency until such time as the Board of Supervisors declares that the emergency due to the COVID-19 outbreak no longer exists.
- 3) Gila County Merit System Rules & Policies, Rule 23.8 (E) shall apply until such time as the Board of Supervisors declares that the emergency due to the COVID-19 outbreak no longer exists.

PASSED AND ADOPTED this 24th day of March 2020, at Globe, Gila County, Arizona

Attest:

GILA COUNTY BOARD OF SUPERVISORS

Marian Sheppard, Clerk of the Board

Woody Cline, Chairman

Approved as to form:

The Gila County Attorney's Office