

GREENLEE COUNTY BOARD OF SUPERVISORS
CLIFTON, ARIZONA

August 6, 2012

The Greenlee County Board of Supervisors met on this date in regular session in the Board Meeting Room, 2nd floor Courthouse Annex, Clifton, Arizona, with the following members present: Richard Lunt, Chairman; David Gomez, Member; and Ron Campbell, Member. Also present were Deborah K. Gale, County Administrator, and Yvonne Pearson, Clerk of the Board.

Chairman Lunt called the meeting to order at 10:00 a.m. and Supervisor Campbell led those present in the Pledge of Allegiance.

Tamara McWhinney responded to the Call to the Public stating that she was there to express her annual concern regarding county employees taking county vehicles home. She stated that she feels that employees should use personal vehicles to drive to work and then check out a vehicle to use.

The Board of Supervisors convened as the Board of Directors of the Greenlee County Public Health Services District.

Steve Rutherford, Health & County Services Director, requested approval to fill a Nutritionist position in the Health Department. The position will be funded with funds from Arizona Department of Health Services and will be responsible for the Woman, Infant & Child (WIC) program. Upon motion by Supervisor Gomez, seconded by Supervisor Campbell, and carried unanimously, the Board approved the request as presented.

Upon motion by Supervisor Campbell, seconded by Supervisor Gomez, and carried unanimously, the Board approved the Public Health Services District Consent Agenda as follows:

1. Clerk of the Board: Public Health Services District expense warrants in excess of \$1,000.00

The Board convened as the Board of Directors of the Greenlee County Flood Control District.

Mr. Rutherford requested approval to install two (2) ALERT System Rain Gauge Stations in the Upper Gila Watershed reflecting Phase 4 of the 5 year plan in an amount not to exceed \$21,203.00 with budgeted Flood Control District funds. Upon motion by Supervisor Campbell, seconded by Supervisor Gomez, and carried unanimously, the Board approved the request as presented.

Upon motion by Supervisor Gomez, seconded by Supervisor Campbell, and carried unanimously, the Board approved the Flood Control District Consent Agenda as follows:

1. Clerk of the Board: Flood Control District expense warrants in excess of \$1,000.00
2. Health & County Services Director: Fiscal Year 2012/2013 ALERT System Maintenance Agreement in an amount not to exceed \$32,453.00 with budgeted Flood Control District funds

Ms. Gale presented and reviewed the 2012/2013 Fiscal Year budget as follows:

- General Fund increased 4.8% = \$10,233,159. The increases are due to the approved 3% increase in salaries effective September 1, 2012 and increase in employee related expenses. The County Attorney and Superior Court budgets have also increased due to several large pending court cases this year.
- Total budget increased 11.6% = \$18,875,640. The increase in addition to the 4.8% increase in General Funds is due to increases in other budgets including \$230,000 in the Public Health Services District budget, \$300,000 federal funding increase in the Airport Improvement budget, a portion of the funding for the new Duncan Annex building, the balance of the Hazard Mitigation Grant, and a communications tower on Guthrie Peak.
- The property tax rate will decrease \$.1523 from \$1.10 to \$.9489. There is no change in the Public Health Service District tax rate as well as the Flood Control District tax rate.
- State budget impacts were reviewed including the elimination of Prop 204 funding, Lottery appropriations, Highway User Revenue Funds (HURF), and Restoration to Competency.
- Local Transportation Area Funding has been swept. This funding was used to support the senior transportation vans, insurance on the vans and the drivers. General Funds are supporting this now.
- Estimated revenues were reviewed as well as estimated expenditures
- The Capital Improvement Plan was reviewed including building the new Duncan Annex, installation of a communications tower on Guthrie Peak, Airport Improvement, and other small maintenance projects

Chairman Lunt expressed appreciation on behalf the Board to county employees and management for their work putting the budget together and their foresight in planning today to get us where we want to be tomorrow.

Upon motion by Supervisor Campbell, seconded by Supervisor Gomez, and carried unanimously, the Board convened into Public Hearing pursuant to Arizona Revised Statutes §42-17104 – 2012/2013 Budget.

David McCullar asked for clarification on the Debt Service, Interfund Transfers, PDMI Donations (Freeport-McMoRan) and audits. Ms. Gale explained that the Debt Service reflected in the budget serves two purposes: maintaining cash flow and expenditure limitations. The amount in Debt service is for lease purchase payments for equipment. She explained Interfund Transfers and the PDMI Donations. Audits are complete up to fiscal year 2010 with the 2011 audit scheduled to begin next week.

Linda Mahan requested clarification on the land acquisition at the airport and the building of a Jail Kitchen. Mr. Ronnerud explained that the land parcels to be acquired at the Airport are to meet FAA requirements for additional safety zones. Greenlee County has lease agreements with area land owners but the actual number of acreage is yet to be determined. Ms. Gale stated that the current jail kitchen is located inside a semi-truck trailer and is not sufficient. She also stated that the project is being held back as long as possible in order to deal with land space issues. The estimate to build the kitchen is \$75,000 to \$80,000.

Sheriff Steve Tucker commented that as Sheriff he understands how difficult and frustrating it is to develop budgets and expressed appreciation to the Board and Ms. Gale for their hard work over the years.

James Hollestelle requested clarification on the \$86,000 to be spent on the Loma Linda ball field and also stated that the county needs more parks and needs to update the existing parks. Ron Pearson, Public Works Manger, stated that the amount budgeted not only reflects some upgrades to the ball field at the Loma Linda Park but for other parks throughout the county including Duncan and Ward Canyon. He stated that water systems to parks will have to be done in order to put in grass and trees.

The Board reconvened into regular session.

Supervisor Gomez moved to adopt the FY 2012-2013 Greenlee County Budget in the General Fund amount of \$10,233,159 and the total budget in the amount of \$18,875,640. This includes the budgets for the Flood Control District in the amount of \$290,463, the Public Health Services District budget in the amount of \$1,797,323, the Capital Improvement Plan and Fund Balance Policy. The motion was seconded by Supervisor Campbell, and carried unanimously.

Carol Telles, Clifton District Ranger, Apache-Sitgreaves National Forest, updated the Board on activities taking place in the District including:

- There is construction by the Arizona Department of Transportation on Highway 78 for remediation of rock falls.

- The next public informational session will take place on August 22 at 6:00 p.m. and will be on Administration and will include fuel and tree permits, golden age permits.
- There has been minor fire activity this year with only a couple of small lightning caused fires.
- The new Forest Deputy is Tom Olsen who will take the position in September or October. Mr. Olsen is currently the acting Forest Supervisor for the Coconino Forest.

Philip Ronnerud, County Engineer, requested approval of a new Road Name. He presented a map reflecting the location of the road. The proposed name is Umphres Trail. Upon motion by Supervisor Campbell, seconded by Supervisor Gomez, and carried unanimously, the Board approved the new road name as presented.

Mr. Ronnerud presented a list of statutory changes being proposed to the legislature by the Arizona Association of County Engineers (ARS 28-6701 – 28-6706). He stated that the proposals will be presented to the County Managers Association and then to County Supervisors Association for approval.

Charles Berube, Information Systems/Information Technology Manager, requested approval to purchase a digital phone system update for the Sheriff's Department Dispatch in an amount not to exceed \$7,879.17 with General Funds. He stated that the current phone system will not handle the necessary recording and caller ID for incoming calls. The current equipment is past end of life; parts are no longer available and are no longer serviceable. Upon motion by Supervisor Campbell, seconded by Supervisor Gomez, and carried unanimously, the Board approved the request as presented.

Ron Pearson, Public Works Manager, presented an update on Public Works projects as follows:

- Table shades have been completed at the Loma Linda Park
- Lights have been installed around the walkway and the basketball courts at the Loma Linda Park. Wiring of the lights is near completion. This is a project that has been in the works for several years.
- Table shade at the Duncan Little League Park has begun. Playground equipment replacement is forthcoming.
- 5 sites have been completed on the Ward Canyon drainage project. Recent heavy rains have proved this work to be effective in keeping the wash from flooding.
- 18 property owners are participating in the Hazardous Fuels Mitigation Grant Project. Greenlee County was awarded \$500,000 with \$142,866.91 remaining.

8 properties have been completed, 7 with work in progress and 3 properties that haven't been worked yet.

- The Resource Advisory Committee (RAC) projects will begin this month beginning with the Upper Blue CMP pipe replacement and mauling on Martinez Road totaling \$75,000 each. New RAC projects are being submitted for the upcoming year.
- The Emergency projects on 7 sites on the Upper Blue Road were completed. The project was a result of major flooding on Turkey Creek after the Wallow Fire that washed out the roadway. The emergency project totaled \$484,880.82 with the state share at \$363,660.63.
- The installation of wash bays at the landfill and the fleet shop will begin. The wash bays are a requirement of the Stormwater Pollution Prevention Plan required by the Arizona Department of Environmental Quality.
- He explained the life cycle costs of equipment and vehicles stating that there is proven cost savings using the scheduled replacement of equipment and vehicles as have been done over the past several years.

Chairman Lunt stated that the cost savings is also reflected in employees taking more pride when using equipment making them happier and more productive.

Mr. Pearson requested approval to purchase the following equipment:

1. One (1) Caterpillar 950K Loader to be paid with budgeted Landfill Funds
2. One (1) Caterpillar 140M2AWD Motor Grader to be paid with budgeted Road Funds
3. One (1) Caterpillar D8 Dozer to be paid with budgeted Landfill Funds

Upon motion by Supervisor Gomez, seconded by Supervisor Campbell, and carried unanimously, the Board approved the request as presented.

Upon motion by Supervisor Campbell, seconded by Supervisor Gomez, and carried unanimously, the Board approved the request by Mr. Pearson to install a wash bay to meet requirements of the Arizona Department of Environmental Quality and the Stormwater Pollution Protection Plan in an amount not to exceed \$19,920.00 to be paid with budgeted General Funds.

Upon motion by Supervisor Gomez, seconded by Supervisor Campbell, and carried unanimously, the Board approved the request to solicit bids to purchase one (1) new or used sweeper.

Mr. Pearson requested approval to apply for four (4) Forest Resource Advisory Committee (RAC) grants in the amount of \$75,000.00 each. Upon motion by Supervisor Campbell, seconded by Supervisor Gomez, and carried unanimously, the Board approved the request as presented.

Upon motion by Supervisor Gomez, seconded by Supervisor Campbell, and carried unanimously, the Board adopted Resolution 12-08-01 – electing the full payment option of Title 1 of the Secure Rural Schools Community Self-Determination Act Forest Fee Reserve Payment System.

RESOLUTION 12-08-01

A RESOLUTION OF THE BOARD OF SUPERVISORS OF GREENLEE COUNTY, ARIZONA, ELECTING FULL PAYMENT OPTION OF TITLE 1 OF THE SECURE RURAL SCHOOLS COMMUNITY SELF-DETERMINATION ACT FOREST FEE RESERVE PAYMENT SYSTEM.

WHEREAS, Title I of the “Secure Rural Schools Community Self-Determination Act of 2000” offers Greenlee County the opportunity to select either: (a) the traditional 25% Forest Fee Reserve payment system; or (b) selecting the full payment system set forth in Title I of PL110-343; and

WHEREAS, Greenlee County is required to notify the Governor of the State of Arizona of its decision by September 1, 2012; and

BE IT THEREFORE RESOLVED, that the Board of Supervisors of Greenlee County, Arizona, elects the full payment system pursuant to PL110-343 which will be used to fund schools, roads, and forest projects.

ADOPTED this 6th day of August, 2012, by the Greenlee County Board of Supervisors.

APPROVED: /s/ Richard G. Lunt, Chairman

ATTEST: /s/ Yvonne Pearson, Clerk of the Board

Upon motion by Supervisor Campbell, seconded by Supervisor Gomez, and carried unanimously, the Board adopted Resolution 12-08-02 – designating 15% of Forest Fee reserve funding to be allocated to Title II local project.

RESOLUTION 12-08-02

A RESOLUTION OF THE BOARD OF SUPERVISORS OF GREENLEE COUNTY, ARIZONA, DESIGNATING 15% OF FOREST FEE RESERVE FUNDING TO BE ALLOCATED TO TITLE II LOCAL PROJECTS.

WHEREAS, the Board of Supervisors of Greenlee County, Arizona, by resolution, has elected the full payment option pursuant to the provisions outlined in Title I of the “Secure Rural Schools Community Self-Determination Act of 2000” (Act); and

WHEREAS, forest counties having United States National Forests within their boundaries have received Forest Fee Reserve payments for roads and schools under the terms of the Agricultural Reapportionment Act of 1908; and

WHEREAS, these receipts were a regular but cyclical source of revenue for schools and counties during most of the last century; and

WHEREAS, federal land policies during the past decade have shifted away from multiple use land management; and

WHEREAS, Congress has recognized that these policy shifts have negatively impacted local communities and the health of our National Forests; and

WHEREAS, Congress has passed PL110-343-Sec. 601(a), Division C, which seeks to reconnect local communities with decisions made on their national forests and invest in improving the health and safety of US National Forests.

BE IT THEREFORE RESOLVED that Greenlee County, Arizona, has elected to receive Forest Fee Reserve payments under the provisions of PL110-343, and hereby designates 15% of its Forest Fee payments to be allocated to Title II projects under this legislation; and

ADOPTED this 6th day of August, 2012, by the Greenlee County Board of Supervisors.

APPROVED: /s/ Richard G. Lunt, Chairman

ATTEST: /s/ Yvonne Pearson, Clerk of the Board

Upon motion by Supervisor Campbell, seconded by Supervisor Gomez, and carried unanimously, the Board rescinded Resolution 12-05-01 regulating open burning in unincorporated areas of Greenlee County.

RESCINDING RESOLUTION 12-05-01

REGULATING OPEN BURNING IN UNINCORPORATED AREAS OF GREENLEE COUNTY

WHEREAS, ARS 26-307 authorizes counties to make, amend, and rescind orders, rules, and regulations necessary for emergency functions not inconsistent with orders, rules and regulations promulgated by the governor and to suspend any regulation or law in conflict with said county orders, rules and regulations;

WHEREAS, the Greenlee County Board of Supervisors has determined that the risk of manmade fires has subsided such that ongoing prohibition against open fires in the unincorporated areas of the County is no longer required.

IT IS NOW RESOLVED THAT, THE EMERGENCY RESOLUTION RESTRICTING OPEN BURNING IN THE UNINCORPORATED AREAS OF GREENLEE COUNTY DURING DECLARATIONS OF FIRE EMERGENCIES, PURSUANT TO RESOLUTION 12-05-01 IS HEREBY RESCINDED THIS 6TH DAY OF AUGUST, 2012.

/s/ Richard G. Lunt, Chairman

ATTEST: /s/ Yvonne Pearson, Clerk of the Board

Upon motion by Supervisor Gomez, seconded by Supervisor Campbell, and carried unanimously, the Board adopted Proclamation 12-08-05 – Child Support Awareness Month.

PROCLAMATION 12-08-05

CHILD SUPPORT AWARENESS MONTH

WHEREAS, children need responsible parents who are engaged at every stage of their child's development; and

WHEREAS, to be engaged, both parents must be involved in providing for a child's emotional and financial needs, and encourage their interests; and

WHEREAS, Arizona's Centennial reminds us that the State of Arizona was built on family values, including parent engagement; and

WHEREAS, a parent can be actively and successfully engaged with their children regardless of marital status; and

WHEREAS, the Arizona Department of Economic Security, Arizona Attorney General's Office, Administrative Offices of the Court, County Attorneys, local law enforcement agencies, employers, workforce programs, parenting programs, and other stakeholders are dedicated to supporting the efforts of Arizona's parents to encourage engagement with their children; and

WHEREAS, both parent and child benefit when both parents are engaged at every stage.

NOW, THEREFORE, the Greenlee County Board of Supervisors, do hereby proclaim August 2012 as

CHILD SUPPORT AWARENESS MONTH

PASSED, APPROVED AND ADOPTED this 6th day of August, 2012.

/s/ Richard G. Lunt, Chairman

ATTEST: /s/ Yvonne Pearson, Clerk of the Board

Upon motion by Supervisor Gomez, seconded by Supervisor Campbell, and carried unanimously, the Board approved the Consent Agenda as follows:

- A. Clerk of the Board: Approval of minutes to previous meeting: 07/03/12
- B. Clerk of the Board: Approval of expense warrants in excess of \$1,000.000 - 2011/2012 Vouchers 1059; 1060; 1061; 1062; 2012/2013 Vouchers 1000; 1001; 1002; 1003; 1004; 1006
- C. Clerk of the Board: Approval of General Fund loans in the amount of \$112,508.00 to be reimbursed upon receipt of funding: Fund 118 - \$0.16; Fund 145 - \$1,786.65; Fund 146 - \$1,423.46; Fund 150 - \$18,210.52; Fund 154 - \$170.40; Fund 160 - \$4,000.00; Fund 169 - \$1,821.15; Fund 195 - \$4,678.41; Fund 219 - \$27,422.90; Fund 243 - \$3,147.70; Fund 254 - \$25,000.00; Fund 255 - \$24,846.65
- D. County Administrator: Approval to authorize the County Administrator to sign fiscal year 2011 Fester Chapman Audit Engagement Letter
- E. County Assessor: Approval of Payroll Change Notice - D. Reed, Appraiser II
- F. Clerk of the Board: Approval of Payroll Change Notice - S. Ogas, Administrative Assistant
- G. County Recorder: Approval of Payroll Change Notice - S. Cuthbertson, Administrative Assistant
- H. Superior Court Judge: Approval of Payroll Change Notice - C. O'Coyne, Court Administrator/Judicial Assistant
- I. Public Works Manager: Approval of Payroll Change Notice - E. Aguallo, Operations Tech II; Terrie Greenwell, Operations Tech II
- J. County Sheriff: Approval of Payroll Change Notices - D. Rodriguez, Deputy; J. Webb, full time Detention Officer; L. Morales, full time Detention Officer; C. Abril, full time Detention Officer; J. Grindle, part time Detention Officer; T. Lopez, part time Detention Officer; C. Young, part time Control Room Operator
- K. Elections Director: Appointment of Erlinda S. Mahan, Precinct Committeeman, Precinct #7 - York/Sheldon pursuant to Arizona Revised Statutes §16-821
- L. County Engineer: Adoption of Resolution 12-08-03 - authorizing the Arizona Department of Transportation to execute a Joint Project

- Agreement for a pavement preservation project at the Greenlee County Airport
- M. County Administrator: Adoption of Resolution 12-08-04 authorizing the County to execute, issue, sell and deliver the County Revolving Line of Credit Loan Agreement and County Revolving Line of Credit Promissory Note to National Bank of Arizona commencing July 1, 2012 and ending June 30, 2013, in a cumulative aggregate principal amount not to exceed \$1,500,000; approving a form of County Revolving Line of Credit Loan Agreement and County Revolving Line of Credit Promissory Note; and related matters (includes school district credit line)
 - N. County Attorney: Approval of the fiscal year 2012/2013 Award Agreement for Victim's Rights Program Grant
 - O. County Engineer: Approval of payment to Stantec Consulting, Inc. for EA Cost Review in an amount not to exceed \$1,078.00 with budget Airport Grant Funds

Supervisor Gomez reported the following:

- A. He met with Professor Tim Tyrrell of the Arizona State University (ASU) who visited with area stakeholders regarding tourism in Greenlee County. In October, Professor Tyrrell will bring ASU senior students who are enrolled in his tourism program to research Greenlee County. The students will produce a brochure promoting tourism in Greenlee County based on their research that will be printed in December.
- B. He attended the Greenlee County Tourism Council meeting and gave credit to Becky Nutt for organizing the group. He stated that this was the first meeting of the group and that officers were elected as follows: Gail Hackney, Chairman and Philip Ronnerud, Secretary.
- C. He attended the National Association of Counties conference where Sandra Day O'Connor gave a presentation promoting the iCivic Website. He attended the Transportation Steering Committee where discussion took place regarding the re-authorization of the transportation plan. He attended other meetings where discussion took place regarding Payment in Lieu of Taxes (PILT) and Secure Rural Schools/Forest Fee appropriation.

Chairman Lunt reported the following:

- A. He attended the Arizona/New Mexico Coalition of Counties & Arizona Cattle Growers meeting where discussion took place regarding which law suits the litigation funds should be used on including the uplisting of the Spikedace Minnow, the wolf law suit in New Mexico and the Tombstone water suit.

B. He attended the Economic Environmental Counties Organization meeting which consists of the 5 eastern counties which have been in the same legislative district. With the recent redistricting the counties are now in 4 different legislative districts. Legislative priorities were discussed.

C. He attended the Bureau of Land Management Resource Advisory Committee meeting which consists of 15 members. The National Landscape Conservation System was discussed where concerns were expressed that this is a way to take away more land.

D. The staff of the Arizona Association of Counties Organization visited Greenlee County and reviewed the progress of the Association during the last legislative session. 87% of the issues brought before the legislature were put through.

Upon motion by Supervisor Gomez, seconded by Supervisor Campbell, and carried unanimously, the Board convened into Executive Session pursuant to Arizona Revised Statutes §38-431.03.A.3 and 38-431.03.A.4 – legal advice and direction for negotiation Devaney versus Greenlee County.

The Board reconvened into regular session.

There being no further business to come before the Board of Supervisor, the meeting was adjourned at 1:00 p.m.

APPROVED: /s/ Richard G. Lunt, Chairman

ATTEST: /s/ Yvonne Pearson
Clerk of the Board