

GREENLEE COUNTY BOARD OF SUPERVISORS
CLIFTON, ARIZONA

October 20, 2015

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: David Gomez, Chairman; Ron Campbell, Member; and Robert Corbell, Member. Also present were Deborah K. Gale, County Administrator, Derek Rapier, County Rapier, and Yvonne Pearson, Clerk of the Board.

Chairman Gomez called the meeting to order at 8:30 a.m. and Representative Mark Finchem led those present in the Pledge of Allegiance.

Billy Waters, Mayor, Town of Duncan, responded to the Call to the Public and invited the Board and those present to the Rock 'n Roll Car Show event he has coordinated at the Fairgrounds on Saturday, October 31st. He stated that his vision is to have this car show event annually at the Fairgrounds. He also stated that the Sheriff's office is having problems accessing computer programs they need at the Sheriff's sub-station at the Town Hall. Ms. Gale stated that she will address the issue.

Daniel Cervantez, Clifton resident, responded to the Call to the Public and stated that the Health Department is preparing the meal at the Senior Center today – an example of Greenlee County caring for seniors. He also stated that he went on a mine tour of the Freeport McMoRan mine and was amazed at the size.

The Board of Supervisors convened as the Board of Directors of the Greenlee County Public Health Services District and upon motion by Supervisor Campbell, seconded by Supervisor Corbell, and carried unanimously, the Board approved the Public Health Services District Consent Agenda as follows:

1. Clerk of the Board: Approval of Public Health Services District expense warrants in excess of \$1,000.00
2. Health and County Services Director: Approval of the Women Infant Children Contract with the Arizona Department of Health Services.

Representative Finchem gave a presentation of "Equal Footing" Class Action Litigation/Economic Impact Study/and Supporting Exemplars for the Board of Supervisors consideration and review. He stated that the "equal footing" civil litigation has been launched by a number of counties in Arizona, Utah, Idaho and Montana. He believes that some individual federal officials and conservation groups work to preserve the land and its resources, eco-extortionists use the Equal Access to Justice statute, and massive special interest contributions to drive their \$7 billion civil suit industry using taxpayer dollars to wreak havoc on local decision making and thwart the attempts by state to protect natural resources. He stated that 25 counties have pledged \$5,000 to support the civil lawsuit which will move forward with 50 counties pledging but 100 counties is preferred with committed private donors matching funds. The Board and the

County Attorney asked questions with Supervisors Gomez and Campbell stating that they just received information last week on Thursday and have not had enough time to review completely. They thanked Representative Finchem for coming.

Upon motion by Supervisor Campbell, seconded by Supervisor Corbell, and carried unanimously, the Board tabled the request of a Letter of Support to the Board of Commissioners of Idaho county, Idaho, for the filing of a lawsuit against the United States Department of Agriculture (United States Forest Service) and United States Department of the Interior (BLM) on Behalf of counties throughout the West and funding support in the amount of \$5,000 not to be paid out until a minimum of 100 additional Letters of Support have been obtained by Idaho County, and scheduled a work session to further discuss this issue at the November 23rd meeting.

Steve Eady, Executive Director, Gila Watershed Partnership, updated the Board on the salt cedar eradication project the organization is implementing in Greenlee County. He stated that this is the Upper Gila River Restoration project and that they have received a permit from the Bureau of Reclamation to cut 50 acres. The area will be restored with native cottonwoods and willows, grasses and other native plants. Chairman Gomez asked if an evaluation of the San Francisco River can be done. Mr. Eady explained that Stillwaters Sciences from Colorado do the evaluations and that the San Francisco River is scheduled soon. The first of two restrooms will be installed on the San Francisco River and completed by November 6th with installation of the second restroom to begin right away. The Board thanked Mr. Eady for the information.

Ákos Kovach, Economic Development Coordinator, updated the Board on the following:

- The Dollar General store has signed final paperwork and will begin building the new store with estimated completion in time for Christmas gift shoppers.
- A new low efficiency apartment building broke ground on October 16th and is located near the laundromat on Coronado Boulevard in Clifton.
- The American Legion will host a Poker Run event on October 24th with the run beginning at the American Legion in Clifton and run through Mule Creek to Silver City, Lordsburg, Duncan and back to Clifton.
- A Harvest Festival will be held at the Fairgrounds and will include a car show, chili cook-off and other events.
- The annual Colors of Copper Art & Wine Festival will take place November 7th & 8th with International artists entering their artwork.

Ms. Gale added that she attended a El Moro Foundation meeting on Sunday in Benson where details of a proposed news release regarding El Moro racing was presented. Ms. Gale expressed concerns over the inclusion of statements about the Greenlee County race track and the "Duncan Hopefuls". The Board directed Ms. Gale to contact the El Moro Foundation to have them make adjustments to the news media to better reflect Greenlee County's intention for future horse racing. Ms. Gale stated that other budgeted

projects need to be reviewed to make realistic decisions with the resources that are available. The Board directed Ms. Gale to offer to pay for the blankets given for the "Duncan Hopefuls" race that will take place in Graham County in the spring.

Tony Hines, Assistant Public Works Manager, requested approval to solicit bids for materials required for the Airport Drainage project. Upon motion by Supervisor Campbell, seconded by Supervisor Corbell, and carried unanimously, the Board approved the request as presented.

Upon motion by Supervisor Corbell, 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 meetings – 09/23/15; 10/06/15
- B. Clerk of the Board: Approval of expense warrants in excess of \$1,000.00 – Voucher 1034; 1035; 1036; 1038
- C. Chief Finance Officer: Approval of General Fund loans in the amount of \$132,809.48 to be reimbursed upon receipt of funds: Fund 139 - \$2,318.00; Fund 146 - \$1,207.60; Fund 159 - \$71.55; Fund 169 - \$215.02; Fund 195 - \$521.76; Fund 222 - \$6,523.28; Fund 243 - \$43,703.43; Fund 800 - \$78,248.84
- D. County Administrator: Adoption of Resolution 15-10-01 – Designating a Competency Restoration Program Pursuant to Arizona Revised Statute 13-4512(A) and ratification of the Intergovernmental Agreement with Yavapai County for Restoration to Competency Services dated October 8, 2015, signed by the County Administrator of behalf of the Chairman. See Resolution at end of these minutes.
- E. Public Works Manager: Approval of Employee Transaction Forms: D. Soohy – FT Landfill Attendant; C. Chaires – PT Landfill Attendant
- F. Superior Court Judge: Approval of Contract for Provision of Indigent Representation 2015-2016 for attorney, Alison Stavris
- G. IT Manager: Approval to purchase a replacement/upgrade Barracuda Backup hardware and software for network data backups

Supervisor Corbell reported the following:

- A. He attended the Gila Watershed Partnership meeting where a presentation was given regarding the history of canals in the Safford area. He stated it was very interesting and informative.
- B. He attended the Duncan Council meeting where discussion took place regarding computers not working at the Sheriff's sub-station. Ms. Gale commented that the problem is due to the network speed. The IT Manager has a meeting scheduled for Wednesday regarding this issue and that the County may need to purchase more bandwidth.

Chairman Gomez reported the following:

- A. He attended the County Supervisor Association Legislative Summit in Lake Havasu that was hosted by Mohave County where the several legislative issues submitted by counties were reviewed. The organization voted on 24 proposals where 18 were voted to support, 4 failed, and 2 were removed.

There being no further business to come before the Board of Supervisors, the meeting was adjourned at 11:05 a.m.

APPROVED: /s/ David Gomez, Chairman

ATTEST: /s/ Yvonne Pearson
Clerk of the Board

RESOLUTION 15-10-01

RESOLUTION OF THE GREENLEE COUNTY BOARD OF SUPERVISORS TO DESIGNATE A COMPETENCY RESTORATION PROGRAM PURSUANT TO A.R.S. §13-4512(A)

WHEREAS, Greenlee County is fiscally responsible for in-custody services to restore criminal defendants to competency to stand trial; and

WHEREAS, pursuant to A.R.S. §13-4512(A) the Greenlee County Board of Supervisors is authorized to designate a competency restoration treatment program for Greenlee County criminal defendants in need of restoration treatment; and

WHEREAS, pursuant to A.R.S. §13-4512(C) the Greenlee County Board of Supervisors may enter into contracts with in-custody competency restoration treatment providers; and

WHEREAS, Yavapai County, Arizona has developed a competency restoration program ("Yavapai County RTC") that has been designated by the Yavapai County Board of Supervisors as the Yavapai County competency restoration program pursuant to A.R.S. §13-4512(A); and

WHEREAS, the Greenlee County Board of Supervisors has, pursuant to A.R.S. §13-4512(C), considered and approved an inter-governmental agreement with Yavapai County, Arizona wherein Yavapai County RTC will provide competency restoration treatment for Greenlee County criminal defendants; and

NOW THEREFORE, BE IT RESOLVED that the Greenlee County Board of Supervisors hereby designates Yavapai County RTC as an acceptable Greenlee county competency restoration program, effective October 8, 2015.

PASSED AND ADOPTED THIS 20th day of November, 2015.

GREENLEE COUNTY BOARD OF SUPERVISORS
/s/ David Gomez, Chairman

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

APPROVED AS TO FORM: /s/ Derek Rapier, County Attorney