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BOARD OF SUPERVISORS
P.O. BOX 908
253 5TH STREET
CLIFTON, AZ 85533

DAVID GOMEZ
District 1

RON CAMPBELL
District 2

RICHARD LUNT
District 3

MEETING NOTICE and AGENDA
Pursuant to Arizona Revised Statutes §38-431, et. seq.
and amendments thereto, the
GREENLEE COUNTY BOARD OF SUPERVISORS
also sitting as Board of Directors for
GREENLEE COUNTY PUBLIC HEALTH SERVICES DISTRICT
and
GREENLEE COUNTY FLOOD CONTROL DISTRICT

hereby gives notice that a
Regular Meeting
will be held on Tuesday, November 16, 2021 – 8:00 a.m.
Zoom Video Conferencing. To join the meeting enter the following URL into your
browser:

Join Zoom Meeting

<https://us02web.zoom.us/j/86959943952?pwd=WkJKdjRzemhTdENXZjJ6UVdUYm8rZz09>

Meeting ID: 869 5994 3952

Passcode: 174544

**Board of Supervisors Meeting Room, 2nd floor Courthouse Annex, 253 5th Street,
Clifton, Arizona**

AGENDA

1.) Call to Order

Chairman Richard Lunt called the meeting to order at 8:00 a.m.

A. Pledge of Allegiance

Supervisor Campbell led those present in the pledge.

B. Call to the Public

Taylor Rogers, Outreach and Constituent Services Representative for Senator Mark Kelly responded to Call to the Public to introduce herself and to explain her role with the Senator's office and to invite the county to contact her if there are issues that the Senator can address.

Daniel Cervantez, Clifton, responded to the call to the public, and presented

the Clifton Senior Citizens Center menu for November.

- 2.) **PUBLIC HEALTH SERVICES DISTRICT – the Board of Supervisors will convene as the Board of Directors of the Greenlee County Public Health Services District and will reconvene as the Board of Supervisors following consideration of these items:**

A. Consent Agenda

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

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

- 3.) **Tony Hines, Public Works Fleet Manager**
A. Discussion/Action regarding approval for service contract for Empire Equipment.

Mr. Hines presented the proposed service contract with Empire and explained that this contract is a normal two-year continuation of a long standing relationship the County has had with Empire. He noted that the prices in this contract are up 2% to 6% for various services over the previous contract and recommends that the Board enter into the agreement.

Supervisor Campbell also noted the length of the relationship and that it has been very valuable to the County in that our equipment is always in top condition and potential problems can be diagnosed early.

Supervisor Gomez observed that with this service contract the County's trade-in value is always very high.

Upon motion by Supervisor Gomez, seconded by Supervisor Campbell, and carried unanimously, the Board approved the service contract for Empire Equipment as presented.

- 3.) **Rene Ontiveros, Chief Finance Officer & Derek Rapier, County Administrator**
A. Discussion/Action regarding approval to increase County credit card by \$5,000.00 for County expenses

Mr. Ontiveros explained that the additional credit limit increase is to accommodate the county librarian and that this will not be an additional account but just an increase in the credit limit.

Mr. Rapier explained that county librarian obtains several grants that must be

expended within the year the grant is given. She has had difficulties making timely purchases through the normal P.O. process as many of the items she needs to purchase with grant funds are available from P.O. vendors. This additional credit capacity will allow her to make her grant fund purchases and not interfere with the other everyday uses of the credit card account.

Supervisor Gomez asked if the purchases made with the additional credit limit would be paid from grant funds and that was confirmed by Mr. Ontiveros.

Mr. Ontiveros recommended that the Board approve the increased credit limit.

Upon motion by Supervisor Campbell, seconded by Supervisor Gomez, and carried unanimously, the Board approved the requested increase in the county credit card limit by \$5,000 for County expenses.

B. Discussion/Action regarding approval to open a checking account with National Bank of Arizona for Point & Pay system for County departments.

Mr. Ontiveros explained that with more and more county customers wanting to use credit and debit cards to pay for county services, the recorder's office has asked that an account be approved to accommodate these transactions. Mr. Rapier explained that this account would be able to be used by other offices and departments as they also get set up to receive credit and debit payments, however, because of the nature of the funds that are kept by the treasurer and the courts, these accounts cannot be comingled with the proposed account for point of sale transactions.

Chairman Lunt how frequently money collected through point of sale transactions would be transferred to the general fund. Mr. Ontiveros explained that until the county gets a better feel for the frequency of transactions, the transfer would likely be once a month but could be done more frequently if necessary, even as often as daily. Mr. Lunt recommended more frequent transfers.

Supervisor Gomez asked about fees charged for this service and if this service is currently available to pay property taxes. Mr. Rapier explained that the companies that offer the service charge the customer a convenience fee but the county does not pay a fee for the service. It is also believed that point of sale transactions are currently available at the treasurer's office to pay property taxes.

Mr. Ontiveros recommended that the Board approve the new account.

Upon motion by Supervisor Gomez, seconded by Supervisor Campbell, and carried unanimously, the Board approved opening a new account for point of sale transactions as presented.

5.) **Derek Rapier, County Administrator & Jeremy Ford, County Attorney**
A. INFORMATION ONLY: Update on Federal Vaccine Mandate and it's possible application to Greenlee County.

Jean Schwenessen addressed the Board and expressed her opposition to a mandate or a requirement to disclose whether or not someone has been vaccinated. She explained that in such a circumstance, she would leave her position with the county before complying with a mandate to disclose.

Mr. Ford addressed the current state of the OSHA vaccine mandate explaining that the mandate has been stayed by the Federal 5th Circuit Court of Appeals. However, since similar lawsuits have been filed in several circuits a lottery will be held to determine with appeals court will handle the case. He also explained the relationship between the Arizona Industrial Commission and OSHA and that currently, the Industrial Commission establishes rules for workplace safety in Arizona and not OSHA. However, that relationship is strained right now and it is possible that the agreement between the federal agency and the state could be terminated. He also told the Board that the Arizona Attorney General has asked the Industrial Commission to not allow any vaccine mandate in Arizona and has asked the Governor to convene a special session of the legislature to pass certain laws that the Arizona Supreme Court has ruled were passed unconstitutionally. Because of the wide uncertainty about whether the new federal rule is constitutional and whether it applies to Greenlee County, Mr. Ford explained that we have some time to decide what policies we will be required to implement and that the County should take a wait and see approach as the case is sorted out.

Mr. Rapier addressed some of the policy implications of the federal regulation explaining that such a requirement would have an impact on the county's ability to retain our workforce and may have implications to our merit system. Additionally, he has been weighing potential negative financial incentives from Arizona for adopting a vaccine mandate or from the Federal Government if the county does not adopt a mandate. Staff will be monitoring the situation daily as some of the timelines are very short and if the Court lifts the stay, the County may have to act quickly.

6.) **Derek Rapier, County Administrator**
A. County and State budget and legislative issues.

Mr. Rapier discussed the many legislators that are resigning or running for higher office and the effect such changes may have on upcoming legislation, the state

budget and the time frame for how long the legislative session may go. He also pointed out that many of the current leaders in the legislature will not be running for re-election and that other incumbents may have to run against each other because of redistricting. Mr. Rapier then gave a brief overview of the Bipartisan Infrastructure Bill and the possible investments that could be made in Greenlee County.

B. Calendar and Events

Calendar and events were discussed.

7.) Consent Agenda

A. Clerk of the Board: Consideration of approval of minutes to previous meetings: 11/03/2021

B. Clerk of the Board: Consideration of approval of expense warrants in excess of \$1,000.00 – Voucher 5012; 5013; 5014

C. Chief Finance Officer: Consideration of approval of General Fund loans in the amount of \$28,541.97 to be reimbursed upon receipt of funds: Fund 133 - \$1,000.00; Fund 146 - \$398.72; Fund 159 – \$309.61; Fund 169 - \$6,208.46; Fund 271 - \$167.50; Fund 289 - \$13,584.34; Fund 290 - \$6,873.34

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

8.) Supervisor Reports (Pursuant to A.R.S. §38-431.02(K), individual supervisors may present brief summaries of current events, but no discussion may occur, and no action may be taken regarding anything that is presented)

Chairman Lunt reported on the annual Arizona Association of Counties conference that was held in Phoenix the previous week. There were presentations on recognizing bias, economic forecast and keynote speaker that was present in the bunker during the 9-11 and meetings specific to each affiliate group. The conference was well attended and had good content for all participants.

Supervisor Campbell gave a report on the 5th Annual Cody Denogean Suicide Awareness Walk held on November 6th. He thanked the many sponsoring groups and individuals who helped with the walk and expressed his gratitude for the many donations that will be used to fund scholarships for students from both Morenci and Duncan schools.

9.) Adjournment

There being no further business to come before the Board of Supervisors, the meeting was adjourned at 9:20 a.m.

All agenda items are for discussion and/or action as deemed necessary. The Board reserves the right to consider any matter out of order. The Board may retire into Executive Session for any of the purposes that are allowed by law, including but not limited to legal advice and/or personnel matters; as authorized by A.R.S. §38-431.et.seq. Persons with a disability may request accommodation for special assistance by contacting Bianca Figueroa at 928-865-2072 (TDD 928-865-2632). Requests should be made as soon as possible to allow time for arrangement of the accommodation.