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BOARD OF SUPERVISORS
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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 **Wednesday, July 26 2023 – 8:00 a.m.**

Audio/Visual Streaming of this meeting may be found at:

<https://www.youtube.com/@GreenleeCountyAZ>

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

AGENDA AND MINUTES

In attendance: Board of Supervisors members: Richard Lunt, Chairman, David Gomez, Member, and Ron Campbell, Member. Also present were Gary Griffith, Deputy County Attorney, Derek Rapier, County Administrator, Austin Adams, HR Director, and Laura Garcia, Administrative Assistant for Board of Supervisors

1.) Call to Order

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

A. Pledge of Allegiance

Supervisor Gomez led those present in the pledge.

B. Call to the Public

Mr. Cervantes, a Clifton resident, responded to a call to the public and discussed the start of the school year and the need to watch out for the children. He thanked the Health Department for giving out 100 backpacks and commented on an article about a helicopter being placed at Mares Bluff.

Tim Sumner, Greenlee County Sheriff, responded to a call to the public. He also discussed the start of school and the need to pay attention to the kids for safety. He noted that the YouTube broadcast for the meeting had the wrong date. He further stated that some of the public records contact information on the county website was inaccurate. Lastly, Mr. Sumner complained about the Fleet Dept. and wiring issues which he believed were not appropriate.

The meeting date for the Board meeting was corrected as Mr. Sumner was speaking. The Board directed staff to address public record contact information on the website and Mr. Rapier indicated that he nor staff had been alerted to any specific errors, but that they would research the issue and see that any errors are corrected.

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.) FLOOD CONTROL DISTRICT – the Board of Supervisors will convene as the Board of Directors of the Greenlee County Flood Control 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 Flood Control 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 Flood Control District Consent Agenda as presented.

4.) Derek Rapier, County Administrator

A. Discussion/Consideration of approval to change the August 8, 2023 regular Board of Supervisor’s meeting to August 10, 2023.

Mr. Rapier discussed the timeline required by law to adopt tax rates after the required public meeting on the proposed final budget. Because the statute requires 14 days between the public hearing and tax rate adoption and that tax rates must be adopted no later than the second Monday of August, the first meeting

in August needed to be reset to no earlier than August 9th and no later than August 14. Mr. Rapier recommended to the Board that the meeting be set on August 10th.

Upon motion by Supervisor Campbell seconded by Supervisor Gomez and carried unanimously, the Board directed to move the August 8th Board Meeting to August 10, 2023 at 8 AM.

5.) Greenlee County Fiscal Year 2023/2024 Final Budget
A. Presentation of the FY 23-24 Final Budget

Mr. Rapier presented the final budget and explained the principles it is built on. He explained some minor adjustments from the Tentative Budget, tax rates, net assessed value, changes in the way some purchases will be made, wage increases, the effects of inflation on the budget and structural costs savings that will allow the county to live within the proposed final budget. He recommended adoption of the final budget as presented.

6.) PUBLIC HEARING – pursuant of ARS §41-17104 – FY 2023-24 Budget

Upon motion by Supervisor Campbell to adjourn into Public Hearing pursuant of §41-17104 for the Fiscal Year 2023-2024 Budget seconded by Supervisor Gomez and carried unanimously.

Tim Sumner, Greenlee County Sheriff spoke during the public hearing and pointed out a discrepancy in Schedules E & F. Mr. Rapier explained the discrepancy and indicated how the error would be addressed. Mr. Sumner also asked for explanations of the funding of his lawsuit against the Board. Mr. Rapier explained the budgeted funds to pay for the lawsuit and reminded the Board that the taxpayers are paying for both sides of the litigation.

Daniel Cervantes spoke in the public hearing asking about the ongoing litigation noting that residents have had questions about this. He asked if a School Resource Officer had been hired for Morenci Schools and asked about where the funds for the backpacks he mentioned earlier had come from.

Mark Crandall, Greenlee County Chief Deputy Sheriff, also spoke and again pointed out the budget discrepancy that was previously mentioned by Mr. Sumner.

Having heard from all who wished to speak, Chairman Lunt closed the Public Hearing.

7.) Discussion/Action regarding adoption of FY 2023-2024 Greenlee County Final Budget, including tax rates for Greenlee County, and budgets and tax rates for Public Health Services District, the Flood Control District, the

adoption of the Resolution of the Final Greenlee County Budget, adoption of the Capital Improvement Plan, the Fund Balance Policy and the Public Safety Personnel Retirement System Pension Funding Policy for Fiscal Year 2023-2024 pursuant to ARS §41-17105

Tim Sumner, Greenlee County Sheriff requested to speak and lectured the Board regarding the language of the proposed motions in the meeting packet, indicating that they are not in compliance with Robert's Rules of Order.

The County Administrator first reminded the Board that Robert's Rules of Order do not apply in the Board's meetings as the Board has never adopted them. He did recommend that the following phrase be added to the proposed motion regarding the final budget: "And we direct that County Administration correct the errors on Schedule F to be consistent with Schedule E of the final budget."

Chairman Lunt expressed appreciation for all who helped put this year's budget together and for the scrutiny to help find the errors so they could be addressed as it is the Boards desire to be accurate and correct.

Upon motion by Supervisor Campbell to set the FY 2023-2024 Primary Property Tax Rates for Greenlee County at \$0.8118 per \$100.00 of the assessed value, seconded by Supervisor Gomez and carried unanimously, motion passes.

Upon motion by Supervisor Campbell to set the FY 2023-2024 Public Health Services District Tax Lien at \$0.2500 per \$100.00 of assessed value, seconded by Supervisor Gomez and carried unanimously, motion passes.

Upon motion by Supervisor Campbell to set the FY 2023-2024 Flood Control District Tax Rate at \$0.1876 per \$100.00 of assessed value, seconded by Supervisor Gomez and carried unanimously, motion passes.

Upon motion by Supervisor Campbell pursuant to ARS §41-17105 to adopt the 2023-2024 Greenlee County Budget as follows: To adopt the General Fund in the amount of \$17,947,378 and the total budget in the amount of \$34,545,354. This includes the Flood Control Budget in the amount of \$567,889 and the Public Health District Services Budget in the amount of \$2,687,256. This motion includes the Tax Rates set forth on Schedule B, For the General Fund the Flood Control District, and the Public Health Services District. This motion includes the passage of the Resolution for the Adoption of the Final Budget for FY 2023-2024, the passage of the Resolution of the Board of Directors of Greenlee County Public Health Service District regarding the FY 2023-2024 Tax Levees Rate, the adoption of the Capital Improvement Plan, the Fund Balance Policy, and the Public Safety Personnel Retirement System Pension Funding Policy; and we direct the County Administrator to make corrections to Schedule F to match Schedule E as discussed, seconded by Supervisor Gomez and carried unanimously, motion passes.

8.) Matthew Narter, ADEQ Community Liaison
A. Presentation on Per- and Polyfluorinated Substances (PFAS) update and related components

Matt Narter is a Hydrogeologist for ADEQ. He presented a PowerPoint presentation regarding new proposed federal regulations for PFAS chemicals and the effect these regulations may have on Arizona drinking water providers. ADEQ will conduct testing on systems which are affected by the new regulations.

9.) Karen Soohy, County Librarian
A. Greenlee County Library System Annual Update

Karen Soohy, Greenlee County Librarian gave her annual presentation on the county library system. She told about the grants the library has received and how those funds have been used to provide services to Greenlee County residents, especially children, and the innovative ways the library system is using to increase participation and engagement.

Chairman Lunt thanked her for all her tireless efforts & successful endeavors.

10.) Joann Cathcart, Assessor
A. Presentation on Project C.A.R.E

Ms. Cathcart explained that Project CARE (Community Awareness(tax) Relief Effort) is a program to increase awareness of property tax exemptions and other tax relief for disabled veterans, the newly widowed, disabled property owners, and senior citizens designed to help reduce the tax burden and assist property owners when they are at their vulnerable points in their lives. The Assessor's Office is using social media and flyers to increase awareness of these programs and have seen a 200% increase in inquiries regarding these tax relief programs. She praised her staff and their efforts to help, people especially those who can't get around. She also asked that others help raise awareness as well.

The Board expressed their appreciation for Ms. Cathcart's positive efforts.

11.) Steve Ahmann, Greenlee County Tourism Council
A. Discussion/Possible action regarding financial support on the development of the San Francisco River Revitalization Plan

Mr. Ahmann was not available to present so County Administrator Rapier read a letter from Steve Ahmann on behalf of the Greenlee County Tourism Council requesting funds to help pay for a Landscape Architect to design the proposed San Francisco River improvement project. Mr. Rapier reminded the Board that this requested funding was provided for in the FY24 budget

Upon motion by Supervisor Gomez to approve the action regarding the financial support on the development of the San Francisco River Revitalization Plan for \$20,000, seconded by Supervisor Campbell and carried unanimously, the motion passed.

Chairman Lunt temporarily recessed the meeting at 8:55 AM

Chairman Lunt called the meeting back to order at 9:05 AM

12.) Tony Hines, Public Works Manager – Fleet/Facilities

A. Discussion/Consideration of approval to solicit bids for (1) one used 45-foot manlift

Tony Hines, Public Works Manager explained how a manlift would be used at the fairgrounds, so they won't have to rent one anymore. This will be a used piece of equipment possibly from Empire, United Rentals or another used equipment source have. He requested permission to solicit bids.

Upon motion by Supervisor Gomez to approve to solicit bids for one used 45-foot manlift as presented, seconded by Supervisor Campbell and carried unanimously, motion passes.

B. Discussion/Consideration of approval to lease (4) PPV SUV's, (2) ¾ ton 4x4 ext. Cab Pick-ups, (2) Mid-Size SUV's, and (1) ½ ton 4x4 Pickup from Enterprise Fleet Management

Tim Sumner requested to speak to tell the Board that the proposal from the Fleet Department was wrong and express his belief that requests for vehicles for the sheriff's office have to come from the sheriff. He accused the Board and Fleet of usurping his authority. He wanted to have a meeting with county administration, the Board, or Fleet to discuss what he believes his vehicle needs are.

Tony Hines, Fleet Manager, explained the proposal to acquire (4) PPV SUV's 4x4, (2) ¾ Ton 4x4 ext. Cab Pick-ups, (2) Mid-Size SUV's, and (1) ½ ton 4x4 Pickup from Enterprise Fleet Management.

Chairman Lunt asked why the request was to lease instead of purchase. Mr. Hines corrected his statement by stating that he was asking for permission to lease, but the county could either lease or purchase by going out for bid if that is what the Board preferred. He explained that we won't have a clear picture of the return on investment on using Enterprise until the five-year lease period is finished. Mr. Rapier also stated that the county started using Enterprise Fleet during the pandemic because it was difficult to find cars to purchase, but it appears circumstances are changing.

Supervisor Campbell stated that he'd prefer we go out for bids and compare with lease options before deciding. Supervisor Gomez agreed. Mr. Hines did indicate that it appears the bid process seems to be returning to normal.

Upon motion by Supervisor Campbell and seconded by Supervisor Gomez, and passed unanimously, the Board tabled agenda item 12B to allow all purchasing options to be evaluated.

C. Discussion/Consideration of approval to purchase (1) MF5711D Tractor from Empire for the Fairgrounds using the OMNIA purchasing contract.

Tony Hines, Public Works Manager explained this tractor would be used to replace a worn-out tractor at the fairgrounds. Supervisor Campbell asked for the anticipated cost of the new tractor. Mr. Hines explained that the final cost would be \$49,475 after a \$40,000 for trade credit on the old tractor.

Upon motion by Supervisor Gomez to approve the purchase of (1) MF5711D Tractor from Empire for the Fairgrounds using the OMNIA purchasing contract for \$49,475 with a trade-in credit of \$40,000, seconded by Supervisor Campbell and carried unanimously, motion passes.

D. Discussion/Consideration of approval to purchase (1) 950M Loader from Empire for the Landfill using the OMNIA Purchasing Contract

Tony Hines, Public Works Manager explained that this equipment will be used at the Landfill. The total cost for this purchase would be \$304,432 after the \$118,000 trade-in. Chairman Lunt asked about the life expectancy of the equipment, and Mr. Hines responded 5-7 yrs.

Upon motion by Supervisor Gomez to approve the purchase of (1) 950M Loader from Empire for the Landfill using the OMNIA Purchasing Contract for \$304,432 with a trade-in of \$118,000, seconded by Supervisor Campbell and carried unanimously, motion passes.

E. Discussion/Consideration of approval to purchase (1) 440 Backhoe, (1) D3 Dozer, (1) 930M Loader from Empire for the Roads Department using the OMNIA Purchasing Contract

Tony Hines, Public Works Manager asked for approval to purchase (1) 440 Backhoe, (1) D3 Dozer, (1) 930M Loader from Empire for the Roads Department using the OMNIA Purchasing Contract. The total cost for the Backhoe would be \$199,157 with no trade-in. The cost of the Dozer is \$137,071 after an \$88,200 trade-in. The cost of the Loader is \$146,365 after a \$152,000 trade-in.

Upon motion by Supervisor Gomez to approve the purchase of Upon motion by Supervisor Gomez to approve the purchase of (1) 440 Backhoe for \$199,157 with no trade-in, (1) D3 Dozer for \$137,071 after an \$88,200 trade-in, (1) 930M Loader at a price tag of \$146,365 after a \$152,000 trade-in as presented, seconded by Supervisor Campbell, and carried unanimously, motion passes.

F. Presentation of 22/23 for Public Works

Tony Hines, Fleet Manager gave a presentation on the Grounds and Maintenance projects completed and still in process for FY 2022-2023.

13.) Scott Adams, County Attorney

A. Discussion/Action regarding proposed appointment of Gary Griffith as Greenlee County Attorney upon Mr. Adam's resignation effective at close of business, July 31, 2023.

Derek Rapier, County Administrator stated that Mr. Adams tendered his resignation at the last meeting effective July 31, 2023. He has decided it's best to take another job. He has recommended Gary Griffith take his place. Mr. Griffith has relocated to Duncan and is living there. Mr. Rapier also gave his recommendation that Mr. Griffith be appointed.

Upon motion by Supervisor Campbell to appoint Gary Griffith as Greenlee County Attorney upon Mr. Adam's resignation effective at close of business, July 31, 2023, seconded by Supervisor Gomez and carried unanimously, motion passes.

14.) Reed Larson, County Engineer

A. Discussion/Consideration of approval to purchase survey equipment and materials for NSS CORS Base from Alterra Central with budgeted ARPA funds

Derek Rapier County Administrator presented on behalf of Reed Larson, County Engineer. This request is to purchase the primary component of the proposed Permanent GPS Base ARPA project to enhance surveying capabilities in Greenlee County. Because the company who makes this product strictly controls its sales areas, this purchase will be under the "sole source" provision of the purchasing policy.

Upon motion by Supervisor Campbell to approve the purchase survey equipment and materials for NSS CORS Base from Alterra Central with budgeted ARPA funds not to exceed the amount of \$32,312.94, seconded by Supervisor Gomez and carried unanimously, motion passes.

15.) Austin Adams, HR Director

A. Presentation/Consideration of approval of Salary Scale

Mark Crandell, Greenlee County Chief Deputy Sheriff requested to speak to comment on changes he thought would be appropriate for the Sheriff's Office.

Tim Sumner, Greenlee County Sheriff, thanked Austin Adams and others for their work on the salary scale but complained about being limited to three minutes for comments. He highlighted what he believed were pay inequities in positions around the county.

Austin Adams, HR Director, gave a presentation titled Salary Development and the duties of the Board in setting salaries for all county employees. He explained that the compensation strategy is market based and evaluates positions on relevant similar positions in other small counties and in some cases with the private sector. The proposed scale is based on objective data. He also commented that the salary scale is a living document that will change over time in response to changing market conditions.

Mr. Rapier thanked Mr. Adams for bringing objectivity to this process and setting a standard for the type of information that should be considered going forward.

Upon motion by Supervisor Campbell to approve the Salary Scale as presented, seconded by Supervisor Gomez and carried unanimously, motion passes.

B. Discussion/Consideration of approval regarding Economic Development

Tim Sumner, Greenlee County Sheriff, expressed his concern that this item was not properly noticed on the agenda.

Gary Griffith, Standing County Attorney, asked if the Board wanted to table this item and Austin Adams, HR Director, gave a brief explanation of why this item was on the agenda.

Chairman Lunt decided to withdraw the Discussion/Consideration of approval regarding Economic Development

16.) Derek Rapier, County Administrator

A. County and State budget and legislative issues

Mr. Rapier explained he had nothing new to share.

B. Calendar and Events

Mr. Rapier went over the Calendar. Board members noted that the annual Cattle Growers meeting is August 26 at the South Annex Building and that there will be a WIFA meeting August 16.

17.) Consent Agenda

- A. Clerk of the Board: Consideration of approval of minutes to previous meetings: 7/6/2023**
- B. Clerk of the Board: Consideration of approval of expense warrants in excess of \$1,000.00 – Voucher 6037;6038; 7000;7001**
- C. Clerk of the Board: Consideration of adoption of resolution 23-07-03 a Resolution of the Board of Supervisors of Greenlee County, (the "county") 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 ZB, N.A. dba National Bank of Arizona ("NBAZ") commencing July 1, 2023 and ending June 1, 2024, in a principal amount not to exceed \$3,500,000; approving a form of county revolving line of credit loan agreement and county revolving line of credit promissory note; and related matters.**
- D. County Administrator: Consideration of adoption of resolution 23-07-02 of the Greenlee County Board of Supervisors in recognizing August as Child Support Awareness Month**
- E. County Administrator: Consideration of approval to appoint Extension Advisory Board Members for a two-year term: Steve Ahmann, Dean Lunt, Frank Downs, Sabrina Dumas, Sam Lunt and Tom Powers terms to expire 6/30/2025**
- F. Chief Finance Officer: Consideration of approval of General Fund loans in the amount of \$ 213,771.47 to be reimbursed upon receipt of funds: Fund 159 - \$310.99; Fund 195 - \$213,187.43**
- G. Recorder: Consideration of approval of cost-sharing agreement for the statewide voter registration database between Greenlee County and the office of the Secretary of State**
- H. Assessor: Consideration of approval of Employee Transaction Form:
A. Crandell, Field Appraiser Level 2**
- I. Assessor: Consideration of approval of MOU between Greenlee County and AZ Dept of Administration to work with ADOA for support with Geospatial Support Services**
- J. Superior Court Judge: Consideration of approval for the contract for Provision of Indigent Representation 2023-2024 for attorneys, Ramai Alvarez Carolyn Clark; Daisy Flores; Rebecca Johnson Josi Lopez; and Dennis McCarthy**
- K. Librarian: Consideration of approval to apply for State Grants in Aid (SGIA) funds of \$25,000 from the AZ State Library when money becomes available in the State of Arizona budget.**
- L. Justice of the Peace #1: Consideration of approval for employee transaction form: A. Guerra, Justice Court Clerk**

Upon motion by Supervisor Campbell to approve the Consent as posted with the removal of "17A", seconded by Supervisor Gomez and carried unanimously, motion passes.

- 17A.)** Tim Sumner, Greenlee County Sheriff, criticized what he believed were inaccuracies in the minutes for the July 6, 2023 Board meeting that he was the only person to complain about not having enough time to review the salary scale prior to the meeting.

Chairman Lunt directed that the portion of the minutes about the Sheriff not having enough time to review the salary scale be removed.

Upon motion by Supervisor Campbell to approve the minutes of the July 6, 2023, minutes with changes directed by the Chairman, seconded by Supervisor Gomez and carried unanimously, motion passes.

- 18.) 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)**

Supervisor Campbell had no reports.

Supervisor Gomez reported on a SEAGO meeting regarding the search for a new Executive Director at SEAGO, they are going to advertise with a different pay scale.

Chairman Lunt reported on the Annual NACO Conference. There were 23 resolutions up for debate, and 21 of them passed. The Conference also voted for the Vice President of NACO and Mr. JD Clark was elected.

- 19.) Adjournment**

Adjourned at 11:16AM

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.