

GREENLEE COUNTY BOARD OF SUPERVISORS  
CLIFTON, ARIZONA

July 5, 2011

The Greenlee County Board of Supervisors met on this date in regular session in the Board Meeting Room, 2<sup>nd</sup> 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, via Skype (computer video), and Yvonne Pearson, Clerk of the Board.

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

Steve Rutherford, Emergency Management Coordinator, responded to the Call to the Public and gave an update on the Wallow Fire stating that the total acres burned amounts to 538,049 and that the fire is now 95% contained. He stated that the Fire Management Teams have been downsized.

Ms. Gale also responded to the Call to the Public explaining that she is attending the meeting via Skype, a free computer video program, from Germany where she was on vacation visiting her daughter.

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

1. Clerk of the Board: Approval of Public Health Services District expense warrants in excess of \$1,000

The Board reconvened into regular session.

Bill Harmon, District Engineer, Arizona Department of Transportation, addressed several issues concerning projects in Greenlee County as follows:

- He acknowledged and thanked the many persons who fought and dealt with the Wallow Fire. He also stated that there is more to come in the aftermath of the Wallow Fire dealing with monsoons and possible flooding.
- The Monument and Horseshoe 2 fires have also directly affected his district. ADOT is working to minimize flood issues on Highway 191.
- Due to the economy and cuts in budgets the construction and replacement of the Cold Creek Bridge has been postponed until 2013. Demolition of the current damaged Cold Creek Bridge will take place this fall.
- The rock fall project in the "Eye of the Needle" area on Highway 78 is still being worked on.

- Highway 191 from Smelter Hill into Clifton is scheduled to be paved.
- The San Francisco Bridge construction is moving slower than expected. The potential for flood damage with extra water and debris from the Wallow Fire has been addressed with the removal of excess material around the bridge. He stated that the foundation of the center pier of the railroad bridge was found to be different than was thought and the design of the bridge had to be redesigned causing the delay of construction of the new bridge.

Chairman Lunt asked Mr. Harmon to explain the condition of other bridges located on Highway 191 between Clifton and Three Way. Mr. Harmon stated that all bridges are inspected on a regular basis and that the bridges currently meet standards. The Board thanked Mr. Harmon for the report.

Monica Stauffer, Superior Court Judge, presented information regarding the Domestic Relations Mediation Program. She stated that the program offers mediation assistance to families who meet that need and that since the program started all cases but one have been resolved without going to court. She requested that the amount of funding budgeted for Indigent Defense be reduced and placed in a new funding line in her budget to fund this program. The Board questioned the need to submit a request for proposal to ensure that all attorneys interested have a chance to bid on offering the mediation service. Derek Rapier, County Attorney, stated that he would have to check to see if this qualifies under the definition of "Professional Services" or not. Upon motion by Supervisor Gomez, seconded by Supervisor Campbell, and carried unanimously, the Board authorized the transfer of funds from Indigent Defense in the amount of \$12,000 to fund the mediation service/family court program. Judge Stauffer stated that any amount above the \$12,000 would be paid with other fee revenue received in her department.

The Board convened into Work Session regarding the Fiscal Year 2011/2012 Budget.

Ms. Gale reviewed the schedules of the proposed tentative budget including, estimated revenues, expenses, transfers and debt service.

Upon motion by Supervisor Campbell, seconded by Supervisor Gomez, and carried unanimously, the Board adopted the Greenlee County Fiscal Year 2011/2012 Tentative Budget. The Tentative Budget and Truth in Taxation Public Hearing Notice will be published in the Copper Era to meet publication requirements.

RESOLUTION FOR THE ADOPTION OF THE TENTATIVE BUDGET  
FISCAL YEAR 2011-2012

WHEREAS, in accordance with the provisions of Title 42, Chapter 17, Articles 1-5, Arizona Revised Statute, (A.R.S.), the Board of Supervisors do make an estimate of the

different amounts required to meet the public expenditures for the ensuing year, also an estimate of revenues from sources other than direct taxation, and the amount to be raised by taxation upon real and personal property of Greenlee County, and

WHEREAS, in accordance with said chapter of said title, and following due public notice, the Board will meet on August 1, 2011, at which meeting any taxpayer is privileged to appear and be heard in favor of or against any of the proposed expenditures or tax levies, and

WHEREAS, it appears that publication will be duly made as required by law, of said estimates together with a notice that the Board will meet on August 15, 2011, at the Office of the Board for the purpose of hearing taxpayers and making tax levies as set forth in said estimates, and

WHEREAS, it appears that the sums to be raised by taxation, as specified therein, do not in the aggregate amount exceed that amount as computed in A.R.S. 42-17051(A);

NOW, THEREFORE, BE IT RESOLVED, that the said estimates of revenue and expenditures/expenses shown on the accompanying schedules as now increased, reduced or changed are hereby adopted as the tentative budget of Greenlee County for the Fiscal Year 2011-2012.

PASSED AND ADOPTED BY THE GREENLEE COUNTY BOARD OF SUPERVISORS,  
THIS 5TH DAY OF JULY, 2011.

APPROVED: /s/ Richard 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 request by the County Attorney to move forward with the Navopache Franchise request.

Ron Pearson, Public Works Manager, requested approval to purchase one (1) Caterpillar 140 M2 Motor Grader from Empire Machinery in an amount not to exceed \$196,000 based on the multi-unit bid by Cochise County to be paid with budgeted Road Funds. He stated that the equipment will be financed with Caterpillar Financial Services with a guaranteed buyback of \$156,560 after five years. Upon motion by Supervisor Gomez, seconded by Supervisor Campbell, 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 request by Philip Ronnerud, County Engineer, to solicit bids for Airport Apron Rehabilitation.

The Board convened into Public Hearing - Planning and Zoning request of David Manuz to rezone one acre of Assessor's Parcel 300 92 007 from RU 02 to MH for an RV Park. He stated that the change in zoning will bring the property into zoning conformance with a limit to 6 RV spaces. There were no comments received for or against the change.

Upon motion by Supervisor Gomez, seconded by Supervisor Campbell, and carried unanimously, the Board approved the Planning and Zoning request of David Manuz to rezone one acre of Assessor's Parcel 300 92 007 from RU 02 to MH for an RV Park with stipulations as recommended by the Planning and Zoning Commission.

The Board convened into Public Hearing on the following Planning and Zoning issues:

- Planning and Zoning Regulation amendments as follows: 1. Zoning Regulation Amendment to Section 202 numbering change on defined terms, Section 406(c) to change Board to Commission, Section 1703 to change Board to Commission; 2. Planning and Zoning Regulation Amendment to Section 403(b) to increase permit fee threshold from \$5,000 to \$10,000
- Planning and Zoning Regulation amendments to Sections 405, 1810(f), 2105(a), 2105(b) to increase fees, and adding Article 24 to exclude Medical Marijuana fees.
- Planning and Zoning Regulation amendments to Sections 46(e) and 1908 requiring double chip sealed parking lot on commercial parking lots and commercial driveways within 10 miles of Town
- Planning and Zoning amendments to Section 202 adding definitions, Sections 1203(d), 1203(e) and 1906, to add Sections 1728 and 1729, to add Medical Marijuana fees to Article 24, and to add Article 25. These changes will provide zoning regulations to implement Medical Marijuana laws.

The Board reconvened into regular session and upon motion by Supervisor Campbell, seconded by Supervisor Gomez, and carried unanimously, the Board approved the following Planning and Zoning issues:

- Planning and Zoning Regulation amendments as follows: 1. Zoning Regulation Amendment to Section 202 numbering change on defined terms, Section 406(c) to change Board to Commission, Section 1703 to change Board to Commission; 2. Planning and Zoning Regulation Amendment to Section 403(b) to increase permit fee threshold from \$5,000 to \$10,000

- Planning and Zoning Regulation amendments to Sections 405, 1810(f), 2105(a), 2105(b) to increase fees, and adding Article 24 to exclude Medical Marijuana fees.
- Planning and Zoning Regulation amendments to Sections 46(e) and 1908 requiring double chip sealed parking lot on commercial parking lots and commercial driveways within 10 miles of Town

Upon motion by Supervisor Campbell, seconded by Supervisor Gomez, and carried unanimously, the Board tabled the following Planning and Zoning issue upon the recommendation of the County Attorney:

- Planning and Zoning amendments to Section 202 adding definitions, Sections 1203(d), 1203(e) and 1906, to add Sections 1728 and 1729, to add Medical Marijuana fees to Article 24, and to add Article 25. These changes will provide zoning regulations to implement Medical Marijuana laws.

Mr. Rapier stated that the Medical Marijuana Act is being challenged in court and recommended that there be no changes in the Planning and Zoning until the outcome and any possible changes are determined.

Upon motion by Supervisor Gomez, seconded by Supervisor Campbell, and carried unanimously, the Board approved the request for a letter to Congressional Delegation requesting support for a ten-year reauthorization of the Secure Rural Schools and Community Self-Determination Act.

Ms. Gale reviewed the Calendar of Events.

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 meetings - 06/06/11; 06/09/11; 06/21/11
- B. Clerk of the Board: Approval of expense warrants in excess of \$1,000 - Vouchers #1074; 1075
- C. Chief Probation Officer: Approval of Payroll Change Notices for change in funding sources: J. Alonso, Probation Collections Officer; J. Armstrong, Chief Probation Officer; J. Galusky, Deputy Probation Officer; R. Guarena, Chief Deputy Probation Officer; J. Miranda, Probation Finance Officer; M. Lowery, Deputy Probation Officer; B. Sanders, Probation Program Coordinator
- D. County Attorney: Approval of Arizona Criminal Justice Commission Crime Victim Compensation Grant for Fiscal Year 2011/2012

- E. Clerk of the Board: Approval of 2011/2012 Airport Liability Insurance renewal in an amount not to exceed \$2,679
- F. County Attorney: Approval of Arizona Criminal Justice Commission Drug, Gang & Violent Crime Grant for Fiscal Year 2011/2012
- G. Clerk of the Board: Adoption of Resolution 11-07-01 authorizing the County Treasurer to invest and reinvest all Greenlee County monies as authorized by law for fiscal year beginning the 1<sup>st</sup> day of July 2011 and ending the 30<sup>th</sup> day of June 2012

Supervisor Gomez reported that he attended a meeting with Apache-Sitgreaves Forest Supervisor Chris Knopp regarding salvage of burned trees resulting from the Wallow Fire. The downed trees have a limited useful life before decay and rotting begin. Discussion included offering permits for wood fuel to possible contracts with logging entities. He stated that another meeting has been scheduled for July 15<sup>th</sup>.

Supervisor Ron Campbell reported that he attended a Senate Ad Hoc Hearing on the Wallow Fire that took place in Show Low. He stated that there were 12 persons who presented different information based on their expertise and experiences with fires. Several persons from the public were allowed to express their concerns and issues that they are dealing with as a result of the fire.

Chairman Lunt reported the following:

- A. He attended the Ranchers Heritage Association meeting in Springerville where ranchers who continue to be affected by the Wallow Fire were given the ability to express their concerns and ask questions of the Forest Service and other agencies who were in attendance. Allotments were a major concern for permittees for feeding cattle as was the destruction of miles of fencing and other infrastructure of those ranchers.
- B. He attended a meeting in Greer with U. S. Secretary of Agriculture where issues regarding salvage of wood, forest management and working with Congressional delegation was discussed. He stated that the Four Forest Restoration Initiative was also discussed.

There being no further business to come before the Board of Supervisors, the meeting was adjourned at 12:22 p.m.

The following listed expense claims against the County in excess of \$1,000.00 to one vendor as reflected in Vouchers 1074 and 1075 were reviewed and approved for payment: (A.R.S. §11-217)

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1ST SOURCE BANK \$3,271.63; ADVANCED AIR SYSTEMS \$1,764.27; AMERICAN JAIL ASSOCIATION \$1,120.00; BASHA'S \$1,211.00; CATERPILLAR FINANCIAL SERVICES CORP \$12,974.43; CONTROLLED FORCE \$1,140.00; DAVID BRUCE GRIFFITH \$3,900.00; EMPIRE SOUTHWEST MACHINERY \$3,292.44; GILA HEALTH RESOURCES, LLC \$25,000.00; HARALSON TIRE CO. INC \$1,140.35; JOSI Y. LOPEZ \$2,440.00 KEMPTON CHEVROLET-BUICK \$31,136.67; MERLE'S AUTOMOTIVE \$1,737.96; OFFICE DEPOT INC \$7,406.47; POSITIVE PROMOTIONS, INC \$1,024.36; RESEARCH ADVISORY SERVICES, INC \$1,485.00; RIVER CITY SUPPLY LLC \$1,555.15; SAFFORD ACE \$5,256.36; SYSCO FOOD SERVICES OF AZ \$6,595.68; U.S. POSTAL SERVICE \$1,065.50; U.S. POSTAL SERVICE \$2,643.50; UNION DISTRIBUTING CO OF TUCSON \$26,449.41; VALLEY TELECOM GROUP \$4,051.76; WALMART COMMUNITY \$2,521.28; WESTERN EMULSIONS, INC \$187,644.70; WESTERN REFINING \$5,831.56

APPROVED: /s/ Richard G. Lunt, Chairman

ATTEST: /s/ Yvonne Pearson  
Clerk of the Board