

DEREK RAPIER
County Administrator
(928) 865-2072

BIANCA FIGUEROA
Clerk of the Board

FACSIMILE (928) 865-9332



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 Wednesday, September 7, 2022 – 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/89421982263?pwd=SXhCRGVJNEJPWFBNNDVpYIFaOTVMUT09>

Meeting ID: 894 2198 2263
Passcode: 711570

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

AGENDA

In attendance: Board of Supervisors members: Richard Lunt, Chairman, David Gomez, Member (via zoom) and Ron Campbell, Member. Also present were Scott Adams, County Attorney Derek Rapier, County Administrator, Austin Adams, HR Director and Bianca Figueroa, Clerk of the Board

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

Steve Alhman, Clifton resident responded to call to the public and discussed the county plaque acknowledging nonprofit and volunteers. He recommended displaying the plaques.

Daniel Cervantes, Clifton resident responded to call to the public, discussed National Suicide Prevention Month and events that happened in Graham and Greenlee County.

Sheriff Sumner, responded to call to the public, discussed Duncan flood, and visits from Senator Gowan and Representative Lupe Diaz to assess the damage.

- 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**
2. **Health Manager: Consideration of approval of Intergovernmental Agreement (IGA) between the Arizona Department of Health Services and the Greenlee County Health Department for the Public Health Emergency Preparedness Program. Contract #CTR055212 for the amount of \$182,949.00**
3. **Health Manager: Consideration of approval of employee transaction form: M. Asare, CNA-full time**

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

- 4.) **Derek Rapier, County Administrator**

A. Discussion/Action to consider approval of comprehensive managed IT services agreement with Better IT Solutions (BITS)

Sheriff Sumner spoke on this item regarding the shift in the IT department, discussed thoughts and concerns between the RFP and the BITS contract.

Mr. Rapier discussed the process in obtaining a professional comprehensive service provider for the County IT department. Stated that other counties are or have looked into the same process. Mr. Rapier stated the contract is comprehensive encompassing all IT services for all departments and offices and that he doesn't anticipate anything different in the execution in the contract. The contract calls for quarterly payments, to fund and get operations going immediately. Mr. Rapier strongly recommended the board to accept the contract beginning October 1st.

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

5.) Derek Rapier, County Administrator
A. Discussion Only: Review of CSA Legislative Proposals

Mr. Rapier stated various organizations, such as legal cities and towns, Arizona Association of Counties and Counties Supervisors Associations as well as many others start to develop their legislative agenda for the coming legislative session during this time of year. He updated the board on the several proposals from other counties for CSA to consider and discussed how each of the proposals might affect Greenlee County.

6.) Tim Sumner, County Sheriff
A. Discussion/Action to consider Sheriff's request to set aside \$104,599 for the Sheriff's Office for the month of September 2022.

Mr. Sumner discussed his ongoing 11-444 request for monthly funding in the amount of \$104,599 for the Sheriff's Office. He discussed concerns and issues regarding Fleet and IT services and explained how the funds would be allocated. Supervisor Campbell asked if any other counties were using 11-444 and Mr. Sumner said he has not asked.

Mr. Rapier explained that he has inquired with other counties and no other county has used 11-444 as a budgeting model or as part of their budgeting process. He also explained all needs have been met in the Sheriff's Office.

After consideration of all information presented, the Sheriff's request was not approved due to a lack of motion by any member of the board

B. Discussion/Action to consider Sheriff's request to approve an Information Technology Administrator, as an exempt position for the Sheriff's Office.

Mr. Sumner presented a PowerPoint regarding his proposal, and he discussed several IT issues in his office. He stated he has used his evidence technician to supplement county IT services. He pointed out some specific IT issues his office has experienced. He stated he was able to speak with Kim Kwamme from BITS about his department's IT needs. Mr. Sumner discussed concerns regarding the IT proposal and his proposal for a full time IT employee for his office. He stated his office's productivity and efficiency are being hampered due to IT services.

After consideration of all information presented by the Sheriff, the request for an IT administrator for the Sheriff's office was not approved due to a lack of motion by any member of the board

7.) Derek Rapier, County Administrator
A. Derek Discussion/Action regarding invoice from Austin's Auto
for unauthorized service on a county vehicle rendered on 8/30/22

Mr. Sumner recommended that this item should also die for lack of a motion, and that invoice was not unauthorized because he had authorized the service with Austin's Auto.

Mr. Rapier stated he'd like the letters to Austin's Auto as well as to the Sheriff that described why the County would not pay future bills be added to the minutes with the board's approval. The Chairman directed that the letters be included in the minutes. Mr. Rapier explained all vehicles in all departments are purchased with funds belonging to Greenlee County, the Fleet department manages and is in charge of servicing the vehicles and providing any warranty issues. Mr. Rapier stated the first invoices would be paid, due to possible miscommunication but future invoices would not. Sheriff does not have contract authority over the county's vehicles. Mr. Rapier recommends the board to deny the invoices. Supervisor Campbell clarified with Tony Hines, fleet manager, that he did not authorize or approve the services with Austin's Auto.

Upon motion by Supervisor Campbell, seconded by Supervisor Gomez, and carried unanimously, the Board voted to reject the invoice.

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

Mr. Rapier discusses the uncertainty of what the legislature will look like and the implications on the state budget until after the November Elections. The elections will affect the CSA legislative agenda and that CSA will work with AACO on their legislative agenda. Focus will continue to be on unfunded mandates or cost shifts that will affect the county budget.

B. Calendar and Event

Calendar and events were discussed.

9.) Consent Agenda

- A. Clerk of the Board: Consideration of approval of expense warrants in excess of \$1,000.00 – Voucher 6005**
- B. Chief Finance Officer: Consideration of approval of General Fund loans in the amount of \$3,090.22 to be reimbursed upon receipt of funds: Fund 159 - \$728.60; Fund 167 - \$1361.62; Fund 169 - \$1,000.00**
- C. County Administrator: Consideration of approval regarding a letter of recommendation from Greenlee County in support of the appointment of William Brandau to the Water Infrastructure Finance Authority Board**
- D. County Sheriff: Consideration of approval of Employee Transaction Form: D. Rodriguez, Dispatch Sergeant**

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

10.) 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 discussed several calls he has received regarding the Duncan flooding including from Kristin Sinema, and Ms. Okula, with Tom O'Halloran's office. He expressed his appreciation for all the support in the Duncan community.

11.) Work Session – Update on proposed Tyler Farms land acquisition and related development activities Board discussion regarding current activities and next steps to consider

Mr. Rapier stated the county was awarded the Brownfields grant and received the award letter.

Mr. Reed Larson, County Engineer, gave the board an update on the Brownfields assessment. He stated he was a bit disappointed with the scope of phase 2 of the grant as it appears to fall a little short of what he was hoping for. It does not appear that it will not make wells functional to get water out to test and get samples for water quality, but what they will do will be very helpful to the project. The Brownfields grant the county received, will pay for both a phase 1 and phase 2 Environmental Sight Assessment which will give reassurance that there are no environmental issues on the property.

12.) Adjournment

There being no further business to come before the Board of Supervisors,
the meeting was adjourned at 10:13 a.m.

APPROVED: /s/ Richard Lunt, Chairman

ATTEST: /s/ Bianca Figueroa, Clerk of the Board

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.

DEREK D. RAPIER
County Administrator

BIANCA FIGUEROA
Clerk of the Board

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District 2

RICHARD LUNT
Chairman - District 3

June 20, 2022

Avery Austin Owner/Manager
Austin's Auto Advantage
801 W. Thatcher Blvd
Safford, Az 85546

Dear Mr. Austin,

We were recently presented with invoices from Austin's Auto Advantage for what appears to be service for two Greenlee County vehicles assigned to the Sheriff's Office (a 2013 Chevy Tahoe Invoice #57264; and a 2020 Chevy Silverado Pickup Truck Invoice #s 57071 & 57041). It is my understanding that these services were arranged for by the Greenlee County Sheriff or one or more of his employees.

A.R.S. §11-201 makes it clear that "The powers of a county shall be exercised **only by the board of supervisors** or by agents and officers acting under its authority and authority of law." The statute further makes it clear that one of the powers that the Board of Supervisors alone can exercise is the power to "Make such contracts and purchase and hold such personal property as may be necessary to the exercise of its powers."

The Board of Supervisors has determined that all vehicles owned by Greenlee County will be managed and serviced by the Greenlee County Fleet Department at Greenlee County facilities. Furthermore, any services, repairs or other work that cannot be performed at county facilities will be arranged and contracted for by the Greenlee County Fleet Department. The Board's agent for making these determinations at this time is Tony Hines, the Greenlee County Fleet Manager.

Greenlee County acting through its Board of Supervisors has NOT authorized the Sheriff's Office to obtain vehicle services anywhere other than the Greenlee County Fleet Department including Austin's Auto Advantage.

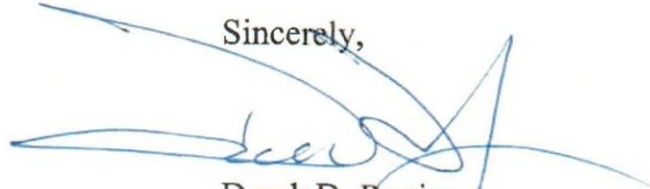
I recognize that you are in business to provide service to customers who show up and it is not your practice to ask a customer who comes to your business whether or not they have authority to obligate the owner of a vehicle to pay for your service. As such, Greenlee County will pay the invoices that have been presented prior to the date of this letter. However, **be advised that any work performed on Greenlee County vehicles, including vehicles assigned to the**

Greenlee County Sheriff's Office, and any invoice presented subsequent to this letter will not be honored or paid by Greenlee County unless that work has been arranged for by the Greenlee County Fleet Department manager.

In the future, should the Greenlee County Fleet Department determine your businesses services are needed, Mr. Hines or another person whom Mr. Hines supervises, will make arrangements with your business.

We appreciate the service you have performed, and I am sorry that your business has been caught up in an internal misunderstanding between offices of Greenlee County government. If you have any questions regarding this letter, please feel free to contact me.

Sincerely,



Derek D. Rapier
Greenlee County Administrator
928-865-2072
drapier@greenlee.az.gov

cc: Tim Sumner, Greenlee County Sheriff
Scott Adams, Greenlee County Attorney
Members of the Board of Supervisors
Richard Lunt
David Gomez
Ron Campbell

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Chairman - District 3

July 20, 2022

Tim Sumner
Greenlee County Sheriff
P.O. Box 998
Clifton, AZ 85533

RE: Unauthorized Purchases.

Sheriff Sumner,

As you are aware, in recent weeks, the Board has received invoices for services arranged by your office performed on fleet vehicles assigned to the Sheriff's office. The Board has paid the initial invoices from these vendors with the caveat that no future invoices would be paid unless services are arranged for by the fleet department. You have received copies of these letters. At the last Board meeting, you insinuated that you have also contacted Kempton's regarding similar services, and I recently learned that you have attempted to make arrangements with yet another vendor for lubrication services for fleet vehicles assigned to your department. Additionally, I have reviewed a copy of your July 14th email to members of the Board indicating that you are proceeding to establish your own IT services and separate these services from the county IT system.

Be advised that as of the date of this letter, the county will not pay invoices or bills from vendors for services rendered to county fleet vehicles unless these services are specifically arranged for by the county fleet department. This is true even for the first unauthorized invoice received. Likewise, the county will not pay for other goods or services which you may be considering but which the Board has not authorized such as, but not limited to, IT, HR, and Finance personnel, contracts or services.

Sincerely,

Derek D. Rapier
Greenlee County Administrator

cc: Richard Lunt, Chairman of the Board
David Gomez, Vice Chairman
Ron Campbell, Member
Rene Ontiveros, CFO
Scott Adams, County Attorney