

**BOARD OF SUPERVISORS MEETING MINUTES  
GILA COUNTY, ARIZONA**

Date: September 20, 2016

**MICHAEL A. PASTOR**

Chairman

**MARIAN E. SHEPPARD**

Clerk of the Board

**TOMMIE C. MARTIN**

Vice-Chairman

By: Laurie J. Kline  
Deputy Clerk

**JOHN D. MARCANTI**

Member

Gila County Courthouse  
Globe, Arizona

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PRESENT: Michael A. Pastor, Chairman; Tommie C. Martin, Vice-Chairman (via ITV); John D. Marcanti, Member; Don E. McDaniel, Jr., County Manager; Jefferson R. Dalton, Deputy Gila County Attorney, Civil Bureau Chief; Marian E. Sheppard, Clerk of the Board; and, Laurie J. Kline, Deputy Clerk

**Item 1 – CALL TO ORDER - PLEDGE OF ALLEGIANCE - INVOCATION**

The Gila County Board of Supervisors met in a regular session at 10:00 a.m. this date in the Board of Supervisors' hearing room. Jeff Dalton led the Pledge of Allegiance and Shelley McPherson delivered the invocation.

**Item 2 – REGULAR AGENDA ITEMS:**

**A. Information/Discussion/Action for the public sale of a portion of First Avenue, Midland City, as shown on Official Map No. 48 and to adopt Resolution No. 16-09-05 authorizing the disposal of an unnecessary public roadway in the Globe-Miami area being a portion of First Avenue in Midland City, Official Map No. 48, Gila County Records; and, authorizing the Chairman to execute and deliver in the name and under the seal of the County of Gila, a Quit Claim Deed conveying the abandoned roadway to Richard and Sandra Riddle.**

Steve Sanders, Public Works Division Director, stated that for quite some time there has been uncertainty with respect to the property boundaries for this property described above. He provided background information as follows: On May 3, 2016, during a regular meeting of the Board of Supervisors (BOS), the BOS gave the approval to begin the process to dispose of an unnecessary public roadway being a portion of First Avenue. Staff began the necessary notifications and public postings of the Board's decision. There are three parcels of land that abut the portion of First Avenue being abandoned. The adjacent land owners, Richard and Sandra Riddle, have been contacted and

given the option to exercise preference rights before the proposed date of sale by or appear at the public sale and submit a bid for that portion of First Avenue adjacent to their property. Mr. Riddle has met with staff and feels that he has already paid for the abandoned area when he purchased the land from the previous owners. On May 5, 1980, the BOS accepted a petition for the abandonment of a certain portion of First Street (First Avenue is the name of the road on the subdivision plat) in Midland City. The BOS moved that the Clerk of the Board (Clerk) publish a Notice of Intent to Abandon. The motion passed unanimously. On May 27, 1980, the BOS unanimously approved the abandonment of a portion of First Street and instructed the Clerk to prepare a resolution reflecting this action of the BOS. On June 9, 1980, the BOS unanimously adopted Resolution No. 80-6-5 abandoning a portion of First Street in Midland City. The resolution has a legal description included that attempted to convey the abandonment. The legal description was poorly written and failed to convey the abandoned area correctly. The legal description in said resolution conveyed the majority of the proposed abandonment area; however, it also conveyed adjoining private property not owned by Gila County. Staff is unable to locate a corrected legal description and deed, or a reason why one was never prepared and given to the petitioners. The petitioners have stated that they felt that they owned the area the BOS abandoned as they began to use the area and later included the area when they sold their property. A Quit Claim Deed has now been prepared in anticipation of the BOS approving the abandonment and conveying the portion of First Avenue in Midland City to the current adjoining land owners, Richard and Sandra Riddle which staff recommends; staff also recommends doing so, at no additional cost to the Riddles; however, if it is determined that quit claiming this portion of First Avenue is in violation of Arizona Revised Statutes, staff has placed a value of \$99 on the subject area.

Jefferson Dalton, Deputy Gila County Attorney, Civil Bureau Chief, advised the BOS that it may want to have a discussion regarding selling the parcel for what seems advisable given the corrected nature of what is being done now. Chairman Pastor disagreed with selling the property to the Riddles and explained that he believes this would be in the best interest of the County to get this property on the tax rolls and he added that the Riddles have been under the impression that they owned the land already and that they shouldn't have to pay the County anything for this property. Vice-Chairman Martin questioned whether the County should charge an amount for the land or not. Chairman Pastor stated that he doesn't think the County shouldn't charge any amount because conveying the property to the Riddles would ultimately benefit the County. Upon motion by Vice-Chairman Martin, seconded by Supervisor Marcanti, the Board unanimously adopted Resolution No. 16-09-05. **(A copy of the Resolution is attached to the minutes and permanently on file in the Board of Supervisors' Office.)**

**B. Information/Discussion/Action to authorize the advertisement of Invitation for Bids No. 081516 for the purchase of up to eight new SSV 4X4 utility vehicles for use by the Gila County Sheriff's Office.**

Mr. Sanders stated that a competitive bid package has been prepared for this agenda item and he anticipates that the County will likely receive favorable responses. The vehicles to be purchased will be utilized by the Sheriff's Office and will replace vehicles with high mileage that have become too expensive to operate or are inefficient, or vehicles that have been damaged and are no longer operable; therefore, the County's fleet of vehicles will not increase. The bid results will be presented at a future BOS meeting at which time the BOS will award a contract to the winning bidder. Upon motion by Supervisor Marcanti, seconded by Vice-Chairman Martin, the BOS unanimously authorized the advertisement of Invitation for Bids No. 081516.

**C. Information/Discussion/Action to review all proposals received for Invitation for Bids No. 071516 - Law Enforcement Vehicle Upfitting; award to the most responsive, responsible and qualified bidder; and, authorize the Chairman's signature on the award contract for the winning bid.**

Mr. Sanders stated that the County recently purchased five vehicles for use by the Sheriff's Office which need to be upfitted for law-enforcement purposes. Invitation for Bids No. 071516 was advertised in the Arizona Silver Belt newspaper on August 3, 2016, and on August 10, 2016, and it was posted on the Gila County website. There were two bids received, and staff recommends awarding the contract to KENCO OR LLC dba LSH Lights. Upon motion by Vice-Chairman Martin, seconded by Supervisor Marcanti, the Board unanimously awarded a contract for Invitation for Bids No. 071516 to KENCO OR LLC dba LSH Lights in the amount of \$149,344,88.

**Item 3 – CONSENT AGENDA ACTION ITEMS: (Any matter on the Consent Agenda will be removed from the Consent Agenda and discussed and voted upon as a regular agenda item upon the request of any member of the Board of Supervisors.)**

**A. Approval to accept an application from Arizona Electric Power Cooperative, Inc. to renew its franchise with Gila County for an additional 25 years, and set a public hearing date of Tuesday, October 18, 2016, at 10:00 a.m. at which time the Board will consider granting said franchise.**

**B. Approval of an Application for a Special Event License submitted by the Cobre Valley Regional Medical Center Foundation to serve liquor at a special event to be held on November 4, 2016, at the Gila County Fairgrounds in Globe, Arizona.**

**C. Approval to reappoint Margret Celix as a public sector representative on the Gila County Community Action Plan Advisory Board for the 4-year term beginning on January 1, 2017, through December 31, 2020; and, acknowledge the following elected members to the Advisory Board: Mario Villegas, private sector representative, for the term beginning on February 17, 2016, through December 31, 2019; Michael Black, private sector representative, for the term beginning on February 17, 2016, through December 31, 2017; and, Cody Newman, low-income representative, for the term beginning August 17, 2016, through December 31, 2019.**

**D. Approval of an Application for Extension of Premises/Patio Permit submitted by Michael Dahling to permanently extend the premises where liquor is permitted to be served at Old County Inn located in Pine, Arizona.**

**E. Acknowledgment of the August 2016 monthly activity report submitted by the Globe Regional Constable's Office.**

**F. Approval of the September 2, 2016, Board of Supervisors' meeting minutes.**

**G. Acknowledgment of contracts under \$50,000 which have been approved by the County Manager for the weeks of July 25, 2016 through July 29, 2016; and August 1, 2016 through August 5, 2016.**

Upon motion by Supervisor Marcanti, seconded by Vice-Chairman Martin, the Board unanimously approved Consent Agenda action items 3A – 3G.

**Item 4 – CALL TO THE PUBLIC: Call to the Public is held for public benefit to allow individuals to address the Board of Supervisors on any issue within the jurisdiction of the Board of Supervisors. Board members may not discuss items that are not specifically identified on the agenda. Therefore, pursuant to Arizona Revised Statute §38-431.01(H), at the conclusion of an open call to the public, individual members of the Board of Supervisors may respond to criticism made by those who have addressed the Board, may ask staff to review a matter or may ask that a matter be put on a future agenda for further discussion and decision at a future date.**

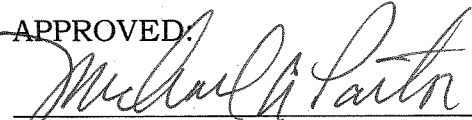
There were no comments from the public.

**Item 5 – At any time during this meeting pursuant to A.R.S. §38-431.02(K), members of the Board of Supervisors and the County Manager may present a brief summary of current events. No action may be taken on information presented.**

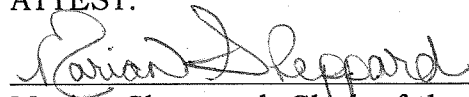
Each Board member and the County Manager presented information on current events.

There being no further business to come before the Board of Supervisors, Chairman Pastor adjourned the meeting at 10:32 a.m.

APPROVED:

  
\_\_\_\_\_  
Michael A. Pastor, Chairman

ATTEST:

  
\_\_\_\_\_  
Marian Sheppard, Clerk of the Board

When recorded please send to  
Marian Sheppard, BOS  
September 20, 2016



**RESOLUTION NO. 16-09-05**

**A RESOLUTION APPROVING THE DISPOSAL OF AN UNNECESSARY PUBLIC ROADWAY BEING A PORTION OF FIRST AVENUE, MIDLAND CITY, AS SHOWN ON OFFICIAL MAP NO. 48, GILA COUNTY RECORDS, GILA COUNTY, ARIZONA, AND AUTHORIZING THE CHAIRMAN'S SIGNATURE ON THE QUIT CLAIM DEED CONVEYING SAID ROADWAY TO RICHARD AND SANDRA RIDDLE. THIS RESOLUTION CORRECTS RESOLUTION NO. 80-6-5, RECORDED AT DOCKET 503, PAGES 165-166, GILA COUNTY RECORDS IDENTIFIED THE VACATED ROADWAY AS A PORTION OF FIRST STREET IN MIDLAND CITY MAP 48, INSTEAD OF FIRST AVENUE. THIS RESOLUTION ALSO CORRECTS ERRORS FOUND IN THE LEGAL DESCRIPTION WHICH DID NOT CORRECTLY VACATE THAT PORTION OF FIRST AVENUE AS INTENDED.**

**WHEREAS,** Richard and Sandra Riddle are owners of the land abutting that parcel of land herein described; and

**WHEREAS,** it has been determined that the disposal of said parcel of land will not leave any property without access to public roads and streets of Gila County, is no longer necessary for public use, and the same should be granted; and

**WHEREAS,** it is in the best interest of the County of Gila to be relieved of the obligation to maintain said parcel of land and correct those errors found in Resolution No. 80-6-5;

**NOW, THEREFORE, BE IT RESOLVED** by the Gila County Board of Supervisors:


Section 1: That the portion of land described herein and constituting portions of First Avenue as shown on Official Map No. 48, Gila County Records, Gila County, Arizona, is hereby disposed, vacated and abandoned, subject, however, to all existing water, gas and utility easements now existing on said parcel of land.

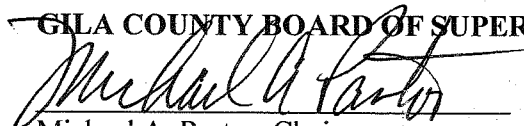
Section 2: That the Chairman of the said Board of Supervisors, be and he is hereby authorized, empowered and directed to make, execute and deliver in the name and under the seal of the County of Gila, a quit claim deed conveying to Richard and Sandra Riddle, as owners of the abutting property, those parcels of land hereinbefore described, and to cause said deed to be attested and the seal of the said County of Gila to be affixed thereto by the Clerk of the said Board of Supervisors.

*The quit claim deed and legal description are attached for informational purposes only and will be recorded as separate documents.*

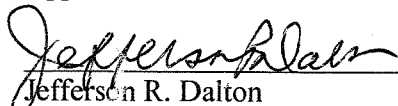
**PASSED AND ADOPTED** this 20<sup>th</sup> day of September 2016, at Globe, Gila County, Arizona

Attest:

  
\_\_\_\_\_  
Marian Sheppard  
Clerk of the Board

**GILA COUNTY BOARD OF SUPERVISORS**  
  
\_\_\_\_\_  
Michael A. Pastor, Chairman

Approved as to form:

  
\_\_\_\_\_  
Jefferson R. Dalton  
Deputy Gila County Attorney  
Civil Bureau Chief

When recorded return to:  
GILA COUNTY PUBLIC WORKS DEPT.  
745 N. ROSE MOFFORD WAY  
GLOBE, AZ 85501

### QUIT CLAIM DEED


KNOW ALL MEN BY THESE PRESENTS: GILA COUNTY, a BODY POLITIC, does hereby release, remise, and forever quitclaim to Richard and Sandra Riddle, the Releasee, with all rights, title, and, interest in that certain Real Property situated in Gila County, State of Arizona, and legally described as follows:

See Exhibit "A" attached and made part hereof


Exempt per A. R. S. section 11-1134 A-3

Dated this 20<sup>th</sup> day of September 2016

Approved:

  
Michael A. Pastor, Chairman  
Gila County Board of Supervisors

Attest:

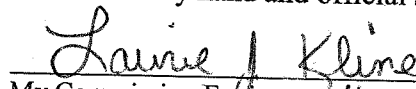
  
Marian Sheppard, Clerk

STATE OF (ARIZONA)  
) ss.  
COUNTY OF (GILA)

### ACKNOWLEDGMENT

On this 20<sup>th</sup> day of September, 2016, before me, the undersigned Notary Public, personally appeared Michael A. Pastor, Chairman of the Gila County Board of Supervisors, and Marian Sheppard, Clerk of the Board, known to me to be the individuals who executed the foregoing instrument and acknowledged the same to be their free act and deed.

WITNESS my hand and official seal.

  
My Commission Expires: 4-3-2018 Notary Public

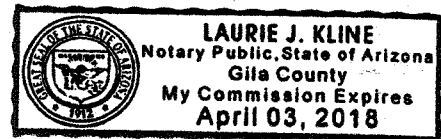


EXHIBIT "A"



**VACATION DESCRIPTION**  
**Portion of First Ave.**  
**Adjacent to Lot 24, Block 6, and**  
**Block 1A,**  
**MIDLAND CITY, Plat Map No. 48**

**Gila County Public Works**  
**Job No. GC2016-06**

**May 24, 2016**  
**Page 1 of 2**

**Parcel of land being a portion of First Ave. as shown on MIDLAND CITY, Plat Map No. 48, Gila County Records, being situate in Section 22, Township 1 North, Range 15 East, Gila and Salt River Meridian, Gila County, Arizona, having a boundary more particularly described as follows;**

**BEGINNING at the South corner of Lot 24, Block 6, MIDLAND CITY;**  
**THENCE Southerly, 30', along the projection of the Westerly line of Lot 24, Block 6, to the present right of way line of Golden Hill Road, said line being parallel with the Southerly line of Block 6;**

**THENCE Southwesterly, 30', along the present right of way line of Golden Hill Road, said line being parallel with the Southerly line of Block 6;**

**THENCE Northwesterly to the South corner of Block 1A;**

**THENCE Northeasterly, 18.0' (Record), to the East corner of Block 1A;**

**THENCE Northwesterly along the Easterly line of Block 1A, said line also being the Westerly line of First Ave., to the projection of the centerline of alley in Block 6;**

**Gila County Public Works**

**May 24, 2016**

**THENCE Northeasterly along projection of the centerline of alley to the Easterly line of First Ave.,**

**THENCE Southeasterly along Easterly line of First Ave. to the POINT OF BEGINNING, having an area of 0.154 acres, more or less.**

**SUBJECT TO:** Arizona Revised Statute § 28-7210 all Rights of way or easements of existing sewer, gas, water, or similar pipelines and appurtenances and for canals, laterals or ditches and appurtenances, and for electric, telephone, and similar lines and appurtenances shall continue as they existed prior to the disposal or vacation thereof.