

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

Date: September 27, 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

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

There was no County Attorney present.

Item 1 – CALL TO ORDER - PLEDGE OF ALLEGIANCE

The Gila County Board of Supervisors met in a work session at 10:00 a.m. this date in the Board of Supervisors' hearing room. Eric Mariscal led the Pledge of Allegiance.

Item 2 – REGULAR AGENDA ITEMS:

A. Information/Discussion regarding the County Supervisors Association (CSA) 2017 County Legislative Proposals that will be considered at the October 25-27, 2016, CSA Legislative Summit.

Don McDaniel, County Manager, stated that the Board has been given a packet containing 21 County legislative proposals for consideration and provided a summary and recommendation as to the position the Board may consider taking for each proposal.

He added that information in the packet states that CSA will develop policy and advocacy strategies regarding the following priority issues.

- Eliminate the Arizona Department of Juvenile Corrections cost shift.
- Eliminate any shifts from the Highway User Revenue Fund (HURF) to other state agencies and programs and fully fund HURF.
- Eliminate county payments for the housing and treatment of Sexually Violent Persons (SVPs) at the Arizona State Hospital.

- Reestablish the counties' share of the lottery revenues.
- Eliminate the Arizona Department of Revenue cost shift.
- Extend the county 11 "Flexibility Language" to use any source of county revenue, regardless of population, to meet a county fiscal obligation for FY2018

He introduced Jacque Sanders, Assistant County Manager, Librarian, to assist with the presentation of the items and staff recommendations as follows:

[The county that initiated the proposal is in parentheses.]

1. **Decrease Default Speed Limit:** Establish that speeds in excess of 45 miles per hour on unpaved roads are considered unreasonable. (Cochise) Staff recommends supporting the proposal.
2. **Federal Patent Easement Abandonment:** Eliminate the requirement that the county board of supervisors get consent from all affected utilities and a majority of property owners abutting a Federal Patent Easement before abandoning that easement. (Cochise) Staff recommends not supporting the proposal. Vice-Chairman Martin commented that it would be beneficial to be prepared to state in plain language the reason Gila County does not support this proposal or any other future proposals regarding this issue, and discuss the reasons at the CSA Legislative Summit in Flagstaff on October 25-27, 2016.
3. **Public Road Maintenance and Primitive Designation:** Expand the number of roads that are eligible to be declared as "primitive" by a county board to include all those not constructed in accordance with county standards and opened prior to June 13, 1990; allow a county board of supervisors to maintain roads laid out, opened and constructed to adopt county standards regardless of whether or not the road is part of a platted subdivision. (Cochise) Staff recommends supporting the proposal.
4. **County Transfer of Juvenile Parole Function:** Transfers the Arizona Department of Juvenile Corrections parole functions to county probation departments. (Coconino) Staff may be in support of the proposal, but will confer with Steve Lessard, Chief Probation Officer, to determine the financial impact on the County.
5. **Eliminate County Disproportionate Uncompensated Care (DUC) Pool Payments:** Eliminate the county DUC payments to the state. (Coconino) Staff recommends supporting the proposal.
6. **DPS Data Sharing:** Require the Department of Public Safety to share criminal history data with county governments for research. (Coconino) Staff recommends supporting the proposal.

7. **Blighted and Unsafe Property Abatement:** Allow counties to enter into properties that are currently under state control due to unpaid taxes and perform any necessary clean up or demolition to reduce or eliminate the threat to public health and safety, and that the counties be allowed to place a lien on said properties for the amount of any costs incurred. (Gila) Staff recommends supporting the proposal. Chairman Pastor recommended that staff collect some photos showing examples of some of the state-owned blighted properties in the County to share at the CSA Legislative Summit.

8. **Negligent Hikers:** Hikers who become stranded due to cases of gross negligence or poor judgement may be charged for the costs associated with search and rescue missions. If public emergency services are called to rescue a stranded hiker, the cost of those services may be billed to the hiker, plus additional liability. (Gila) Staff recommends supporting the proposal.

9. **Resources for Juvenile Dependency Representation:** Allocate financial resources to the counties to assist with providing mandated attorney services in juvenile dependency matters. (Mohave) Staff recommends supporting the proposal.

10. **Groundwater Task Force:** *Establish a Groundwater Task Force charged with studying and recommending a market-driven management mechanism to sustain statewide hydrological and ecological resources through future land development. (Mohave)*

11. **Local Government Standing on Surface Water Transfers:** *Allow counties to intervene in matters involving the transfer of surface water and surface water rights out of their area. (Mohave)*

12. **ADWR Increased Authority for Groundwater Drilling:** *Allow the Arizona Department of Water Resources the authority to deny a drill card in groundwater areas if it is in the public interest (whether defined under a safe yield, water adequacy, depletion, etc.) (Mohave)*

13. **Local Government Increased Authority for Groundwater Drilling:** *Require that a drill card in groundwater areas be simultaneously submitted to the local government for review and possible concurrence or objection. (Mohave)*

14. **Irrigation Method:** *Allow local government to have control over the method of irrigation used for the cultivation of lands in groundwater areas. (Mohave)*

15. **Water Taxing Revenue:** *Allow local government to consider a water pumping tax in addition to all possible taxing revenue for the development of alternative water supplies. (Mohave)*

Mr. McDaniel stated that items 10-15 all relate to groundwater and water use specific to the Colorado baseline in Mohave. CSA wants to combine these proposals and Mohave County does not want to combine the proposals; consequently, staff has no opinion at this time. Vice-Chairman Martin advised staff to consult with professionals well versed in the area of water rights, such as a water rights attorney and/or experts who can inform and advise the County as to the potential ramifications associated with supporting these proposals before we “weigh in.”

16. **Waste Tire Fund Program:** Extend the Waste Tire Program and the fees and fund associated with the Program from December 31, 2017, to December 31, 2027. (Pinal) Staff recommends supporting the proposal.

17. **Gasoline Tax Ballot Measure:** (Refer to the ballot) an increase in the state gasoline tax to pay for road building and maintenance. (Santa Cruz) Staff has no opinion at this time.

18. **Lease of County Buildings Exemption:** Permit counties to lease or sublease county owned buildings to nonprofit organizations without going to a public auction to seek the highest bid. (Santa Cruz) Staff has no opinion at this time, but may support the proposal.

19. **Property Tax Appeals:** Require a property owner to submit an affidavit of valuation in a specific time frame in order to expedite court proceeding during a property tax appeal case (on properties valued at more than \$4 million, which are not handled in a small claims division of tax court), where the property tax owner is claiming the property tax assessment is inaccurate. (Yavapai) Staff recommends supporting the proposal; however, staff will confer with the County Assessor.

20. **Title 36 Courtroom Technology Accessibility:** Permit telephonic or video conference testimony during a Title 36 hearing (mental health). Currently judges have the option of whether or not to allow it. (Yavapai) Staff recommends supporting the proposal.

21. **IPTA Taxation Authority:** Grant an intergovernmental public transportation authority (IPTA), which has the same boundaries as the county in which it resides, the same authority as a regional transportation authority to levy a one-half cent transportation excise tax if approved by the voters. (Yuma) Staff recommends supporting the proposal.

Item 3 – 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 requests to speak from the public.

Item 4 – 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.

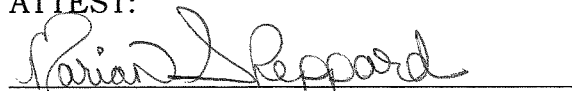
There being no further business to come before the Board of Supervisors, Chairman Pastor adjourned the meeting at 11:29 a.m.

APPROVED:



Michael A. Pastor, Chairman

ATTEST:



Marian Sheppard, Clerk of the Board