

GRAHAM COUNTY BOARD OF SUPERVISORS)

(SS.SAFFORD, AZ January 7, 2013

STATE OF ARIZONA, COUNTY OF GRAHAM)

The Graham County Board of Supervisors met in a regular session this date with the following present:

Drew John	Chairman
Danny Smith	Vice-Chairman
James A. Palmer	Member
Terry Cooper	Clerk
Judy Dickerson	Deputy Clerk

Chairman Palmer called the meeting to order at 8:00 a.m. and led the Pledge of Allegiance. The Board proceeded to elect officers for the upcoming term. Upon motion of Supervisor Palmer, seconded by Supervisor Smith, Supervisor John was unanimously elected as Chairman of the Board and Supervisor Smith as Vice-Chairman for the next sixteen months at which time Supervisor Smith would be Chairman and Palmer Vice-Chairman. Supervisor Palmer will chair the final sixteen months with John Vice-Chairman. The gavel was then turned over to Supervisor John.

Chairman John announced that it was the date and time to hold a Public Hearing for input on projects that could be funded by CDBG Funds. Planning & Zoning Director Will Wright gave background information on what the funding could be used for and explained that funding has been decreasing over the past several years. He asked for public input for projects and said the county only has a short time to submit the application for 2013 funding.

Upon motion of Supervisor Palmer, seconded by Supervisor Smith, the minutes of the Board Meeting and Work Session held on December 17, 2012 were unanimously approved.

County Manager Terry Cooper requested approval of Resolution 2013-01 Drug Free Work Place. Upon motion of Supervisor Palmer, seconded by Supervisor Smith, the request was unanimously approved.

RESOLUTION 1991-02

**A RESOLUTION OF
THE BOARD OF SUPERVISORS OF GRAHAM COUNTY
RELATING TO A DRUG FREE WORK PLACE**

REAFFIRMED: 2013-01

WHEREAS, the possession, use, manufacture, or distribution of a controlled substance is prohibited by law, and

WHEREAS, it is incumbent upon the County of Graham to comply with the law, and

WHEREAS, the County of Graham is required to insure a drug free work place in accordance with the Drug Free Work Place Act of 1988, and

WHEREAS, the Act requires employee notification, drug free work place awareness and employee notification to the employer of conviction.

THEREFORE BE IT RESOLVED, that the Graham County Board of Supervisors hereby declare their intent to insure a drug free work place at all locations where work is accomplished by and for the County.

BE IT FURTHER RESOLVED, that as a condition of employment all employees of the County must comply with provisions of the Resolution, including notification in writing to the County Manager of convictions for violation of drug laws no later than five (5) calendar days after such conviction.

Any violation of the criminal drug statutes will cause employees to be subject to disciplinary action up to and including termination.

Passed and adopted this 7th day of January, 2013.

GRAHAM COUNTY BOARD OF SUPERVISORS

/s/: Drew John, Chairman

/s/: Danny Smith, Vice Chairman

/s/: James A. Palmer, Member

ATTEST:

/s/: Terry Cooper, Board Clerk

Manager Cooper requested approval of Resolution 2013-02 Equal Opportunity Workplace. Upon motion of Supervisor Smith, seconded by Supervisor Palmer, the request was unanimously approved.

RESOLUTION

1977-22

REAFFIRMED: 2013-02

BE IT RESOLVED by the Board of Supervisors of Graham County, Arizona, that

WHEREAS, the Equal Protection Clause of the Fourteenth Amendment of the United States Constitution provides a legal basis for requiring state and local governments to practice non-discrimination in employment; and

WHEREAS, The County of Graham does not exclude in employment practices, from participation in, deny the benefits of, or subject to discrimination under any program or activity, any person in the United States on the grounds of race, color, national origin, or sex. Graham County does not discriminate on the basis of age under the Age Discrimination Act of 1975. or with respect to an otherwise qualified handicapped individual as provided in Section 504 of the Rehabilitation Act of 1973, or religion except that any exemption for such prohibition against discrimination on the basis of religion as provided in the Civil Rights Act of 1964, or Title VII of the Act of April 11, 1968, shall also apply; and

WHEREAS, the County of Graham believes that additional steps are desirable to strengthen and assure equal employment in every aspect of County personnel practices; and

WHEREAS, the County of Graham believes that this goal can best be realized through affirmative action that insures the principles of equal opportunity for all persons in the employment practices of the County.

NOW, THEREFORE BE IT RESOLVED, that the County of Graham does reaffirm its policy to insure equal opportunity in employment and benefit of services under any program or activity for all persons and to prohibit discrimination in employment and services because of color, race, religion, sex, national origin, age or handicap and to promote the full realization of equal opportunity through a continuing policy of equal opportunity practices in each department of the County and to be an integral part of every aspect of policy and practice in the recruitment, employment, advancement and treatment of employees and prospective employees, and benefit of services under any program of the County of Graham to the maximum extent possible.

BE IT FURTHER RESOLVED, that the County of Graham will endeavor to assure the full participation in such policies by all persons contracting with or providing services to the County of Graham.

BE IT FURTHER RESOLVED, that the County of Graham has implemented an affirmative action program and established necessary rules and regulations in support and execution thereof.

BE IT FURTHER RESOLVED, that the Affirmative Action Officer and Handicapped Compliance Officer for the County of Graham will be the County Manager in coordination with the Personnel committee.

BE IT FURTHER RESOLVED, that the County of Graham, as evidence of its intent to fulfill the principles and procedures necessary for the realization of the objectives herein stated, does hereby adopt this resolution of the Board of Supervisors

APPROVED AND REAFFIRMED this 7th day of January, 2013.

GRAHAM COUNTY BOARD OF SUPERVISORS

/s/: Drew John, Chairman

/s/: Danny Smith, Vice-Chairman

/s/: James A. Palmer, Member

ATTEST:

/s/: Terry Cooper, Board Clerk

Manager Cooper requested approval of Resolution 2013-03 U.S. Department of Commerce Relating to Tomato Suspension Agreement with Mexico Producers. Upon motion of Supervisor Smith, seconded by Supervisor Palmer, the request was unanimously approved.

RESOLUTION 2013-03

RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF GRAHAM, ARIZONA REQUESTING THE U.S. DEPARTMENT OF COMMERCE TO TAKE ACTION RELATING TO THE 1996 ANTIDUMPING PETITION AND ITS EXISTING TOMATO SUSPENSION AGREEMENT WITH MEXICO PRODUCERS

WHEREAS, the statutory requirement related to suspension agreements is that they eliminate substantially all dumping on a per transaction basis and eliminate all injurious effects on US producers, and

WHEREAS, the Department has failed to promptly reach a final decision in this matter despite substantial information being provided by U.S. tomato producers as requested by the Department, and

WHEREAS, recent moves by Mexico requiring customs brokers to label Mexico tomatoes as greenhouse grown when they were grown in the open or under a cover, and

WHEREAS, the failure of full and strict enforcement of the existing agreement has resulted in an ever increasing financial hardship on field and greenhouse U.S. tomato producers, and

WHEREAS, Eurofresh, Inc. a greenhouse tomato producer, located in Graham County, Arizona is currently the county's largest employer with a workforce of 1200 employees and a major property tax payer.

THEREFORE BE IT RESOLVED by the Board of Supervisors that the U.S. Department of Commerce quickly take steps to issue a final decision in this matter, and that its decision include provisions for the strict enforcement of all terms of any agreement, and

BE IT FURTHER RESOLVED that any agreement include standards for greenhouse grown labeling and that those standards by definition meet those that apply in the North American marketplace: Arizona, California, British Columbia and Ontario as follows: A fully enclosed aluminum or steel structure clad in either glass or impermeable plastic for the controlled environmental growing of vegetables using computerized irrigation and climate control systems and grown in a soilless medium along with an integrated pest management systems.

PASSED, ADOPTED AND APPROVED by the Graham County Board of Supervisors this 7th day of January, 2013.

GRAHAM COUNTY BOARD OF SUPERVISORS

/s/: Drew John, Chairman

ATTEST:

APPROVED AS TO FORM:

/s/: Terry Cooper, Clerk

/s/: Kenneth A. Angle, County Attorney

Manager Cooper requested approval of out of state travel for the Elected Officials and County Manager for 2013. Upon motion of Supervisor Palmer, seconded by Supervisor Smith, the request was unanimously approved.

There were no current events to report.

Demands and hand written warrants were unanimously approved upon motion of Supervisor Palmer, seconded by Supervisor Smith. Pursuant to the provisions of A.R.S. §11-217, as amended in 1996, those demands/warrants for any supplier which total more than \$1,000.00 are as follows:

SUPPLIER/PURPOSE

AMOUNT OF WARRANT

Advanced Air / Altech Refrigeration	\$1,571.61
Barry A. Standifird, P.C.	\$3,750.00
Bob Barker	\$1,358.74
Cable One	\$1,889.27
CDW Government, Inc.	\$14,908.71

Century Link – Business Services	\$3,717.65
Century Link	\$2,782.46
Clearfield, Inc.	\$1,494.00
Coalition of AZ/NM Counties	\$2,600.00
Coast to Coast Computer Products	\$2,435.41
David Wayne Thorn	\$1,875.00
Felisa Bermudez	\$5,625.00
Freeport McMoRan	\$24,000.00
Graham County Treasurer	\$1,195.07
Greenlee County Sheriff's Dept.	\$9,045.00
Jeremy J. Waite	\$4,000.00
Jesse R. Coons	\$1,200.00
Josi Y. Lopez	\$10,641.67
Larry Roberts	\$1,625.00
Law Office of Donovan Riddle	\$1,950.00
Law Office of Rebecca Johnson	\$8,500.00
Matt N. Clifford	\$1,365.00
Michael B. Bernays	\$3,750.00
Norchem	\$3,619.20
Richard Wintory	\$11,000.00
Robert Standage	\$1,875.00
Safford Ace	\$6,180.28
San Diego Police Equipment Company	\$1,705.65
Bruce Ellsworth Sauls Creek Engineering	\$2,595.00
Sienna Counseling Consulting	\$4,000.00
State of Arizona Risk Management	\$2,660.43
Theresa Aguilar	\$1,015.00
Thyssenkrupp Elevator	\$5,049.25
Tri County Materials, Inc.	\$1,977.90
Valley Security Service	\$1,147.00
Verizon Wireless	\$2,655.10
Walmart Community BRC	\$9,204.43
Waxie Sanitary Supply	\$3,027.74
West Payment Center	\$6,481.45

Chairman John recessed the meeting at 8:25 a.m.

Chairman John called the Work Session to order at 8:59 a.m. Those in attendance in addition to the Board were:

Michael Bryce	County Engineer
Steve Puzas	Highway Superintendent
Terry Cooper	Clerk
Ray Lonser	Private Citizen

Various Highway and P & Z issues were discussed.

The Work Session was recessed at 9:55 a.m.

Chairman John reconvened the meeting at 10:00 a.m. announced that it was time to commence the Oath of Office Ceremonies. Each newly elected official took the Oath of Office and a photo session followed.

Following the Oath of Office Ceremony Drew John, Jim Palmer and Terry Cooper honored outgoing Supervisor Mark C. Herrington by expressing gratitude for his many accomplishments, his loyalty to his constituents and Graham County. They thanked him for his friendship and said he would be greatly missed.

The Work Session was reconvened at 12:00 p.m.

Discussion on Highway and P & Z issues continued and several areas were toured.

The Work Session was adjourned at 1:25 p.m.

GRAHAM COUNTY BOARD OF SUPERVISORS

Drew John, Chairman

ATTEST:

Terry Cooper, Board Clerk