

GRAHAM COUNTY BOARD OF SUPERVISORS)

(SS.SAFFORD, AZ January 6, 2014

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
Judy Dickerson	Deputy Clerk

Chairman John called the meeting to order at 8:00 a.m. and led the Pledge of Allegiance. Chairman John excused Terry Cooper, Manager/Clerk, who was out of town on County business. Upon motion of Supervisor Smith, seconded by Supervisor Palmer, the minutes of the Board Meeting and Work Session held on December 16, 2013 were unanimously approved.

Engineer Michael Bryce requested approval of the Terranext proposal for methane gas monitoring at the Central Landfill for 2014. Upon motion of Supervisor Palmer, seconded by Supervisor Smith, the request was unanimously approved.

Deputy Director of Emergency Management Brian Douglas requested approval of the Graham/Greenlee Counties Tactical Interoperable Communications Plan. Upon motion of Supervisor Palmer, seconded by Supervisor Smith, the request was unanimously approved.

Chairman John requested the appointment of Julie Rodriguez as CFO and authorize a salary adjustment effective January 1, 2014. Upon motion of Supervisor Smith, seconded by Supervisor Palmer, the request was unanimously approved.

Chairman John requested approval of Resolution #2014-04 Naming Cindy Norris-Blake as Alternate Trustee for AZLGEBT. Upon motion of Supervisor Smith, seconded by Supervisor Palmer, the request was unanimously approved.

RESOLUTION 2014-04

A RESOLUTION OF THE GRAHAM COUNTY BOARD OF SUPERVISORS APPROVING THE APPOINTMENT OF AN ALTERNATE TRUSTEE TO THE ARIZONA LOCAL GOVERNMENT EMPLOYEE BENEFIT TRUST BOARD OF TRUSTEES.

WHEREAS, Section 952.01(C) of the Arizona Revised Statutes authorizes two or more public agencies to enter into agreements for the provision of employee health benefit programs; and

WHEREAS, on July 01, 1994 The County of Graham (the "COUNTY") entered into an Agreement and Declaration of Trust (the "Trust Agreement") establishing the Arizona Local Government Employee Benefit Trust (the "TRUST") for the purpose of providing health benefits to employees of its Participating Entities; and

WHEREAS, the COUNTY is a Participating Entity in the TRUST; and

WHEREAS, Section 3.01 of the Trust Agreement provides for the operation and administration of the Trust by a Board of Trustees (the "Trust Board") with members to be selected by the Participating Entities; and

WHEREAS, Sections 3.02 of the Trust Agreement provides for the designation of one Trustee and one Alternate Trustee by each Participating Entity, establishes qualifications for appointment as a Trustee or Alternate Trustee and provides that a Participating Entity may at any time remove a Trustee with or without cause; and

WHEREAS, Sections 3.04 of the Trust Agreement provides that following appointment, Trustees and Alternate Trustees shall serve until such time as they resign or cease to be an employee of that Participating Entity and that, in that event, the position shall be deemed vacant and a new Trustee or Alternate Trustee shall be designated by that Participating Entity; and

WHEREAS, due to occurrence of one of the circumstances specified in Section 3.02 or Section 3.04 of the Trust agreement warranting declaration of a vacancy and appointment of a successor Trustee and/or Alternate Trustee to the Trust Board, the Board of Supervisors wishes to approve such declaration(s) and appointment(s).

NOW, THEREFORE, IT IS RESOLVED AS FOLLOWS

1. That the current Alternate Trustee, Clel Flake, is resigning the position and the following Successor Alternate Trustee is hereby appointed to serve in the respective capacity:

Alternate Trustee: Cindy Norris-Blake, Administrative Assistant

2. That the term of the appointment shall commence as of the effective date of this Resolution and shall continue in full force and effect until terminated by removal, resignation or separation from employment as provided in Article III of the Trust Document.
3. That within five (5) days of the effective date of this Resolution, a verified copy shall be transmitted to Arizona Local Government Employee Benefit Trust for entry into its official records.

APPROVED AND ADOPTED this 6th day of January, 2014.

/s/: Drew John, Chairman

ATTEST:

/s/: Terry Cooper, Clerk

APPROVED AS TO FORM

/s/: Kenneth Angle, County Attorney

Chairman John requested approval of Resolution #1991-02 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: 2014-01

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 6th day of January, 2014.

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

Chairman John requested approval of Resolution # 2014-02 Equal Opportunity Workplace. Upon motion of Supervisor Smith, seconded by Supervisor Palmer, the request was unanimously approved.

RESOLUTION

1977-22

REAFFIRMED: 2014-02

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 6th day of January, 2014.

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

Chairman John requested approval of the five year Southeastern Arizona Workforce Connection Business Plan (WIA). Upon motion of Supervisor Smith, seconded by Supervisor Palmer, the request was unanimously approved.

Chairman John requested approval of out of state travel for Elected Officials and the County Manager for 2014. Upon motion of Supervisor Palmer, seconded by Supervisor Smith, the request was unanimously approved.

Chairman John requested approval to award Bid # 13/14-33 Sheriff's Office Security Control Board, opened at the December 16, 2013 Board meeting, to the lowest conforming bidder. Upon motion of Supervisor Smith, seconded by Supervisor Palmer, the bid was unanimously awarded to MCS for \$39,775.00.

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:

<u>SUPPLIER/PURPOSE</u>	<u>AMOUNT OF WARRANT</u>
Alcopro, Inc.	\$1,112.00
Arizona Supreme Court	\$2,530.00
AZLGEBT	\$194,153.41
Barry A. Standifird, P.C.	\$3,750.00
Bob Barker	\$2,318.14
Cable One	\$1,897.44
CDW Government, Inc.	\$7,742.56
Century Link	\$1,746.95
City of Safford	\$133,176.83
David Wayne Thorn	\$3,750.00
Felisa Bermudez	\$7,625.00
Jasper Engines & Transmissions Exchange, Inc.	\$2,397.00
Jesse R. Coons	\$1,200.00
Josi Y. Lopez	\$9,291.66
Law Office of Channen Day	\$3,000.00
Law Office Rebecca Johnson	\$10,308.33
Lin-Cum, Inc.	\$4,747.90
MacDonald Counseling Services, PLLC	\$1,860.00
Matt n. Clifford	\$1,205.00
Michael B. Bernays	\$4,166.66
Mt Graham Regional Medical Center	\$10,039.13
New World Systems	\$14,250.00
Pima County Treasurer	\$4,400.00
Robert Standage	\$2,083.33
Safford Floor Coverings	\$4,988.10
Bruce Ellsworth Sauls Creek Engineering	\$5,850.00
Sienna Counseling Consulting	\$5,662.80
State of Arizona Risk Management	\$3,165.30
Stephen K. Lundell	\$2,916.66
Verizon Wireless	\$4,170.00
Walmart Community BRC	\$11,392.18
Waxie Sanitary Supply	\$1,467.59

Chairman John recessed the meeting at 8:18 a.m.

Upon motion of Supervisor Palmer, seconded by Supervisor Smith, in accordance with ARS §§ 38-431.03(A)(2)(3)(4), the Board entered an Executive Session at 8:30 a.m. to discuss NatureSweet vs Graham County and Cable One. Those in attendance in addition to the Board were:

Darlene Alder	Assessor	
Jean Reynolds	Treasurer	
Kenneth Angle	County Attorney	
Brooks Bryce	Chief Deputy Assessor	
Lori Boren	Chief Deputy Treasurer	
Roberta Livesay	Attorney	Telephonically
Julie Rodriguez	CFO	
Judy Dickerson	Deputy Clerk	

The Cable One, Inc. vs Arizona Department of Revenue – Graham County case was discussed.

The NatureSweet vs Graham County case was discussed.

Chairman John reconvened the regular meeting at 9:08 a.m.

Upon motion of Supervisor Smith, seconded by Supervisor Palmer, the Board unanimously directed County Attorney Kenneth Angle to authorize the Attorney General’s office to handle the law suit on behalf of Graham County.

Upon motion of Supervisor Palmer, seconded by Supervisor Smith, the Board unanimously approved Roberta Livesay to handle the NatureSweet vs Graham County case if it moves forward.

Chairman John adjourned the meeting at 9:10 a.m.

Chairman John called the Work Session to order at 9:20 a.m. Those in attendance in addition to the Board were:

Joe Goodman	Planning & Zoning
Michael Bryce	Engineer
Steve Puzas	Highway Superintendent

Various Highway and P & Z issues were discussed and several areas were toured.

The Work Session was adjourned at 1:00 p.m.

GRAHAM COUNTY BOARD OF SUPERVISORS

Drew John, Chairman

ATTEST:

Judy Dickerson, Deputy Clerk