JPA No.: 04-120I
AG Contract No.: KR04-1503TRN
Amendment No. 1
Project No.:BR-GGH-0 (007)A
Project: Gila River Safford Bridge Replacement
Section:
TRACS No.: SB41601C
Budget Source Item No.: N/A

AMENDMENT NO. 1
TO
INTERGOVERNMENTAL AGREEMENT

BETWEEN
THE STATE OF ARIZONA
AND
THE COUNTY OF GRAHAM

THIS AGREEMENT is entered into this date June 5, 2007, Amendment No. 1 to JPA No. 04-120, A.G. Contract No.: KR04-1503TRN, filed with the Secretary of State under No. 27454, pursuant to the Arizona Revised Statutes § 11-951 through 11-954, as amended, between the STATE OF ARIZONA, acting by and through its DEPARTMENT OF TRANSPORTATION (the "State") and the COUNTY OF GRAHAM, acting by and through its COUNTY BOARD OF SUPERVISORS and (the " County"). The State and the County are collectively referred to as "Parties".

I. RECITALS

1. The State is empowered by Arizona Revised Statutes § 28-401 and 28-334 to enter into this Agreement and has delegated to the undersigned the authority to execute this Agreement on behalf of the State.

2. The County is empowered by Arizona Revised Statutes § 11-952 to enter into this Agreement and has by resolution, a copy of which is attached hereto and made a part hereof, resolved to enter into this Agreement and has authorized the undersigned to execute this Agreement on behalf of the County.

Article I, Paragraph 7 is deleted and revised in full as follows:

7. The work embraced in this Agreement consists of Bridge replacement and rehabilitation of the Gila River Safford Bridge. The estimated costs are as follows:

TRACS No. SB41601C

Federal Aid Funds @ 12,036,699.00	$12,036,699.00
Estimated County Funds	$ 1,911,093.00
*Total Estimated cost of the Project	$13,947,792.00

*(Includes 15% CE and project contingencies)

THEREFORE, in consideration of the mutual Agreements expressed herein, this Agreement is amended as follows:

NO. 27454
Filed with the Secretary of State
Date Filed: 6-5-07
Secretary of State
By:

II. SCOPE OF WORK

Article II, Paragraph h. language to be added as follows

1. The State shall:

h. ADOT Safford District administer the contract and manage the construction of the bridge project on their behalf.

EXCEPT AS AMENDED herein, **ALL OTHER** terms and conditions of the original Agreement remain in full force and effect.

IN WITNESS WHEREOF, the parties have executed this Amended Agreement the day and year first above written.

COUNTY OF GRAHAM

By _____
MARK C.HERRINGTON
Chairperson

ATTEST:

By _____
TERRY COOPER
Clerk

STATE OF ARIZONA
Department of Transportation

By _____
SAM MAROUFKHANI P.E.
Deputy State Engineer, Development

G:04-120-Graham County-Safford Bridge-SB41601C-13 December 2006-cc

JPA 04-120

ATTORNEY APPROVAL FORM FOR THE COUNTY OF GRAHAM

I have reviewed the above referenced Intergovernmental Agreement between the State of Arizona, acting by and through its DEPARTMENT OF TRANSPORTATION, and the County, an Agreement among public agencies which, has been reviewed pursuant to A.R.S. § 11-951 through § 11-954 and declare this Agreement to be in proper form and within the powers and authority granted to the County under the laws of the State of Arizona.

No opinion is expressed as to the authority of the State to enter into this Agreement.

DATED this _____ day of _____, 2007.

_____

County Attorney

GRAHAM COUNTY BOARD OF SUPERVISORS)
(SS.SAFFORD, AZ APRIL 16, 2007
STATE OF ARIZONA, COUNTY OF GRAHAM)

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

Mark C. Herrington	Chairman
James A. Palmer	Member
Drew John	Member
Terry Cooper	Clerk

Chairman Herrington called the meeting to order at 8:00 a.m. and led the Pledge of Allegiance. Upon motion of Supervisor John, seconded by Supervisor Palmer, the minutes of the Board Meeting and Work Session held on April 2, 2007 and the Work Session held on April 10, 2007 were unanimously approved.

County Engineer Michael Bryce, requested acceptance of roads for County maintenance in Plateau Estates II. Upon motion by Supervisor Palmer, seconded by Supervisor John, the request was unanimously approved subject to test results and inspections.

Engineer Bryce, requested approval of Amendment No. 1 to the Intergovernmental Agreement between the State of Arizona and the County of Graham for the Gila River Safford Bridge. Upon motion by Supervisor John, seconded by Supervisor Palmer, the request was unanimously approved.

Highway Superintendent Rob Chesley, requested approval of County participation in Community Pride Days April 16 to April 28, 2007. Upon motion by Supervisor Palmer, seconded by Supervisor John, the request was unanimously approved.

Superintendent Chesley informed the Board that No Trespassing signs had been placed on several areas of Sunset Loop. County staff had visited with the property owner in an attempt to allow for continued maintenance; however a solution could not be reached. After some discussion, it was decided that the County must honor the No Trespassing signs. Upon motion by Supervisor Palmer, seconded by Supervisor John, the Board unanimously directed staff to grade up to the No Trespassing Signs per County policy.

Graham County Parks, Fair and Racing Director Casey Faunce gave a presentation of the Tri County Fair and Racing report. Director Faunce explained that the horse races started off slow because of the weather, but the next three days went very well. The Tri County Fair resulted in breaking even in the end due to the Motocross event, ATV rodeo and ABRA barrel race.

Supervisor Palmer gave a presentation on the Arizona Meth Project, which is a mass media/community outreach prevention campaign modeled after the Montana Meth project. There are ten counties participating in this effort across Arizona. The advertising will be shown across the state. The Arizona Meth Project will be managed by the Maricopa County Managers Office with advice from the Arizona Meth Advisory Board of which Supervisor Palmer is a member. The project targets youth ages 12-17 and young adults ages 18-24 and their parents. The project uses very graphic radio, television, print, internet and billboard ads to depict the destructive effects of meth; these will be shown in English and Spanish. The advertising will also give people more information on treatment options.

Upon motion by Supervisor Palmer, seconded by Supervisor John, the Board unanimously endorsed a proclamation to honor National County Government week April 23 through April 28, 2007.

Janet Napolitano
Governor

Office of the Governor

COUNTY GOVERNMENT WEEK

WHEREAS, when the federal government was formed, the framers of the Constitution chose to provide state the freedom to create county governments, thereby giving a voice to citizens at the local level; and

WHERAS, early state constitutions recognized the importance of county government and its dual value to both state and federal government; and

WHEREAS, counties are often the first to respond to emergency situations and are instrumental in disaster preparedness; and

WHEREAS, counties provide regional leadership over critical policy areas, including policies necessary to ensure safe communities, protect public health, promote economic development, and plan and manage land use for sustainable development; and

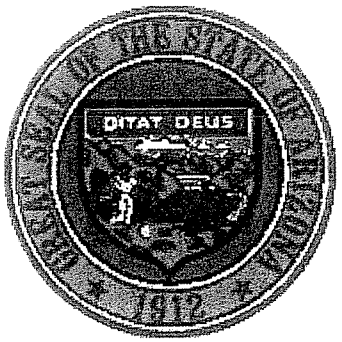
WHEREAS, there are fifteen counties in the State of Arizona, collectively committed to serving the needs of every Arizonan; and

WHEREAS, counties pursue key initiatives to raise public confidence and increase understanding about the roles and responsibilities of counties; and

WHEREAS, Arizona counties reflect the wide diversity, culture, and landscape that make our State truly great;

NOW, THEREFORE, I, Janet Napolitano, Governor of the State of Arizona, do hereby proclaim April 22 through 28, 2007 as

COUNTY GOVERNMENT WEEK



IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Arizona

/s/ Janet Napolitano
GOVERNOR

DONE at the Capitol in Phoenix on this fifteenth day of March in the year Two Thousand and Seven and of the Independence of the United States of America the Two Hundred and Thirty-first.

ATTEST:

/s/ Janice K. Brewer
Secretary of State

County Manager Terry Cooper, requested appointment of members to the Steering Committee for the Graham/Greenlee Local Drought Impact Group. Upon motion by Supervisor Palmer, seconded by Supervisor John: Mark Herrington, representing Graham County and Hector Ruedas representing Greenlee County; Eric Merriman, Town of Thatcher; Dean Lunt, NRCD; Jay W. Howe, City of Safford were all elected to two year terms. Norman "Pete" Brawley, Gila Valley Watershed Partnership; Neal Montierth, Gila Valley Irrigation District; Jeff Larson, Farm Bureau; Loretta Stone, San Carlos Apache Tribe were all elected to a one year terms. Terms will be staggered to start, then upon re-appointment they will all be two year terms.

Manager Cooper requested approval of an agreement between the Arizona State Land Department and Graham County regarding Environmental Program Assistance. Upon motion by Supervisor John, seconded by Supervisor Palmer, the agreement was unanimously approved.

Under current events report, Supervisor Palmer reported on the following meetings: 04-04-07 Graham/Greenlee Meth awareness conference; 04-04-07 Reception for Terry Goddard; 04-10-07 Transit Feasibility Study work session; 04-10-07 Spoke at the Chamber of Commerce Board meeting; 04-11-07 interviews to hire a new Agricultural Extension Agent in Graham and Greenlee Counties; 04-13-07 ADOT Board Annual planning meeting; 04-13-07 Gila River Apartments ribbon cutting.

Supervisor John reported on the following meetings: 04-10-07 Thatcher Town Council; 04-11-07 Watershed meeting; 04-12-07 ADOT Public outreach Meeting; 04-13-07 Westin Richardson Eagle Project.

Supervisor Herrington reported on the following meetings: 04-02-06 ADOT on Hwy 191; 04-11-07 Housing Meeting; 04-12-07 Governors Forest Health Oversight meeting.

Demands and hand written warrants were unanimously approved upon motion of Supervisor Palmer and seconded by Supervisor John. 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
ADHS, AHCCCS TREASURER	$44,683.00
AMERICAN JAIL ASSOCIATION	$1,428.00
ARIZONA DEPARTMENT OF REVENUE	$1,252.30
AZLGEBT	$158,733.33
CABLE ONE	$2,844.95
CARQUEST	$2,144.24
CDW GOVERNMENT, INC.	$10,658.71
CHASE CARD SERVICES	$8,000.00
CINGULAR	$1,017.01
CITY OF SAFFORD LANDFILL	$2,654.00
CITY OF UTILITIES	$17,462.86
CKC CONSTRUCTION	$2,347.64
CPEC	$10,013.46
CRAFCO, INC	$5,052.73
DENNIS MCCARTHY	$3,745.00
EASTERN ARIZONA COURIER-LEG	$2,093.01
ERIN P. COLLINS AND ASSOCIATES	$2,509.50
GRAHAM COUNTY ELECTRIC COOP	$7,040.74
HOME DEPOT CREDIT SERVICES	$1,698.60
KATHY VALENZUELA	$1,485.00
KENNETH B. LARSON PA C	$2,908.00
MATRE AMMUNITION INC.	$13,529.00
MEREDITH LITTLE	$1,563.50
MERLES AUTOMOTIVE SUPPLY	$3,578.57
MT GRAHAM REGIONAL MEDICAL	$2,501.62
N.C.E. MANAGEMENT TRUST	$1,613.75
NOBLE MEDICAL, INC. XXX	$3,914.46
NORCHEM DRUG TESTING	$1,401.40
NORTHLAND INNOVATION CO. XX	$3,500.00
PRIORITY EMERGENCY PRODUCTS	$14,251.04
PRO OFFICE EQUIPMENT	$3,955.11
QUILL	$1,741.73
QWEST	$3,454.15
QWEST BUSINESS SERVICES	$4,401.87
REGIONS INTERSTATE BILL SERV.	$2,864.43
RHODES ENTERPRISES	$1,000.46
SAFFORD BUILDERS SUPPLY CO	$15,314.75
SCOTT WORRALL	$1,920.00
SEAGO	$1,835.84
SKY ISLAND SERVICES	$1,045.50
SPECIALIZED PRODUCTS	$7,804.71
UNISOURCE	$2,283.37
UNIVERSITY OF ARIZONA	$6,250.00
VALLEY SECURITY SERVICE	$1,240.81
WASH TUB LAUNDROMAT	$2,181.75
WEST GROUP	$3,668.10

Chairman Herrington announced that it was the date and time to hold a Public Hearing on the following items. Additionally, Chairman Herrington informed those in attendance that agenda items #6 and #7 had been withdrawn per the request of Ms. Dawn Bingham.

Development Planner Will Wright gave the background on the following:

1. Request by Ben Allred, to name a private easement "45th Ave", at situs address: 4500 West of Norton Road, Central, AZ 85531. No one spoke for or against the request. Upon motion by Supervisor Palmer, seconded by Supervisor John, the request was unanimously approved.

2. Request by Kenneth and Donna Alanen, for zoning map change REZ #648-06 (APN 106-16-021) to change present "A" (General Land Use, one acre minimum) zone to an "R-1" (Single Family Residential 20,000 sq. ft. min.) zone to allow for a minor land division split, at situs address: 7247 S. Lariat Way, Safford, AZ 85546. No one spoke for or against the request. Upon motion by Supervisor John, seconded by Supervisor Palmer, the request was unanimously approved.

3. Request by David Palmer for zoning map change REZ #654-07 (APN 105-51-023B) to change present "M-X" (Unlimited Manufacturing) zone to an "A-R 1" (Agricultural Residential, one acre minimum) zone to bring the property into compliance to build a home, at situs address: 2130 W. Safford Bryce Road, Safford, AZ 85546. No one spoke for or against the request. Upon motion by Supervisor Palmer, seconded by Supervisor John, the request was unanimously approved.

4. Request by Wallace Taylor, for zoning map change REZ #655-07 (APN 107-36-020) to change present "A" (General Land Use) zone to an "A-R" (Agricultural Residential 20,000 sq. ft. minimum) zone to bring existing lot into compliance to build a home, at situs address: 5800 E. Sanchez Road , Safford, AZ 85546.

   Ms. Jenica Bowman spoke against the zoning change. Ms. Bowman stated that she believed the utilities were being compromised, that it was too close to the water line and that there are easement concerns. Ms. Bowman also stated that when she built her home she was told to have the septic 80 feet from the water line and that Mr. Taylor's was only 50 feet from the water line.

   Supervisor Palmer explained that these were issues that would be dealt with during the permitting process and this is just the zoning.

   Mr. Taylor spoke on behalf of his request. He is a resident of Cochise County and his intent is to have parcel zoned comparable to the surrounding area and sell it.

Upon motion by Supervisor Palmer, seconded by Supervisor John, the request was tabled until May when further information becomes available.

5. Request by Jimmy Meredith, for zoning map change REZ #656-07 (APN 106-20-306) to change present "A" (General Land Use) zone to an "R-20" (Single Family Residential 20,000 sq. ft. minimum) zone to allow for the purpose of a minor land division, at situs address: 555 West Suni Drive , Safford, AZ 85546. No one spoke for or against the request. Upon motion by Supervisor Palmer, seconded by Supervisor John, the request was unanimously approved.

8. Request by Forest Wright, for zoning map change REZ #658-07 (APN 103-28-018B, 103-28-001B) to change present "A" (General Land Use, One acre minimum) zone to an "R-1" (Single Family Residential 10,000 sq. ft. minimum) zone for the purpose of a future subdivision, at situs address: 4228 S. Stockton Road, Safford, AZ 85546. No one spoke for or against the request. Upon motion by Supervisor Palmer, seconded by Supervisor John, the request was unanimously approved contingent upon utility infrastructure being in place first.

9. Request by Joshua Halversen, for zoning map change REZ #659-07 (APN 106-01-036H) to change present "A" (General Land Use, one acre minimum) zone to an "R-20" (Single Family Residential, 20,000 sq, ft. minimum) zone for the purpose of minor land divisions, at situs address: 3400 block of West Horseshoe Lane, Thatcher AZ 85552. Mr. Halversen presented the Board with additional information. Upon motion by Supervisor Palmer, seconded by Supervisor John, the request was unanimously approved.

Chairman Herrington announced that it was the date and time to hold a Public Hearing to consider the following requests from Community Based Organizations for financial support in Fiscal Year 2007/2008. All requests will be reviewed by staff and the Board for possible donations from Graham County.

1. Greg St. Hilaire spoke on behalf of Chap Ministries.
2. Bob Pursley spoke on behalf of Graham County Historical Society.
3. Jean Crinan spoke on behalf of Mt. Graham Safe House.

There being no further business and upon motion of Supervisor John, seconded by Supervisor Palmer the meeting was adjourned at 9:20 a.m.

Chairman Herrington called the first Work Session to order at 9:30 a.m. Those in attendance in addition to the Board were:

Michael Bryce	County Engineer
Rob Chesley	Highway Superintendent
Terry Cooper	Clerk of the Board

The Work Session recessed at 12:45 p.m.

Chairman Herrington called the second Work Session to order at 1:00 p.m. Those in attendance in addition to the Board were:

Darlee Maylen	Clerk of the Court
Donna McGaughey	School Superintendent
Josh Halversen	Superior Court
John C. Lucas	I.T. Director
McCoy Hawkins	I.T. Technician
Dan Martin	I.T. Technician
Lori Boren	Chief Deputy Treasurer
Michael Bryce	County Engineer
Rob Chesley	Highway Superintendent
Will Wright	Community Development Director
Kristi Ferguson	Superior Court
Terry Cooper	Clerk of the Board

A video conference presentation by the Yavapai County I.T. Department was given on various website software and databases.

The second Work Session adjourned at 2:00 p.m.

The first Work Session was reconvened at 2:15 p.m.

Various Highway issues were discussed along with a tour of several areas of concern.

The first Work Session was adjourned at 3:15 p.m.

GRAHAM COUNTY BOARD OF SUPERVISORS

Mark C. Herrington, Chairman

ATTEST:

Terry Cooper, Board Clerk

TERRY GODDARD
Attorney General

OFFICE OF THE ATTORNEY GENERAL
STATE OF ARIZONA

CIVIL DIVISION
TRANSPORTATION SECTION
Writer's Direct Line:
602.542.8855
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E-mail: Susan Davis@azag.gov

INTERGOVERNMENTAL AGREEMENT DETERMINATION

A.G. Contract No. KR04-1503TRN (**JPA 04-120-I, Amendment No. 1**), an Agreement between public agencies, i.e., The State of Arizona and The County of Graham, has been reviewed pursuant to A.R.S. § 11-952, as amended, by the Undersigned Assistant Attorney General who has determined that it is in the proper form and is within the powers and authority granted to the State of Arizona.

No opinion is expressed as to the authority of the remaining Parties, other than the State or its agencies, to enter into said Agreement.

DATED: May 31, 2007

TERRY GODDARD
Attorney General

Susan Davis

SUSAN E. DAVIS
Assistant Attorney General
Transportation Section

SED:mjf:10098
Attachment