BOARD OF SUPERVISORS MEETING MINUTES
GILA COUNTY, ARIZONA

Date: August 27, 2024

STEPHEN CHRISTENSEN
Chairman

TIM R. HUMPHREY
Vice-Chairman

WOODY CLINE
Member

JAMES MENLOVE
Clerk of the Board

By: Maria Cook
Sr. Deputy Clerk of the Board

Gila County Courthouse
Globe, Arizona

PRESENT: Stephen Christensen, Chairman; Tim R. Humphrey, Vice-Chairman, and Woody Cline, Member.

STAFF PRESENT: James Menlove, County Manager and Clerk of the Board; Jessica Scibelli, Senior Civil Deputy County Attorney; and Samantha Trimble, Deputy Clerk of the Board.

Item 1 - CALL TO ORDER - PLEDGE OF ALLEGIANCE

The Board of Supervisors met in a Special Session at 10:00 a.m. on this date in the Board of Supervisors' hearing room. James Menlove led the Pledge of Allegiance.

Item 2 - REGULAR AGENDA ITEMS:

A. Information/Discussion regarding Ordinance No. 2023-08 - *Vacation Rental and Short-Term Rental Uses*, which was adopted by the Gila County Board of Supervisors on December 5, 2023.

Joshua Beck, Public Health and Community Services Department Director, explained that concerns raised during a Board of Supervisors' meeting led to the development and adoption of Ordinance No. 2023-08. Senator Wendy Rogers brought it to the Arizona Attorney General's (AG) Office for review. The AG's response clarified that County Ordinance No. 2023-08 sets public health and safety rules, not a zoning ordinance for vacation rental and short-term rental uses (STR), so it does not conflict with Arizona Revised Statute (A.R.S.) § 11-269.17(B)(2).

Mr. Beck said, "At the last Board Work Session, the Board asked us to re-examine the ordinance based on new issues. We reviewed everything, especially the detailed line-by-line reading from the attorney working with STR owners.

That review was thorough and helped us identify several areas to adjust." Mr. Beck outlined the following proposed changes to the STR ordinance.

1. Permit Fee:
   Under Chapter 2, paragraph 2.2.1, the permit fee was reduced from $250 to $225. Michael O'Driscoll, Deputy County Manager, had Mr. Beck review details to identify savings in processing, administration, and management.

2. Language Changes:
   Changed 'revocation' to 'suspension' throughout; removed 'revocation' or 'revoke' when referring to permits or the ordinance and replaced with 'suspension.' The County Attorney requested this change.

3. Notification of Violations:
   Amended the sentence about a point of contact 'residing in or affixed to the front door' since owners may not live on-site. Owners must keep their information updated with the County Assessor's Office, and violations will be sent to that Office. This guarantees notices reach owners, and they stay informed.

4. Emergency Response Time:
   Failure-to-respond-to-an-emergency penalty. The original ordinance required a response within one hour. Vacation rental and STR owners and their attorney found this problematic. Adam Shepherd, Gila County Sheriff, was consulted. Everyone agreed that four hours was reasonable.

5. Occupancy Limits:
   Mr. Beck enforces Title 36-601 on public health nuisances, including overflowing septic systems, water contamination, and unsanitary lodging.

   Gila County Wastewater Division uses a 'two per room' standard, initially applying it to households; however, after consulting with Jake Garrett, Gila County Assistant Environmental Engineer Manager, Mr. Beck agreed that children age five and under produce negligible waste and should be excluded from occupancy limits, emphasizing the policy isn't punitive, especially for children.

6. Background Checks:
   Mr. Beck stated, "As a public safety measure, I feel this is valuable. I understand the limiting factors and the complications it raises. We removed the requirement for background checks from the mandatory language; however, we left in strong recommendation language, encouraging owners to continue conducting background checks."

Supervisor Humphrey stated, “I understand staff spent an enormous amount of time preparing the first (initial) ordinance. Thank you for listening to the public who spoke in the last meeting and working with people to address the changes they wanted. I appreciate all the staff time, energy, and research that went into these revisions.”

Vice-Chairman Cline commented, “Mr. Beck, thank you. There’s a lot to this. Thanks for lowering the permit fee a little. It isn’t much, but it’s something. I want to go back to the response times. When you’re notifying the STR owner, does an email or a phone call count as responding?” Randy Pluimer, Community Development Department Director, responded that notification requirements originate from first responders. It is up to the Sheriff to determine whether he has contacted someone, whether an on-site presence is needed, or if an email or phone response suffices. He further stated, “We’re planning to create a list of all STRs and their owner’s contact information and supply it to the Sheriff’s Office. Right now, when law enforcement shows up at a house, they may not know whether it’s an STR. We will provide them with that information ahead of time, so they have the contact information if they need to reach the owner.”

Vice-Chairman Cline explained that places like Christopher Creek exemplify challenges with property standards and STRs. The houses there are tightly packed along the creek, with some having decks over water and many are on old cesspools. Although the number of STRs was small, their main issue was upgrading older homes to meet the Arizona Department of Environmental Quality and Environmental Protection Agency standards, which they did. Now, the focus is on occupancy limits to prevent system overloads and protect the creek from contamination. If too many guests cause system failures again, they risk regulatory trouble. Vice-Chairman Cline emphasized that occupancy should be based on common sense, given the nature of these properties, rather than strict limits, especially since groups of six with kids are typical.

Vice-Chairman Cline continued, “In the original ordinance, the background check was only for the person renting the STR. My personal opinion is that if I owned an STR, I’d run a background check on anyone who rented the property, but the people who come with that renter and stay in the building are not checked. Correct?” Mr. Pluimer responded, “Correct.”

Vice Chairman Cline added, “We’ll probably revisit the ordinance in six months or a year. By then, we’ll know whether the $225 fee is sufficient—whether it covers everything, whether we’re charging too much, or whether it should be lowered. Correct?” Mr. Beck replied, “Correct.”

Vice-Chairman Cline emphasized that he won't weaken the penalties. He stated, “I want everyone to understand my reasoning. The only reason for this ordinance is to address issues caused by the abuse of STRs. That's the only

reason. If we back off the penalties, we're not fixing anything. I look at most people here in this audience—many own STRs and are never going to have a problem. They haven't had issues and won't. The troublemakers aren't present and won't be, so I believe strong penalties encourage responsible behavior from problem owners. That's my position." Mr. Beck commented that it is always Public Health's goal to address any issues, and fines are used as a last resort.

Chairman Christensen mentioned that he discussed the STR occupancy limit with Michael O'Driscoll, Deputy County Manager, whether it could serve as a guideline rather than a strict limit, and he emphasized safety.

Mr. Pluimer clarified the issues caused by overloaded septic systems, what qualifies as a bedroom for safety purposes, and how, if there are multiple renters in a single building, the whole building will be penalized because it is under one permit. The Board discussed the benefit of limited vehicles at STRs by enforcing an occupancy list.

Chairman Christensen stated that many members of the public were present to speak. He encouraged the public speakers to keep their comments brief.

Note: The minutes for this item were written in December 2025, based on the audio and there weren't any notes from the previous employee. It was difficult to discern who was speaking, since not everyone announced their name before addressing the Board.

A resident of Gila County expressed concerns about their residential community with one STR, specifically that weekend renters have vastly exceeded the rental's occupancy limit and that renters bring several dogs and allow them to go off-leash, leading to serious safety issues and disruption to the neighborhood's peace. The resident asked whether a curfew would be enforced.

A married couple from the Payson area said they would appreciate it if the STRs were numbered so that when they call to file a complaint against an STR, there is an easy way to track how many issues the STR is causing others in the area. They also thanked the County for creating the ordinance and they specifically expressed their appreciation to Community Development Department staff and Supervisor Cline for their responsiveness and for providing clear insight into what is happening.

Frank Church, a resident of Gila County, reported problems with pets from nearby STRs entering his property and leaving waste that their owners do not clean up. He requested the Board's help in ensuring that STR renters properly care for their animals.

An individual named Adam expressed gratitude for the changes made to the ordinance and he recommended adding a warning for non-compliance with STRs before any fines are issued. Mr. Pluimer explained how the Community Development Department handles violations. Vice-Chairman Cline stated that, within reason, everyone should have a time frame to correct the issue and work with the County before it proceeds to court or a hearing officer. Vice-Chairman Cline confirmed with Jessica Scibelli, Senior Civil Deputy County Attorney, that a new ordinance is being drafted which will replace Ordinance No. 2023-08, so it can include the suggested language. Supervisor Humphrey, along with Vice-Chairman Cline clarified that the hearing officer would determine the penalty for any violation of the properties.

Mr. Beck stated that he would like to address what Vice-Chairman Cline said and to reference the AG opinion on the proposed new ordinance. "If we make rules in the ordinance, they have to be grounded in some kind of public health and safety theory." He stated that he believed the limit to one bedroom would be two people, based on the Arizona Department of Environmental Quality.

Robert Turner addressed the Board, stating that he thought it was necessary and appropriate that STRs provide the County with contact information. He questioned whether the County had officially determined the total number of STRs in the unincorporated areas of Gila County. Mr. Pluimer replied that the exact number was not yet defined, but they had a rough estimate. Mr. Turner suggested that in the future, a copy of the adopted ordinance be provided to every STR owner when they pay their registration fee so it can be displayed on the property.

A woman who is a community leader for Airbnb addressed the Board members. She thanked them for the work sessions that they have held and for listening to the public regarding requested changes to the ordinance. She commented that before a new ordinance is adopted, the Board wants to know the number of STRs operating in Gila County. It is her hope that the Board will get that information before implementing any regulations against STR owners. She claimed that less than 1% of the housing stock in Gila County is an Airbnb. Vice-Chairman Cline commented that some STRs do not register with online platforms such as Airbnb and VRBO, so the exact number of STRs is difficult to determine until the County requires registration.

Mr. O'Driscoll told the Board that the County contracted with a third-party vendor, which found 1,100 STR listings across multiple platforms. Since the same home could be listed on more than one website, when calculating the registration fee for STRs and estimating the administrative costs to regulate them, the County based its numbers on 550 STRs in Gila County, resulting in the $225 required registration fee.

Mr. Pluimer addressed a question about registering non-permanent structures as an STR. At the time of the comment, Mr. Pluimer said they would only register permanent structures as an STR.

A woman who owns Beeline Guest House in Pine had questions about the permitting process for one building divided into four separate rental listings. According to the ordinance, if it is a single building listed as a single rental, it requires a single registration fee. If the STR owner prefers, they can pay a separate registration fee for each rental within the same building, which can also be permitted.

An STR owner had a question about the penalty for false complaints against STR owners. Mr. O'Driscoll replied that the County is required to exercise due diligence in vetting every complaint. If a complaint were untrue, there would be no penalty for the STR owner.

Other individuals expressed concerns about their STRs and how the ordinance will affect their rental business.

The Board commented that, overall, the ordinance has undergone significant changes to ensure public safety and fairness to STR owners.

B. Information/Discussion regarding the history of the Gila County Fairgrounds.

Michael O'Driscoll, Deputy County Manager, discussed the history, ownership, and ongoing management of the Gila County Fairgrounds. A 32-page historical review compiled from Board records dating back to 1964 confirms that Gila County formally purchased the property from the State Land Department years ago, and the County holds clear ownership, subject to minor deed restrictions that do not impede future improvements. The historical record also highlights decades of collaboration between community volunteers and the Board of Supervisors to maintain and enhance the facility.

The Supervisors emphasized the Fairgrounds' longstanding importance to the community, its role in supporting 4-H, youth programs, rodeo events, and County fairs, and the significant volunteer labor that keeps these programs running. They noted recurring confusion and occasional disputes among stakeholder groups regarding use, responsibilities, and authority over the Fairgrounds. The newly compiled historical documentation is expected to help clarify roles, reduce conflict, and support more cooperative planning moving forward.

Supervisor Humphrey discussed facility needs, particularly outdated electrical infrastructure that requires equipment rentals during large events. Mr. O'Driscoll reported ongoing efforts to secure grants and federal earmarks, so

far unsuccessfully, and he outlined a two-phase plan to modernize electrical systems. Updated cost estimates indicate that bringing the current infrastructure up to code will be significantly less expensive than earlier projections had indicated.

Vice-Chairman Cline stressed that the Fairgrounds exist to serve the public, not to generate profit, and that fees should not prevent community organizations from using the facility. He also highlighted the economic benefits of hosting events that attract visitors who spend money locally. Opportunities such as hosting larger entertainment events are currently limited by capacity, parking, and electrical constraints.

Representatives from the Gila County Fair Board and the University of Arizona Cooperative Extension reported improved coordination with County staff and ongoing efforts to formalize agreements ensuring 4-H access to the Fairgrounds at no charge. Fair Board members outlined plans for the upcoming fair and noted positive feedback from outside event contractors regarding the facility.

James Menlove, County Manager, reported significant progress in increasing bookings, improving communication with facilities staff, and expanding the annual event schedule. The Board encouraged groups to reserve dates well in advance as usage continues to grow.

C. Information/Discussion/Action to amend Resolution No. 24-08-03 and the attachments to Resolution No. 24-08-03 as required by the Arizona Department of Revenue Property Tax Oversight Commission.

Maryn Belling, Gila County Finance Department Director, stated that the County's property tax rates and levies were submitted to the Arizona Department of Revenue (ADOR) Property Tax Oversight Commission last week. The ADOR informed the County that the required two-year comparison form was missing from the Resolution. That form was provided to the Board, and staff noted that although the form was also used last year, it had only been sent as an additional attachment. Moving forward, both the Resolution and the two-year comparison form will be posted on the website as one document for ease of use and transparency.

Upon motion by Supervisor Humphrey, seconded by Vice-Chairman Cline, the Board unanimously amended Resolution No. 24-08-03 and its attachment to comply with ADOR's requirements. **(A copy of the resolution is attached to these minutes and it is permanently on file in the Board of Supervisors' Office.)**

Item 3 - CALL TO THE PUBLIC: A 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.

During the call to the public, Bev spoke remotely to the Board. She mentioned audio issues but thanked the Board for their efforts and introduced a new, faster, and more efficient election tool. Bev explained that counties, including her own, have been testing this tool as part of a bipartisan team led by John Blake, a Democrat who promotes transparency. She said the new tool "revolutionizes election transparency" by linking ballot images to the cast-vote record, enabling verification that ballot images match the vote counts exactly. She highlighted that this system improves post-election audits, which are critical, especially since the last election lacked a post-election audit due to no second-party representative present. She also noted that statutory requirements mandate such audits in the General Election.

She stressed that this promotes transparency and public confidence. Bev requested that an item be placed on a future agenda so that Mr. Blake could present the tool to the Board, in person or virtually, at no cost. The Board thanked her but noted that they could not comment, as the item was not on the agenda.

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 the information presented.

The County manager and each supervisor provided a brief summary of current events.

Item 5 - EXECUTIVE SESSION ITEMS:

A. Information/Discussion/Action to vote to go into executive session pursuant to A.R.S. § 38-431.03(A)(3)-(4) for discussion and consultation for legal advice regarding GovNET.

Chairman Christensen called for a motion on this agenda item. Upon motion by Vice-Chairman Cline, seconded by Supervisor Humphrey, the Board unanimously approved to go into Executive Session on item 5A.

Chairman Christensen recessed the meeting at 12:46 a.m., and he reconvened the meeting at 1:23 p.m. He called for a motion on agenda item 5A.

Upon motion by Supervisor Humphrey, seconded by Vice-Chairman Cline, the Board unanimously directed staff to proceed as discussed in the Executive Session.

With no further business to come before the Board of Supervisors, Chairman Christensen adjourned the meeting at 1:24 p.m.

APPROVED:

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Stephen Christensen, Chairman

ATTEST:

_____
James Menlove, Clerk of the Board