

**PROCEEDINGS OF THE COCHISE COUNTY BOARD OF SUPERVISORS  
REGULAR BOARD MEETING HELD ON  
TUESDAY, DECEMBER 4, 2012**

A regular board meeting of the Cochise County Board of Supervisors was held on Tuesday, December 4, 2012 at 10:00 a.m. in the Board of Supervisors' Hearing Room, 1415 Melody Lane, Building G, Bisbee, Arizona. In attendance were Richard Searle, Chairman; Patrick Call, Vice-Chairman; Ann English, Supervisor; Michael Ortega, County Administrator; Jim Vlahovich, Deputy County Administrator; Dave Fifer, Civil Deputy County Attorney; and Arlethe Rios, Assistant to the Clerk of the Board.

Chairman Searle called the meeting to order at 10:00 a.m.

**ANY ITEM ON THIS AGENDA IS OPEN FOR DISCUSSION AND POSSIBLE ACTION**

**PLEDGE OF ALLEGIANCE**

**THE ORDER OR DELETION OF ANY ITEM ON THIS AGENDA IS SUBJECT TO MODIFICATION AT THE MEETING**

**ROLL CALL** – All three supervisors present.

**CONSENT**

**Board of Supervisors**

1. Approve the Minutes of the regular meetings of the Board of Supervisors of November 27, 2012.

**Community Development**

2. Approve the appointment of Ms. Liza Weissler to the Planning and Zoning Commission for a four year term ending December 31, 2016.

**Court Administration**

3. Approve appointments of county-wide Justices of the Peace Pro Tempore David Howe, Paul Julien, William Lakosil, and Frederick Thompson for a period beginning immediately and ending 6/30/2013 pursuant to ARS 22-121.

**Finance**

4. Approve demands and budget amendments for operating transfers.

Warrants No. 65207-65572 and 65577-65646 were issued in the amount of \$173,886.45.

Pursuant to A.R.S. §11-217(C), the published minutes shall include all demands and warrants approved by the Board in excess of one thousand dollars except that multiple demands and warrants from a single supplier or individual under one thousand dollars whose cumulative total exceeds one thousand dollars in a single reporting period shall also be published. The voided warrants are listed below:

<u>Fund</u>	<u>Vendor</u>	<u>Amount</u>
100	John Trujillo	\$4.00
549	Mario A Gonzales	100.00
121	Hatfield Funeral Home	3,430.15
505	Manuel Fimbres	170.00

Issued warrants are listed as an attachment at the end of the minutes

**Juvenile Probation**

5. Approve the Intergovernmental Agreement Amendment #1 among the Arizona Supreme Court, County School Superintendent and Cochise County Superior Court for title funding to provide education programs to juvenile detainees in the classrooms at Juvenile Detention School effective as of the date of execution of the agreement amendment by all parties through June 30, 2014.

**Workforce Development**

6. Approve Amendment #10 to Title IB Adult, Youth, and Dislocated Worker contract DE111004001 between Cochise County and the Arizona Department of Economic Security for the Workforce Investment Act (WIA) Service

Delivery Area from April 1, 2010 to August 31, 2015.

Vice-Chairman Call made a motion to approve items 1-6 of the Consent Agenda. Supervisor English seconded the motion and it carried unanimously.

## **PUBLIC HEARINGS**

### **Board of Supervisors**

7. Approve a person transfer liquor license application for a series #6 (bar) liquor license submitted by Mr. John L. Permenter for Cattlerest located at 933 S. Haskell Avenue, Willcox, 85643.

Ms. Arlethe Rios, Assistant to the Clerk of the Board presented this item. Ms. Rios said the Sheriff's Office and Planning and Zoning Department have recommended approval and the Environmental Health Division noted that the establishment meets all the requirements set forth by the Arizona Food Code; the Treasurer's Office has noted that all property taxes are current. The applicant has paid the \$100 processing fee; the Board staff recommended approval.

Chairman Searle opened the public hearing. No one chose to speak. Chairman Searle closed the Call to the Public.

Supervisor English moved to approve a person transfer liquor license application for a series #6 (bar) liquor license submitted by Mr. John L. Permenter for Cattlerest located at 933 S. Haskell Avenue, Willcox, 85643. Vice-Chairman Call seconded the motion.

Chairman Searle called for the vote and it carried 3-0.

## **ACTION**

### **Board of Supervisors**

8. Approve the 2013 Cochise County calendar reflecting the schedule of the Regular Board of Supervisor meetings for the calendar year 2013, the 2013 holidays and pay days, and authorize the Clerk to post the Public Notice of the 2013 meeting schedule.

Ms. Arlethe Rios, Assistant to the Clerk of the Board presented this item. Ms. Rios stated that the calendar reflected Board Meeting dates, Federal holidays, and employee pay dates.

Vice-Chairman Call made a motion to approve the 2013 Cochise County calendar reflecting the schedule of the Regular Board of Supervisor meetings for the calendar year 2013, the 2013 holidays and pay days, and authorize the Clerk to post the Public Notice of the 2013 meeting schedule. Supervisor English seconded the motion.

Chairman Searle called for the vote and it carried 3-0.

### **Community Development**

9. Adopt Resolution 12-79 to abandon the Kayenta Estates Minor Subdivision Plat and Assurance Agreement.

Mr. Mike Turisk, Planning Manager presented to item using a PowerPoint Presentation. Mr. Turisk stated that the plat had been approved in 2008 and extended in 2010 but no permits had been issued and no progress had been made since 2010. He said the request to abandon was done by the developer and that staff recommended approval.

Supervisor English moved to adopt Resolution 12-79 to abandon the Kayenta Estates Minor Subdivision Plat and Assurance Agreement. Vice-Chairman Call seconded the motion.

Chairman Searle called for the vote and it carried 3-0.

### **Solid Waste**

10. Approve the award of Invitation for Bids (IFB) No. 13-11-SWD-04 to Lawrence Construction Company, DBA LCCO Construction, for the Western Regional Landfill Cell 3B Liner and Cell 4 Excavation Project in the amount of \$1,832,863.34.

Mr. Ortega stated that there was a change to this item because there had been a new recommendation from the Rate Review Advisory Board (RRAB) after a meeting last week. He said the new recommendation was for only cell 3b to be constructed and not cell 4. Mr. Ortega explained that the new recommendation changed the parameters of the contract because Lawrence Construction Company was not interested in constructing just one cell. He stated that

the change in recommendation had been due to efficiency in the future and also budget costs. He showed the bids by the companies interested in this project and stated that with the new change the lowest bidder was KE&G and recommended the Board approve the contract for the construction of cell 3b with KE&G.

Vice-Chairman Call asked when cell 4 would be needed.

Mr. Marty Haverty, Solid Waste Management Director, said it would be in about 2 years.

Mr. Ortega said that at that time the RRAB would meet again to discuss a plan and that although general fund monies were used the Solid Waste Department had a plan to repay the general fund on an annual basis.

Mr. Haverty recommended that recycling plans be used countywide to help lengthen the use of the cells in the landfill.

Chairman Searle asked if the bid could be changed if Lawrence Construction Company was interested in constructing only one cell.

Mr. Fifer, County Attorney, said a rebid could be done, but said it would be unfair to those companies who bid originally.

Mr. Jose Luis Castillo, Senior Estimator for Lawrence Construction Company stated that a clear definition of the contract was not provided by the Procurement Department. He said his company was given a letter of intent and a contract, which they signed, and were shocked when they were notified that they would no longer be receiving the contract. He thought a rebid should be done to be fair to all companies involved and that the new bid should have more clarity as to the parameters of the contract. Mr. Castillo said that his company would not be interested in doing only a part of the construction.

Mr. Ortega clarified that the County had not changed its mind, but was faced with a new recommendation from the RRAB the previous week.

Supervisor English asked if the County could change the contract even though a letter of intent and a contract had been sent out.

Mr. Fifer stated that a contract was not official until signed by both parties; therefore the contract sent to Lawrence Construction Company was not valid unless signed by the Board.

Dave Seward, Procurement Director, said that the contractors were told that a change of contract could occur and were given a choice whether to bid on a 2 cell project or a 1 cell project.

Chairman Searle asked Mr. Castillo if Lawrence Construction Company would be interested in rebidding.

Mr. Castillo said that although the numbers would be different he did think that they would be interested in rebidding.

Vice-Chairman Call amended the motion to approve the award of Invitation for Bids (IFB) No. 13-11-SWD-04 to KE&G Construction Company, for the Western Regional Landfill Cell 3B Liner Excavation Project in the amount of \$721,967.19. Supervisor English seconded the motion.

Chairman Searle called for the vote and it carried 2-1, Searle opposed.

### **REPORT BY MICHAEL J. ORTEGA, COUNTY ADMINISTRATOR -- RECENT AND PENDING COUNTY MATTERS**

Mr. Ortega deferred report.

### **CALL TO THE PUBLIC**

Chairman Searle opened the Call to the Public.

Mr. Jack Cook addressed the matter on personal concerns. No one else wished to address the Board and Chairman Searle closed the Call to the Public.

**SUMMARY OF CURRENT EVENTS BY BOARD MEMBERS**

REPORT BY SUPERVISOR PAT CALL, DISTRICT NO. 1  
Vice-Chairman Call deferred report.

REPORT BY SUPERVISOR ANN ENGLISH, DISTRICT NO. 2  
Supervisor English deferred report.

REPORT BY SUPERVISOR RICHARD SEARLE, DISTRICT NO. 3  
Chairman Searle stated that he visited the Cascabel Community Fair and was impressed with the community support as well as with the musical presentations.

Chairman Searle adjourned the meeting at 10:52 a.m.

\_\_\_\_\_  
Richard Searle, Chairman

ATTEST:

\_\_\_\_\_  
Katie Howard, Clerk of the Board

((SUPPORTING DOCUMENTATION IS AVAILABLE AT THE BOARD OF SUPERVISORS' OFFICE) at (520) 432-9200, FAX (520) 432-5016, TDD (520) 432-8360, 1415 Melody Lane, Building G, Bisbee, Arizona 85603.

**Cochise Co. Demands 12.4.12**

65054	11/21/2012	AmeriPride Linen and Apparel Service	\$145.82	65129	11/21/2012	Recorded Books, LLC	\$1,799.28
65055	11/21/2012	ARAMARK Services, Inc.	\$3,214.11	65130	11/21/2012	Reed, Cynthia - Court Reporter	\$313.60
65056	11/21/2012	Arizona Department of Corrections - Douglas	\$25.50	65131	11/21/2012	RF Eye PC dba Cochise Eye & Laser	\$465.00
65057	11/21/2012	Arizona Department of Corrections - Douglas	\$932.50	65132	11/21/2012	Ronald Zack PLC	\$709.80
65058	11/21/2012	Arizona Dept of Corrections ASPC-Tucson	\$164.75	65133	11/21/2012	RWC International, LTD	\$691.56
65059	11/21/2012	Arizona Department of Education	\$90.00	65134	11/21/2012	Ryan, Carla G.	\$449.55
65060	11/21/2012	Arizona Public Service (APS)	\$4,315.33	65135	11/21/2012	San Diego Police Equipment Co	\$234.69
65061	11/21/2012	Arizona Radiation Regulatory Agency	\$42.00	65136	11/21/2012	Schlesinger, Aaron	\$582.40
65062	11/21/2012	Arizona State Forestry Division	\$18,692.12	65137	11/21/2012	SHI International Corp.	\$376.99
65063	11/21/2012	Arizona State Prison Complex - Fort Grant	\$105.32	65138	11/21/2012	Sierra Vista, City of	\$17,602.43
65064	11/21/2012	Arizona Water Company	\$646.54	65139	11/21/2012	Simmons, Sylvia	\$210.00
65065	11/21/2012	Baker & Taylor, Inc.	\$364.15	65140	11/21/2012	SIRSI Corporation	\$62,230.07
65066	11/21/2012	Beal Investigations	\$315.00	65141	11/21/2012	Southwest Gas Corporation	\$29.51
65067	11/21/2012	Benson Police Department	\$533.80	65142	11/21/2012	Sparkletts	\$37.18
65068	11/21/2012	Bio-Reference Laboratories, Inc.	\$592.15	65143	11/21/2012	Sprint	\$67.50
65069	11/21/2012	Bourke, Nancy	\$490.00	65144	11/21/2012	Stamback Septic Service	\$447.32
65070	11/21/2012	Brajitsu Inc	\$1,990.00	65145	11/21/2012	Stan Greer Mill Works	\$1,896.21
65071	11/21/2012	Bug-Wiser Exterminating, Inc.	\$180.00	65146	11/21/2012	Staples	\$987.52
65072	11/21/2012	Cable One	\$99.95	65147	11/21/2012	Sulphur Springs Valley Electric Coop, Inc.	\$11,922.03
65073	11/21/2012	Cass, Homer L.	\$78.00	65148	11/21/2012	Sulphur Springs Valley Electric Coop, Inc.	\$1,423.03
65074	11/21/2012	Center for Disease Detection, LLC	\$24.00	65149	11/21/2012	Sulphur Springs Valley Electric Coop, Inc.	\$79.57
65075	11/21/2012	CenturyLink	\$31.32	65150	11/21/2012	Sulphur Springs Valley Electric Coop, Inc.	\$1,313.36
65076	11/21/2012	CenturyLink	\$79.34	65151	11/21/2012	Tempe Convention & Visitors	\$114.15
65077	11/21/2012	CenturyLink	\$66.87	65152	11/21/2012	Thompson West - West Payment Center	\$6,176.59
65078	11/21/2012	CenturyLink	\$172.70	65153	11/21/2012	Union Distributing Company of Tucson	\$14,626.36
65079	11/21/2012	CenturyLink	\$62.42	65154	11/21/2012	University Physicians Healthcare, Inc.	\$42.64
65080	11/21/2012	Chapman, John L.	\$350.00	65155	11/21/2012	Valley Telephone Cooperative, Inc.	\$288.76
65081	11/21/2012	Cochise County Assoc for the Handicapped	\$1,908.50	65156	11/21/2012	Valley Telephone Cooperative, Inc.	\$109.59
65082	11/21/2012	Cochise Enterprises, LLC	\$6,888.00	65157	11/21/2012	Valley Telephone Cooperative, Inc.	\$195.08
65083	11/21/2012	Cochise Floor Covering	\$4,283.41	65158	11/21/2012	Verizon Wireless	\$251.85
65084	11/21/2012	Cochise Private Industry Council	\$41,877.00	65159	11/21/2012	Verizon Wireless	\$440.51
65085	11/21/2012	Copper Queen Community Hospital	\$49.60	65160	11/21/2012	Waxie Sanitary Supply	\$998.45
65086	11/21/2012	Cottingham, Ed	\$86.24	65161	11/21/2012	Western Emulsion, Inc	\$11,059.34
65087	11/21/2012	CRM of America LLC	\$8,099.83	65162	11/21/2012	White, Janet	\$200.00
65088	11/21/2012	D Fenn Enterprises, Inc.	\$130,551.00	65163	11/21/2012	WR Ryan Company	\$558.38
65089	11/21/2012	Dell Marketing LP	\$3,438.54	65164	11/21/2012	Anguiano, Luis	\$100.00
65090	11/21/2012	DiRoberto, Joseph	\$8,844.30	65165	11/21/2012	Arvizu, Gerald	\$100.00
65091	11/21/2012	Dorado Personnel, Sierra Vista Personnel	\$1,194.75	65166	11/21/2012	Call, Pat	\$53.99
65092	11/21/2012	Dorado Personnel, Sierra Vista Personnel	\$1,215.00	65167	11/21/2012	Cochise County Recorder's Office	\$9.00
65093	11/21/2012	Douglas Police Department	\$3,195.45	65168	11/21/2012	Cochise County Sheriff's Department	\$1,285.51
65094	11/21/2012	Douglas, City of	\$67.31	65169	11/21/2012	Cotton, Anthony	\$51.13
65095	11/21/2012	Douglas, City of	\$650.00	65170	11/21/2012	Deneke, Buffy	\$179.20
65096	11/21/2012	Eidson, Faith	\$120.00	65171	11/21/2012	Fimbres, Manuel	\$170.00
65097	11/21/2012	Empire Southwest LLC	\$195,252.88	65172	11/21/2012	Gilmore, Stephen W	\$25.00
65098	11/21/2012	Gonzales, Mario A.	\$100.00	65173	11/21/2012	Jones, Steven	\$76.18
65099	11/21/2012	Granite Construction Company	\$6,881.49	65174	11/21/2012	Pitney Bowes Reserve Account	\$10,000.00
65100	11/21/2012	Hamilton, Linda T.	\$1,295.00	65175	11/21/2012	Ritenour, Jeff L	\$58.10
65101	11/21/2012	Heinzl, Joe Lawrence Esq.	\$1,074.08	65176	11/21/2012	Tab Office Resources	\$3,181.29
65102	11/21/2012	Hernandez, Jose A.	\$200.00	65177	11/21/2012	Acuna, Gloria	\$341.32
65103	11/21/2012	Hobart Service ITW Food Equip Group, LLC	\$249.21	65178	11/21/2012	Appelo, Regan C	\$81.00
65104	11/21/2012	Honorable Kimberly Corsaro	\$98.56	65179	11/21/2012	Chapman, John L.	\$21.28
65105	11/21/2012	Keefe Supply Company	\$1,424.07	65180	11/21/2012	De La Cruz, Wendy	\$308.92
65106	11/21/2012	Legend Technical Services, Inc.	\$64.00	65181	11/21/2012	Fero, Vincent	\$256.52
65107	11/21/2012	Levitt, Harriette P.	\$834.95	65182	11/21/2012	Porter, Radi Ann	\$34.44
65108	11/21/2012	LexisNexis Matthew Bender	\$1,138.09	65183	11/21/2012	Riggs, Karen C.	\$186.84
65109	11/21/2012	Lowell A. Jensen, PLC	\$1,305.00				
65110	11/21/2012	Madrid, Isabel	\$190.00				
65111	11/21/2012	Matchett, Edward W.	\$365.00				
65112	11/21/2012	McGowan, Mark J.	\$7,020.00				
65113	11/21/2012	Merle's Automotive Supply, Inc.	\$1,788.52				
65114	11/21/2012	Merle's Automotive Supply, Inc.	\$330.31				
65115	11/21/2012	Morgan, J Michael, PhD PC	\$150.00				
65116	11/21/2012	Natale, Gail Gianasi	\$1,002.05				
65117	11/21/2012	Nguyen, Nga	\$456.40				
65118	11/21/2012	Nyander, Penny Sue	\$495.20				
65119	11/21/2012	Occupational Health Centers of the Southwest, P.A.	\$269.00				
65120	11/21/2012	Office of Vital Records	\$4,807.00				
65121	11/21/2012	Pacific Corrugated Pipe dba Arizona Culvert	\$2,670.84				
65122	11/21/2012	Panayiotis A. Ellinas, MD MPH	\$100.00				
65123	11/21/2012	Panayiotis A. Ellinas, MD MPH	\$525.00				
65124	11/21/2012	Poliquin, Angela C.	\$2,283.48				
65125	11/21/2012	Porta-Pot	\$855.75				
65126	11/21/2012	PRAXIS Consulting, Inc.	\$5,121.01				
65127	11/21/2012	Purcell's Western State Tire Company	\$4,984.60				
65128	11/21/2012	Recall Secure Destruction Service, Inc.	\$15.00				