

**COCHISE COUNTY FLOOD CONTROL DISTRICT
MINUTES OF THE MEETING OF SEPTEMBER 25, 2012**

A meeting of the Cochise County Flood Control Board was held on Tuesday, September 25, 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; Pat Call, Director; Ann English, Director; Michael Ortega, County Administrator; Jim Vlahovich, Deputy County Administrator; Britt Hanson, Chief Civil Deputy County Attorney; and Katie Howard, Clerk of the Board.

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

ROLL CALL – All three directors were present.

The meeting was called to order at 10:05 a.m.

CALL TO THE PUBLIC (MATTERS RELATED TO COUNTY GOVERNMENT - LIMIT OF 3 MINUTES PER PERSON OR AT THE DIRECTION OF THE CHAIRMAN)

Chairman Searle opened the Call to the Public. Ms. Susan Ostrander stated that she was speaking on behalf of about 25 people in Palominas today and they are pleased with today's agenda item regarding the real estate purchase. Ms. Mary Francis Clinton said that the property under consideration for purchase was her Uncle Joe's property and she asked that the County in determining use of his land treat it with fiduciary "old rancher" care.

No one else wished to address the Board and Chairman Searle closed the Call to the Public.

CONSENT

Board of Supervisors

ITEM 1

Approve Minutes of the August 6, 2012 and the August 14, 2012 Flood Control District meetings.

Director Call made a motion to approve item 1 of the Consent Agenda. Director English seconded the motion and it carried unanimously.

ACTION

ITEM 2

County Attorney

Approve Agreement for Purchase and Sale of Real Estate to acquire 285 acre parcel to be used for flood control and recharge and approve a Conservation Easement on said parcel.

Mr. Britt Hanson, Chief Civil Deputy County Attorney presented this item. Mr. Hanson reminded the Board that they have discussed this possible purchase previously and Ms. Riggs, Interim Community Development Director, has been working on the purchase of the Mansker property to be in compliance with a Walton Foundation grant for some time. The County will be acquiring the entire Mansker property at 1/2 of what the County budgeted for the parcel thanks to The Nature Conservancy (TNC) and the US Army, under the Army Compatible Use Buffer (ACUB) Program. Fort Huachuca is getting a buffer for fort facilities and the County is getting a recharge basin location. The Board had requested that Mr. Hanson be sure that they could put the property back into private hands at some point, and there are provisions for doing so, subject to a Conservation Easement. Mr. Hanson outlined provisions for future use and added that the parcel is subject to a grazing lease currently. He concluded that TNC representatives are here to answer any questions.

Chairman Searle asked if the County would continue leasing for grazing; Ms. Karen Riggs confirmed that was the County's intention, at the same rate. Chairman Searle asked who is responsible for costs of enforcement if we sell this property with Conservation Easement.

Mr. Hanson stated that if we sold the property we would be selling all rights and responsibilities (except for the part that the County retains for recharge purposes).

Mr. Peter Warren with the TNC said that if the property is transferred to another owner, the responsibility would transfer to the new owner and they would become the grantee.

Director English made a motion to approve Agreement for Purchase and Sale of Real Estate to acquire 285 acre parcel to be used for flood control and recharge and approve a Conservation Easement on said parcel. Director Call seconded the motion.

Director English complimented staff, TNC and Ft. Huachuca for their collaboration to achieve this accomplishment.

Chairman Searle called for the vote, approved 3-0.

There being no other business before the Flood Control District Board, Chairman Searle adjourned the meeting at 10:21 a.m.

APPROVED:

Richard Searle, Chairman

ATTEST:

Katie A. Howard, Clerk of the Board

(SUPPORTING DOCUMENTATION IS AVAILABLE AT THE BOARD OF SUPERVISORS' OFFICE)