

**PROCEEDINGS OF THE COCHISE COUNTY BOARD OF SUPERVISORS
REGULAR MEETING HELD ON
Tuesday, June 24, 2014**

A regular board meeting of the Cochise County Board of Supervisors was held on Tuesday, June 24, 2014 10:00 a.m. in the Board of Supervisors' Hearing Room, 1415 Melody Lane, Building G, Bisbee, Arizona.

Present: Ann English, Chairman; Richard R. Searle, Vice-Chairman; Patrick G. Call, Supervisor
Staff Jim Vlahovich, Deputy County Administrator; Arlethe G. Rios, Clerk of the Board; Adam Ambrose,
Present: Civil Deputy County Attorney

Chairman English 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

CALL TO THE PUBLIC

Chairman English opened the call to the public.

Mr. Jack Cook addressed the Board on matters of personal concern.

Mr. Todd Bogatay, Bisbee resident, addressed the Board on the possible restoration of Old Divide Road.

No one else chose to speak and Chairman English closed the call to the public.

This is the time for the public to comment. Members of the Board may not discuss items that are not specifically identified on the agenda.

PRESENTATION

The Cochise County Board of Supervisors wishes to recognize Robert L. Hollister for his many years of volunteer work for Cochise County public safety. For the past three decades, Mr. Hollister has exemplified the best of what volunteerism is by his leadership and involvement with the County's Local Emergency Planning Committee, Radio Amateur Civil Emergency Service, and the Sheriff's Search and Rescue team. Mr. Hollister has also been honored as the recipient of the 2014 Governor's Lifetime Achievement Volunteer Service Award.

The Board presented the award to Mr. Robert Hollister and also gave him a copper mug in appreciation for his many years of volunteerism.

CONSENT

Board of Supervisors

1. Approve the Minutes of the regular meeting of the Board of Supervisors of June 10, 2014.

2. Approve an application for a temporary Extension of Premises liquor license submitted by Mr. Keith Wilson for American Legion #52 located at 12 Theater Drive, Sierra Vista, AZ 85635 on July 19, 2014, for the American Legion Riders 10th Anniversary Celebration.
3. Approve amendment No. 1 to the Intergovernmental Agreement between Cochise County and the City of Sierra Vista designating the city as the fiscal agency to continue to handle financial matters for the Upper San Pedro Partnership (USPP) for a five-year period until February 28, 2018.

Community Development

4. Approve the renewal of Contract No. IFB 11-43-HFP-04 for Corrugated Metal Pipe and related items to Arizona Culvert Company in the not to exceed amount of \$75,000 for the period of July 1, 2014 through June 30, 2015 for the Community Development Highway and Floodplain Division.
5. Approve the renewal of Contract No. IFB 11-44-HFP-04 for Concrete and related items for the Community Development Highway and Floodplain Division to various contractors in the not to exceed amount of \$100,000 for the period of July 1, 2014 through June 30, 2015.
6. Approve the renewal of Contract No. IFB 13-39-HFP-04 for High and Low Volume Chips for the Community Development Highway and Floodplain Division to various Contractors in the not to exceed amount of \$250,000 for the period of July 1, 2014 through June 30, 2015.
7. Approve the renewal of Contract No. IFB 11-48-HFP-04 for Hot and Cold Mix Road Material to Granite Construction Company in the not to exceed amount of \$165,000 for the period of July 1, 2014 through June 30, 2015 for the Community Development Highway and Floodplain Division.
8. Approve the renewal of Contract No. IFB 13-41-HFP-04 for Culvert Cleaning and Maintenance Services for the Community Development Highway and Floodplain Division to Banning Creek Enterprises, LLC in the not to exceed amount of \$265,000 for the period of July 1, 2014 through June 30, 2015.
9. Approve the renewal of Contract No. IFB 13-40-HFP-04 for Crushed Aggregate Base Material and Riprap for the Community Development Highway and Floodplain Division to various Contractors in the not to exceed amount of \$155,000 for the period of July 1, 2014 through June 30, 2015.

County Sheriff

10. Approve a Memorandum of Understanding regarding A.R.S. 41-1724, Arizona Department of Public Safety (DPS) Contract No: 2014-054, providing \$20,800 to the Cochise County Sheriff's Office (CCSO) for enforcement of immigration, human smuggling, drug smuggling, gangs and employer sanctions laws effective July 1, 2014 through June 30, 2015.
11. Approve Grant Agreement DC-15-2003 between the Arizona Criminal Justice Commission (ACJC) and the Cochise County Sheriff's Office (CCSO) for a term of July 1, 2014 through June 30, 2015 in the amount of \$131,197 with a county match of \$32,799.
12. Approve City of Tucson High Intensity Drug Trafficking Area (HIDTA) Grant Agreement HT-14-2330 with a term of January 1, 2014 to December 31, 2015 providing a total of \$239,381 in salary, employee related expenses, overtime, vehicle / aircraft expenses and equipment to assign two deputy sheriffs to the Southeastern Arizona Major Investigative Team (SAMIT), a U.S. Drug Enforcement Administration drug enforcement task force.

Finance

13. Approve demands and budget amendments for operating transfers.

Warrants Nos. 88027, 80042-80243, 80249-80410, 80623, 80626-80440, 80445-80622, 80624-80646 were issued in the amount of \$1,836,801.28.

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	Century Link	111.64
100	Century Link	105.09
100	City of Sierra Vista	10,000.00
5t49	Brian Oertel	250.00
251	Az St Prison Complex-Fort Grant	3622.60
100	Barbara Carmichael	275.24
147	Kristi R. Saathoff	95.00
100	Brisa Selene Gonzalez	517.17
100	Antonio Lugo	340.00
100	Interstate All Battery Center	87.78
100	Barnetts Towing LLC	262.00
171	Charlene Kennedy	89.60

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

Juvenile Probation

14. Adopt Resolution 14-15 to approve fiscal year 2014-15 Family Counseling Funding as provided by the Arizona Supreme Court, Administrative Office of the Courts (AOC), Juvenile Justice Services Division (JJSD), and the required \$4,048 matching funds as budgeted in the general fund budget submitted by Juvenile Court Services.
15. Approve the Non Concurrent Enrollment Contract between Cochise County Juvenile Court Services (CCJCS) and Educational Options Foundation, (Ed-Options) for program equipment and supplies to provide online education services from July 1, 2014 through June 30, 2015.

Supervisor Call moved to approve Items 1-15 on the Consent Agenda. Vice-Chairman Searle seconded the motion and it carried unanimously.

PUBLIC HEARINGS

Board of Supervisors

16. Approve a person transfer liquor license application for a series #6 (bar) liquor license submitted by Ms. Stephany Jo Michel for Bobby Joe's Irish Pub, 3142 W. Meadowlark Lane, Benson, AZ 85602.

Ms. Arlethe Rios, 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 English opened the public hearing.

No one chose to speak and Chairman English closed the public hearing.

Vice-Chairman Searle moved to approve a person transfer liquor license application for a series #6 (bar) liquor license submitted by Ms. Stephany Jo Michel for Bobby Joe's Irish Pub, 3142 W. Meadowlark Lane, Benson, AZ 85602. Supervisor Call seconded the motion.

Chairman English called for the vote and it was approved 3-0.

ACTION

Board of Supervisors

17. Elect _____ as Chairman of the Board of Supervisors, effective July 1, 2014.

Vice-Chairman Searle moved to elect Supervisor Patrick G. Call as Chairman of the Board of Supervisors, effective July 1, 2014. Chairman English seconded the motion.

Chairman English called for the vote and it was approved 3-0.

18. Elect _____ as Vice-Chairman to the Board of Supervisors, effective July 1, 2014.

Supervisor Call moved to elect Supervisor Ann English as Vice-Chairman to the Board of Supervisors, effective July 1, 2014. Vice-Chairman Searle seconded the motion.

Chairman English called for the vote and it was approved 3-0.

19. Board of Supervisors sitting as the Board of Equalization of Cochise County will uphold or amend the Assessor's decision in the case of parcel 402-26-010 A.

Supervisor Call moved to uphold the Assessor's decision in the case of parcel 402-26-010A. Vice-Chairman Searle seconded the motion.

Mr. Felix Dagnino, Deputy Assessor, presented this item. Mr. Dagnino gave the background, location of the parcel, and stated that the appeal had to do with an error in legal classification. He explained that per the assessment done, an error did not exist. He said that to the applicant the parcel should be 100% class 3, but that the Assessor's Office classified the parcel class 2 and class 3 per statute. He noted that due to the circumstances the Assessor's Office cited this parcel as having no error and added that the applicant did have an opportunity to go through the Board of Equalization (BOE) process and did not chose to do so. He also stated that there was no legal restriction on this parcel to qualify it for 100% class 3 designation.

Chairman English asked if the parcel had any geographical features that impeded this parcel from being subdivided, which could then classify it as a 100% class 3 property.

Mr. Dagnino said that the parcel did not have any geographical features that barred it from being split. He also noted that the applicant had not gone through the BOE process in 2009, 2010, 2011, 2012 or 2013.

Mr. Darrin Pipkin, (telephonic), Integral Property Tax Services, representative for the applicant said that the reason for the appeal was because the classification was not appropriate. He stated that the property should be 100% class 3 since it is only used for residential purposes. He added that other counties in Arizona are allowing for the statute to be interpreted in a manner where parcels, regardless of size that only have one residence on them, be classified 100% residential. He also said that the State Board of Equalization allowed the use of class 3 for residential parcels regardless of size.

Chairman English stated that it was the Board's job to ensure that cases were handled equally in Cochise County, not statewide.

Mr. Pipkin said that the statute allowed for all the counties in the state to follow this procedure and had clear directive stating that the parcel did not have to meet all the criteria.

Chairman English clarified that the statute allowed for this interpretation, but did not require it.

Vice-Chairman Searle asked if parcels up to 40 acres could be classified 100% residential.

Mr. Dagnino stated that the parcel has to be restricted in order to qualify and noted that the Assessor's Office handles all parcels in the County in this manner.

Chairman English called for the vote and it was approved 3-0.

County Schools

20. Approve payoff of negative balance in Grant Fund Line 283 from the Arizona Department of Education (ADE) of \$1,864 from General Fund do to a calculation error.

Vice-Chairman Searle moved to approve payoff of negative balance in Grant Fund Line 283 from the Arizona Department of Education (ADE) of \$1,864 from General Fund do to a calculation error. Supervisor Call seconded the motion.

Ms. Martha Mauldin, Account Clerk III, School's Superintendent's Office, presented this item. Ms. Mauldin stated that there was a negative balance in the grant fund line due to a mismanagement of a grant several years ago. She clarified that since then processes had been put in place to avoid such errors the person responsible no longer worked there; and there had been no issues with the management of grants. The Board agreed that the negative balance should be paid off and thanked Ms. Mauldin for her detailed background information on this issue.

Chairman English called for the vote and it was approved 3-0.

Juvenile Probation

21. Approve Title IV-E Service Agreement between the Arizona Supreme Court, Administrative Office of the Courts and Cochise County Juvenile Court Services, Probation Division effective June 24, 2014 to June 30, 2015.

Supervisor Call moved to approve Title IV-E Service Agreement between the Arizona Supreme Court, Administrative Office of the Courts and Cochise County Juvenile Court Services, Probation Division effective June 24, 2014 to June 30, 2015. Vice-Chairman Searle seconded the motion.

Ms. Denise Caraballo, Juvenile Services Administrative Director, presented this item. Ms. Caraballo gave the background of this request and said that this was a federal reimbursement. She added that the monies received allowed juveniles in the area to stay here for rehabilitation services, which greatly impacts their success in those programs and noted that there was no County match for this grant.

The Board agreed that this was a great service for the community and commended the Juvenile Services Department for looking for these opportunities and saving taxpayers money, which can be used for other services.

Chairman English called for vote and it was approved 3-0.

Procurement

22. Approve the award of RFP 14-36-TRE-03 for Banking Services to J.P. Morgan/Chase Bank for the period of July 1, 2014 through June 30, 2017.

Vice-Chairman Searle moved to approve the award of RFP 14-36-TRE-03 for Banking Services to J.P. Morgan/Chase Bank for the period of July 1, 2014 through June 30, 2017. Supervisor Call seconded the motion.

Mr. Terry Rutan, Senior Buyer, presented this item. Mr. Rutan gave the background and noted that although 3 banks had applied, J.P. Morgan/Chase Bank had the best offer and staff recommended approval.

Chairman English asked why J.P. Morgan/Chase Bank was better than Wells Fargo.

Mr. Rutan said that the time to transfer from the current bank, J.P. Morgan/Chase, was an issue considered by the panel and the reason J.P. Morgan/Chase Bank received a higher score.

Chairman English called for vote and it was approved 3-0.

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

Mr. James E. Vlahovich, Deputy County Administrator, said that the election task force update is this afternoon.

SUMMARY OF CURRENT EVENTS

Report by District 1 Supervisor, Patrick Call

Supervisor Call said that the July 4th celebration in Sierra Vista will be sponsored by the Rotary Club and that the firework show should be the 3rd or 4th largest show in the state and invited the Board to attend the festivities. He noted that the City of Bisbee would be hosting a movie in the park, sponsored by the Cochise Water Project and modeled after City of Sierra Vista's successful program.

Report by District 2 Supervisor, Ann English

Chairman English said that she had attended several veterans events with the 50th Anniversary of the Vietnam War Commemorative Committee that recognizes veterans. She thanked the County employees that volunteer for their continued support in these efforts.

Report by District 3 Supervisor, Richard Searle

Vice-Chairman Searle said he attended several meetings countywide. He noted that the Cochise County Farm Bureau had hosted a debate for the gubernatorial candidates in Willcox and it had been a great opportunity to meet them and listen to their message.

Chairman English adjourned the meeting at 10:54 a.m.

APPROVED:

Patrick G. Call, Chairman

ATTEST:

Arlethe G. Rios, Clerk of the Board