

**PROCEEDINGS OF THE COCHISE COUNTY BOARD OF SUPERVISORS
REGULAR MEETING HELD ON
Tuesday, July 8, 2014**

A regular board meeting of the Cochise County Board of Supervisors was held on Tuesday, July 8, 2014 10:00 a.m. in the Board of Supervisors' Hearing Room, 1415 Melody Lane, Building G, Bisbee, Arizona.

Present: Patrick G. Call, Chairman; Ann English, Vice-Chairman; Richard R. Searle, Member
Staff Michael J. Ortega, County Administrator; Jim Vlahovich, Deputy County Administrator;
Present: Britt W. Hanson, Chief Civil Deputy County Attorney; Arlethe G. Rios, Clerk of the Board

Chairman Call 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

CONSENT

Board of Supervisors

1. Approve the Minutes of the regular meeting of the Board of Supervisors of June 24, 2014.

Community Development

2. Adopt Zoning Ordinance 14-07, approving Docket Z-14-06, amending the zoning district designation for parcel 120-02-001E to RU-2 from RU-4, pursuant to the request of applicant Ken Ryan.
3. Approve the renewal of Contract No. IFB 10-66-HFP-04 for emulsified asphalt products for the Community Development Highway and Floodplain Division to Western Emulsions, Inc. in the not to exceed amount of \$600,000 for the period of August 1, 2014 through July 31, 2015.

County Attorney

4. Approve the renewal of Crime Victim Assistance Grant No. VA-15-019, in the amount of \$21,044 between the Arizona Criminal Justice Commission and Cochise County Attorney's Office, for the period July 1, 2014 to June 30, 2015.
5. Approve the Arizona Criminal Justice Commission (ACJC) Drug, Gang and Violent Crime Control Grant Agreement in the amount of \$157,304 between the Arizona Criminal Justice Commission and Cochise County for the period July 1, 2014 through June 30, 2015.
6. Approve the City of Tucson High Intensity Drug Trafficking Area (HIDTA) Grant Agreement HT-14-2329 in the amount of \$120,568 between the City of Tucson and Cochise County for the period January 1, 2014 through December 31, 2015.

County Treasurer

7. Adopt Resolution 14-20, establishing a revolving line of credit for the County from JP Morgan Chase Bank, N.A. pursuant to A.R.S. Section 11-604.01 and authorize the County Treasurer to enter into an agreement with the bank to provide the line of credit to the County for all districts on the attached Schedule 1-A.
8. Adopt Resolution 14-21, approving the form and authorizing the execution and delivery of a Line of Credit agreement for Cochise County between the Treasurer of Cochise County and J.P. Morgan Chase Bank ratifying all actions taken to date with respect to the Line of Credit Agreement.

Court Administration

9. Approve Amendment B to the Court Consolidation Agreement between Cochise County and the City of Sierra Vista, effective July 1, 2014 through June 30, 2015.

Elections & Special Districts

10. Adopt Resolution 14-19, canceling the Election of certain Precinct Committeemen for the 2014 Primary Election and appointing all candidates that filed to run for Precinct Committeemen for those precincts in which no election is required.

Finance

11. Approve demands and budget amendments for operating transfers.

Warrants Nos. 80249-80410, 80426-80440, 80445-80646 were issued in the amount of \$1,317,058.99.

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.

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

Juvenile Probation

12. Approve Proclamation declaring July 13 through July 19, 2014 as Probation, Parole and Community Supervision Week.

Vice-Chairman English moved to approve Consent Agenda items 1 - 12. Supervisor Searle seconded the motion and it carried unanimously.

PUBLIC HEARINGS

Solid Waste

13. Adopt Resolution 14-16, authorizing a \$1.50 increase to the Solid Waste rate for Fiscal Year 2014-15 from \$53.50 to \$55.00 per ton tipping fee, effective August 8, 2014.

Mr. Marty Haverty, Solid Waste Management Director, presented this item. Mr. Haverty said that there were 3 items addressing the change in fee schedule A and he would like to address them in one discussion. He noted that for the Resolution 14-16 several analysis had been done both internally and externally and it was concluded that in order to reach the break even point the fee needed to be increased to \$60, but staff and the Rate Review and Advisory Board (RRAB) recommend an increase of \$1.50.

Mr. Britt Hanson, Deputy County Attorney, stated that all 3 public hearings could be discussed at the same time since they all impacted the same fee schedule.

Mr. Haverty moved on to Resolution 14-17 and stated that the construction and demolition disposal rate was being changed as a recommendation from the RRAB, who wanted to ensure we could increase the services we provide to the small businesses in the area. He noted that the department is looking at different ways to dispose of this type of waste in a more cost effective manner and that if this type of waste was used for other purposes by the County in the future, the rate would be decreased.

Mr. Haverty explained that Resolution 14-18, authorized the elimination of the reduced tipping fee for commercial haulers who directly haul over 2,500 tons of material to the landfill. He said that they had added this reduction to the schedule for commercial haulers who directly hauled materials to landfill, but after competitors lowered their fees it has not been used.

Chairman Call opened the public hearing for all 3 items.

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

Supervisor Searle moved to adopt Resolution 14-16, authorizing a \$1.50 increase to the Solid Waste rate for Fiscal Year 2014-15 from \$53.50 to \$55.00 per ton tipping fee, effective August 8, 2014. Vice-Chairman English seconded the motion.

Vice-Chairman English noted that although the tipping fees were raised, the amount still does not cover the entire cost to provide these services and the County's general fund paid for the difference.

Mr. Ortega mentioned that this would be Mr. Haverty's last meeting before he retired in September and he wanted to commend him on his dedication to the County and the Solid Waste Management Department as it is a very tough business to operate and coordinate.

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

14. Adopt Resolution 14-17, authorizing a \$6.50 increase to the Solid Waste Construction and Demolition disposal rate for Fiscal Year 2014-15 from \$53.50 to \$60.00 per ton tipping fee effective August 8, 2014.

This item was heard in conjunction with item 13.

Vice-Chairman English moved to Adopt Resolution 14-17, authorizing a \$6.50 increase to the Solid Waste Construction and Demolition disposal rate for Fiscal Year 2014-15 from \$53.50 to \$60.00 per ton tipping fee effective August 8, 2014. Supervisor Searle seconded the motion.

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

15. Adopt Resolution 14-18, authorizing the elimination of the reduced tipping fee for commercial haulers who directly haul over 2,500 tons of material to the Western Regional on an annual basis.

This item was heard in conjunction with item 13.

Supervisor Searle moved to adopt Resolution 14-18, authorizing the elimination of the reduced tipping fee for commercial haulers who directly haul over 2,500 tons of material to the Western Regional on an annual basis. Vice-Chairman English seconded the motion.

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

ACTION

Community Development

16. Extend the Sonora Verde Subdivision (Docket S-87-07) Assurance Agreement with Fidelity National Title Agency, Inc., an Arizona Corporation, as trustee under trust number 10353, to May 17, 2017, and authorize the Chairman to sign the Agreement.

Vice-Chairman English moved to approve the extension of the Sonora Verde Subdivision (Docket S-87-07) Assurance Agreement with Fidelity National Title Agency, Inc., an Arizona Corporation, as trustee under trust number 10353, to May 17, 2017, and authorize the Chairman to sign the Agreement. Supervisor Searle seconded the motion.

Mr. Peter Gardner, Planner 1, presented this item. Mr. Gardner gave the background of the subdivision and stated that staff recommended approval for the extension to ensure that the applicant finishes the last 6 parcels that need improvements. He noted that the taxes for the parcel were current and that there are citizens residing in this subdivision.

Supervisor Searle asked if the parcels could be developed.

Mr. Gardner said that they could be developed and clarified that the roads in the subdivision did belong to the County's road maintenance system.

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

17. Approve an increase and the renewal of Contract No. IFB 11-51-HFP-04 for Guardrail Repair and Replacement for the Community Development Highway and Floodplain Division to Brown & White, Inc. in the not to exceed amount of \$372,370 for the period of August 1, 2014 through July 31, 2015 .

Supervisor Searle moved to approve an increase and the renewal of Contract No. IFB 11-51-HFP-04 for Guardrail Repair and Replacement for the Community Development Highway and Floodplain Division to Brown & White, Inc. in the not to exceed amount of \$372,370 for the period of August 1, 2014 through July 31, 2015. Vice-Chairman English seconded the motion.

Mr. Terry Hudson, Senior Buyer, presented this item. Mr. Hudson said that the actual fiscal year amount was \$260,000 and the additional amount would cover the Gleeson project, which was moved up to this fiscal year.

Supervisor Searle asked if the proper procedure was done to ensure this company still offered the best price.

Mr. Hudson said that all procedures were followed to ensure the County received the best price.

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

Indigent Defense

18. Approve the transfer of funds in the amount of \$100,000 from General Fund Contingency Account to Indigent Defense Coordinator (IDC) budget accounts.

Vice-Chairman English moved to approve the transfer of funds in the amount of \$100,000 from General Fund Contingency Account to Indigent Defense Coordinator (IDC) budget accounts. Supervisor Searle seconded the motion.

Mr. Michael Ortega, County Administrator, presented this item. Mr. Ortega said this was a follow up to budget discussions held earlier in the year. He noted that funds were allocated for these capital cases, but the costs were more than was budgeted for.

Vice-Chairman English asked how much was allocated for the new fiscal year.

Mr. Ortega said that he had allocated \$300,000, but noted that with capital cases it was always hard to have a correct estimate.

Chairman Call asked what would occur if the County could not fund these capital cases.

Mr. Hanson stated that we were mandated to provide these services.

Supervisor Searle noted that there had been discussion in legislature whether this cost was the County's responsibility or the State's responsibility.

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

Procurement

19. Approve an award of contract for Legal Advertising Services in accordance with ARS §11-255, and as per responses received to Invitation for Bids (IFB) No. 14-37-PUR-03 to Arizona Range News for the period of July 1, 2014 through June 30, 2015.

Supervisor Searle moved to approve an award of contract for Legal Advertising Services in accordance with ARS §11-255, and as per responses received to Invitation for Bids (IFB) No. 14-37-PUR-03 to Arizona Range News for the period of July 1, 2014 through June 30, 2015. Vice-Chairman English seconded the motion.

Mr. Terry Rutan, Senior Buyer, presented this item. Mr. Rutan stated that this is in accordance with Arizona Statutes and gave the background on the bids. He said that since Arizona Range News was the least expensive and staff recommended approval.

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

CALL TO THE PUBLIC

Chairman Call opened the call to the public.

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

No one else chose to speak and Chairman Call 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.

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

Mr. Michael Ortega said that staff was finishing up preparation for the tentative budget, which would be heard at a special meeting on July 21st with the final budget being heard at a special meeting on August 4th.

SUMMARY OF CURRENT EVENTS

Report by District 1 Supervisor, Patrick Call

Chairman Call stated that the fireworks show in Sierra Vista was held regardless of the weather and had been successful. He also noted that he would be showing the Mansker Recharge Project to some visitors from Washington DC.

Report by District 2 Supervisor, Ann English

Vice-Chairman English commented on all of the 4th of July activities countywide and noted that she was part of the parade in Douglas.

Report by District 3 Supervisor, Richard Searle

Supervisor Searle stated that he would be attending a meeting with the United States Fish and Wildlife Service and a meeting with the US/Mexico Coalition in the coming week.

Chairman Call adjourned the meeting at 10:40 a.m.

APPROVED:

Patrick G. Call, Chairman

ATTEST:

Arlthe G. Rios, Clerk of the Board