

**PROCEEDINGS OF THE COCHISE COUNTY BOARD OF SUPERVISORS
REGULAR MEETING HELD ON
Tuesday, September 23, 2014**

A regular board meeting of the Cochise County Board of Supervisors was held on Tuesday, September 23, 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: Arlethe G. Rios, Clerk of the Board; Elda Orduno, Civil Deputy County Attorney

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

PRESENTATION

Presentation of Proclamation to Mr. Jason Bowling, Sulphur Springs Valley Electric Cooperative, Inc. representative, declaring the week of October 13-19, 2014 to be Careers in Energy Week.

The Board presented the proclamation to Mr. Jason Bowling, Sulphur Springs Valley Electric Cooperative, Inc. representative.

CONSENT

Adult Probation

1. Approve the Community Punishment Program Grant for Fiscal Year 2014/2015 in the amount of \$43,973 effective July 1, 2014 to June 30, 2015.
2. Approve the Community Punishment Program Criminal Justice Enhancement Fund (CJEF) Grant for Adult Probation to fund substance abuse and sex offender treatment in the amount \$40,000 effective July 1, 2014 to June 30, 2015.
3. Approve the State Aid Enhancement Grant for the Adult Probation Department for Fiscal Year 2014/2015 in the amount of \$688,384 effective July 1, 2014 to June 30, 2015.

4. Approve the Intensive Probation Supervision Grant for the Adult Probation Department for Fiscal Year 2014/2015 in the amount of \$732,279 effective July 1, 2014 to June 30, 2015.
5. Approve the Drug, Gang and Violent Crime Control Program from the Drug Enforcement Agency (DEA) Grant for Adult Probation for Fiscal Year 2014/2015 in the amount of \$24,469 effective July 1, 2014 to June 30, 2015.
6. Approve the Drug Treatment and Education Fund Grant for the Adult Probation Department for Fiscal Year 2014/2015 in the amount of \$94,216 effective July 1, 2014 to June 30, 2015.
7. Approve the Adult Drug Court Grant for the Adult Probation Department for Fiscal Year 2014/2015 in the amount of \$14,000 effective July 1, 2014 to June 30, 2015.
8. Approve the Transferred Youth Grant for Adult Probation for Fiscal Year 2014/2015 in the amount of \$2,000 effective July 1, 2014 to June 30, 2015.

Board of Supervisors

9. Approve the Minutes of the regular meeting of the Board of Supervisors of September 9, 2014.
10. Approve a Proclamation declaring the week of October 13-19 as Careers in Energy Week.
11. Ratify approval of comments to the Division of Policy and Directives Management, U.S. Fish and Wildlife Service Headquarters with comments regarding the Draft Environmental Impact Statement for the Proposed Revision to the Nonessential Experimental Population of the Mexican Wolf (*Canis lupus baileyi*).
12. Approve the appointment of Mr. Patrick Greene to the Planning and Zoning Commission representing District 2, to fill a vacancy due to the resignation of Mr. Joe Garcia, for the remainder of his term ending December 31, 2015.

County Sheriff

13. Approve Contract 2015-AL-003 between the Governor's Office of Highway Safety and the Cochise County Sheriff's Office for overtime costs and employee related expenses for DUI/Impaired driving education and enforcement in the amount of \$40,000 effective October 1, 2014 to September 30, 2015 .
14. Approve Contract 2015-PT-008 between the Governor's Office of Highway Safety and the Cochise County Sheriff's Office for overtime and employee related expenses to conduct educational activities and traffic enforcement designed to reduce crashes and injuries caused by aggressive driving and other traffic violations in the amount of \$10,000 effective October 1, 2014 to September 30, 2015.

Elections & Special Districts

15. Adopt Resolution 14-72 canceling the Elfrida Water Improvement District Board November 4, 2014 election for the three 4-year boards seats up for election and appointing the three candidates who filed to run in the election to fill the three open board positions, with all the powers and duties of that office as if elected to that office, effective December 1, 2014.
16. Adopt Resolution 14-73 designating the polling locations for the 2014 General Election.

17. Adopt Resolution 14-74 appointing poll workers for the General Election to be held on November 4, 2014.

Emergency Services

18. Approve a Memorandum of Understanding (MOU) between Cochise County and various facilities in Cochise County to serve as designated emergency locations for emergency functions in case an emergency is declared.
19. Approve the Tohono O'odham Nation Grant for the Cochise County Office of Emergency Services in the amount of \$5,320 for laptops.

Finance

20. Approve demands and budget amendments for operating transfers.

Warrants Nos.82450-82964, 82981-82990, 82995-831475 were issued in the amount of \$2,001,103.43.

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.

Indigent Defense

21. Approve an award of contract to Jeffrey Siirtola for Indigent Defense Contract Services pursuant to Request for Qualifications (RFQ) 14-03-IDC-01 for the period of September 24, 2014 through June 30, 2015.

Vice-Chairman English moved to approve Items 1-21 on the Consent Agenda. Supervisor Searle seconded the motion and it carried unanimously.

PUBLIC HEARINGS

Board of Supervisors

22. Approve an Interim Permit and New Liquor License application for a series #12 (restaurant) liquor license submitted by Ms. April-Kay Hardcastle for Brite Spot Restaurant, 10989 E. Highway 92, Hereford, AZ 85615.

Ms. Arlethe Rios, Clerk of the Board, presented this item. Ms. Rios said the Sheriff's Office did not have a recommendation and the Planning and Zoning Department had recommended approval. The Environmental Health Division noted that the establishment met all the requirements set forth by the Arizona Food Code; the Treasurer's Office noted that all property taxes are current. The applicant has paid the \$100 processing fee and the Board staff recommended approval.

Chairman Call opened the public hearing.

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

Supervisor Searle moved to approve an Interim Permit and New Liquor License application for a series #12 (restaurant) liquor license submitted by Ms. April-Kay Hardcastle for Brite Spot Restaurant, 10989 E. Highway 92, Hereford, AZ 85615. Vice-Chairman English seconded the motion.

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

ACTION

Board of Supervisors

23. Authorize negotiations to join the Eastern Arizona Counties Organization (ECO) for the purpose of participating in federal land and wildlife issues common to eastern Arizona counties.

Mr. Michael Ortega, County Administrator, gave some background information and stated that he recommended approval based on past partnerships with counties involved in this organization.

Supervisor Searle said he was approached by Gila Supervisor Martin on Cochise County considering joining the organization and noted that the main issue is the reintroduction of the Mexican Wolf into areas that affect member counties of this organization. He added that the partnership would be beneficial and that he would volunteer to be the representative from Cochise County.

Vice-Chairman English asked if there was a member fee.

Supervisor Searle said the annual fee would be \$5,000 for each county, and would not be based on population. He added that although the main issue would be the Mexican Wolf reintroduction, other forest service issues could also be addressed and that even if the County was a member, it would not have to support all the causes supported by the organization. He also suggested that Mr. Ortega be the second member representing the County in this organization.

Vice-Chairman English moved to authorize negotiations to join the Eastern Arizona Counties Organization (ECO) for the purpose of participating in federal land and wildlife issues common to eastern Arizona counties. Supervisor Searle seconded the motion.

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

24. Discussion/action on letter to Congress requesting full reinstatement of Payment in Lieu of Taxes (PILT) funding.

Mr. Michael Ortega, County Administrator, gave the background information and stated that PILT is very important to the County and critically impacts county services, specifically public safety and the court system. He added that in order to absorb the revenue from PILT, taxes would have to be raised by 19 cents for every \$100 value.

Vice-Chairman English stated that the public needed to understand how important this

funding is and that the legislature really needs to hear from the citizens on why it is crucial to keep this funding for counties with federal land. If no one takes action eventually taxes will have to be raised and that would impact citizens directly.

Supervisor Searle moved to authorize a letter to Congress requesting full reinstatement of Payment in Lieu of Taxes (PILT) funding. Vice-Chairman English seconded the motion.

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

County Treasurer

25. Approve the recommendation of the County Treasurer for the abatement of property taxes and interest on personal property and the removal of personal property tax liens on Treasurer's Certificate of Clearance No's. 2014-0491 thru 2014-0515 pursuant to A.R.S. 42-19118.

Ms. Cathy Traywick, County Treasurer, stated that this was the second to the last batch in order for the County to be current and noted that the cost for this batch was \$8,008.15.

Vice-Chairman English moved to approve the recommendation of the County Treasurer for the abatement of property taxes and interest on personal property and the removal of personal property tax liens on Treasurer's Certificate of Clearance No's. 2014-0491 thru 2014-0515 pursuant to A.R.S. 42-19118. Supervisor Searle seconded the motion.

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. Ortega stated that staff was preparing for the legislative summit next month and would update the Board on any recommendations made by department directors or elected officials. He noted that the Emergency Operations Center (EOC) was successfully opened during the flooding incidents last week and although it was not necessary, it was helpful to have a trial run and address a couple of issues; he also thanked all staff and agencies that participated. He added that there were concerns involving a spill in Cananea, Sonora, Mexico, and would provide the Board with information bullet points to address public concern.

SUMMARY OF CURRENT EVENTS

Report by District 1 Supervisor, Patrick Call

Chairman Call said he would be doing a tour of the Mansker Project Site to several local organizations.

Report by District 2 Supervisor, Ann English

Vice-Chairman English said she attended an event in Douglas honoring local Hispanic women and added that one of the women honored was Mr. Ortega's mother. She said that she would be attending the opening of the alternate agricultural station at the border and the Cochise County Fair later this week.

Report by District 3 Supervisor, Richard Searle

Supervisor Searle said he would be attending the Energy and Natural Resource Committee Meeting in Benson, a meeting in Sunsites with Senator Griffin and Representatives Gowan and Stevens, and the Natural Resources Defense Council (NRCD) meeting with US Fish and Wildlife meeting in Tucson.

8.

Chairman Call adjourned the meeting at 10:31 a.m.

APPROVED:

Patrick G. Call, Chairman

ATTEST:

Arlethe G. Rios, Clerk of the Board