

**PROCEEDINGS OF THE COCHISE COUNTY BOARD OF SUPERVISORS
REGULAR MEETING HELD ON
Tuesday, November 18, 2014**

A regular board meeting of the Cochise County Board of Supervisors was held on Tuesday, November 18, 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

CONSENT

Chairman Call noted that item 14 would be moved from Consent to Action and that item 20 would be removed from the agenda.

Board of Supervisors

1. Approve the Minutes of the regular meeting of the Board of Supervisors of October 28, 2014.
2. Approve an application for a Permanent Extension of Premises/Patio Permit liquor license submitted by Mr. James Graham for Golden Rule Vineyards located at 3525 N Golden Rule Road, Cochise, Arizona.
3. Ratify the approval of a letter of support from the Board of Supervisors to the Department of Veterans Affairs regarding the "Housing for Heroes" Project in Cochise County.
4. Adopt Resolution 14-79 establishing the Times and Procedures for the Regular Meetings of the Cochise County Board of Supervisors.

Community Development

5. Accept the County Engineer's recommendation to establish Ramsey Canyon Multi-Use Path as described therein, and establish that segment of Ramsey Canyon Road as a Declared County Highway and schedule a public hearing for December 16, 2014.
6. Adopt Resolution 14-78, abandoning the public right-of-way for a portion of Prince Road as described therein.

County Attorney

7. Approve the sale of one used cell phone declared surplus by the Procurement Department Property Manager for the amount of \$20.00.

Elections & Special Districts

8. Adopt Resolution 14-80 appointing Joe Garcia as the administrator for the Naco Fire District, effective December 1, 2014.
9. Adopt Resolution 14-81 appointing Thomas W. Schelling as the administrator for the Pirtleville Fire District, effective December 1, 2014.
10. Adopt Resolution 14-82 appointing Thomas W. Schelling as the administrator for the Pomerene Fire District, effective December 1, 2014.
11. Adopt Resolution 14-83 appointing Thomas W. Schelling as the administrator for the PBW Fire District, effective December 1, 2014.

Emergency Services

12. 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.

Finance

13. Approve demands and budget amendments for operating transfers.

Warrants Nos.84133-84304, 84306-84333, 84338-84456, 84474-84482 were issued in the amount of \$1,250,088.12. Issued warrants are listed as an attachment at the end of the minutes.

Fleet Services Management

14. Approve a two year capitol lease purchase agreement with Bank of America Public Capital Corporation for the purchase of heavy and light fleet equipment in the estimated amount of \$3.8 million.

Vice-Chairman English requested the item be pulled from Consent and added to the Action Agenda.

Mr. Ortega gave the background of the lease purchase agreement and noted that the details had been discussed in a work session with the Board. He went into detail of the actual costs involved and the equipment that would be purchased and added that the main reason the County was financing instead of paying up front was to comply with the statutorily required expenditure limit.

Vice-Chairman English stated that the County had not used this methodology and wanted the public to understand why the County was moving forward with a financing option.

Supervisor Searle said that although the financing option would require the County to pay an interest rate, it would eventually save the County in inflation costs.

Mr. Ortega commended staff for this new approach and explained what the expenditure limit statute was. He noted that this statute is governed by state legislature based on population of the county and that this was established as a safety net against counties/cities going broke. He added that the difficulty is for Cochise County is that the County has done very well financially and saved money for major projects, but cannot pay up front because of the expenditure limit.

Vice-Chairman English noted that losing population has a negative impact on the County because it lowers the expenditure limit and minimizes the number of projects that can be completed during the fiscal year.

Supervisor Searle moved to approve a two year capitol lease purchase agreement with Bank of America Public Capital Corporation for the purchase of heavy and light fleet equipment in the estimated amount of \$3.8 million. Vice-Chairman English seconded the motion.

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

Health & Social Services

15. Approve renewal to Intergovernmental Agreement (IGA) 14-071556, Sexually Transmitted Disease (STD) Services, between the Arizona Department of Health Services and Cochise Health & Social Services in the annual amount of \$12,298 for a 5 year period effective January 1, 2014 through December 31, 2019.

Procurement

16. Approve a new contract for Professional Services Agreement 15-19-BOS-03 for Transportation Services for the Pima County Medical Examiner Contract to Sierra Vista Cremation and Burial Chapel in Sierra Vista effective November 18, 2014 through October 1, 2015.

Vice-Chairman English moved to approve Items 1-13, 15 and 16 on the Consent Agenda. Supervisor Searle seconded the motion and it carried unanimously.

PUBLIC HEARINGS

Board of Supervisors

17. Approve the addition of sampling privileges to an active liquor store license (Series #9) submitted by Mr. Adenito Chavez for Cactus Spirits & Fine Tobacco located at 4273 S Highway 92, Sierra Vista, 85650.

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 the addition of sampling privileges to an active liquor store license (Series #9) submitted by Mr. Adenito Chavez for Cactus Spirits & Fine Tobacco located at 4273 S Highway 92, Sierra Vista, 85650. Vice-Chairman English seconded the motion.

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

ACTION

Board of Supervisors

18. Board of Supervisors sitting as the Sunsites Light Improvement District Board: Approve the Application for New Service Design/Construction to the Sulphur Springs Valley Electric Cooperative (SSVEC), Inc. for the installation of two new poles and street lights.

Mr. Tom Schelling, Special Districts Consultant, presented this item. Mr. Schelling gave the background and noted that this change was approved during the budget process. He also gave the location of the two new lights.

Director Searle stated that before a letter was sent to SSVEC, a final cost would have to be agreed upon to determine if one or two lights would be installed. He directed staff to prepare all the documents, but wait for the final decision from SSVEC before moving forward.

Vice-Chairman English added that these costs are paid by the people in the district.

Vice-Chairman English moved to approve the Application for New Service Design/Construction to the Sulphur Springs Valley Electric Cooperative (SSVEC), Inc. for the installation of two new poles and street lights. Director Searle seconded the motion.

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

19. Briefing by Norm Sturm, Cochise County's Emergency Services Coordinator, on Governor Janice Brewer's November 12, 2014 State Emergency Declaration for Cochise County.

Mr. Norm Sturm, Emergency Services Coordinator, presented this item using a PowerPoint presentation. Mr. Sturm gave the background of the Odile Emergency Declaration and updated the Board on the current status. He stated that Governor Brewer had signed off on the declaration on November 12, 2014, which will allow any affected area to request reimbursement for costs incurred due to Hurricane Odile and added that the State will be holding a meeting to discuss pursuing public assistance reimbursement for those entities that were affected.

Supervisor Searle asked what the estimated cost for damages was.

Mr. Sturm said that it was about \$2,000,000 between the County and the Cities. He noted that the total reimbursement would only be for \$200,000, but that the County could go back to the State Emergency Council and request a higher amount to address damages.

The Board thanked Mr. Sturm and staff for their work.

20. Discussion and direction on support for the position of Sulpher Springs Valley Electric Cooperative (SSVEC) and Arizona Electric Power Cooperative (AEPCo) regarding the Environmental Protection Agency's (EPA) proposed rule 111d.

This item was removed from the agenda.

Community Development

21. Approve the acquisition of a portion of a tax deed parcel for right of way for Ghost Town Trail.

Ms. Elda Orduno, Deputy County Attorney, presented this item. Ms. Orduno gave the background information and said that the reason for the request was that the Highways Division wanted to acquire the parcel to do a realignment with Ghost Town Train Road. She showed the location on a map and noted that the cost would be approximately \$1,344.

Vice-Chairman English asked for clarification on the process.

Mr. Ortega explained that a formal process was needed to take over ownership because although the parcel is in the care of the Board it is actually owned by the State.

Supervisor Searle expressed his concern for leaving a section of the parcel because it makes it nonconforming and asked if the entire parcel could be purchased.

Mr. Ortega said that if the Board had a concern, staff would move forward with purchasing the entire parcel.

Chairman Call asked why the realignment was a concern.

Ms. Karen Riggs, County Engineer, stated that having Y intersections was a safety hazard and the Highways Division planned to address these types of intersections by realigning them.

Supervisor Searle amended the motion and moved to approve the acquisition of the entire tax deed parcel for right of way for Ghost Town Trail. Vice-Chairman English seconded the

motion.

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

Procurement

22. Approve the award of Contract No. 15-10-PUR-03 for Printing Services for County Departments to Alphagraphics Sierra Vista for the period of November 18, 2014 through November 17, 2015.

Mr. Terry Rutan, Senior Buyer, presented this item. Mr. Rutan gave the background of the item and said that three proposals were received, evaluated, and ranked. He stated that the contract was recommended to go to Alphagraphics by the evaluating panel.

Vice-Chairman moved to approve the award of Contract No. 15-10-PUR-03 for Printing Services for County Departments to Alphagraphics Sierra Vista for the period of November 18, 2014 through November 17, 2015. 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.

Mr. Tom Schelling, representative for the Sunnyside Fire District, thanked Supervisor English for her assistance with road conditions on behalf of the residents in the area.

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 gave an election update and noted that staff would be ready to present the Canvass of the General Election on Thursday. He added that due to the close race in Congressional District 2 there would have to be a recount after the State Canvass in early December.

SUMMARY OF CURRENT EVENTS

Report by District 1 Supervisor, Patrick Call

Chairman Call noted that he would be absent from the December 2nd meeting because he would be attending a Department of Defense meeting and presenting on why Fort Huachuca is a huge part of Cochise County.

Report by District 2 Supervisor, Ann English

Vice-Chairman English deferred her report.

Report by District 3 Supervisor, Richard Searle

Supervisor Searle said that he had attended the Arizona/New Mexico Coalition meeting and the group had decided to move forward with a lawsuit against US Fish and Wildlife in regards to the jaguar. He also noted that he would be attending the Sierra Vista Metropolitan Planning Organization meeting this week.

7.

Chairman Call adjourned the meeting at 10:48 a.m.

APPROVED:

Patrick G. Call, Chairman

ATTEST:

Arlethe G. Rios, Clerk of the Board