

**PROCEEDINGS OF THE COCHISE COUNTY BOARD OF SUPERVISORS
REGULAR MEETING HELD ON
Tuesday, January 6, 2015**

A regular board meeting of the Cochise County Board of Supervisors was held on Tuesday, January 6, 2015 10:00 a.m. in the Board of Supervisors' Hearing Room, 1415 Melody Lane, Building G, Bisbee, Arizona.

Present: Ann English, Vice-Chairman; Richard R. Searle, Member

Absent: Patrick G. Call, Chairman

Staff Michael J. Ortega, County Administrator; Jim Vlahovich, Deputy County Administrator; Britt W.

Present: Hanson, Chief Civil Deputy County Attorney; Arlethe G. Rios, Clerk of the Board

Vice-Chairman English called the meeting to order at 10:09 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 December 16, 2014.
2. Approve a proclamation to proclaim the week of January 25 through January 31, 2015 as "Cochise County School Choice Week".

County Sheriff

3. Approve two re-occurring contracts for Stone Garden funding from the Department of Homeland Security (DOHS) for \$876,464 in Overtime and Mileage; and \$117,046 for the purchasing of additional equipment to be utilized by the Sheriff's Office from December 1, 2014 through December 31, 2015.

Court Administration

4. Approve appointments of Justices of the Peace Bruce Staggs and Adam Ambrose to serve as juvenile hearing officers, authorized under A.R.S. 8-323 effective January 1, 2015.

Emergency Services

5. 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

6. Approve demands and budget amendments for operating transfers.

Warrants Nos.85653-85987, 86005, 86010-86091 were issued in the amount of \$515,371.86.

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	Jeffrey D. Trjillo	75.00
171	Hector Felix	50.00
147	Janelle McDonald	25.00
147	Jerry Sparks	25.00
147	Sean Swanson	75.00
171	Kathleen Talbot	171.76
232	Center for Disease Detection, LLC	499.00
149	Alternative Counseling Svc, Inc	260.00

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

Health & Social Services

7. Approve Amendment 2 to Intergovernmental Agreement (IGA) ADHS13-034429, Teen Pregnancy Prevention Program, between the Arizona Department of Health Services and Cochise Health & Social Services, in the amount of \$136,414 for the period of January 1, 2015 through December 31, 2015.

Housing Authority

8. Approve the renewal grant amount of \$55,013 for the Family Self-Sufficiency Housing Program Coordinator position for calendar year 2015.

Supervisor Searle moved to approve Items 1-8 on the Consent Agenda. Vice-Chairman English seconded the motion and it carried unanimously.

ACTION

Board of Supervisors

9. Approve the over-the-counter sales of tax deed properties remaining unsold following the June 5, 2014 tax deed land auction and subsequent over-the-counter sales, as set forth in the attached report, plus related administrative fees.

Supervisor Searle moved to approve the over-the-counter sales of tax deed properties remaining unsold following the June 5, 2014 tax deed land auction and subsequent over-the-counter sales, as set forth in the attached report, plus related administrative fees. Vice-Chairman English seconded the motion.

Ms. Arlethe G. Rios, Clerk of the Board, presented this item. Ms. Rios stated that she had received three bids on properties remaining unsold and that two of the bids were for the minimum bid. She noted that the bids from Klump Ranches were lower than the minimum bid because Mr. Klump felt that the land was not very valuable and wanted the Board to consider his lower bids.

Supervisor Searle stated that Mr. Klump was a resident of the area and thought the offer was reasonable.

Vice-Chairman English noted that accepting a lower bid gets the parcels back on the tax rolls, which

positively impacts the residents of Cochise County.

Vice-Chairman English called for the vote and it was approved 2-0-1 (Call absent).

10. Uphold or amend the Assessor's decision in the Taxpayer Notice of Claim for Wise Dog SV LLC, parcel number 107-16-082.

Mr. Terry Anderson, Chief Appraiser, presented this item. Mr. Anderson gave the background and said that the property owner contested that value because they felt like the assessment was wrong. He explained that the issue occurred when the Assessor's Office erroneously removed a structure from the value of the property. He said that the error was discovered in December 2013 and the Assessor's Office added the structure back to the value of the property and sent the property owner a Notice of Proposed Correction, which only corrects the current year (2013) and the property owner consented to the correction, which implies that the property owner agrees that the new value will affect all upcoming years therefore there is no obligation for the Assessor's Office to notice a change of value annually, which is what the property owner is appealing.

Supervisor Searle asked what the property owner is appealing.

Mr. Anderson said that the property owner would like the Assessor's Office to revert back to the \$64,000 assessment rather than the \$1,200,000 assessment. He noted that the property owner felt they should be notified every year, but the law states that the correction affects all years, therefore a notification is not needed annually.

Vice-Chairman English noted that the property owner was not present.

Supervisor Searle moved to uphold the Assessor's decision in the Taxpayer Notice of Claim for Wise Dog SV LLC, parcel number 107-16-082. Vice-Chairman English seconded the motion.

Vice-Chairman English called for vote and it was approved 2-0-1 (Call absent).

11. Approve the salary for Scott McManaway, who was elected as the Constable in Precinct 5 effective January 1, 2015 in the amount of \$48,294.

Supervisor Searle moved to approve the salary for Scott McManaway, who was elected as the Constable in Precinct 5 effective January 1, 2015 in the amount of \$48,294. Vice-Chairman English seconded the motion.

Vice-Chairman English called for vote and it was approved 2-0-1 (Call absent).

Community Development

12. Approve a request from Swinerton Builders and D E Shaw Co. for a waiver or reduction of permit fees for the construction of a 15 wind turbine generating station Wind Farm from \$271,175.45 to \$69,027.81.

Mr. Michael Izzo, Building Official, Community Development, presented this item. Mr. Izzo gave the background of the project and listed the reasons that the applicant asked for a reduction in fees. He explained what the charges would be to the County to inspect the project and showed the applicant's payment proposal. He noted that the applicant did not think further inspection of the turbines was needed, which caused the difference in fees.

Vice-Chairman English stated that the applicant has built similar projects in other communities and had experience with different types of inspections with professionals in the field.

Mr. Izzo said that although they had professional inspectors, fees did vary for the County and State.

Vice-Chairman English said that the County should be business friendly, but the priority was to recoup the County's costs.

Supervisor Searle asked what the County inspectors would be verifying.

Mr. Izzo said that the trenching, foundation, rebar, and underground electrical would all need inspections.

Vice-Chairman English said she understood the need for those types of inspections, but asked if the County had an inspector qualified to inspect turbines.

Mr. Izzo stated that the County could hire a certified consultant to inspect the turbines, but did not have anyone on staff.

Vice-Chairman English asked the applicants to introduce themselves and explain the petition for a fee reduction.

Mr. Don Gallagher, Engineering Manager, Swinerton Builders, stated he was the General Contractor for the project and appreciated the effort from staff in this project. He said that the County was valuing the project to include the turbines, which are \$38,000,000 of the project and that the company wanted to value the actual construction, not the product. He also noted that although the project timeline was estimated to be a year, the project should be completed in six months, which would also impact the inspection fees.

Mr. Shawn Markham, DE Shaw representative, stated that he had over ten years experience in these types of projects and added that local authorities usually did not inspect the equipment. He explained that the company has ensured its inspectors are part of every step of the process and certified in their fields.

Mr. Brian Hoopes, Project Manager, Swinerton Builders, gave some details on the project timeline and noted that although the project is estimated to take a year, it should be completed within six months.

Supervisor Searle noted that the main concern of the County was liability and asked who would be held responsible if the equipment fell apart.

Mr. Markham said that the contractor and insurers would be held liable.

Supervisor Searle thanked staff for their work on this and noted that a consistent formula was important because fees should be based on the value of the project, not project materials.

Supervisor Searle moved to approve a request from Swinerton Builders and D E Shaw Co. for a waiver or reduction of permit fees for the construction of a 15 wind turbine generating station Wind Farm from \$271,175.45 to \$69,027.81. Vice-Chairman English seconded the motion.

Vice-Chairman English called for vote and it was approved 2-0-1 (Call absent).

County Treasurer

13. 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. 2014-0516 thru 2014-0531 pursuant to A.R.S. 42-19118.

Ms. Cathy Traywick, County Treasurer, presented this item. Ms. Traywick gave the background for the certificates of clearance and stated that the properties in question were removed, destroyed, or no longer have any value to the County tax rolls.

Supervisor Searle 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. 2014-0516 thru 2014-0531 pursuant to A.R.S. 42-19118. Vice-Chairman English seconded the motion.

Vice-Chairman English called for the vote and it was approved 2-0-1 (Call absent).

CALL TO THE PUBLIC

Vice-Chairman English opened the Call to the Public.

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

No one else chose to speak and Vice-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.

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

Mr. Ortega stated that he would be attending the Arizona Transportation Summit later in the week and the main focus of the conference would be to discuss Highway User Revenue Funds (HURF).

SUMMARY OF CURRENT EVENTS

Report by District 1 Supervisor, Patrick Call

Chairman Call was absent.

Report by District 2 Supervisor, Ann English

Vice-Chairman English deferred her report.

Report by District 3 Supervisor, Richard Searle

Supervisor Searle deferred his report.

6.

Chairman Call adjourned the meeting at 11:13 a.m.

APPROVED:

Patrick G. Call, Chairman

ATTEST:

Arlethe G. Rios, Clerk of the Board