

**PROCEEDINGS OF THE COCHISE COUNTY BOARD OF SUPERVISORS  
REGULAR MEETING HELD ON  
Tuesday, January 27, 2015**

A regular board meeting of the Cochise County Board of Supervisors was held on Tuesday, January 27, 2015 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 10:21 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**

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***CONSENT***

**Board of Supervisors**

1. Approve the Minutes of the regular meeting of the Board of Supervisors of January 6, 2015.
2. Approve the salary for Donald Fenn, who was elected as the Constable in Precinct 3 effective January 1, 2015 in the amount of \$1 a month.
3. Reappoint John Ladd (District 1) and Rusty Winkler (District 2) to the Public Lands Advisory Committee (PLAC) for new two-year terms, ending 6/30/2016 and appoint David Greenberg (District 1) to fill the term of Chris Kemmerly plus one full term to expire 6/2017.

**County Attorney**

4. Authorize the Arizona Attorney General's Office to represent Cochise County in all tax appeal litigation of centrally assessed property for tax years 2015 and 2016, including, but not be limited to cases filed by Solarcity Corp.

## **County Sheriff**

5. Approve an Intergovernmental Agreement (IGA) between Chiricahua Trails Fire Department and Cochise County Sheriff's Office to provide radio/voice toning in response to calls, effective for one year, with up to four annual automatic renewals.

## **Elections & Special Districts**

6. Approve the appointment of the following persons as Precinct Committeeman for the Republican Party of Cochise County upon the recommendation of the Party Chair: Precinct #20/Pirtleville, William E. Kamstra; Precinct #22/Portal, William Cloudt; Precinct #24/St. David, J. Young Mayberry, Donald Buchanan; Precinct #29/SV Carmelita, John P. O'Connor; Precinct #32/SV Country Club, Marie A. Blair, Kathryn A. Clark, Frances Harris, Alvin M. Slarve; Precinct #41/SV Village Meadows, Donald Lowery; Precinct #46/Whetstone, Kara L. Harris.

## **Finance**

7. Approve demands and budget amendments for operating transfers.

## **Fleet Services Management**

8. Approve the sale of two used fleet vehicles #4309 and #4106 declared surplus by the Procurement Department Property Manager to the City of Benson for the amount of \$5,500 and \$6,750 respectively.

## **Health & Social Services**

9. Approve Amendment 1 to IGA: ADHS12-021252, Population Health Policy Initiative, between the Arizona Department of Health Services (ADHS) and Cochise Health and Social Services (CHSS) to extend the contract for three months through June 30, 2015 with additional incremental funding of \$12,296.
10. Approve Amendment 15-1 to Contract # 107-15, Adaptive Aids and Devices/Assistive Technology Grant, between the SouthEastern Arizona Governments Organization and Cochise Health & Social Service's Area Agency on Aging in the amount of \$8,900 for the period of 1/1/15 to 6/30/15.

Vice-Chairman English moved to approve Items 1-10 on the Consent Agenda. Supervisor Searle seconded the motion and it carried unanimously.

## ***PUBLIC HEARINGS***

### **Board of Supervisors**

**Chairman Call simultaneously opened the call to the public for items 11-15.**

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

11. Approve an interim permit and person transfer liquor license application for a series #6 (bar) liquor license submitted by Ms. Pamela K. Cohen for The Thirsty Lizard, 2092 N. Hwy 90, Huachuca City, AZ 85616.

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.

Supervisor Searle moved to approve an interim permit and person transfer liquor license application for a series #6 (bar) liquor license submitted by Ms. Pamela K. Cohen for The Thirsty Lizard, 2092 N. Hwy 90, Huachuca City, AZ 85616. Vice-Chairman English seconded the motion.

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

12. Approve an interim permit and new liquor license application for a series #10 (beer and wine store) liquor license submitted by Mr. Roger K. Burtons for Giant Store #645, 5620 S. Hwy 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.

Vice-Chairman English moved to approve an interim permit and new liquor license application for a series #10 (beer and wine store) liquor license submitted by Mr. Roger K. Burtons for Giant Store #645, 5620 S. Hwy 92, Hereford, AZ 85615. Supervisor Searle seconded the motion.

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

13. Approve an interim permit and person transfer liquor license application for a series #9 (liquor store) liquor license submitted by Mr. Roger K. Burton for the Giant Store #656, 5217 S. Hwy 92, Sierra Vista, AZ 85635.

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.

Supervisor Searle moved to approve an interim permit and person transfer liquor license application for a series #9 (liquor store) liquor license submitted by Mr. Roger K. Burton for the Giant Store #656, 5217 S. Hwy 92, Sierra Vista, AZ 85635. Vice-Chairman English seconded the motion.

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

14. Approve an interim permit and new liquor License application for a series #10 (beer and wine) liquor license submitted by Mr. Roger K. Burton for Giant Store #669, 251 Frontage Road, Pearce, AZ 85625.

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.

Vice-Chairman English moved to approve an interim permit and new liquor License application for a series #10 (beer and wine) liquor license submitted by Mr. Roger K. Burton for Giant Store #669, 251 Frontage Road, Pearce, AZ 85625. Supervisor Searle seconded the motion.

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

15. Approve an interim permit and new liquor license application for a series #12 (restaurant) liquor license submitted by Ms. Lauren K. Merrett, Tombstone Monument Ranch, 895 W. Monument Road, Tombstone, AZ 85638.

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.

Supervisor Searle moved to approve an interim permit and new liquor license application for a series #12 (restaurant) liquor license submitted by Ms. Lauren K. Merrett, Tombstone Monument Ranch, 895 W. Monument Road, Tombstone, AZ 85638. Vice-Chairman English seconded the motion.

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

## **Community Development**

16. Adopt Resolution 15-03 the 2012 Edition of the International Building Safety Code and other related codes including addendums and edits as set forth in Exhibit A.

Ms. Beverly Wilson, Planning Director, presented this item using a PowerPoint presentation. Ms. Wilson discussed the 2012 edition of the international building safety code and other related codes in detail. She noted that the changes were reviewed by the Building Code Advisory and Appeals Board (BCAAB) and that staff recommended approval of all the changes.

Chairman Call opened the public hearing.

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

Supervisor Searle asked if there were issues with the changes, what would the process be to change the code back.

Ms. Wilson said that the code could be changed at the Board's preference and if citizens had issues they could appeal to the BCAAB.

Vice-Chairman English noted that staff has been diligent to keep the codes up to date and comparable to what other entities are doing.

Vice-Chairman English moved to adopt Resolution 15-03 the 2012 Edition of the International Building Safety Code and other related codes including addendums and edits as set forth in Exhibit A. Supervisor Searle seconded the motion.

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

## **ACTION**

### **Community Development**

17. Adopt Resolution 15-02 abandoning the Rio Corte Estates subdivision plat.

Ms. Jesse Drake, Planner II, Community Development, presented this item using a PowerPoint presentation. Ms. Drake gave the reason for the request to abandon and some background information on the changes in the subdivision. She noted that the assurance agreements had been extended and approved by the Board several times, but the improvements were never made. She stated that staff recommended abandoning the subdivision and reverting back to the original lines, she added that the current owner was in agreement with the abandonment.

Supervisor Searle moved to adopt Resolution 15-02 abandoning the Rio Corte Estates subdivision plat. Vice-Chairman English seconded the motion.

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

### **Elections & Special Districts**

18. Review resolution of proposed consolidation of Whetstone and PBW, two fire districts in Cochise County, into one, joint fire district that encompasses the physical territories of both after fulfillment of the statutory requirements to consolidate.

Mr. Tom Schelling, Administrator of PBW Fire District, presented this item using a PowerPoint presentation. Mr. Schelling went over the statute for a consolidation of two districts and the process involved. He noted both districts have passed a resolution to hold a public hearing on February 9, 2015 as required by statute and that the notice has been sent out with all required attachments to residents in the area. He discussed the estimated assessed value for the consolidation, added that the proposed tax rate would be \$2.95, and listed the benefits and injuries of consolidating the districts. He explained that per statute, the Board has to submit comments when two districts want to consolidate, these comments will be read at the public hearing.

Vice-Chairman English stated that the Board would get comments to Mr. Schilling.

Vice-Chairman English moved to review the resolution of proposed consolidation of Whetstone and PBW, two fire districts in Cochise County, into one, joint fire district that encompasses the physical territories of both after fulfillment of the statutory requirements to consolidate. 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.

Ms. Lisa Watakani, addressed the Board on a complaint against the County regarding her employment at the Planning & Zoning Division and County policies regarding employment probation periods.

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 said that staff was currently focused on budget and noted that the County's contribution for the public safety retirement system would be increasing and that the assessed values would decrease again for the next fiscal year. He added that due to the mentioned items and other issues the County will have a shortfall for the next fiscal year and will be setting up a work session with the Board to discuss options on how to address the shortfall.

Mr. Ortega introduced Supervisor Clint Hickman, County Supervisors Association (CSA) President.

Mr. Clint Hickman, Supervisor, Maricopa County and CSA President, thanked the Board for their invitation to Cochise County and the opportunity to speak and gave information about himself and his district. He also noted that he would be discussing legislative issues with the Board at lunch.

### **SUMMARY OF CURRENT EVENTS**

#### **Report by District 1 Supervisor, Patrick Call**

Chairman Call deferred his report.

#### **Report by District 2 Supervisor, Ann English**

Vice-Chairman English deferred her report and asked staff to place the Legislative Summary back on future agendas so that the Board may discuss legislative issues.

#### **Report by District 3 Supervisor, Richard Searle**

Supervisor Searle said he would be attending the County's Leadership Day on Thursday as well as the Sierra Vista Metropolitan Planning Organization meeting in Sierra Vista. He noted that he would not be able to attend the Mayor/Managers' Luncheon, but would be attending a meeting with the J6/Mescal Community, Willcox Agricultural Day, and a meeting with the Sunsites Community Association.

Chairman Call adjourned the meeting at 11:05 a.m.

APPROVED:

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Patrick G. Call, Chairman

ATTEST:

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Arlthe G. Rios, Clerk of the Board