

**PROCEEDINGS OF THE COCHISE COUNTY BOARD OF SUPERVISORS
REGULAR MEETING HELD ON
Tuesday, September 15, 2015**

A regular board meeting of the Cochise County Board of Supervisors was held on Tuesday, September 15, 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 James E. Vlahovich, County Administrator; Edward T. Gilligan, Deputy County
Present: Administrator; 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

PRESENTATION

Presentation of Proclamation to Commander Mark Genz, Cochise County Sheriff's Office, declaring September 19, 2015 as Certified Peace Officer Appreciation Day in Cochise County.

Chairman Call read the proclamation and presented it to Commander Mark Genz, Sheriff's Office, and Ms. Dion, wife of Deputy Dion.

Commander Genz said Sheriff Dannels sent his regrets for not being able to attend, but he was hosting a Sheriff's Conference. He truly appreciates this act and thanks the spouses for their support.

Ms. Dion thanked the Sheriff's command staff for their support and the Board for their recognition.

The Board thanked all deputies for their service.

CONSENT

Board of Supervisors

1. Approve the Minutes of the regular meeting of the Board of Supervisors of August 25, 2015.
2. Approve a letter to the Arizona Department of Gaming granting the Cochise County Fair Association to host live horse racing on May 21 & 22, 2016.

3. Approve a Proclamation declaring September 19, 2015 Certified Peace Officer Appreciation Day in Cochise County.

Community Development

4. Adopt Resolution 15-22 authorizing the abandonment of the dedicated public rights-of-way adjacent to the Brian A. Terry Border Patrol Station in Bisbee.
5. Approve the appointment of Ms. Estella Fern Lawson to the Board of Adjustment, District 2, for the remainder of a four year term ending December 31, 2017.

County Sheriff

6. Approve Agreement 2016-043 for the Fiscal Year 2016 Victims' Rights Program (VRP) Award Agreement between the Cochise County Sheriff's Office and the Office of the Arizona Attorney General in the amount of \$15,093 to pay for 42.3% of the salary and employer related expenses of a Records Specialist to conduct state mandated victim notifications effective July 1, 2015 to June 30, 2016.
7. Approve contract 2015-PT-006 between Cochise County and the Governor's Office of Highway Safety for \$10,000 in overtime funding for Selective Traffic Enforcement Program effective October 1, 2015 to September 30, 2016.
8. Approve contract 2016-II-007 between Cochise County and the Governor's Office of Highway Safety for \$40,000 in overtime funds for the Driving Under the Influence (DUI) Enforcement Program effective October 1, 2015 to September 30, 2016.

Facilities

9. Approve the agreement between Bisbee Vogue Inc, a nonprofit corporation and Cochise County for use of County premises around the Superior Courthouse and Administration Building for the Bisbee Stair Climb, from October 16, 2015 through October 18, 2015.

Finance

10. Approve demands and budget amendments for operating transfers.

Warrants Nos. 92152-92294, 92308-92460, 92471-92617 were issued in the amount of \$1,282,274.37.

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>
116	AZ Communications Group	3,083.33
116	AZ Communications Group	342.72
251	Eichelberger, Dan	\$100.00
147	Trujillo, Jeffrey D.	\$100.00
279	Murphy, Nancy	\$750.00
100	Figueroa Janette	\$20.55

100	Fisher Stephen J.	\$0.44
100	Perez Maria O.	\$12.89
100	Villalobos Suzette L.	\$0.89
100	Edie Patrica	1.34
100	Abril Francisco F.	\$39.26
100	Boyinton David	\$0.45
100	Chavez, Paul	\$0.45
100	Diaz Mary Ann	\$1.34
100	Esquer Juan C.	\$0.89
100	Malconado Allssha P.	\$0.45
100	Oneil James	\$0.89
100	Rodriguez, Denise	\$0.89
100	Rojas, Fernando	\$0.23
100	Valencia, Dora	\$0.45

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

Health & Social Services

11. Approve the renewal to the Arizona Department of Health Services (ADHS) contract # ADHS12-007884 Amendment seven, Emergency Preparedness Program, between the ADHS and the Cochise Health & Social Services, in the amount of \$237,293, effective July 1, 2015 through June 30, 2016.

Vice-Chairman English moved to approve items 1-11 on the consent agenda. Supervisor Searle seconded the motion and it carried unanimously.

PUBLIC HEARINGS

Board of Supervisors

12. Approve a new liquor license application for a series #10 (beer/wine store) liquor license submitted by Ms. Andrea Lewkowitz for Little General Chevron located at 1860 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 they have no concerns with the issuance of the liquor license; the Treasurer's Office noted that all property taxes are not current, but Ms. Lewkowitz is not the owner of the property. 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 a new liquor license application for a series #10 (beer/wine store) liquor license submitted by Ms. Andrea Lewkowitz for Little General Chevron located at 1860 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.

13. Approve a new liquor license application for a series #13 (domestic farm winery) liquor license submitted by Mr. Charles Arthur Hofmann for Hofmann Estate Vineyard & Winery located at 9399 N. High Lonesome Road, McNeal, 85617.

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 they have no concerns with the issuance of the liquor license; the Treasurer's Office noted that all property taxes were 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 asked if Vice-Chairman English knew the requirements for a new winery since water use regulations applied to that area.

Vice-Chairman English said that the applicant had to have at least 10 acres, but was not familiar with the specifics of water regulations that might apply.

Vice-Chairman English moved to approve a new liquor license application for a series #13 (domestic farm winery) liquor license submitted by Mr. Charles Arthur Hofmann for Hofmann Estate Vineyard & Winery located at 9399 N. High Lonesome Road, McNeal, 85617. Supervisor Searle seconded the motion.

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

Community Development

14. Adopt Resolution 15-23 altering the County highway establishment and extinguishing interest in a portion of Jefferson Road, adjacent to the proposed Family Dollar Store in Elfrida.

Ms. Karen Riggs, Highway & Floodplain Director, Community Development, presented this item using a PowerPoint presentation. Ms. Riggs gave the background, showed a map of the location, and explained that the set back was needed in order for the store to open. She added that staff recommended that the right of way be reduced from 35' to 25' because it would allow a better utilization of the parcels for the layout of the store. She clarified that the action would reduce the declared right of way and accept dedication for the 25' and noted that the reason for this action was to avoid utility lines.

Chairman Call opened the public hearing.

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

Vice-Chairman English moved to adopt Resolution 15-23 altering the County highway establishment and extinguishing interest in a portion of Jefferson Road, adjacent to the proposed Family Dollar Store in Elfrida. Supervisor Searle seconded the motion.

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

ACTION

Board of Supervisors

15. Approve Resolution 15-24 approving the Amended Intergovernmental Agreement (IGA) authorizing the membership of Cochise County in the Eastern Arizona Counties Organization and authorizing the Chairman to sign the Amended IGA and Supervisor Searle to sign the Amended By Laws.

Mr. James Vlahovich, County Administrator, presented this item. Mr. Vlahovich gave the background and said that participation in this Organization was recommended by Supervisor Searle. He noted that Supervisor Searle would be the liasion and that membership would be \$6,000 annually, which would be included in the budget.

Vice-Chairman English moved to approve Resolution 15-24 approving the Amended Intergovernmental Agreement (IGA) authorizing the membership of Cochise County in the Eastern Arizona Counties Organization and authorizing the Chairman to sign the Amended IGA and Supervisor Searle to sign the Amended By Laws. Supervisor Searle seconded the motion.

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

16. Approve sales from the July 2015 Tax Deed Land Auction of parcels and units listed on Exhibit A and authorize the Clerk to post the remaining unsold properties for sale on an over-the-counter basis (see Exhibit B).

Ms. Arlethe Rios, Clerk of the Board, presented this item. Ms. Rios stated that the County had from July 13 to July 24, 2015, held the first Online Tax Deed Land Auction resulting in property sales of \$97,836.91 and a total of 138 parcels were sold. She noted that all sold parcel information was on the attached Exhibit A (Parcels Sold) and added that all funds were collected through the vendor Public Surplus and a check from them was sent to the County and deposited with the Treasurer's Office along with a listing of the parcels sold so that office could update the tax roll. She said that Exhibit B showed the remaining Unsold properties still available for over-the-counter (OTC) purchase and that staff was requesting the Board authorize posting of the OTC list immediately, together with the updated interactive map. She also stated that some bidders paid after July 31 and staff would bring those parcels for the board's approval once those funds are received from Public Surplus.

Supervisor Searle moved to approve sales from the July 2015 Tax Deed Land Auction of parcels and units listed on Exhibit A and authorize the Clerk to post the remaining unsold properties for sale on an over-the-counter basis (see Exhibit B). Vice-Chairman English 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.

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 JAMES E. VLAHOVICH, COUNTY ADMINISTRATOR -- RECENT AND PENDING COUNTY MATTERS

Mr. Vlahovich stated that the County Supervisors Association (CSA) Legislative Summit was scheduled for October 13-15, 2015 in Lake Havasu and that the Board would be able to further discuss the legislative proposals they submitted to CSA during the summer.

SUMMARY OF CURRENT EVENTS

Report by District 1 Supervisor, Patrick Call

Chairman Call said that he would be attending the Border Sheriff's Conference, the Southeastern Arizona Contractors Association luncheon, the Legislative Day at Fort Huachuca, and the Sun Corridor Incorporation Board Meeting during the next couple of weeks.

Report by District 2 Supervisor, Ann English

Vice-Chairman English said she had attended the open house for the Willcox Food Bank and added that she would be attending the County Supervisors Association (CSA) meeting on Friday.

Report by District 3 Supervisor, Richard Searle

Supervisor Searle said he had also attended the Willcox Food Bank open house and that it had been a great event as this distribution center could be used for all local food banks; he added that the Northern Cochise County Hospital had a fundraiser and raised over \$60,000 for equipment purchases.

8.

Chairman Call adjourned the meeting at 2:08 p.m.

APPROVED:

Patrick G. Call, Chairman

ATTEST:

Arlethe G. Rios, Clerk of the Board