

**PROCEEDINGS OF THE COCHISE COUNTY BOARD OF SUPERVISORS
REGULAR MEETING HELD ON
Tuesday, October 20, 2015**

A regular board meeting of the Cochise County Board of Supervisors was held on Tuesday, October 20, 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 10:03 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 certificates to businesses that are breast feeding friendly.

Ms. Renee Cooper, Health & Social Services employee, introduced the businesses being acknowledged:
1st place: American Southeast Credit Union, which has two designated rooms for employees and customers.

2nd place: Lomeli's Childcare Center.

Ms. Mary Gomez, Health & Social Services Director, said she wanted to take this opportunity to encourage other businesses to model what these folks have done.

Chairman Call thanked all for attending.

CONSENT

Board of Supervisors

1. Approve the Minutes of the regular meeting of the Board of Supervisors of September 15, 2015.

2. Approve acceptance of Quit Claim Deed from Terry E. Maynard and Eileen F. Maynard (Grantors) to Cochise County for real property described as "The Northwest quarter of the Southeast quarter of SECTION 31, TOWNSHIP 17 South, RANGE 21 East of the Gila and Salt River Base and Meridian, Cochise County, AZ; EXCEPTION there from the West 1186.16 feet; and FURTHER EXCEPTION the East 50 feet thereof, as filed in the office of the County Recorder, Cochise County, Arizona" (APN 120-10-006U) as recommended by the Highway & Floodplain Division and the County Attorney's Office.

Community Development

3. Approve Zoning Ordinance 15-07 approving Docket Z-15-06, amending the zoning district designation for parcel 102-57-301 to MR-1 from R-9, pursuant to the request of Mr. Raul Hidalgo.

County Sheriff

4. Approve contract 2016-PT-055 between Cochise County and the Governor's Office of Highway Safety for \$1,107 to purchase tint meters to be used during traffic enforcement effective October 1, 2015 to September 30, 2016.
5. Approve contract 2016-AL-061 between Cochise County and the Governor's Office of Highway Safety for \$7,108 to purchase an Intoxilyzer 8000 effective October 1, 2015 to September 30, 2016.
6. Approve Refund Receipt between the Cochise County Sheriff's Office (the County) and Airwest Helicopters LLC (AWH) for the return of \$56,150 in credit for unused services provided to the Sheriff's Office for helicopter support.
7. Approve the 2015 Homeland Security Grant Program Award Subrecipient Agreement Number 15041-01 between the Arizona Department of Homeland Security and the Cochise County Sheriff's Office for the purchase of a two way radio headset for use by the Sheriff's Office SWAT members in the amount of \$15,800 effective October 1, 2015 through September 30, 2016.
8. Approve the 2015 Homeland Security Grant Program Award Subrecipient Agreement Number 150401-02 between the Arizona Department of Homeland Security and the Cochise County's Sheriff's Office for the purchase of 5 Ballistic Vests, 5 Ballistic Helmets and 1 Ballistic Shield for use by the Sheriff's Office SWAT members in the amount of 17,550 for the period of October 1, 2015 through September 30, 2016.

Court Administration

9. Certify that the total court revenues collected in Fiscal Year 2014/2015 exceeded total court revenues collected in Fiscal Year 1997/1998 and authorize distribution of the 5% set-aside revenues, \$348,244.30, pursuant to ARS 41-2421.

Emergency Services

10. Approve the 2015 Cochise County Mutual Aid Agreement between Cochise County and the County based fire districts, fire departments, fire and rescue agencies, law enforcement agencies, and public works departments for a period of 5 years, with an annual renewal option.

11. Approve Subrecipient Agreement 15-AZDOHS-HSGP-15400-01 between the Arizona Department of Homeland Security and the Cochise County Office of Emergency Services to fund Citizen Corp volunteer group activities in the amount of \$4,800 for the period of October 1, 2015 through September 30, 2016.

Finance

12. Approve demands and budget amendments for operating transfers.

Warrants Nos. 92618-92637, 92655-92787, 92797-92969, 92992-93021, 93023-93144, 93146-93327, 93341-93473 were issued in the amount of \$3,139.447.03.

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	Hulse, Edith	\$20.00
100	Little, Benay Uilani	16.81
100	Hulse, Edith	50.00
149	PharmChem, Inc.	25.00
100	Thompson, Linda	16.81
100	Mendoz, Antonio	7.00
100	Worley, Ollie	12.60
100	Eeja, Beatrice Josefina	130.00
100	Edie, Patricia	39.26

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

Health & Social Services

13. Approve Memorandum of Understanding (MOU) between Cochise Health & Social Services (CHSS) and Chiricahua Community Health Centers, Inc. (CCHCI) for the use of Willcox clinic in emergency situations.

Indigent Defense

14. Approve an award of contract to Mark E. Evans, PLLC for Indigent Defense Contract Services pursuant to Request for Qualifications (RFQ) 14-03-IDC-01 for the period of October 20, 2015 through June 30, 2015.

Vice-Chairman English moved to approve items 1-14 on the consent agenda. Supervisor Searle seconded the motion and it carried unanimously.

ACTION

Board of Supervisors

15. Approve an Intergovernmental Agreement (IGA) with City of Douglas to acquire the Right-of-Way for a proposed Port of Entry effective July 30, 2015 through July 30, 2025, unless terminated by either party.

Mr. Britt Hanson, Chief Civil Deputy County Attorney, presented this item. Mr. Hanson gave the background and reason for this IGA and added that this would help the City of Douglas build a new proposed port in the future.

Vice-Chairman English said that the County was aware of the project and have taken several steps in addition to this IGA to ensure the City of Douglas is prepared to move forward with the project when the time comes.

Supervisor Searle said he appreciated Vice-Chairman English's efforts and asked if there had been any opposition.

Vice-Chairman English said that no one had come forth in opposition up to this point and she did not expect anyone to do so in the future.

Supervisor Searle moved to approve an Intergovernmental Agreement (IGA) with City of Douglas to acquire the Right-of-Way for a proposed Port of Entry effective July 30, 2015 through July 30, 2025, unless terminated by either party. Vice-Chairman English seconded the motion.

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

16. Approve a letter to Eastern Arizona Counties Organization (ECO) disclaiming Cochise County participation in Existing "Equity".

Mr. Britt Hanson, Chief Civil Deputy County Attorney, presented this item. Mr. Hanson gave the background and stated that after the Board approved to join the ECO at their September 15, 2015 meeting the group decided that it would not be fair for Cochise County to take part of the money collected before they joined the group in case the group disbanded, but the County would be included going forward.

Vice-Chairman English moved to approve a letter to Eastern Arizona Counties Organization (ECO) disclaiming Cochise County participation in Existing "Equity". Supervisor Searle seconded the motion.

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

17. Approve the revised and restructured Cochise County Organization Chart.

Mr. James E. Vlahovich, County Administrator, presented this item. Mr. Vlahovich gave a brief discussion on why the change was necessary and listed the main changes:

- Current org chart does not adequately allow us to address issues facing the county – budget/decreased revenues and talent advancement/retention – also, it created silos and was not efficient.
- Proposed org chart establishes five functional areas (financial services, community development services, internal services, public support services and legal services) and groups similar departments within those functional areas.
- Other counties have set up similar organizational frameworks.
- All appointed directors, with the exception of Finance and Elections, come under the Deputy County Administrator.
- The County Administrator will continue to be the liaison to all elected officials.

- This new structure will enhance teamwork and communication, eliminate silos, address succession planning issues (most of the administrators will retire in 3 to 5 years), combine/centralize some duties within functional areas to allow for cross training and allow sages/administrators to move up in the organization to assist in running the County.
- Have identified five “administrators” who have expressed an interest in and maintain the bandwidth to take on more responsibilities.
- Specific responsibilities will be to mentor Department Directors within their respective areas with emphasis on department-head level functions (personnel management, budget and financial management, County policy review and implementation, etc).
- The County will also be establishing a business manager function in each of these areas.
- The County has met with the administrators on several occasions and they are ready to take this on; we’re proposing a 15% Special Work Assignment to reflect these additional responsibilities; approximate cost is \$70,000.

Mr. Vlahovich showed the draft of the new proposed organization chart and went over the steps taken to inform all parties involved of the proposed changes. He also brought up the issue of the public defender's concern regarding ethical/legal issues with putting the legal defender in charge of the legal services team.

Supervisor Searle said he supported Mr. Vlahovich's proposal because the goals make sense and he feels the new structure will address silos.

Vice-Chairman English expressed her concerns for the new structure, but said she would give Mr. Vlahovich an opportunity to try something new and show the Board that the structure will work for the County.

Chairman Call said that he thought this structure would address succession planning and will put the County in a good position moving forward.

Supervisor Searle moved to approve the revised and restructured Cochise County Organization Chart. Vice-Chairman English seconded the motion.

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

18. Approve the over-the-counter sales of tax deed properties remaining unsold following the July 2015 online tax deed land auction and subsequent over-the-counter sales, as set forth in the attached Exhibit A, plus related administrative fees.

Supervisor Searle recused himself from this item because his son was one of the bidders.

Ms. Arlethe G. Rios, Clerk of the Board, presented this item. Ms. Rios stated that she had received five bids on 24 of the properties remaining unsold parcels. She noted that the bids from Klump Ranches and Mr. Jason V. Searle were lower than the minimum bid because the bidders felt that the land was not very valuable and wanted the Board to consider the lower bids. She added that the five OTC bids had been received and were reflected on the attached report; in addition, the bidders would pay a \$75 administrative fee totaling \$4,663 (\$4,288 for bids and \$375 in administrative fees - 5 bidders). She noted that a approval of this sale also included a payment made during the online auction that was received earlier in the month in the amount of \$352.39. The acceptance of these bids brought the total YTD sales to \$102,852.30 and there are 145 parcels remaining for sale.

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.

Chairman Call called for the vote and it was approved 2-0-1 (Searle recused).

Clerk of Superior Courts

19. Approve an Intergovernmental Agreement (IGA) between the Arizona Department of Economic Security (ADES) and the Clerk of the Court for Cochise County for \$73,030 annually to assist with the costs of processing IV-D case files for the period of October 1, 2015 through September 30, 2020.

Mr. Kenny Reeves, Deputy Clerk of the Court, presented this item. Mr. Reeves gave the background and said that the program would enhance the ability to process family support related payments by allowing the Clerk's Office to hire two full time personnel.

Mr. Vlahovich said he had no concerns and accepting this agreement made sense.

Vice-Chairman English said that she wanted the Clerk's office to ensure that the people hired know that this is grant funded, so if the grant is not renewed they would lose their jobs.

Supervisor Searle moved to approve an Intergovernmental Agreement (IGA) between the Arizona Department of Economic Security (ADES) and the Clerk of the Court for Cochise County for \$73,030 annually to assist with the costs of processing IV-D case files for the period of October 1, 2015 through September 30, 2020. Vice-Chairman English seconded the motion.

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

Community Development

20. Approve a permit fee waiver request in the amount of \$3,379 for the City of Douglas for the Wastewater Treatment Plant Solar Project, parcel 401-31-002E.

Mr. Mike Izzo, Building Official, Planning & Zoning Division, Community Development, presented this item using a PowerPoint presentation. Mr. Izzo gave the background and said that the the total of the waiver was \$11,825.75 (\$8,446.75 for inspection fees and \$3,379 for plan reviews). He explained that the City had already done the inspections so the only waiver needed was for the plan reviews in the amount of \$3,379.

Vice-Chairman English added that this project would ultimately impact the annexation of several areas around Douglas, which would positively impact County residents because they would annex Bayacres.

Mr. Britt Hanson, Chief Civil Deputy County Attorney, said that the inspection fees were not incurred because the City of Douglas had conducted their own inspections.

Supervisor Searle asked if the City of Douglas would have to pay any fees if this waiver was approved.

Mr. Hanson said that the City would not have to pay any fees.

Vice-Chairman English moved to approve a permit fee waiver request in the amount of \$3,379 for the City of Douglas for the Wastewater Treatment Plant Solar Project, parcel 401-31-002E. Supervisor Searle seconded the motion.

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

21. Approve an Intergovernmental Agreement (IGA) between the City of Benson and Cochise County for Planning Services and Building Inspections effective October 20, 2015 with annual renewal options.

Ms. Jesse Drake, Senior Planner, Planning & Zoning Division, Community Development, presented this item. Ms. Drake said that if this IGA was approved County staff would be taking over this function from the City of Benson and noted how the agreement would work for County staff depending on the type of projects City of Benson was working on.

Supervisor Searle said that he thought partnering with cities to help serve countywide constituents was a positive move.

Mr. Izzo said that the City had not done many new projects within the last couple of years, so accommodating their needs with current County staff should not be a problem.

Supervisor Searle moved to approve an Intergovernmental Agreement (IGA) between the City of Benson and Cochise County for Planning Services and Building Inspections effective October 20, 2015 with annual renewal options. Vice-Chairman English seconded the motion.

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

Court Administration

22. Approve a request for update in security, workstation improvements and kitchen/jury room upgrades.

Judge Bruce Staggs, Justice of the Peace, Benson, presented this item. Judge Staggs gave the reasons why he had not come to the Board before moving forward with the process and noted that he was not aware that Board approval was required. He apologized to the Board and listed the upgrades that would be made. He also noted that court enhancement funds would be used, not general fund monies.

Supervisor Searle said that the building did need the work.

Chairman Call said that an apology was considerate and not necessary and he appreciated the work Judge Staggs was doing regarding the public and his staff.

Judge Staggs brought up some other budget issues.

Mr. Hanson noted that the Board could not discuss something not specifically noted in the agenda.

Judge Staggs apologized and said he would discuss further with the County Administrator.

Vice-Chairman English amended the motion to read: approve a request for update in security, workstation improvements and kitchen/jury room upgrades not to exceed \$45,000 and paid from court enhancement funds. 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.

No one 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 reported that all four proposals submitted to the County Supervisors Association (CSA) had been approved by the group and would be moving forward. He also noted that Supervisor Searle, Mr. Gilligan, and himself had all attended the CSA Summit.

SUMMARY OF CURRENT EVENTS

Report by District 1 Supervisor, Patrick Call

Chairman Call said he had attended the grand opening of Lauri's Place, a shelter for women and children; he noted he would be doing tours on Thursday of the Palominas Recharge Project to Valle Verde to see if they could model their program after ours; and added that he would be attending the Sierra Vista Chamber Leadership Day, Hereford Natural Resource Conservation District Meeting, and the Southeastern Arizona Contractors Association Luncheon on Wednesday.

Report by District 2 Supervisor, Ann English

Vice-Chairman English said she had attended the renaming of the Douglas Port of Entry in honor of past Governor Raul Castro; noted that October was Domestic Violence Awareness Month and she would be attending a vigil in Douglas; and that she had attended the SunZia hearing in Willcox as well as the Food Bank reception in Sierra Vista.

Report by District 3 Supervisor, Richard Searle

Supervisor Searle said he had attended the County Supervisors Association Summit in Lake Havasu and had brought back a gift for the other two Board members on behalf of the President Clint Hickman. He presented decorated eggs to Chairman Call and Vice-Chairman English. He also noted that he would be attending the Arizona Corporation Commission site comment meeting in Willcox as well as having attended the Willcox Wine Festival the week prior.

7.

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

APPROVED:

Patrick G. Call, Chairman

ATTEST:

Arlthe G. Rios, Clerk of the Board