



# Cochise County Board of Supervisors

*Public Programs...Personal Service*  
www.cochise.az.gov

**RICHARD R. SEARLE**  
Chairman  
District 3

**PATRICK G. CALL**  
Vice-Chairman  
District 1

**ANN ENGLISH**  
Supervisor  
District 2

**JAMES E. VLAHOVICH**  
County Administrator

**EDWARD T. GILLIGAN**  
Deputy County Administrator

**ARLETHE G. RIOS**  
Clerk of the Board

## **AGENDA FOR REGULAR BOARD MEETING**

**Tuesday, November 17, 2015 at 10:00 AM**

BOARD OF SUPERVISORS HEARING ROOM  
1415 MELODY LANE, BUILDING G, BISBEE, AZ 85603

**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**

### **ROLL CALL**

*Members of the Cochise County Board of Supervisors will attend either in person or by telephone, video or internet conferencing.*

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*Note that some attachments may be updated after the agenda is published. This means that some presentation materials displayed at the Board meeting may differ slightly from the attached version.*

### **PRESENTATION**

Presentation of Proclamation to Presiding Judge James Conlogue, Cochise County Superior Court, declaring November 20, 2015 as National Adoption Day in Cochise County.

### **CONSENT**

#### **Board of Supervisors**

1. Approve a letter to the Arizona State Legislature outlining Cochise County's 2016 legislative priorities and seeking sponsorship of four legislative proposals developed by the County.
2. Approve a Proclamation declaring November 20, 2015 National Adoption Day in Cochise County.
3. Approve the Minutes of the regular meeting of the Board of Supervisors of October 27, 2015 and November 3, 2015.

## **Clerk of Superior Courts**

4. Approve the Award of Request for Qualifications (RFQ) 16-08-SUP-04 for Restoration to Competency Services and Rule 11 Evaluations for the Superior Court for the period of November 17, 2015 through October 31, 2017 with possible renewals for up to three additional one year terms.

## **Finance**

5. Approve demands and budget amendments for operating transfers.

## **Health & Social Services**

6. Approve Amendment 2 to Intergovernmental Agreement (IGA) ADHS14-053682, Maternal, Infant & Early Childhood Home Visiting (MIECHV), between the Arizona Department of Health Services (ADHS) and Cochise Health & Social Services (CHSS) in the amount of \$102,000 for the period October 1, 2015 through September 30, 2016.
7. Approve Intergovernmental Agreement (IGA) ADHS14-053052 Amendment 2 for WIC Services; Breastfeeding Peer Counselor Program (BFPC); and the Farmer's Market Nutrition Program (FMNP), between the Arizona Department of Health Services and the Cochise County Health Department in the amount of \$581,930; \$48,500; and "as needed", respectively, for the period of October 1, 2015 through September 30, 2016.

## **Procurement**

8. Approve revisions to the County Procurement Policy to restrict the use of County Procurement Cards for purchasing services/professional services.

## ***PUBLIC HEARINGS***

### **Board of Supervisors**

9. Approve a new liquor license application for a series #13 (domestic farm winery) liquor license submitted by Mr. John Mike McLoughlin for 21 Grams Vineyard & Winery located at 8403 Bell Ranch Rd., Willcox, AZ 85644

## ***ACTION***

### **Elections & Special Districts**

10. Review proposed Impact Statement regarding proposed annexation and boundary change to the Sunsites-Pearce Fire District and submit written comments to the governing body, if applicable.

## **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**

### **SUMMARY OF CURRENT EVENTS**

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

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

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

Pursuant to the Americans with Disabilities Act (ADA), Cochise County does not, by reason of a disability, exclude from participation in or deny benefits or services, programs or activities or discriminate against any qualified person with a disability. Inquiries regarding compliance with ADA provisions, accessibility or accommodations can be directed to Chris Mullinax, Safety/Loss Control Analyst at (520) 432-9720, FAX (520) 432-9716, TDD (520) 432-8360, 1415 Melody Lane, Building F, Bisbee, Arizona 85603.

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**Cochise County Board of Supervisors**  
1415 Melody Lane, Building G Bisbee, Arizona 85603  
520-432-9200 520-432-5016 fax board@cochise.az.gov

**Presentations / Special Events  
Board of Supervisors**

**Regular Board of Supervisors Meeting**

**Meeting Date:** 11/17/2015  
Presentation of National Adoption Day Proclamation  
**Submitted By:** Arlethe Rios, Board of Supervisors  
**Department:** Board of Supervisors  
**Presentation:** No A/V Presentation    **Recommendation:** Approve  
**Document Signatures:** BOS Signature NOT Required    **# of ORIGINALS Submitted for Signature:** 0  
**NAME of PRESENTER:** Richard Searle    **TITLE of PRESENTER:** Chairman  
**Mandated Function?:** Not Mandated    **Source of Mandate or Basis for Support?:**

**Docket Number (If applicable):**

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**Information**

**Agenda Item Text:**

Presentation of Proclamation to Presiding Judge James Conlogue, Cochise County Superior Court, declaring November 20, 2015 as National Adoption Day in Cochise County.

**Background:**

na

**Department's Next Steps (if approved):**

na

**Impact of NOT Approving/Alternatives:**

na

**To BOS Staff: Document Disposition/Follow-Up:**

na

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**Budget Information**

*Information about available funds*

**Budgeted:**

**Funds Available:**

**Amount Available:**

**Unbudgeted:**

**Funds NOT Available:**

**Amendment:**

**Account Code(s) for Available Funds**

1:

**Fund Transfers**

**Attachments**

Presentation

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# COCHISE COUNTY

## ADOPTIONS BY THE NUMBERS

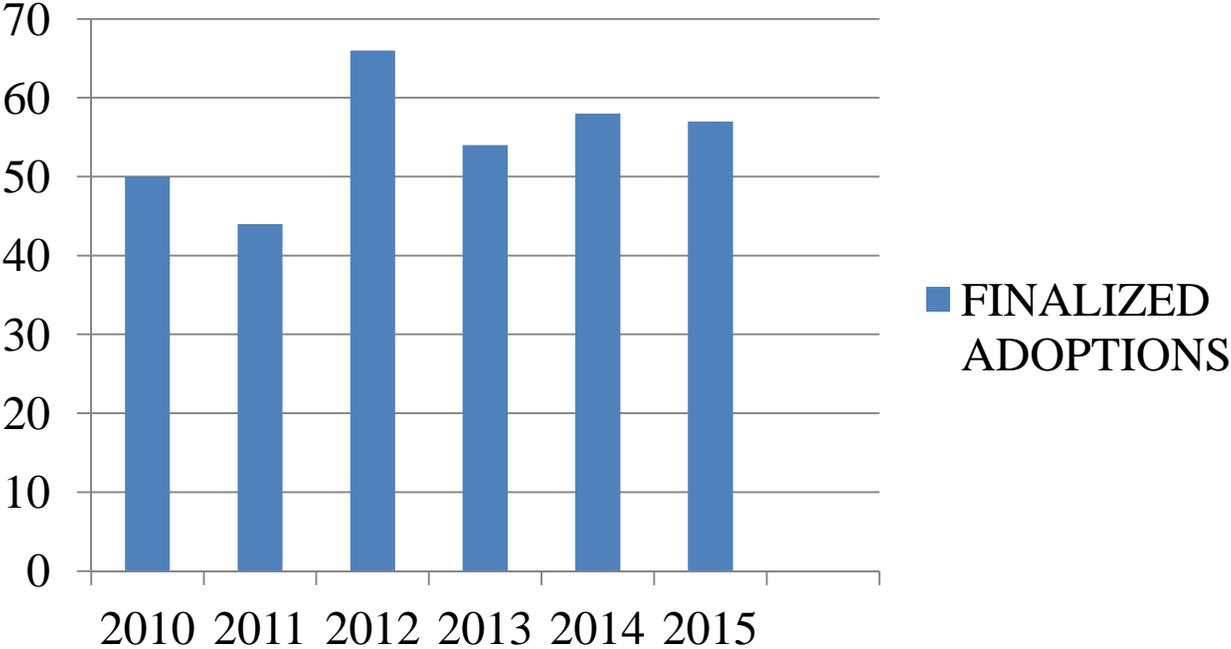
Elda E. Orduño  
Deputy Civil Attorney  
Cochise County Attorneys Office



***Public Programs...Personal Service***

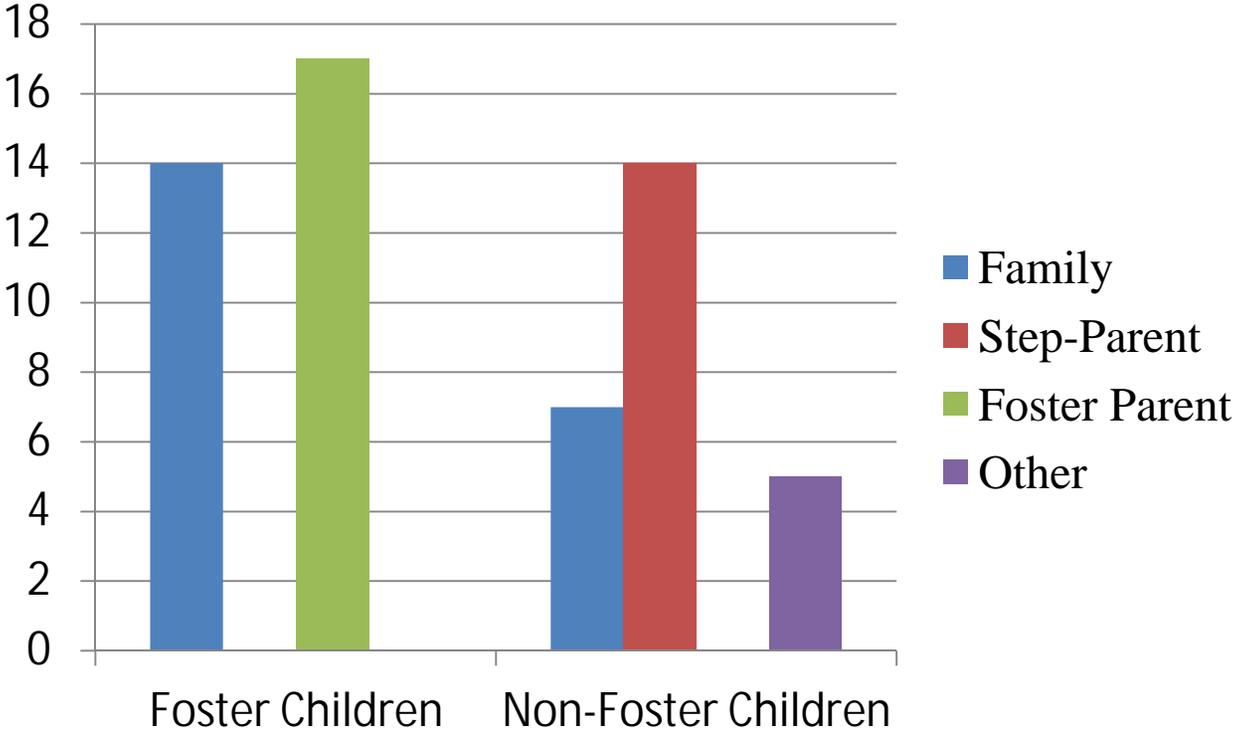
# COCHISE COUNTY

## FINALIZED ADOPTIONS BY COUNTY ATTORNEY



# COCHISE COUNTY

## 2015 ADOPTIONS BY THE NUMBERS



Board of Supervisors

Regular Board of Supervisors Meeting

Meeting Date: 11/17/2015

Letter to the Arizona State Legislature outlining priorities for Cochise County for the 2016 Session from the Board of Supervisors

Submitted By: Arlethe Rios, Board of Supervisors

Department: Board of Supervisors

Presentation: No A/V Presentation

Recommendation:

Document Signatures:

# of ORIGINALS

Submitted for Signature:

NAME n/a

TITLE n/a

of PRESENTER:

of PRESENTER:

Mandated Function?:

Source of Mandate or Basis for Support?:

Information

Agenda Item Text:

Approve a letter to the Arizona State Legislature outlining Cochise County's 2016 legislative priorities and seeking sponsorship of four legislative proposals developed by the County.

Background:

On November 3, 2015 the Board of Supervisors adopted Resolution 15-26 establishing legislative priorities for 2016. These legislative priorities, along with four proposals developed by the County, were discussed at the annual County Supervisors Association (CSA) Legislative Summit held last month in Lake Havasu. The four proposals developed by Cochise County were unanimously approved by the County Supervisors in attendance. At the Regular Board meeting held on November 3, Chairman Searle asked that this Resolution be sent to our State Legislators with a request for them to sponsor and support our priorities.

Department's Next Steps (if approved):

Email and hard mail the letter with attached Resolution to our State Legislators as listed in the address line of the letter. Forward a copy to the County Supervisors Association.

Impact of NOT Approving/Alternatives:

Our State Legislators will not be aware of our county's priorities for the upcoming Session and will not know we are seeking their sponsorship of our four proposals.

To BOS Staff: Document Disposition/Follow-Up:

Return the original letter to Lisa Marra for processing. Keep one copy for the Clerk of the Board file.

Budget Information

Information about available funds

Budgeted:

Funds Available:

Amount Available:

Unbudgeted:

Funds NOT Available:

Amendment:

Account Code(s) for Available Funds

1:

**Fund Transfers**

**Attachments**

Resolution 15-26 2016 Leg Prio  
Letter

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**RESOLUTION 15-26**

**REGARDING 2016 LEGISLATIVE PRIORITIES**

**WHEREAS**, actions by state government since 2009 have impacted Cochise County by more than \$8.9 million; and

**WHEREAS**, these actions have resulted in over \$4.3 million in diverted road maintenance funds, \$1.8 million in lost revenue, and \$2.8 million in program shifts, including increasing the county share of justices of the peace salaries and requiring counties to fund state agencies; and

**WHEREAS**, these cost shifts caused significant financial distress for Cochise County, which is already reeling from the negative financial impacts of the economic downturn and slow recovery; and

**WHEREAS**, the current structure of the Public Safety Personnel Retirement System (PSPRS) is unsustainable and is placing growing pressure on Cochise County taxpayers; and

**WHEREAS**, the shifting of state agency costs to counties is both an inappropriate use of county taxpayer dollars and an ineffective governance model, forcing county taxpayers to subsidize a state run agency with no county managerial oversight; and

**WHEREAS**, Cochise County has neither the financial capacity to pay for additional state costs, nor the statutory ability to control costs of state administered programs the county is required to fund; and

**WHEREAS**, Cochise County also faces significant risk from the uncertain funding status of federal programs, including the Payment in Lieu of Taxes and Secure Rural Schools programs; and

**WHEREAS**, Cochise County's financial condition continues to be suppressed by a fourth straight year of declining Net Assessed Value; and

**WHEREAS**, it is critical to Cochise County that the state works to eliminate these cost shifts and revenue reductions in the FY 2017 budget, with the goal of reestablishing a sustainable financial model for the county,

**NOW, THEREFORE, BE IT RESOLVED** that the Arizona State Legislature is hereby implored to:

**RESOLUTION 15-26**

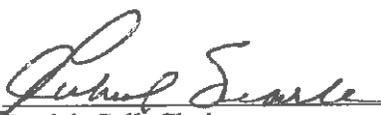
**Re: Regarding 2016 Legislative Priorities**

Page | 2

- Engage with stakeholders to create a viable, long-term funding and benefit structure in PSPRS that addresses the needs of public safety professionals while protecting the interests of taxpayers; and
- Eliminate mandated county payments to state agencies, including the Arizona Department of Juvenile Corrections, the Arizona Department of Revenue, and the Arizona State Hospital; and
- Engage with counties and other stakeholders to find a mutually beneficial solution that protects both the state and local governments from uncapped liabilities associated with the 1 Percent Constitutional Property Tax Cap while allowing for budget flexibility to respond to constituent needs; and
- Eliminate the local government HURF transfers in the state budget, identify and enact revenue enhancements for the existing HURF distribution system, and pursue policies that improve efficient utilization of transportation resources; and
- Eliminate, fully fund, or require the political parties to pay for the costs associated with the Presidential Preference Election; and
- Restore, in statute, the county share of lottery funds to provide a stable source of revenue for county operations; and
- Continue to include authority for counties to access restricted funds through flexibility language to allow counties the ability to most efficiently manage taxpayer funds;

Thereby providing Cochise County and all Arizona counties with the financial stability necessary to continue providing mandated state services to local residents.

**APPROVED AND ADOPTED** this 3<sup>rd</sup> day of November, 2015.

*Richard Saper*  
  
 \_\_\_\_\_  
 Patrick Call, Chairman  
 Cochise County Board of Supervisors

**ATTEST:**

**APPROVED AS TO FORM:**

*For*  
  
 \_\_\_\_\_  
 Arlethe Rios,  
 Clerk of the Board

*Elda Orduno*  
 \_\_\_\_\_  
 Britt W. Hanson,  
 Chief Civil Deputy County Attorney



# Cochise County Board of Supervisors

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**RICHARD R. SEARLE**  
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County Administrator

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**EDWARD T. GILLIGAN**  
Deputy County Administrator

**ANN ENGLISH**  
Supervisor  
District 2

**ARLETHE G. RIOS**  
Clerk of the Board

Nov 17, 2015

Senator Gail Griffin  
Arizona State Senate, Room 212  
1700 W. Washington  
Phoenix, AZ 85007

Speaker David Gowan  
Arizona State House of Representatives, Room 223  
1700 W. Washington  
Phoenix, AZ 85007

Representative David Stevens  
Arizona State House of Representatives, Room 205  
1700 W. Washington  
Phoenix, AZ 85007

RE: Legislative Proposals

Dear Senator Griffin, Speaker Gowan, and Representative Stevens:

On November 3, 2015, the Cochise County Board of Supervisors adopted Resolution 15-26 outlining our 2016 Legislative Priorities. A copy of that Resolution is attached. Although we appreciate the challenges state lawmakers have faced in recent years, some state decisions have unduly burdened county operations and in some cases had very negative consequences to residents. As you prepare for the Fifty-third Legislative Session in January, we want to highlight some points that are particularly distressing to us:

1. Cochise County has a dire concern with the State's growing propensity to shift state agency costs to counties.
2. Cochise County lacks the financial capacity to absorb additional State shift costs; and we do not have the statutory ability to control costs of state administered programs that we are required to fund.
3. We are not interested in raising the taxes of our residents to fund State responsibilities. The burden to balance the State's budget obligations should never be on the local taxpayers.

Last month, we participated in the annual County Supervisors Association (CSA) legislative summit. Our County put forth four separate proposals that were unanimously supported by the other county supervisors. We will be working closely with CSA to ensure these proposals become law during the 2016 session. We are asking each of you to work with us not only to support these and other CSA proposals, but actually sponsor the four we put forth on behalf of Cochise County and your constituents. We have provided a summary of each proposal, along with any impact to State and county budgets, and any foreseeable opposition:

1. Public Safety Personnel Retirement System (PSPRS) / Expenditure Limit:

Excess payments by local governments (counties and cities) that are made to the Public Safety Personnel Retirement System (PSPRS) in order to reduce the local government's unfunded liability to the PSPRS shall be excludable from its expenditure limit calculations.

Local governments could make substantial payments to the PSPRS to cover their unfunded liabilities to the system. By putting this up-front money to work, and having it earn interest, local governments can cover their shortfalls and get ahead of the debt disaster. However, in doing so, local governments will likely run afoul with their respective expenditure limitations as such payments are not excluded from their expenditure limitation calculations. This proposal would allow local governments to make such payments (in the case of Cochise County, two payments of one million dollars were made last fiscal year), but it cannot do so without exceeding the expenditure limitation. This "pre-payment" change could save taxpayers millions of dollars over the life of the debt.

There is no impact on the state budget to allow this expenditure limit exclusion. The County budget should have minimal impact. Counties are still subject to the expenditure limitation and must do whatever fix is required within that parameter. It will enable counties to make a sensible and proactive effort to keep up with this otherwise unfunded liability that will continue to grow each year until it reaches crisis level. The local governments would likely have to seek state help to solve a major financial crisis.

There should be general support among stakeholders (local governments) and no opposition from PSPRS officers and retirees for allowing the change to the expenditure limit. There may be some opposition from Legislators that wish to limit spending by local governmental entities; however, even that may be offset by the need to reign in a growing unfunded liability. This is further offset by the need for local governments to live within their respective expenditure limitations.

Separate from our proposal above, a longer term solution is needed regarding public safety retirement plans. We would suggest that a Legislative Study Committee be formed to make recommendations that will change the PSPRS in positive ways that will protect the long-term viability of the system and at the same time prevent local governments from the inability to fund their portion of the system long into the future. The solvency of the PSPRS is vital yet cannot be sustained without significant change. While we understand this is controversial for officers and retirees who have no current incentive to see the system change, it's an important local issue that can only be addressed at the State level.

2. Transferred Youth: This change will enable counties to place youth transferred to adult court in detention centers instead of county jails. The statute currently does not allow for transferred youth to be housed with youth in juvenile detention facilities. Housing transferred youth in jail increases costs, because they must be separated by sight and sound from adults. In rural counties where few youth are transferred and detention

populations are small, costs for separate housing are significant. Additionally, transferred youth who are incarcerated in adult jails are frequently deprived of the specialized youth services offered (and actually required) in juvenile detention facilities.

We propose that A.R.S 8-305 is amended as follows: "The county board of supervisors or the county jail district, if authorized pursuant to title 48, chapter 25, shall maintain a detention center that is separate and apart from a jail or lockup in which adults are confined and where juveniles who are alleged to be delinquent, are accused or convicted of a criminal offense, or children who are incorrigible and within the provisions of this article shall be detained when necessary before or after a hearing or as a condition of probation."

There is no impact to the state budget. Counties which elect to house transferred youth in detention centers would save money, and enhance services provided to this high risk juvenile population. Counties already offer specialized services in youth detention centers, and those centers have significant capacity.

This amendment would enable each county to determine the most appropriate incarceration option for transferred youth in its jurisdiction. Because no county would be forced to house transferred youth in detention facilities, there should be little opposition to this proposal.

3. Building Codes: This proposal entails a technical correction to A.R.S. § 11-864, which requires three copies of a County's building codes be kept in the Clerk of the Board's office for inspection; It is proposed, the existing requirement be modified as follows: a County shall maintain three paper copies or, alternatively, one paper copy and make available an electronic copy of its building codes.

Members of the public, including contractors, do not look for building code information at the Clerk of the Board's office. Hard copies are most useful to the public when kept in the planning or community development department.

The current law, requiring counties to maintain three hard copies of building codes in the Clerk of the Board's office, is impractical. There are numerous building codes, contained in a series of books, and each code series is extremely expensive. (\$2,331 plus shipping/handling for three sets).

The law is also not necessary. Architects and contractors, who are the most frequent users of building codes, typically keep their own copies of building codes. Members of the public typically call County building officials to help them answer building code questions. Moreover, for those who would prefer to research the building codes themselves, an internet link can be made available.

There is no cost to the state for this proposed action, and it would save counties the cost of maintaining and updating extra hard copies of the building codes. This change should have no practical impact on stakeholders.

4. Disincorporation: This proposal will eliminate A.R.S. §§ 9-211 through 9-226. These are an archaic set of statutes pursuant to which voters/property owners in a city or town can, through a petition/election process, disincorporate the city or town, in which case the county board of supervisors appoints trustees to manage the city or town.

Putting aside whether it might sometimes be a good idea for voters/property owners of a city or town to disincorporate it, and have a county board of supervisors appoint trustees to manage the city or town, these statutes are completely unworkable. Provisions calling for an appointment of a town marshal, to be paid \$100/month (see § 9-223), a city clerk to be paid \$500/yr (see § 9-222), and the like, make no sense in the modern world. Reading through the rest of this set of statutes, a city or town could not be governed using them.

Moreover, both the County Attorney and the Attorney General authored opinions in 2014 stating the procedures for petitioning and voting to disincorporate are unconstitutional due to property ownership requirements, as well as finding other difficulties with the statutory procedure.

This set of statutes has no value to Arizona citizens. They would be harmless, except that an individual who read them actively attempted to obtain and circulate petitions—which is what prompted the County Attorney and Attorney General Opinions. It would be better to just eliminate useless statutes. If someone believes there should be some procedure to disincorporate a city or town similar to that provided in this set of statutes, he or she should draft something that is workable and constitutional.

There is no fiscal impact to the state or county budgets, and there are probably not stakeholders or political environments either for or against this measure.

With the recent trend towards record breaking fast sessions, early communication between county and state elected officials becomes more critical. We are available at your convenience to discuss these proposals and provide additional information as needed. It is imperative to our county that the State Legislature works to eliminate continued cost shifts and revenue reductions in the 2017 budget, with the goal of reestablishing a sustainable financial model for the county.

We look forward to future dialogue regarding your sponsorship of our proposed legislative changes and how we can work together to move our county and state forward, without increasing our citizen's tax burden.

Sincerely  
COCHISE COUNTY BOARD OF SUPERVISORS

Richard R. Searle  
Chairman  
District 3

Patrick G. Call  
Vice-Chairman  
District 1

Ann English  
Supervisor  
District 2

BOS:Imm  
Encl: Resolution 15-26

**Regular Board of Supervisors Meeting**

**Meeting Date:** 11/17/2015

Approve Proclamation: Declare 11/20/15 National Adoption Day

**Submitted By:** Arlethe Rios, Board of Supervisors

**Department:** Board of Supervisors

**Presentation:** No A/V Presentation

**Document Signatures:**

**Recommendation:**

**# of ORIGINALS**

**Submitted for Signature:**

**NAME** n/a

**TITLE** n/a

**of PRESENTER:**

**of PRESENTER:**

**Mandated Function?:**

**Source of Mandate  
or Basis for Support?:**

**Information**

**Agenda Item Text:**

Approve a Proclamation declaring November 20, 2015 National Adoption Day in Cochise County.

**Background:**

Cochise County's proclamation attached.

**Department's Next Steps (if approved):**

File Cochise County's Proclamation.

**Impact of NOT Approving/Alternatives:**

n/a

**To BOS Staff: Document Disposition/Follow-Up:**

n/a

**Budget Information**

*Information about available funds*

**Budgeted:**

**Funds Available:**

**Amount Available:**

**Unbudgeted:**

**Funds NOT Available:**

**Amendment:**

**Account Code(s) for Available Funds**

1:

**Fund Transfers**

**Attachments**

Proclamation



# Cochise County Board of Supervisors

Public Programs...Personal Service  
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**RICHARD R. SEARLE**  
Chairman  
District 3

**JAMES E. VLAHOVICH**  
County Administrator

**PATRICK G. CALL**  
Vice-Chairman  
District 1

**EDWARD T. GILLIGAN**  
Deputy County Administrator

**ANN ENGLISH**  
Supervisor  
District 2

**ARLETHE G. RIOS**  
Clerk of the Board

## PROCLAMATION

### *National Adoption Day*

WHEREAS, Cochise County recognizes the importance of helping children find permanent, safe, and loving families through adoption; and

WHEREAS, more than 400,000 children in the United States foster care system are waiting to be adopted; and

WHEREAS, outreach to adoptive families has been identified as a critical step in moving children more quickly out of foster care and into loving, permanent homes; and

WHEREAS, to help these children find new homes, the Cochise County Superior Court on November 20 2015 will celebrate adoption and the parents who welcome these children into their families;

WHEREAS, this effort, along with similar celebrations across the country, will offer children a chance to live with stable and loving families and encourage other adults to consider making a powerful difference in the life of a child through adoption;

NOW, THEREFORE, we, The Cochise County Board of Supervisors, do hereby declare November 20, 2015 as National Adoption Day in Cochise County and encourage Mayors/Councils of our cities to do the same.

*APPROVED AND ADOPTED* this 17<sup>th</sup> day of November, 2015.

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Richard R. Searle, Chairman

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Patrick G. Call, Vice-Chairman

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Ann English, Supervisor

**Regular Board of Supervisors Meeting**

**3.**

**Meeting Date:** 11/17/2015

Minutes

**Submitted By:** Arlethe Rios, Board of Supervisors

**Department:** Board of Supervisors

**Presentation:** No A/V Presentation

**Document Signatures:**

**NAME of PRESENTER:** n/a

**Mandated Function?:**

**Recommendation:**

**# of ORIGINALS**

**Submitted for Signature:**

**TITLE of PRESENTER:** n/a

**Source of Mandate or Basis for Support?:**

**Information**

**Agenda Item Text:**

Approve the Minutes of the regular meeting of the Board of Supervisors of October 27, 2015 and November 3, 2015.

**Background:**

n/a

**Department's Next Steps (if approved):**

n/a

**Impact of NOT Approving/Alternatives:**

n/a

**To BOS Staff: Document Disposition/Follow-Up:**

n/a

**Budget Information**

*Information about available funds*

**Budgeted:**

**Funds Available:**

**Amount Available:**

**Unbudgeted:**

**Funds NOT Available:**

**Amendment:**

**Account Code(s) for Available Funds**

1:

**Fund Transfers**

**Attachments**

10.27.15 Minutes

10.27.15 Warrants

11.3.15\_Minutes

11.3.15\_Warrants

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

A regular board meeting of the Cochise County Board of Supervisors was held on Tuesday, October 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 James E. Vlahovich, County Administrator; Edward T. Gilligan, Deputy County  
Present: Administrator; Arlethe G. Rios, Clerk of the Board; Elda Orduno, Civil Deputy County  
Attorney

Chairman Call called the meeting to order at 10:02 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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***PRESENTATION***

Presentation by Ms. Vada Phelps, Executive Director, Southeastern Arizona Workforce Connection, on the status of the partnership and highlights on the annual report.

Ms. Vada Phelps, Executive Director, Southeastern Arizona Workforce Connection, said that the Board had been provided with the annual report, pointed out the organization chart, meeting schedule, and asked if the Board had any specific questions about the Workforce Connection.

Vice-Chairman English asked if the purpose of the workforce was to get citizens employed or help them get ready to apply for work.

Ms. Phelps said that the purpose was to help citizens find jobs, but also help them prepare resumes, learn how to dress for an interview, and practice common interview questions and answers. She noted that during the previous year number of citizens seeking assistance had declined, but that was due to loss of county population.

Chairman Call asked about the partnership with Cochise College.

Ms. Phelps said that they would be partnering with Cochise College by moving into the old hospital building, which the College has purchased. She noted that the College has always been a great partner to the program and that she looked forward to working closer with them to help citizens get jobs. She also asked the Board to possibly assist with recruiting more members for the Workforce Board as there were some vacancies.

The Board thanked Ms. Phelps for the update.

## **CONSENT**

### **Board of Supervisors**

1. Approve the Minutes of the regular meeting of the Board of Supervisors of October 13, 2015.

Chairman Call noted that the minutes being approved were from the October 20, 2015 meeting.

### **Finance**

2. Approve demands and budget amendments for operating transfers.

Warrants Nos. 93484-93693 were issued in the amount of \$512,982.54.

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

### **Workforce Development**

3. Approve the appointment of Mr. Mark Gallego to the Local Workforce Investment Board to fill an unexpired term, effective immediately and through 6/30/2016.
4. Approve Amendment #2 to Title IB Adult, Youth, and Dislocated Worker contract DE14052279 between Cochise County and the Arizona Department of Economic Security for the Workforce Investment Act (WIA) Service Delivery Area from April 1, 2013 to December 31, 2016.

Chairman English moved to approve items 1-4 on the consent agenda. Supervisor Searle seconded the motion and it carried unanimously.

## **PUBLIC HEARINGS**

### **Board of Supervisors**

5. Approve a new liquor license application for a series #10 (beer & wine store) liquor license submitted by Ms. Barbara C. Holmes for Fort Willcox RV Park located at 1765 West Fort Willcox Loop, Willcox, AZ 85643.

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 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 a new liquor license application for a series #10 (beer & wine store) liquor license submitted by Ms. Barbara C. Holmes for Fort Willcox RV Park located at 1765 West Fort Willcox Loop, Willcox. Vice-Chairman English seconded the motion.

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

6. Approve a new liquor license application for a series #6 (bar) liquor license submitted by Ms. Dolores Cortez-Foote for Uptown 3 Theatre located at 4341 S. Hwy 92, Sierra Vista, AZ 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 they have no concerns with the issuance of the liquor license; 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 asked if having liquor at a theater was usual for liquor licenses.

Ms. Rios noted that this was becoming a new trend across the nation.

Chairman Call opened the public hearing.

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

Vice-Chairman English moved to approve a new liquor license application for a series #6 (bar) liquor license submitted by Ms. Dolores Cortez-Foote for Uptown 3 Theatre located at 4341 S. Hwy 92, Sierra Vista, AZ 85650. Supervisor Searle seconded the motion.

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

7. Approve a new liquor license application for a series #12 (restaurant) liquor license submitted by Ms. Renee Lewis for Double R Guest Ranch located at 1092 W. Highland Rd., 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 they have no concerns with the issuance of the liquor license; 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 said that this site had been opened years ago, but they had to reapply for the liquor license since it would be under new ownership.

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 #12 (restaurant) liquor license submitted by Ms. Renee Lewis for Double R Guest Ranch located at 1092 W. Highland Rd., Pearce, AZ 85625. Vice-Chairman English seconded the motion.

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

## **Community Development**

8. Adopt Resolution 15-25 to amend the policy and procedure for the Public / Private Partnership Program for Cochise County road improvement, as described therein.

Ms. Karen Riggs, Highway & Floodplain Director, Community Development, presented this item. Ms. Riggs showed the proposed flow chart, noted that the Board had discussed this topic during a work session and listed changes.

Changes for program sustainability:

Remove non-County maintained roads from the program

Increase Application Fee from \$100 to \$200 (to provide Brief Initial Analysis)

Add Board of Supervisor's annual review to determine if a proposed PPP project should proceed based on available resources

Other changes:

Define that substantial property owner support is a majority

Add that continued maintenance, after project completion, is based on available resources

Add 90 day time limit for applicant to respond to Brief Initial Analysis

Add that a project may be reduced in scope due to exceeding statute monetary limitation

Add that the Applicant may withdraw from the program if (1) a project is postponed to a subsequent Board annual review, or (2) a project is reduced in scope due to exceeding statute monetary limitation

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 15-25 to amend the policy and procedure for the Public / Private Partnership Program for Cochise County road improvement, as described therein. Supervisor Searle seconded the motion.

Chairman Call noted that it was unfortunate that the Board had to move in this direction, but due to the economy and State cost shifts, the Board cannot afford to do as much as they would like.

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

## ***ACTION***

### **Board of Supervisors**

9. Approve Amendment A to the Intergovernmental Agreement (IGA) with the City of Sierra Vista regarding funding of a consultant to promote retention and expansion of missions of the U.S. Army at Fort Huachuca.

Mr. James E. Vlahovich, County Administrator, presented this item. He gave the background on the original agreement and noted that the purpose of amendment A was to clarify that contribution towards this effort will not exceed \$35,000.

Supervisor Searle moved to approve Amendment A to the Intergovernmental Agreement (IGA) with the City of Sierra Vista regarding funding of a consultant to promote retention and

expansion of missions of the U.S. Army at Fort Huachuca. Vice-Chairman English seconded the motion.

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

10. Elect \_\_\_\_\_ as Chairman of the Board of Supervisors, effective November 1, 2015.

Vice-Chairman English moved to elect Supervisor Richard Searle as the Chairman of the Board of Supervisors, effective November 1, 2015. Chairman Call seconded the motion.

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

11. Elect \_\_\_\_\_ as Vice-Chairman to the Board of Supervisors, effective November 1, 2015.

Supervisor Searle moved to elect Supervisor Pat Call as Vice-Chairman to the Board of Supervisors, effective November 1, 2015. Vice-Chairman English seconded the motion.

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

### **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 reported on the changes he would be making to the budget process: he would first meet with finance staff, put a schedule together, meet with each department, and then set up meetings with the Board. He also noted that he had established a budget committee to research areas where the County could save money.

### **SUMMARY OF CURRENT EVENTS**

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

Chairman Call listed the events he would be attending during the next two weeks: Valley Verde Tour of the Palominas Recharge Project; Cochise Conservation Recharge Network Work Session; Military Affairs Chamber of Commerce Luncheon; meeting with a consultant for the Fort Huachuca mission effort; Upper San Pedro Partnership Executive Committee meeting; Mayor/Managers Luncheon; and a meeting in Sierra Vista focused on bringing retirees to Cochise County.

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

Vice-Chairman English said that she had attended a candle light vigil in Douglas for Domestic Violence Awareness and Make a Difference Day in Elfrida focused on cleaning up Main Street.

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

Supervisor Searle said he attended a presentation to the Willcox/San Simon Natural Resource Conservation District (NRCD) on water issues; a community meeting for the Northern Cochise County Hospital to discuss the future in a bad economy; and a meeting on water issues with the Arizona Department of Water Resources (ADWR) to get support from local legislatures on how much water should be used in basin areas.

8.

Chairman Call adjourned the meeting at 10:55 a.m.

APPROVED:

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Patrick G. Call, Chairman

ATTEST:

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Arlethe G. Rios, Clerk of the Board

**Cochise Co. Demands 10.27.15**

93316	10/14/2015	Alphagraphics	\$170.58	93393	10/15/2015	OCLC Online Computer Library Center, Inc.	\$753.22
93317	10/14/2015	AZ Association of Assessing Officers	\$200.00	93394	10/15/2015	Patten, Elizabeth	\$30.16
93318	10/14/2015	AZ Water Company	\$68.17	93395	10/15/2015	Prisoner Trans Services America LLC (PTS)	\$1,015.30
93319	10/14/2015	Benson, City of	\$296.74	93396	10/15/2015	Prudential Overall Supply	\$321.24
93320	10/14/2015	Cable One	\$113.58	93397	10/15/2015	Public Health Accreditation Board	\$850.00
93321	10/14/2015	Culligan of Tucson	\$393.46	93398	10/15/2015	Purcell's Western State Tire Company	\$10,034.51
93322	10/14/2015	Safari Books Online LLC	\$2,837.34	93399	10/15/2015	Recorded Books, LLC	\$315.21
93323	10/14/2015	Southwest Gas Corporation	\$46.24	93400	10/15/2015	Reinhart, Lowenid B	\$61.36
93324	10/14/2015	Southwest Gas Corporation	\$2,916.68	93401	10/15/2015	Richardsons Remembrance Center	\$500.00
93325	10/14/2015	Sulphur Springs Valley Electric Coop, Inc.	\$4,005.85	93402	10/15/2015	Robertson, Bonita Shirley	\$300.00
93326	10/14/2015	Sulphur Springs Valley Electric Coop, Inc.	\$231.42	93403	10/15/2015	Rothrock Investigations, LLC	\$2,385.82
93327	10/14/2015	Valley Telephone Cooperative, Inc.	\$473.65	93404	10/15/2015	RWC International, LTD	\$7,403.91
93328	10/14/2015	AZ Department of Revenue	\$237.95	93405	10/15/2015	Schlesinger, Aaron	\$154.00
93329	10/14/2015	Burse & Associates, P.C.	\$90.52	93406	10/15/2015	Sedillos, Lorna	\$350.00
93330	10/14/2015	Cochise County/Sheakley/National Bank	\$8,580.46	93407	10/15/2015	Senergy Petroleum LLC	\$41,758.30
93331	10/14/2015	DCS	\$490.84	93408	10/15/2015	SHI International Corp.	\$19,412.06
93332	10/14/2015	GMAC, c/o Jennifer A. Christie	\$20.72	93409	10/15/2015	Sierra Vista NAPA	\$21.74
93333	10/14/2015	Gurstel Chargo PA	\$313.82	93410	10/15/2015	Southwest Disposal LC	\$90.29
93334	10/14/2015	NYS Child Support Processing Center	\$32.00	93411	10/15/2015	Staples	\$576.94
93335	10/14/2015	Pennsylvania SCDU	\$215.00	93412	10/15/2015	Streitfeld, Stephen V. MD PC	\$500.00
93336	10/14/2015	Pre-paid Legal Services, Inc. dba LegalShield	\$1,653.33	93413	10/15/2015	Sulphur Springs Valley Electric Coop, Inc.	\$772.11
93337	10/14/2015	Support Payment Clearinghouse	\$6,868.35	93414	10/15/2015	Swank Motion Pictures, Inc.	\$1,046.41
93338	10/14/2015	Treasurer of Virginia	\$137.00	93415	10/15/2015	Titan Machinery Inc.	\$806.99
93339	10/14/2015	U.S. Department of Education	\$160.79	93416	10/15/2015	Town of Payson	\$250.00
93340	10/14/2015	Valencia, Elbira O	\$94.00	93417	10/15/2015	Trinity Services Group, Inc.	\$10,091.39
93341	10/15/2015	Alejandres Upholstery	\$66.90	93418	10/15/2015	UniFirst Corporation	\$1,289.07
93342	10/15/2015	AZ Association Superior Court Administrators	\$100.00	93419	10/15/2015	United Fire Equipment Co	\$40.00
93343	10/15/2015	AZ Chief Probation Officer Association	\$400.00	93420	10/15/2015	Valley Telephone Cooperative, Inc.	\$35.62
93344	10/15/2015	AZ Department of Corrections - Douglas	\$56.00	93421	10/15/2015	VCA Apache Animal Hospital	\$15.33
93345	10/15/2015	AZ Department of Corrections - Douglas	\$254.00	93422	10/15/2015	Waxie Sanitary Supply	\$1,234.40
93346	10/15/2015	AZ Department of Corrections - Douglas	\$27.00	93423	10/15/2015	Waxie Sanitary Supply	\$87.13
93347	10/15/2015	AZ Department of Corrections - Douglas	\$189.00	93424	10/15/2015	Westlawn Chapel & Mortuary	\$650.00
93348	10/15/2015	AZ Department of Corrections - Douglas	\$369.25	93425	10/15/2015	Wick Communications	\$74.53
93349	10/15/2015	AZ Department of Revenue	\$81.86	93426	10/15/2015	Wick Communications	\$35.88
93350	10/15/2015	AZ Department of Revenue	\$114.40	93427	10/15/2015	Wick Communications	\$104.55
93351	10/15/2015	AZ Sheriff's Association	\$2,500.00	93428	10/15/2015	Willcox Auto Parts Inc.	\$148.08
93352	10/15/2015	AZ State Hospital	\$22,885.80	93429	10/15/2015	Willcox Auto Parts Inc.	\$842.78
93353	10/15/2015	AZ State Prison Complex - Fort Grant	\$2,763.00	93430	10/15/2015	Willcox Rock & Sand Inc.	\$8,873.10
93354	10/15/2015	AZ State Prison Complex - Fort Grant	\$131.25	93431	10/15/2015	Canyon Vista Medical Center	\$33.61
93355	10/15/2015	AZ State Treasurer	\$184,567.00	93432	10/15/2015	Circle K Store	\$13.81
93356	10/15/2015	B&S Supply Co, Inc	\$1,551.56	93433	10/15/2015	Cochise County Finance Revolving Fund	\$45.00
93357	10/15/2015	Baker & Taylor, Inc.	\$645.23	93434	10/15/2015	Cochise County Juvenile Court Services	\$65.63
93358	10/15/2015	Bank of America	\$79,769.39	93435	10/15/2015	Cochise County Juvenile Court Services	\$139.57
93359	10/15/2015	Banning Creek Enterprises, LLC	\$7,376.00	93436	10/15/2015	Cochise County Sheriff's Department	\$2,167.84
93360	10/15/2015	Beacon Secure	\$980.00	93437	10/15/2015	Courtesy Chevrolet / GMAC	\$3,746.53
93361	10/15/2015	Bowie Unified School District #14	\$2,062.50	93438	10/15/2015	Elfrida Elementary School District #12	\$53.40
93362	10/15/2015	Boys & Girls Club of Sierra V	\$10,000.00	93439	10/15/2015	Jacoby, Barry	\$100.00
93363	10/15/2015	Brown & White Inc	\$9,396.01	93440	10/15/2015	Key to Success Learning Services	\$500.00
93364	10/15/2015	C-PEC Corporation	\$250.61	93441	10/15/2015	Morrison, Steve & Priscilla	\$660.00
93365	10/15/2015	Cable One	\$110.50	93442	10/15/2015	Peuschold, Jeremy	\$255.44
93366	10/15/2015	Cardinal Health Inc.	\$1.14	93443	10/15/2015	San Simon Unified Schools	\$2,536.50
93367	10/15/2015	Center for Disease Detection, LLC	\$297.00	93444	10/15/2015	Ambrose, Adam	\$24.94
93368	10/15/2015	CenturyLink	\$4,920.41	93445	10/15/2015	Arzaga, Kelsey	\$233.62
93369	10/15/2015	CenturyLink	\$1,648.44	93446	10/15/2015	Barrow, Duane	\$27.00
93370	10/15/2015	Courtesy Chevrolet / GMAC	\$28,843.03	93447	10/15/2015	Berry, Trudy	\$855.50
93371	10/15/2015	Crowell, Patricia	\$126.44	93448	10/15/2015	Brislan, Jeanette	\$281.68
93372	10/15/2015	Culligan of Tucson	\$41.08	93449	10/15/2015	Conrad Jr., Joseph	\$65.80
93373	10/15/2015	DataBank IMX LLC	\$2,050.00	93450	10/15/2015	Contapay, Aileen	\$99.18
93374	10/15/2015	Douglas NAPA	\$850.15	93451	10/15/2015	Cooper, Renee	\$87.00
93375	10/15/2015	Douglas, City of	\$943.00	93452	10/15/2015	Crossley, Dennis	\$38.28
93376	10/15/2015	Empire Southwest LLC	\$100,998.00	93453	10/15/2015	De La Cruz, Wendy	\$134.96
93377	10/15/2015	Empire Southwest LLC	\$1,374.56	93454	10/15/2015	Flannigan, Ana	\$132.53
93378	10/15/2015	Gasper, Louis C	\$18.56	93455	10/15/2015	Germain, Jennifer	\$348.00
93379	10/15/2015	Granite Construction Company	\$1,242.93	93456	10/15/2015	Hernandez, Dany	\$411.30
93380	10/15/2015	Hancock, Charles	\$86.42	93457	10/15/2015	Hill, Bethany	\$61.00
93381	10/15/2015	Hatfield Funeral Home	\$500.00	93458	10/15/2015	Hoey, Bryan	\$248.24
93382	10/15/2015	Kathy N. Bell, N.P.	\$1,750.00	93459	10/15/2015	Howard, Katie A	\$44.00
93383	10/15/2015	Keefe Supply Company	\$1,604.64	93460	10/15/2015	Klein, Lois	\$527.50
93384	10/15/2015	La Quinta Motor Inn-Phoenix	\$358.94	93461	10/15/2015	Knudtson, Marie	\$27.00
93385	10/15/2015	LexisNexis Matthew Bender	\$54.08	93462	10/15/2015	Lamberton, Karen Lynn	\$128.20
93386	10/15/2015	Little Caesars	\$38.23	93463	10/15/2015	Long, Torrinio C	\$233.46
93387	10/15/2015	Logicalis, Inc.	\$47,466.89	93464	10/15/2015	Lord, Priscilla	\$93.38
93388	10/15/2015	Mindful Lactation LLC	\$390.00	93465	10/15/2015	Mansour, Brooke	\$172.97
93389	10/15/2015	MME Consulting Services LLC	\$225.00	93466	10/15/2015	Orduno, Elda	\$88.06
93390	10/15/2015	MME Consulting Services LLC	\$37.50	93467	10/15/2015	Rodriguez, Martha L	\$102.00
93391	10/15/2015	Mountain Health & Wellness	\$21.25	93468	10/15/2015	Swartz, LaRae	\$65.25
93392	10/15/2015	Oasis Water Harversting	\$12,969.45	93469	10/15/2015	Tamez, Marla	\$163.85

93470	10/15/2015	Thornton, Betsy	\$31.32
93471	10/15/2015	Trinity Services Group, Inc.	\$97,092.99
93472	10/15/2015	Welch, Catherine	\$54.00
93473	10/15/2015	Wooley, Stacey L	\$44.00
93474	10/16/2015	AZ Counties Insurance Pool	\$88,448.99
93475	10/20/2015	AOC Corrections Officer Retire	\$19,017.38
93476	10/20/2015	Correction Officers	\$6,692.30
93477	10/20/2015	EODCRS	\$9.06
93478	10/20/2015	Nationwide Retirement Solutions	\$507.50
93479	10/20/2015	Public Safety Retirement Syst	\$21,703.26
93480	10/20/2015	Public Safety Retirement Syst	\$1,231.94
93481	10/20/2015	Public Safety Retirement Syst	\$17,150.41
93482	10/20/2015	Public Safety Retirement Syst	\$1,244.08
93483	10/20/2015	Public Safety Retirement Syst	\$634.38
93484	10/20/2015	Aqua Life	\$22.00
93485	10/20/2015	CenturyLink	\$65.76
93486	10/20/2015	CenturyLink	\$181.62
93487	10/20/2015	CenturyLink	\$2,520.00
93488	10/20/2015	CenturyLink	\$103.10
93489	10/20/2015	Mindful Lactation LLC	\$1,021.00
93490	10/20/2015	Southwest Gas Corporation	\$29.23
93491	10/20/2015	Sprint	\$67.64
93492	10/20/2015	Sulphur Springs Valley Electric Coop, Inc.	\$693.74
93493	10/20/2015	Sulphur Springs Valley Electric Coop, Inc.	\$1,095.18
93494	10/20/2015	Valley Telephone Cooperative, Inc.	\$292.47

**PROCEEDINGS OF THE COCHISE COUNTY BOARD OF SUPERVISORS  
REGULAR MEETING HELD ON  
Tuesday, November 3, 2015**

A regular board meeting of the Cochise County Board of Supervisors was held on Tuesday, November 3, 2015 10:00 a.m. in the Board of Supervisors' Hearing Room, 1415 Melody Lane, Building G, Bisbee, Arizona.

Present: Richard R. Searle, Chairman; Patrick G. Call, Vice-Chairman; Ann English, Member  
Staff James E. Vlahovich, County Administrator; Edward T. Gilligan, Deputy County  
Present: Administrator; Britt W. Hanson, Chief Civil Deputy County Attorney; Kim Lemons,  
Assistant to the Clerk of the Board

Chairman Searle 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**

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***CONSENT***

**Board of Supervisors**

1. Approve acceptance of Quit Claim Deed from Melvin H. and Susana Sherwood (Grantors) to Cochise County for real property described as "The Northwest quarter of the Southwest quarter of Section 5, Township 19 North, Range 32 East of the Gila and Salt River Meridian, as filed in the office of the County Recorder, Cochise County, Arizona" (APN 402-66-005) as recommended by the Highway & Floodplain Division and the County Attorney's Office.
2. Approve an application for a Permanent Extension of Premises liquor license submitted by Mr. Robert Barnes for Turquoise Valley Golf Course located at 1794 W. Newell St, Naco, AZ 85620
3. Approve a letter of support to Mr. Mark A. Rose, Director, Department of Agriculture, Natural Resources Conservation Service, for the Fort Huachuca Sentinel Landscape Conservation, Resource Conservation Partnership Program (RCPP) proposal.

**Finance**

4. Approve demands and budget amendments for operating transfers.

Warrants Nos. 93700-93850 were issued in the amount of \$194,608.58.

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	Edie Patricia	39.26
171	The Library Store	62.28
600	Willcox Auto Parts Inc.	25.57

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

Vice-Chairman Call moved to approve items 1-4 on the consent agenda. Supervisor English seconded the motion and it carried unanimously.

## **ACTION**

### **Board of Supervisors**

5. Adopt Resolution 15-26 regarding Cochise County's 2016 State of Arizona Legislative Priorities.

Supervisor English moved to adopt Resolution 15-26 regarding Cochise County's 2016 State of Arizona Legislative Priorities. Vice-Chairman Call seconded the motion.

Mr. Jim Vlahovich, County Administrator, presented this item. Mr. Vlahovich stated that he had received an email from Mr. Craig Sullivan, CSA Executive Director to all County Managers asking for support of the seven global priorities set at the last legislative summit. Mr. Vlahovich is recommending approval. The Board asked that a letter detailing the approved proposals be sent to the state legislators and asking for support of the County's specific proposals.

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

### **County Sheriff**

6. Approve agreement for services between Cochise County and H5 Production, INC., an Arizona Corporation to provide the Sheriff's Office with helicopter services for calendar year 2016 in the amount of \$1,508,413.60.

Vice-Chairman Call moved to approve agreement for services between Cochise County and H5 Production, INC., an Arizona Corporation to provide the Sheriff's Office with helicopter services for calendar year 2016 in the amount of \$1,508,413.60. Supervisor English seconded the motion.

Commander Genz, Sheriff's Office, presented this item. Commander Genz stated that is a redo of a previous contract. After cancellation of the last contract the Sheriff's Office reviewed several options in order to ensure the safety of the County's employees and public, while maintaining a useful program. They concluded that H5 Production, INC.'s Airbus 350 helicopter, was more powerful, is roomier, and the company will provide everything required; such as pilots, and

maintenance. The only cost to the County will be for law enforcement personnel and fuel and those will be funded by the Buffett s Foundation. The program will start January 1, 2016, after training law enforcement officers who will fly the helicopter. It is a one-year contract, that will be reviewed again mid-year, with all options still on the table.

Supervisor English asked for details about the usefulness of the previous program.

Commander Genz explained that the initial intent of the program was for high priority incidents, which we did not have so it was utilized as basic patrol. He summarized several incidents that arose during those patrols and noted that the possibility for critical incidents in the future is eminent. The flights will be managed following public use regulations, which provides for stringent law enforcement, mission-oriented flights.

Chairman Searle asked about the increased costs and pilot housing at the Sierra Vista Airport and Commander Genz said this is a newer, more expensive helicopter with higher maintenance costs. A remodel of the airport to include pilot housing is not part of this contract. The City of Sierra Vista has hired an architect for review and the Buffet Foundation has also expressed an interest in funding the remodel.

Britt Hanson, County Attorney said that he and Mr. Hardy, Executive Director, Arizona Insurance Pool, agreed that the ten million dollar insurance policy issued by the company would be adequate.

Supervisor English stated she is opposed, the mission is not necessary to spend the money based on the usefulness stated earlier.

Chairman Searle supports on the belief that this will improve the County.

Vice-Chairman Call is satisfied with the insurance issue and believes the offer is too good to pass up and thanked the Sheriff's Office.

Chairman Searle called for the vote and it was approved 2-0 (English opposed).

### **CALL TO THE PUBLIC**

Chairman Searle opened the call to the public.

No one chose to speak and Chairman Searle 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 had no report.

### **SUMMARY OF CURRENT EVENTS**

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

Supervisor Call said that he and Mr. Vlahovich attended a Cochise County Recharge Project work session last week, the group is looking for funding for the next project. The Steering committee for the Retire in the Sierra Vista project, have secured a volunteer project manager and there have been campaign discussions with an ad agency. The Sierra Vista Herald has donated their web production team to help the project. On Wednesday he will be attending the Military Affairs Committee Luncheon.

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

Supervisor English deferred her report.

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

Supervisor Searle mentioned the Board Retreat and the Election Campaign Finance training scheduled for next week.

Chairman Searle adjourned the meeting at 10:22 a.m.

APPROVED:

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Richard R. Searle, Chairman

ATTEST:

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Kim Lemons, Assistant to the Clerk of the Board

**Cochise Co. Demands 11.3.15**

93495	10/22/2015	Air Evac EMS, Inc.	\$2,975.00	93572	10/22/2015	Lamoree, Candace Jean	\$200.00
93496	10/22/2015	Alex Espinosa's Bisbee Funeral Home	\$638.00	93573	10/22/2015	Language Line Services, Inc.	\$51.75
93497	10/22/2015	Alex Espinosa's Bisbee Funeral Home	\$1,350.00	93574	10/22/2015	Law Offices of Joseph Mendoza PLLC	\$8,600.00
93498	10/22/2015	ALLDATA	\$1,591.50	93575	10/22/2015	Lawley Motors	\$237.27
93499	10/22/2015	Alphagraphics	\$363.62	93576	10/22/2015	Legend Technical Services, Inc.	\$720.00
93500	10/22/2015	Alternative Counseling Service, Inc	\$1,730.00	93577	10/22/2015	Levitt, Harriette P.	\$2,071.75
93501	10/22/2015	Alzayed, Abdulrahman Jma	\$300.00	93578	10/22/2015	Long, Jerrod D. DDS	\$393.00
93502	10/22/2015	Amazon.com LLC	\$1,446.68	93579	10/22/2015	Lowell A. Jensen, PLC	\$4,255.00
93503	10/22/2015	AZ Counties Insurance Pool	\$4,150.80	93580	10/22/2015	LSC Environmental Products, LLC	\$9,806.78
93504	10/22/2015	AZ Department of Corrections - Douglas	\$60.00	93581	10/22/2015	Matchett Law	\$200.00
93505	10/22/2015	AZ Department of Corrections ASPC-Tucson	\$67.50	93582	10/22/2015	McCaffrey, Valerie	\$100.00
93506	10/22/2015	AZ Department of Economic Security	\$7,007.27	93583	10/22/2015	McCourt, Leslie	\$100.00
93507	10/22/2015	AZ State Prison Complex - Fort Grant	\$157.50	93584	10/22/2015	McEachern, Janelle Esq	\$1,975.00
93508	10/22/2015	AZ Supreme Court	\$10,010.00	93585	10/22/2015	McGowan, Mark J.	\$6,900.00
93509	10/22/2015	AZ Supreme Court	\$6,750.00	93586	10/22/2015	Merle's Automotive Supply, Inc.	\$3,464.83
93510	10/22/2015	AZ Water Company	\$5,664.10	93587	10/22/2015	Morgan, Cheryl Anne & Carry G	\$200.00
93511	10/22/2015	Associates in Oral & Maxillofacial Surgery	\$1,343.72	93588	10/22/2015	Natale, Gail Gianasi	\$105.00
93512	10/22/2015	Audio Editions	\$158.80	93589	10/22/2015	Neuropsychological Assess & Consulting, PLC	\$900.00
93513	10/22/2015	B&S Supply Co, Inc	\$8,837.28	93590	10/22/2015	Nina L. Caples, P.C.	\$2,991.60
93514	10/22/2015	Baird, Leslie A, CR	\$369.60	93591	10/22/2015	Nyander, Penny Sue	\$184.80
93515	10/22/2015	Banning Creek Enterprises, LLC	\$7,896.04	93592	10/22/2015	O'Rielly Chevrolet, Inc.	\$1,457.60
93516	10/22/2015	Barr, Steven	\$100.00	93593	10/22/2015	Office of Vital Records	\$3,780.00
93517	10/22/2015	Batelli Enterprises, Inc.	\$150.00	93594	10/22/2015	Office Smart	\$9.86
93518	10/22/2015	Beacon Secure	\$300.00	93595	10/22/2015	OfficeMax North America Inc.	\$137.58
93519	10/22/2015	Bio-Reference Laboratories, Inc.	\$114.08	93596	10/22/2015	Panayiotis A. Ellinas, MD MPH	\$625.00
93520	10/22/2015	Bisbee, City of (Ambulance)	\$3,638.92	93597	10/22/2015	Personnel Evaluation Inc.	\$254.10
93521	10/22/2015	Bisbee, City of (Ambulance)	\$1,996.12	93598	10/22/2015	PharmChem, Inc.	\$25.00
93522	10/22/2015	Bob Barker Company, Inc.	\$381.10	93599	10/22/2015	Power, Danny	\$151.29
93523	10/22/2015	Bourke, Nancy	\$5,101.62	93600	10/22/2015	Prudential Overall Supply	\$102.75
93524	10/22/2015	Brown & White Inc	\$6,101.00	93601	10/22/2015	Prudential Overall Supply	\$73.33
93525	10/22/2015	Brown and Caldwell	\$5,004.91	93602	10/22/2015	Prudential Overall Supply	\$235.19
93526	10/22/2015	Brown, Mark L	\$2,590.00	93603	10/22/2015	Purcell's Western State Tire Company	\$12,225.69
93527	10/22/2015	Cable One	\$110.50	93604	10/22/2015	Recorded Books, LLC	\$259.29
93528	10/22/2015	CDW Government	\$3,501.72	93605	10/22/2015	Robert J. Zohlmann, Esq.	\$1,880.00
93529	10/22/2015	Center for Disease Detection, LLC	\$385.00	93606	10/22/2015	Ron Turley Associates, Inc.	\$858.31
93530	10/22/2015	CenturyLink	\$67.66	93607	10/22/2015	Ron Turley Associates, Inc.	\$992.63
93531	10/22/2015	CenturyLink	\$172.06	93608	10/22/2015	Ross, Ramiro	\$26.27
93532	10/22/2015	CenturyLink	\$71.87	93609	10/22/2015	Rutgers, Jamie L	\$200.00
93533	10/22/2015	CenturyLink	\$270.64	93610	10/22/2015	RWC International, LTD	\$2,671.12
93534	10/22/2015	CenturyLink	\$890.74	93611	10/22/2015	RWC International, LTD	\$1,673.67
93535	10/22/2015	Cochise Private Industry Council, Inc.	\$68,382.00	93612	10/22/2015	RWC International, LTD	\$311.10
93536	10/22/2015	Contract Pharmacy Services, Inc.	\$12.30	93613	10/22/2015	Safelite Autoglass Corp.	\$549.56
93537	10/22/2015	Copper Queen Community Hospital	\$19,209.21	93614	10/22/2015	Senergy Petroleum LLC	\$7,730.69
93538	10/22/2015	Copper Queen Medical Associates	\$162.84	93615	10/22/2015	Senergy Petroleum LLC	\$2,415.46
93539	10/22/2015	Copper Queen Publishing Co., Inc.	\$51.82	93616	10/22/2015	Senergy Petroleum LLC	\$8,132.32
93540	10/22/2015	Creative Communications Sales & Rentals, Inc.	\$201.59	93617	10/22/2015	Senergy Petroleum LLC	\$15,480.42
93541	10/22/2015	Dell Marketing LP	\$8,594.44	93618	10/22/2015	Shreve, Virginia	\$250.00
93542	10/22/2015	Deneke, Buffy	\$86.80	93619	10/22/2015	Sierra OB GYN	\$127.41
93543	10/22/2015	Diamondback Police Supply Co	\$1,367.90	93620	10/22/2015	Sierra Vista Medical Group	\$65.09
93544	10/22/2015	Douglas NAPA	\$217.50	93621	10/22/2015	Sierra Vista NAPA	\$518.90
93545	10/22/2015	Douglas Police Department	\$3,000.00	93622	10/22/2015	Sierra Vista NAPA	\$145.39
93546	10/22/2015	Douglas Police Department	\$3,035.25	93623	10/22/2015	Sierra Vista, City of	\$13,103.11
93547	10/22/2015	Emily Danies Attorney at Law LLC	\$1,775.00	93624	10/22/2015	Sloan R. King, PhD, LLC	\$7,500.00
93548	10/22/2015	Empire Southwest LLC	\$1,039.91	93625	10/22/2015	Sound Off Signal	\$3,777.30
93549	10/22/2015	Environmental Science Corp Lab Sciences	\$697.00	93626	10/22/2015	Sparkletts	\$118.36
93550	10/22/2015	EZ-Liner Industries	\$240.41	93627	10/22/2015	Stericycle Inc.	\$502.56
93551	10/22/2015	FasPsych, LLC	\$3,315.00	93628	10/22/2015	Sulphur Springs Valley Electric Coop, Inc.	\$820.68
93552	10/22/2015	Flores, Bobby Salas	\$56.40	93629	10/22/2015	Sulphur Springs Valley Electric Coop, Inc.	\$11,280.51
93553	10/22/2015	Flores, Juan P	\$7,071.30	93630	10/22/2015	TALX UC eXpress	\$2,250.00
93554	10/22/2015	Gale Group	\$215.60	93631	10/22/2015	Technical Resource Management, Inc.	\$25.70
93555	10/22/2015	Garden Canyon Rec, Alan's Towing, AA Eagle	\$422.00	93632	10/22/2015	The Law Office of Robert Hicks, PLLC	\$1,000.00
93556	10/22/2015	Geodesy	\$6,000.00	93633	10/22/2015	The Manch Law Firm, P.L.L.C.	\$688.80
93557	10/22/2015	George Medina - George's Upholstery	\$65.34	93634	10/22/2015	Thomson West	\$3,258.22
93558	10/22/2015	Granite Construction Company	\$2,332.92	93635	10/22/2015	Thomson West	\$1,958.42
93559	10/22/2015	H&H Treatment Programs, LLC	\$2,300.00	93636	10/22/2015	Thorn Law Office	\$5,069.61
93560	10/22/2015	Hancock, Charles	\$56.84	93637	10/22/2015	Those Guys	\$739.20
93561	10/22/2015	Hatfield Funeral Home	\$4,160.00	93638	10/22/2015	Titan Machinery Inc.	\$518.79
93562	10/22/2015	Hatfield Funeral Home	\$500.00	93639	10/22/2015	Truck and Trailer Parts	\$1,836.35
93563	10/22/2015	Hodges Glass Co Inc	\$781.50	93640	10/22/2015	Tucson Tallow Co., Inc.	\$375.00
93564	10/22/2015	Huachuca City, Town of	\$10,665.44	93641	10/22/2015	UniFirst Corporation	\$196.91
93565	10/22/2015	Jensen's Sierra Vista Mortuary	\$1,600.00	93642	10/22/2015	United Fire Equipment Co	\$20.00
93566	10/22/2015	Jensen's Sierra Vista Mortuary	\$500.00	93643	10/22/2015	USDA, APHIS	\$7,595.15
93567	10/22/2015	John William Lovell, PC	\$2,045.00	93644	10/22/2015	UsEconomicResearch.com	\$5,000.00
93568	10/22/2015	JWS Web Design LLC	\$1,450.00	93645	10/22/2015	Valley Telephone Coop, Inc.	\$107.02
93569	10/22/2015	Keefe Supply Company	\$1,332.40	93646	10/22/2015	Valley Telephone Coop, Inc.	\$192.06
93570	10/22/2015	Kennedy Kleaning Supplies, Inc.	\$3,338.09	93647	10/22/2015	Verizon Wireless	\$151.90
93571	10/22/2015	Kerr, Fred A	\$200.00	93648	10/22/2015	Verizon Wireless	\$6,655.38

93649	10/22/2015	W W Williams Company	\$12,782.97
93650	10/22/2015	Watson Chevrolet	\$1,869.17
93651	10/22/2015	Waxie Sanitary Supply	\$2,071.51
93652	10/22/2015	Welch, Nicole R	\$100.00
93653	10/22/2015	West Elsberry Longenbaugh & Zickerman, PLLC	\$2,692.02
93654	10/22/2015	Westlawn Chapel & Mortuary	\$500.00
93655	10/22/2015	Westlawn Chapel & Mortuary	\$150.00
93656	10/22/2015	Wick Communications	\$311.34
93657	10/22/2015	Wick Communications	\$688.58
93658	10/22/2015	Willcox Auto Parts Inc.	\$25.57
93659	10/22/2015	Willcox Auto Parts Inc.	\$3,460.41
93660	10/22/2015	Willcox Rock & Sand Inc.	\$19,917.62
93661	10/22/2015	WR Ryan Company	\$3,802.28
93662	10/22/2015	Zumar Industries Inc	\$13,865.40
93663	10/22/2015	Carondelet Heart & Vascular Institute	\$1,500.00
93664	10/22/2015	Cochise County Finance Revolving Fund	\$50.00
93665	10/22/2015	Cochise County Finance Revolving Fund	\$249.90
93666	10/22/2015	Cochise County Treasurer	\$3,404.10
93667	10/22/2015	Contreras, Roger	\$4.00
93668	10/22/2015	Fort Huachuca Accommodation Schools	\$4,051.41
93669	10/22/2015	Lugo, Isabel	\$320.00
93670	10/22/2015	Ramirez, Amanda	\$80.00
93671	10/22/2015	Searle, Richard	\$904.22
93672	10/22/2015	Sierra Vista Magistrate Court	\$40.00
93673	10/22/2015	Sulphur Springs Valley Electric Coop, Inc.	\$75.00
93674	10/22/2015	Thomson West	\$137.29
93675	10/22/2015	Van Veen, Peter	\$151.45
93676	10/22/2015	Acuna, Gloria	\$355.83
93677	10/22/2015	Arias, Armando	\$142.00
93678	10/22/2015	Barrow, Duane	\$27.00
93679	10/22/2015	Buchanan, Marian Adele	\$80.04
93680	10/22/2015	Butler, Steven R	\$33.87
93681	10/22/2015	Cazares, Maria Christina	\$25.00
93682	10/22/2015	Eveningred, Jessica	\$34.00
93683	10/22/2015	Gierlach, Marian Baker	\$16.82
93684	10/22/2015	Hanson, Britt W	\$100.23
93685	10/22/2015	Honorable Timothy Dickerson	\$37.00
93686	10/22/2015	McCleave, Keturah M	\$112.52
93687	10/22/2015	Mortensen, Erica	\$61.00
93688	10/22/2015	Munoz, Patricia G	\$126.33
93689	10/22/2015	Nava, Hector	\$243.00
93690	10/22/2015	Sawinski, Cindy	\$271.94
93691	10/22/2015	Sturm, Norman	\$68.00
93692	10/22/2015	Tomlinson, Cheryl	\$34.00
93693	10/22/2015	Trinidad, Valentin	\$58.00

**Regular Board of Supervisors Meeting**

**Meeting Date:** 11/17/2015

Award of Contracts for Restoration to Competency Services and Rule 11 Evaluations

**Submitted By:** Terry Hudson, Procurement

**Department:** Procurement

**Presentation:** No A/V Presentation      **Recommendation:** Approve

**Document Signatures:** BOS Signature NOT Required      **# of ORIGINALS Submitted for Signature:** 0

**NAME of PRESENTER:** Terry Hudson      **TITLE of PRESENTER:** Procurement Director

**Mandated Function?:** Not Mandated      **Source of Mandate or Basis for Support?:**

**Docket Number (If applicable):**

**Information**

**Agenda Item Text:**

Approve the Award of Request for Qualifications (RFQ) 16-08-SUP-04 for Restoration to Competency Services and Rule 11 Evaluations for the Superior Court for the period of November 17, 2015 through October 31, 2017 with possible renewals for up to three additional one year terms.

**Background:**

RFQ No. 16-08-SUP-04 was released on September 9, 2015 for the purpose of creating an on call list of providers for Restoration to Competency Services (RTC) and Rule 11 Evaluations to be administered in Cochise County. The solicitation was advertised in the Arizona Range News on 8/26/2015 and 9/2/2015 and posted on the Public Purchase website. E-mail notifications were sent out to twenty nine providers. Five responses were received prior to the solicitation closing date of October 1, 2015 at 4:00 p.m. An evaluation panel consisting of representatives from Pima and Cochise County Superior Court and the County Health and Social Services evaluated the submittals and determined all five providers to be qualified to provide the services. The five doctors that responded are:

- Dr. Sloan R. King, Ph.D, CRC – Restoration to Competency and Rule 11 Evaluations
- Barry Morenz, M.D. – Rule 11 Evaluations
- Aimee C. Kaempf, M.D. – Rule 11 Evaluations
- Joanna Katsanis, Ph.D. – Rule 11 Evaluations
- Serena Gourgueiro, Psy.D.LLC \_ Rule 11 Evaluations

**Department's Next Steps (if approved):**

Execute contracts. Assign cases on a rotation basis. Monitor provider's performance.

**Impact of NOT Approving/Alternatives:**

Clients needing these services will have to be transported to Pima County for treatment.

**To BOS Staff: Document Disposition/Follow-Up:**

Copies of the contracts will be hand carried to the Clerk of the Board when assigned.

**Budget Information**

Information about available funds

Budgeted:   
Unbudgeted:

Funds Available:   
Funds NOT Available:

Amount Available:  
Amendment:

Account Code(s) for Available Funds

1:

Fund Transfers

Fiscal Impact & Funding

Sources (if known):

Superior Court has budgeted for this expenditure in the FY 15/16 budget. A couple of year's ago, the County through a partnership with the Superior Court began a pilot program to conduct some RTC's in the jail, approximately six to twelve are expected per year. When the program began Pima County charged Cochise County \$20,000 for each RTC. For every in custody RTC the County saves \$12,500. This year the rate Pima County charges is \$30,000, producing a savings of \$22,500. Next year, the Pima County rate will rise to \$39,000, so the savings will be \$31,500.

Savings in this current year will be between \$135,000 and \$270,000. Savings next year is anticipated to be between \$189,000 and \$378,000.

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Attachments

No file(s) attached.

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**Regular Board of Supervisors Meeting**

**Meeting Date:** 11/17/2015

Demands

**Submitted By:** Kim Lemons, Board of Supervisors

**Department:** Board of Supervisors

**Presentation:** No A/V Presentation

**Document Signatures:**

**Recommendation:**

**# of ORIGINALS**

**Submitted for Signature:**

**NAME** n/a

**TITLE** n/a

**of PRESENTER:**

**of PRESENTER:**

**Mandated Function?:**

**Source of Mandate  
or Basis for Support?:**

**Information**

**Agenda Item Text:**

Approve demands and budget amendments for operating transfers.

**Background:**

Auditor-General's requirement for Board of Supervisors to approve.

**Department's Next Steps (if approved):**

Return to Finance after BOS approval.

**Impact of NOT Approving/Alternatives:**

Board of Supervisors will not be in compliance with State law.

**To BOS Staff: Document Disposition/Follow-Up:**

Return to Finance after BOS approval.

**Budget Information**

*Information about available funds*

**Budgeted:**

**Funds Available:**

**Amount Available:**

**Unbudgeted:**

**Funds NOT Available:**

**Amendment:**

**Account Code(s) for Available Funds**

1:

**Fund Transfers**

**Attachments**

*No file(s) attached.*

**Regular Board of Supervisors Meeting**

**Meeting Date:** 11/17/2015

Approve Amendment 2 to IGA#: ADHS14-053682, Home Visiting Program (MIECHV), between the ADHS and CHSS

**Submitted By:** Mary Gomez, Health & Social Services

**Department:** Health & Social Services

**Presentation:** No A/V Presentation

**Recommendation:** Approve

**Document Signatures:** BOS Signature Required

**# of ORIGINALS** 2  
**Submitted for Signature:**

**NAME** None  
**of PRESENTER:**

**TITLE** N/A  
**of PRESENTER:**

**Mandated Function?:** Not Mandated

**Source of Mandate**  
**or Basis for Support?:**

You will use this Agenda Item template if your item involves a Grant (whether a new or renewal grant). You also must attach the Grant Approval Form to the item before Finance will approve it. Select the SPECIAL LINKS on your left-hand menu and Click on "Grant Approval Form". Then complete the form, save it and attach it to your item (on the Attachments tab).

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**Information**

**Agenda Item Text:**

Approve Amendment 2 to Intergovernmental Agreement (IGA) ADHS14-053682, Maternal, Infant & Early Childhood Home Visiting (MIECHV), between the Arizona Department of Health Services (ADHS) and Cochise Health & Social Services (CHSS) in the amount of \$102,000 for the period October 1, 2015 through September 30, 2016.

**Background:**

ADHS MIECHV funds coordination services for a collaboration of maternal & child health home visiting programs in Cochise County. Supervisors and workers from six different agencies and programs attend these monthly meetings to discuss and plan for the needs of families with young children and the ability of current home visiting programs to meet these needs. Collaborating agencies/programs include: Cochise Health & Social Services, UofA Cooperative Extension, Easter Seals Blake Foundation, Child & Family Resources, Inc., Fort Huachuca Parent Support Program and Child Parent Centers of AZ. Collaboration efforts include: an informal referral process among all programs and addressing duplication of services (in order to ensure all eligible families in Cochise County can access home visiting services, training for home visiting staff and improving the working relationships with other community resources and systems that serve families including child protective services, behavioral health services and the justice system. The Coordinator position, funded by ADHS MIECHV, performs many functions including running the monthly meetings, outreach and recruitment for all programs, providing community marketing to raise awareness of availability of home visiting services and the planning and scheduling of trainings for home visiting staff.

**Department's Next Steps (if approved):**

Continue with MIECHV program goals and collaboration with local agencies.

**Impact of NOT Approving/Alternatives:**

Without approval of this funding, the Cochise Home Visiting Collaboration will be limited in the scope of improvements in referral and service coordination, and worker training, that will be provided to the matrix of home visiting services provided to over 750 families in Cochise County.

**To BOS Staff: Document Disposition/Follow-Up:**

Please send 2 copies of fully executed agreement to CHSS, Attn: Judith Gilligan.

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**Budget Information**

*Information about available funds*

**Budgeted:**

**Funds Available:**

**Amount Available:** \$102,000

**Unbudgeted:**

**Funds NOT Available:**

**Amendment:**

**Account Code(s) for Available Funds**

1:

**Fund Transfers**

**Fiscal Year:** \$102,000

**One-time Fixed Costs? (\$\$\$):** 0

**Ongoing Costs? (\$\$\$):** \$102,000

**County Match Required? (\$\$\$):** 0

**A-87 Overhead Amt? (Co. Cost Allocation \$\$\$):** \$18,063

**Source of Funding?:** ADHS

**Fiscal Impact & Funding Sources (if known):**

This is a grant-funded cost-reimbursement program from the Arizona Department of Health Services. The entire award to CHSS through the MIECHV IGA ADHS14-053682 A2 is in the amount of \$102,000. Amendment 2 outlines the budget/Price Sheet for this amount for the period of 10/1/2015 through 9/30/2016.

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**Attachments**

MIECHV IGA

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**INTERGOVERNMENTAL AGREEMENT (IGA)  
AMENDMENT**

**ARIZONA DEPARTMENT OF  
HEALTH SERVICES**

1740 W. Adams, Room 303  
Phoenix, Arizona 85007  
(602) 542-1040  
(602) 542-1741 Fax

**Contract No: ADHS14-053682**

**Amendment No. 2**

Procurement Officer  
Sue-Anne Tan

**Maternal, Infant, and Early Childhood Home Visiting**

**Effective October 1, 2015, it is mutually agreed that the IGA referenced is amended as follows:**

1. Replace Price Sheet of Amendment One (1) with the revised Price Sheet of this Amendment Two (2). The IGA Item Pricing shall be revised in ProcureAZ to align with available funding upon execution of this Amendment Two (2). The IGA budget total is increased from \$90,000.00 to **\$102,000.00** based on the following line item changes:
  - 1.1 Personnel decreased by \$2,387.75 for a total of **\$48,034.25** due to the reduction of supervisor salary from forty percent (40%) to fifteen percent (15%);
  - 1.2 ERE increased by \$3,174.49 for a total of **\$16,529.49** due to County's higher rate of EREs including insurance;
  - 1.3 Professional & Outside Services decreased by \$500.00 for a total of **\$500.00** due to less contracted trainers for home visiting professional development trainings;

**All other provisions of this IGA remain unchanged.**

Cochise Health & Social Services  
(formerly Cochise County Health Department)

**CONTRACTOR SIGNATURE**

**Contractor Name**

1415 West Melody Lane, Building A

**Address**

Bisbee AZ 85603-3090  
City State Zip

**Contractor Authorized Signature**

**Printed Name**

**Title**

**CONTRACTOR ATTORNEY SIGNATURE**

Pursuant to A.R.S. § 11-952, the undersigned public agency attorney has determined that this Intergovernmental Agreement is in proper form and is within the powers and authority granted under the laws of the State of Arizona.

This Intergovernmental Agreement Amendment shall be effective the date indicated. The Public Agency is hereby cautioned not to commence any billable work or provide any material, service or construction under this IGA until the IGA has been executed by an authorized ADHS signatory.

**State of Arizona**

Signed this \_\_\_\_\_ day of \_\_\_\_\_ 2015

**Signature**

**Date**

**Printed Name**

**Procurement Officer**

**Attorney General Contract No. P0012014000078**, which is an Agreement between public agencies, has been reviewed pursuant to A.R.S. § 11-952 by the undersigned Assistant Attorney General, who has determined that it is in proper form and is within the powers and authority granted under the laws of the State of Arizona.

**RESERVED FOR USE BY THE SECRETARY OF STATE**

**Under House Bill 2011, A.R.S. § 11-952 was amended to remove the requirement that Intergovernmental Agreements be filed with the Secretary of State.**

Signature  
Assistant Attorney General

Date

Printed Name:

	<b>INTERGOVERNMENTAL AGREEMENT (IGA) AMENDMENT</b>		<b>ARIZONA DEPARTMENT OF HEALTH SERVICES</b> 1740 W. Adams, Room 303 Phoenix, Arizona 85007 (602) 542-1040 (602) 542-1741 Fax
	Contract No: ADHS14-053682	Amendment No. 2	Procurement Officer Sue-Anne Tan

- 1.4 Travel Expenses increased by \$2,997.00 for a total of **\$6,878.00** due to County has underestimated the costs of Travel in previous budget, also to provide travel scholarships to member organizations to attend 2016 Strong Families conference;
- 1.5 Occupancy Expense decreased by \$4,799.00 to **\$1.00** due to the elimination of subcontract with Child and Family Resources;
- 1.6 Other Operating Expenses increased by \$14,432.26 for a total of **\$18,219.26** due to increase in marketing efforts which include advertising, marketing, and promotion of home visiting in the community;
- 1.7 Capital Outlay has **\$1.00** in place to hold the line item; and
- 1.8 Indirect (if authorized) decreased by \$918.00 for a total of **\$11,837.00** due to reduction in Personnel.

	<b>INTERGOVERNMENTAL AGREEMENT (IGA) AMENDMENT</b>		<b>ARIZONA DEPARTMENT OF HEALTH SERVICES</b> 1740 W. Adams, Room 303 Phoenix, Arizona 85007 (602) 542-1040 (602) 542-1741 Fax
	Contract No: ADHS14-053682	Amendment No. 2	Procurement Officer Sue-Anne Tan

**Price Sheet**  
 As of October 1, 2015

**Cochise Health & Social Services**

Cost Reimbursement Line Item Budget

ACCOUNT CLASSIFICATION	AMOUNT
Personnel	\$48,034.25
ERE	\$ 16,529.49
Professional & Outside Services	\$ 500.00
Travel Expense	\$6,878 .00
Occupancy Expense	\$ 1.00
Other Operating Expense	\$ 18,219.26
Capital Outlay Expense	\$ 1.00
Indirect (if authorized)	\$ 11,837.00
<b>TOTAL</b>	<b>\$ 102,000.00</b>

With prior written approval from the Program Manager, the Contractor is authorized to transfer up to a maximum of ten percent (10%) of the total budget amount between line items. Transfers of funds are only allowed between funded line items. Transfers exceeding ten percent (10%) or to a non-funded line item shall require an Amendment.

**Regular Board of Supervisors Meeting**

**Meeting Date:** 11/17/2015

Approval of IGA with ADHS and CHSS for WIC and Breastfeeding Peer Support Program

**Submitted By:** Mary Gomez, Health & Social Services

**Department:** Health & Social Services

**Presentation:** No A/V Presentation

**Recommendation:** Approve

**Document Signatures:** BOS Signature Required

**# of ORIGINALS Submitted for Signature:** 2

**NAME of PRESENTER:** None

**TITLE of PRESENTER:** N/A

**Mandated Function?:** Not Mandated

**Source of Mandate or Basis for Support?:**

You will use this Agenda Item template if your item involves a Grant (whether a new or renewal grant). You also must attach the Grant Approval Form to the item before Finance will approve it. Select the SPECIAL LINKS on your left-hand menu and Click on "Grant Approval Form". Then complete the form, save it and attach it to your item (on the Attachments tab).

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**Information**

**Agenda Item Text:**

Approve Intergovernmental Agreement (IGA) ADHS14-053052 Amendment 2 for WIC Services; Breastfeeding Peer Counselor Program (BFPC); and the Farmer's Market Nutrition Program (FMNP), between the Arizona Department of Health Services and the Cochise County Health Department in the amount of \$581,930; \$48,500; and "as needed", respectively, for the period of October 1, 2015 through September 30, 2016.

**Background:**

The WIC Program is a supplemental nutrition program for income-eligible women, infants, and children. The WIC Program provides income eligible families with nutrition education and referrals to social services within the County. The Program also provides food vouchers to clients for a variety of nutritionally healthy staple foods, including: juice, milk, eggs, peanut butter, and beans. The Breastfeeding Peer Counselor Program provides counseling and support services that complement the WIC-provided breastfeeding education by allowing for additional, more in-depth education by a peer counselor trained through a breastfeeding curriculum. The goal of the BFPC program is to increase the incidence and duration of breastfeeding for all breastfeeding women in Cochise County. The Farmers Market Nutrition Program is intended to increase consumption of locally grown fresh fruits and vegetables by providing FMNP checks to a limited number of WIC women and children to purchase these items directly from growers at ADHS-approved farmers' markets in Cochise County. IGA ADHS14-053052 is based on an annual caseload of 3,500 annually.

**Department's Next Steps (if approved):**

Continue providing these much needed services to the residents of Cochise County.

**Impact of NOT Approving/Alternatives:**

The WIC Program has provided nutrition services to low income families in Cochise County for over 30 years. Approximately 3,500 county residents would be impacted by the discontinuation of the WIC Program. During these tough economic times Cochise County families are depending on the WIC Program to help meet their nutritional needs.

**To BOS Staff: Document Disposition/Follow-Up:**

Please send 2 fully executed copies to CHSS Attn: Judith Gilligan

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**Budget Information**

*Information about available funds*

**Budgeted:**

**Funds Available:**

**Amount Available:** \$630,430

**Unbudgeted:**

**Funds NOT Available:**

**Amendment:**

**Account Code(s) for Available Funds**

1:

**Fund Transfers**

**Fiscal Year:** 2016

**One-time Fixed Costs? (\$\$\$):** 0

**Ongoing Costs? (\$\$\$):** \$630,430

**County Match Required? (\$\$\$):** 0

**A-87 Overhead Amt? (Co. Cost Allocation \$\$\$):** \$210,455

**Source of Funding?:** Feds and ADHS

**Fiscal Impact & Funding Sources (if known):**

The WIC and BFPC grant is a cost-reimbursement grant. The total net county subsidy for the contract is \$210,455, calculated as follows: Grant Amount Salaries + ERE's Negotiated Overhead A-87 OH @46.31% Net Co. Subsidy WIC \$581,930 \$506,016 \$37,013 \$234,336 \$197,323 BFPC \$48,500 \$28,356 \$0 \$13,132 \$13,132 FM "As Needed" \$0 \$0 \$0 \$0 Total: \$630,430 \$534,372 \$37,013 \$247,468 \$210,455

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**Attachments**

Grant Approval Form

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# COCHISE COUNTY GRANT APPROVAL FORM

Form Initiator:

Date Prepared:

Point of Contact:

Phone Number:

Department:

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## PRIMARY GRANT

Primary Grantor:

CFDA:  
[www.CFDA.gov](http://www.CFDA.gov)

Grant Title:

Grant Term From:

To:

Total Award Amount:

New Grant:      Yes      No

Grant No:

Amendment:      Yes      No

Amendment No:

GL Account No:

If new, Finance will assign a fund number.

Strategic Plan:

District:

Mandated by Law

Yes

No

Number of Positions Funded:

Asset(s) Acquired:

Grantor's reimbursement mileage rate:

Health or pension reimbursement:

Other reimbursement:

Briefly describe the purpose of the grant:

If this is a mandated service, cite the source. If not mandated, cite indications of local customer support for this service.

**PRIMARY FUNDING SOURCE**

Funding Year: Federal Funds 332.100

State Funds 336.100

County Funds 391.000

Other Funds:

Total Funds:

Has this amount been budgeted? Yes No

Method of collecting funds: Lump Sum Quarterly Draw Reimbursement

Is revertment of unexpected funds required at the end of grant period? Yes No

(a) Total indirect (A-87) Cost Allocation:

(b) Amount of overhead allowed by grant:

County Subsidy (a) - (b) =

Is there a Secondary Grant Award associated with this Grant? Yes No

Name of Grant:

Funder:

If yes please complete an additional grant approval form.

Is County match required? Yes No

County match source:

County match dollar amount or percentage:

**NOTE: Please attach this Grant Approval form to the AgendaQuick item. The AgendaQuick "Grant Approval template" must be used. Once approved by the Board of Supervisors, the department is responsible for sending a copy of the fully executed GRANT DOCUMENT (not this approval form) to the Finance Department.**

**Regular Board of Supervisors Meeting**

**Meeting Date:** 11/17/2015

Revisions to County Procurement Policy

**Submitted By:** Terry Hudson, Procurement

**Department:** Procurement

**Presentation:** No A/V Presentation      **Recommendation:** Approve

**Document Signatures:** BOS Signature NOT Required      **# of ORIGINALS Submitted for Signature:** 0

**NAME of PRESENTER:** Terry Hudson      **TITLE of PRESENTER:** Procurement Director

**Mandated Function?:** Not Mandated      **Source of Mandate or Basis for Support?:**

**Docket Number (If applicable):**

**Information**

**Agenda Item Text:**

Approve revisions to the County Procurement Policy to restrict the use of County Procurement Cards for purchasing services/professional services.

**Background:**

When a procurement card is used for the payment of services/professional services Finance has no way of tracking the required IRS 1099 reporting information. These revisions will restrict the use of a procurement card to pay for services. The revisions pertain to Section 6, paragraph 6.2.3; Section 8, paragraph 8.2.1 and Section 22 Glossary of Terms. The change to paragraph 6.2.3 is to correct a typographical error in the 10/22/2013 revision (see attachment for revisions).

**Department's Next Steps (if approved):**

Revise Procurement Policy Manual, post and distribute new procurement policy manual pages.

**Impact of NOT Approving/Alternatives:**

Finance will not be able to track the necessary IRS 1099 information on services when a County Procurement Card is used.

**To BOS Staff: Document Disposition/Follow-Up:**

No action required

**Budget Information**

*Information about available funds*

**Budgeted:**       **Funds Available:**       **Amount Available:**  
**Unbudgeted:**       **Funds NOT Available:**       **Amendment:**

**Account Code(s) for Available Funds**

1:

**Fund Transfers**

**Fiscal Impact & Funding Sources (if known):**

No fiscal impact

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**Attachments**

Procurement Policy Changes

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## SECTION FIVE: METHODS OF SOURCE SELECTION

5.1 General. Subject to the limitations of this Procurement Policy, any type of contract which will promote the best interests of this County may be used.

5.2 Sealed Bidding Process. All contracts of \$100,000 or more shall be awarded by competitive sealed bidding or competitive sealed proposals except as otherwise provided in Sec. 7.1 (Competitive Sealed Bidding), Section 12.3 (Contracting for Legal Counsel), Section 9.8 (Sole Source Procurement), Section IO (Emergency Procurements), Section 12 (Procurement of Technical & Professional Services), Section 13 (Procurement of Construction and A/E Services), and Section 13.13 (Direct Selection of Pre-qualified Technical Registrants) of this Policy.

5.3 Solicitation Prohibitions. Any bid or proposal that is conditioned upon award to the respondent of both the particular contract being solicited and another Cochise County contract shall be deemed not responsive or unacceptable.

## SECTION SIX: STATUTORY REQUIREMENTS FOR PROCUREMENT (A.R.S. § 11-254.01)

6.1. Purchase of Supplies & Materials Greater than \$100,000. All purchases of supplies, material, equipment and contractual services, except professional services, made by the County and having an estimated cost in excess of one-hundred thousand dollars (\$100,000) or more per transaction, or the aggregate amount thereof (A.R.S. § 41-2535), shall be based on competitive sealed bids. Purchases may not be artificially divided or fragmented so as to constitute a purchase under this section and to circumvent the source selection procedures required by A.R.S. §§ 41-2533 or 41-2534. (See Section Seven below)

6.2. Purchase of Supplies & Materials Less than \$100,000. Any procurement which does not exceed an estimated dollar amount of one-hundred thousand dollars (\$100,000.00) may be made in accordance with adopted policies contained herein and procedures promulgated by the Procurement Director, except that the procurement shall be made with such competition as is practicable under the circumstances. See Section 4.9 for Local Vendor Preference Policy and 8.1.1 below.

6.2.1 For purchases costing less than \$1,000, departments will use procedures providing for adequate and reasonable competition as promulgated by the County Procurement Director. (Also see Section 8.2)

6.2.2 For purchases costing at least \$5,000, but less than \$35,000, the Procurement Officer should obtain at least (3) oral price quotations. (Section 8.1.1.3)

6.2.3 For purchases costing at least \$5,000 but less than ~~\$35,000~~ the Procurement Officer should obtain at least three (3) verbal or written price quotations. (Section 8.1.2)

Comment [th1]: Correct typo to read \$35,000

6.2.4 For purchases costing at least \$35,000 but less than \$50,000, the Procurement Officer will obtain at least three (3) written price quotations. If three quotations cannot be obtained, the Procurement Officer shall document why this was not possible. (Section 8.1.1.2)

8.1.2.2 The award is made to the lowest responsive and responsible bidder meeting specification requirements concerning price, conformity to specifications, and other procurement factors.

### 8.2 Delegated Purchases Up To \$1,000

8.2.1 Departments are authorized to make individual purchases for materials and services up to \$1,000.00 (including tax and freight) if, in the opinion of the department head, such direct purchases are in the best interests of the County and are allowed for delegated purchasing. The P-Card shall be the preferred method for delegated purchases. Otherwise, the use of payment via demand shall be acceptable.

Comment [th2]: Delete and services

8.2.2 The delegation of authority to make small purchases is intended to facilitate the economical and orderly procurement of materials and services by County departments. The privileges extended to departments under this policy are not intended as a substitute for centralized purchasing, nor are they to be used to engage in widespread purchasing without adequate analysis and competition. Purchases may not be artificially split to avoid this provision.

8.2.3 There are certain products or services which are **not** authorized for delegated purchasing. These products and services may change from year to year at the direction of the Procurement Director, but generally they include products or services available through County-wide contracts established to take advantage of volume buying, purchases requiring specific approvals, such as software and computers, or personal services which by their nature require special contract consideration. The Procurement department shall post and maintain a list of restricted purchases on the procurement intranet.

8.2.4 Upon written request to the Procurement Director, higher Procurement Card limits for designated employees may be granted if fully justified. This approval may be requested for a one-time exception or for an indefinite period of time with approval of the Finance Director.

## SECTION NINE: PREPARATION OF SPECIFICATIONS

**9.1 Definition.** As used in this policy, "Specification" is used interchangeably with "scope" or "scope of work" and means any description of the physical or functional characteristics, or the nature of a material, service or construction item. A Specification should include a description of any requirement for inspecting, testing, or preparing a material, service, or construction item for delivery. The Procurement Department may request advice and assistance from personnel of using departments in the development of specifications.

### 9.2 Maximum Practicable Competition

9.2.1 All specifications shall be written to encourage full and open market competition. Requester must ensure that specifications are not unduly restrictive and do not represent unnecessary or duplicative items. Exceptions to this policy are permitted to allow for Sole Source Procurements and purchases under the Standardization Policy (See Section 11.0). Specifics must be included with the purchase request.

9.2.2 To the extent practicable and unless otherwise permitted by this Policy, all specifications shall describe the County's requirements in a manner that does not unnecessarily exclude a material, service, or construction item.

**Sealed:** A method detennined by the Procurement Director to prevent the contents being revealed or known before the deadline for submission of responses.

**Open Purchase Order:** Used for open market purchases of bits and pieces of equipment or supplies needed for day-to-day operations from the same vendor within a specified time frame. Prices, Terms and Conditions are not pre-determined . An Open Order does no more than establish a "line of Credit". Open Purchase order total cannot exceed \$1000. Individual purchases made on this type order will not exceed \$100 per transaction. Procurement requirements may not be artificially divided to circumvent these source selection requirements.

**Personal Property:** All supplies, equipment and materials, excluding real property.

**Procurement Card or P-card:** A credit card issued to an individual employee of the County for the purpose of making authorized purchases of products or services on its behalf. The procurement card program is designed to reduce the amount of processes, time, and costs incurred when making various purchases for the County. The County realizes substantial cost savings by reducing: 1) the number of purchase orders; 2) checks that must be printed and issued; and 3) the volume of invoices that must be matched and paid.

Comment [th3]: Delete or services

**Professional Services:** services involving specialized knowledge, skill and experience in a field that requires an extended course of specialized instruction and study.

**Public Procurement:** The process of obtaining goods and services for public purpose following procedures implemented to protect public funds from being expended extravagantly or capriciously. Public purchasing has rules that corporate purchasing departments often are not required to follow.

**Purchase Order:** A purchaser's written document to a vendor formalizing all the terms and conditions of a proposed transaction , such as a description of the requested item(s), delivery schedule, terms of payment , and transportation.. This document, which when signed and executed by an authorized agent, becomes a legal contract enforceable by law.

**Purchase Order Change Notice:** a written form documenting a change made to a purchase order.

**Purchase Requisition:** Sometimes referred to as a PR or RPO. A written request , from a using department to the Procurement Department, to obtain material or services and granting authority to commit funds to cover the purchase.

**Procurement :** Buying, purchasing, renting, leasing or otherwise acquiring any materials, services or construction. Procurement includes all functions that pertain to the obtaining of any material , service or construction, including description of requirements, selection and solicitation of sources, preparation and award of contract, and all phases of contract administration.

**Procurement Director :** The principal public Procurement official for the County. This individual is responsible for the administration of these policies and is the head of the Procurement Department of the Finance Department.

**Regular Board of Supervisors Meeting**

**Meeting Date:** 11/17/2015  
New Liquor License Series 13 - 21 Grams Vineyard & Winery

**Department:** Board of Supervisors  
**Presentation:** No A/V **Recommendation:** Approve  
Presentation

**Document Signatures:** BOS **# of ORIGINALS** 0  
Signature **Submitted for Signature:**  
NOT  
Required

**NAME** Arlethe Rios **TITLE** Clerk of the Board  
**of PRESENTER:** **of PRESENTER:**

**Mandated Function?:** Not **Source of Mandate**  
Mandated **or Basis for Support?:**

**Docket Number (If applicable):**

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**Information**

**Agenda Item Text:**

Approve a new liquor license application for a series #13 (domestic farm winery) liquor license submitted by Mr. John Mike McLoughlin for 21 Grams Vineyard & Winery located at 8403 Bell Ranch Rd., Willcox, AZ 85644

**Background:**

Mr. John M. McLoughlin has applied for a series #13 (domestic farm winery) for 21 Grams Vineyard & Winery located at 8403 Bell Ranch Road, Willcox, 85644. The Sheriff's Office has no recommendation. The Planning and Zoning Department have recommended approval of the application. There have been no formal protests to this liquor license.

The Environmental Health Division states: "If the applicant's current proposal is to only sell bottles of wine that are commercially produced offsite and single serve wine tasting is offered then [they] have no concerns with the current proposal and no objection to the issuing of Liquor License. If the applicant plans to produce wine onsite, ware washing and reuse of glassware, or prepare food then [they] would require a review of the proposal and work with the applicant to get any licenses required from us."

The Treasurer's Office noted that all property taxes for the location are current and the property is owned by Mr. McLoughlin.

Mr. McLoughlin has paid the \$100.00 processing fee. Supporting documentation regarding this liquor license is attached.

**Department's Next Steps (if approved):**

Board staff will forward the Board's decision to the Arizona Department of Liquor License and Control.

**Impact of NOT Approving/Alternatives:**

A hearing on this application will be scheduled with the State Liquor Board.

**To BOS Staff: Document Disposition/Follow-Up:**

Send packet to ADLLC and copy of letter w/out attachments to applicant.

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**Budget Information**

*Information about available funds*

**Budgeted:**

**Funds Available:**

**Amount Available:**

**Unbudgeted:**

**Funds NOT Available:**

**Amendment:**

**Account Code(s) for Available Funds**

1:

**Fund Transfers**

**Attachments**

Application

Posting Placard

Dept Forms

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Arizona Department of Liquor Licenses and Control  
 800 W Washington 5th Floor  
 Phoenix, AZ 85007  
 www.azliquor.gov  
 (602) 542-5141

**Application for Liquor License**  
 Type or Print with **Black Ink**

2015 OCT - 8 P 12: 43  
 RECEIVED  
 COCHISE COUNTY  
 BOARD OF SUPERVISORS

**SECTION 1** This application is for a:

- Interim Permit (Complete Section 5)
- New License (Complete Sections 2, 3, 4, 13, 14, 15, 16)
- Person Transfer (Complete Section 2, 3, 4, 12, 13, 14, 16)
- Location Transfer (Bars and Liquor Stores Only)  
(Complete Section 2, 3, 4, 11, 13, 14, 16)
- Probate/ Will Assignment/ Divorce Decree  
(Complete Sections 2, 3, 4, 9, 13, 14, 16)  
(Fee not required)
- Government (Complete Sections 2, 3, 4, 10, 13, 16)
- Seasonal

**SECTION 2** Type of Ownership:

- J.T.W.R.O.S. (Complete Section 6)
- Individual (Complete Section 6)
- Partnership (Complete Section 6)
- Corporation (Complete Section 7)
- Limited Liability Co (Complete Section 7)
- Club (Complete Section 8)
- Government (Complete Section 10)
- Trust (Complete Section 6)
- Tribe (Complete Section 6)
- Other (Explain) \_\_\_\_\_

**SECTION 3** Type of license

LICENSE # 13023042

1. Type of License: winery # 13 ~~Access~~

**APPLICATION FEE AND INTERIM PERMIT FEES (IF APPLICABLE) ARE NOT REFUNDABLE**  
 A service fee of \$25 will be charged for all dishonored checks (A.R.S. § 44-6852)

**SECTION 4** Applicants

1. Individual Owner/Agent's Name: McLaughlin John Mike PID43098  
Mike Last John First Mike Middle

2. Owner Name: John McLaughlin  
(Ownership name for type of ownership checked on section 2)

3. Business Name: 21 Grams Vineyard and Winery  
(Exactly as it appears on the exterior of premises) ~~and winery~~

4. Business Location Address: 8403 Bell Ranch Rd Willcox AZ 85644 Cochise  
(Do not use PO Box) Street City State Zip Code County PID55398

5. Mailing Address: 7235 Hampton Ave #110 Mesa AZ 85209  
(All correspondence will be mailed to this address) Street City State Zip Code

6. Business Phone: 480-988-5206 Daytime Contact Phone: 480-229-2266

7. Email Address: John@Cellar433.com

8. Is the Business located within the incorporated limits of the above city or town?  Yes  No

9. Does the Business location address have a street address for a City or Town but is actually in the boundaries of another City, Town or Tribal Reservation?  Yes  No

If Yes, what City, Town or Tribal Reservation is this Business located in: \_\_\_\_\_

10. Total Price paid for Series 6 Bar, Series 7 Beer & Wine Bar or Series 9 Liquor Store ( license only) \$ 0

Fees: <u>\$100.00</u>	Department Use Only		<u>\$ 100.00</u>
Application	Interim Permit	Site Inspection	Finger Prints
Is Arizona Statement of Citizenship & Alien Status for State Benefits complete? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No			Total of All Fees
Accepted by: <u>[Signature]</u>	Date: <u>10/5/15</u>	License # <u>13023042</u>	

**SECTION 5 Interim Permit**

- If you intend to operate business when your application is pending you will need an interim permit pursuant to ARS § 4-203.01
- There **MUST** be a valid license of the same type you are applying for currently issued to the location or for the replacement of a Hotel/Motel license with a Restaurant license pursuant to A.R.S. § 4-203.01.

1. Enter license number currently at the location: \_\_\_\_\_
2. Is the license currently in use?  Yes  No If no, how long has it been out of use? \_\_\_\_\_

**Attach a copy of the license currently issued at this location to this application.**

I, \_\_\_\_\_ declare that I am the CURRENT OWNER, AGENT, OR CONTROLLING  
 (Print Full Name) PERSON on the stated license and location.

X \_\_\_\_\_  
 (Signature)

State \_\_\_\_\_ County of \_\_\_\_\_  
 The foregoing instrument was acknowledged before me this

\_\_\_\_\_ day of \_\_\_\_\_  
 Day Month Year

My Commission Expires on: \_\_\_\_\_ Date \_\_\_\_\_ (Signature of Notary Public)

**SECTION 6 Individual, Partnership, J.T.W.R.O.S, Trust, Tribe Ownerships**

EACH PERSON LISTED MUST SUBMIT A COMPLETED QUESTIONNAIRE, AN "APPLICANT" TYPE FINGERPRINT CARD AND \$22 PROCESSING FEE FOR EACH CARD.

**Individual**

Last	First	Middle	%Owned	Mailing Address	City	State	Zip Code
McLaughlin	John	mike	100	7235 E HAMPTON AVE #110	Mesa	AZ	85209

Is any person other than above, going to share in profit/losses of the business?  Yes  No  
 If Yes, give name, current address, and telephone number of person(s). Use additional sheets if necessary.

Last	First	Middle	Mailing Address	City	State	Zip Code	Phone #

**Partnership**

Name of Partnership: \_\_\_\_\_

General-Limited	Last	First	Middle	%Owned	Mailing Address	City	State	Zip Code
<input type="checkbox"/> <input type="checkbox"/>								
<input type="checkbox"/> <input type="checkbox"/>								
<input type="checkbox"/> <input type="checkbox"/>								
<input type="checkbox"/> <input type="checkbox"/>								

**J.T.W.R.O.S (Joint Tenant with Rights of Survivorship)**

Name of J.T.W.R.O.S: \_\_\_\_\_

Last	First	Middle	Mailing Address	City	State	Zip Code

**SECTION 6 - continued**

**TRUST**

Name of Trust: \_\_\_\_\_

Last	First	Middle	Mailing Address	City	State	Zip Code

**TRIBE**

Name of Tribal Ownership: \_\_\_\_\_

Last	First	Middle	Mailing Address	City	State	Zip Code

**SECTION 7 Corporations/ Limited Liability Co**

EACH PERSON LISTED MUST SUBMIT A COMPLETED QUESTIONNAIRE AN "APPLICANT" TYPE FINGERPRINT CARD AND \$22 PROCESSING FEE FOR EACH CARD.

Corporation Complete Questions 1, 2, 3, 4, 5, 6, and 7

L.L.C. Complete Questions 1, 2, 3, 4, 5, 6, and 7

1. Name of Corporation/ L.L.C.: \_\_\_\_\_

2. Date Incorporated/Organized: \_\_\_\_\_ State where Incorporated/Organized: \_\_\_\_\_

3. AZ Corporation or AZ L.L.C File No: \_\_\_\_\_ Date authorized to do Business in AZ: \_\_\_\_\_

4. Is Corp/L.L.C. Non Profit?  Yes  No

5. List Directors, Officers, Members in Corporation/L.L.C:

Last	First	Middle	Title	Mailing Address	City	State	Zip Code

(Attach additional sheet if necessary)

6. List all Stockholders / percentage owners who own 10% or more:

Last	First	Middle	%Owned	Mailing Address	City	State	Zip Code

(Attach additional sheet if necessary)

7. If the corporation/ L.L.C are owned by another entity, attach an Organizational **FLOWCHART** showing the structure of the ownership. Attach additional sheets as needed in order to disclose the Officers, Directors, Members, Managers, Partners, Stockholders and percentage owners of those entities.



**SECTION 12 Person to Person Transfer**

**Questions to be completed by Current Licensee (Bar and Liquor Stores Only- Series, 06, 07, and 09)**

- 1. Individual Owner / Agent Name: \_\_\_\_\_ Entity: \_\_\_\_\_  
Last First Middle (Individual, Agent, Etc)
  - 2. Ownership Name: \_\_\_\_\_  
(Exactly as it appears on license)
  - 3. Business Name: \_\_\_\_\_  
(Exactly as it appears on license)
  - 4. Business Location Address: \_\_\_\_\_  
Street City State Zip
  - 5. License Type: \_\_\_\_\_ License Number: \_\_\_\_\_
  - 6. Current Mailing Address: \_\_\_\_\_  
Street City State Zip
  - 7. Have all creditors, lien holders, interest holders, etc. been notified?  Yes  No
  - 8. Does the applicant intend to operate the business while this application is pending?  Yes  No
- If yes, complete Section 5 (**Interim Permit**) of this application; attach fee, and current license to this application.

9. I, (Print Full Name) \_\_\_\_\_ hereby authorize the department to process this Application to transfer the privilege of the license to the applicant provided that all terms and conditions of sale are met. Based on the fulfillment of these conditions, I certify that the applicant now owns or will own the property rights of the license by the date of issue.

I, (Print Full Name) \_\_\_\_\_, declare that I am the **CURRENT OWNER, MEMBER, PARTNER STOCKHOLDER or LICENSEE** of the stated license. I have read the above Section 12 and confirm that all statements are true, correct, and complete.

X \_\_\_\_\_  
(Signature of CURRENT Individual Owner/Agent)

NOTARY

State of \_\_\_\_\_ County of \_\_\_\_\_  
State County

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_  
Day Month Year

My commission expires on \_\_\_\_\_  
Day/ Month/Year \_\_\_\_\_  
Signature of NOTARY PUBLIC

**SECTION 13 Proximity to Church or School**

Questions to be completed by all in-state applicants EXCLUDING those applying for a Series 5 Government, Series 11 Hotel/Motel, and Series 12 Restaurant licenses.

A.R.S. § 4-207 (A) and (B) state that no retailer's license shall be issued for any premises which are at the time the license application is received by the director, within three hundred (300) horizontal feet of a church, within three hundred (300) horizontal feet of a public or private school building with kindergarten programs or grades one (1) through (12) or within three hundred (300) horizontal feet of a fenced recreational area adjacent to such school building. The above paragraph DOES NOT apply to:

- a) Restaurant license (§ 4-205.02)
- b) Hotel/motel license (§ 4-205.01)

- c) Government license (§ 4-205.03)
- d) Fenced playing area of a golf course (§ 4-207(B)(5))

1. Distance to nearest School: 2.5 Miles Name of School: Willcox Elementary  
 (if less than one (1) mile note footage) Address: 501 W Delas<sup>ST</sup> Willcox AZ 85643

2. Distance to nearest Church: 9.3 miles Name of Church: Mt Valley Mennonite  
 (if less than one (1) mile note footage) Address: 3588 E Compadre Rd  
Willcox AZ 85643

**SECTION 14 Business Financials**

1. I am the:  Lessee  Sub-lessee  Owner  Purchaser  Management Company

2. If the premise is leased give lessors: Name: Ø  
 Address: Ø  
Street City State Zip

3. Monthly Rent/ Lease Rate: \$ Ø

4. What is the remaining length of the lease? own yrs \_\_\_\_\_ months

5. What is the penalty if the lease is not fulfilled? \$ own or other: \_\_\_\_\_  
(Give details-attach additional sheet if necessary)

6. Total money borrowed for the Business not including lease? \$ Self Financed  
 Please List Lenders/People you owe money to for business.

Last	First	Middle	Amount Owed	Mailing Address	City	State	Zip
		<u>Ø</u>					

(Attach additional sheet if necessary)

7. What type of business will this license be used for (be specific)?  
Vineyard - winery

8. Has a license or a transfer license for the premises on this application been denied by the state with in the past (1) year?  Yes  No If yes, attach explanation.

9. Does any spirituous liquor manufacture, wholesaler, or employee have an interest in your business?  Yes  No

10. Is the premises currently license with a liquor license?  Yes  No

If yes, give license number and licensee's name:

License #: Ø Individual Owner /Agent Name: \_\_\_\_\_  
(Exactly as it appears on license)

To whom it may concern:

#9 #19

I, John Mike McLoughlin, hold ownership, in the state of Arizona, of the following Liquor Licenses:

Jerome Winery, Inc.

Liquor License #07130018 as of 3/18/2003

Bitter Creek Winery, LLC

Liquor License # 1313017 as of 11/25/2008

Odyssey Cellars, Inc

Liquor License #13023012 as of 10/2/2008

Vine Expressions, LLC

Liquor License #07070297 as of 9/2011

QUARTSITE wine works  
19153000 - issue - 9-29-15

John Mike McLoughlin

7235 East Hampton Avenue, suite 110

Mesa, AZ 85209

480-988-5200 fax

480-988-5206 phone

\*14 AUG 4 11:09 AM '11



**SECTION 15 Restaurant or hotel/motel license applicants**

- 1. Is there an existing Restaurant or Hotel/Motel Liquor License at the proposed location?  Yes  No
- 2. If the answer to Question 1 is YES, you may qualify for an Interim Permit to operate while your application is pending; consult A.R.S. § 4-203.01; and complete SECTION 5 of this application.
- 3. All Restaurant and Hotel/Motel applicants must complete a Restaurant Operation Plan form provided by the Department of Liquor Licenses and Control.
- 4. As stated in A.R.S. § 4-205.02. (H)(2), a Restaurant is an establishment which derives at least forty (40) percent of its gross revenue from the sale of food. Gross revenue is the revenue derived from sales of food and spirituous liquor on the licensed premises. By applying for this  Restaurant  Hotel/Motel, I certify that I understand that I must maintain a minimum of forty (40) percent food sales based on these definitions and have included the Restaurant Hotel/Motel Records Required for Audit form with this application.

\_\_\_\_\_  
(Applicant's Signature)

5. I understand it is my responsibility to contact the Department of Liquor Licenses and Control to schedule an inspection when all tables and chairs are on site, kitchen equipment, and, if applicable, patio barriers are in place on the licensed premises. With the exception of the patio barriers, these items are not required to be properly installed for this inspection. Failure to schedule an inspection will delay issuance of the license. If you are not ready for your inspection 90 days after filing your application, please request an extension in writing; specify why the extension is necessary; and the new inspection date you are requesting.

\_\_\_\_\_  
(Applicant's Initials)

**SECTION 16 Diagram of Premises**

Check ALL boxes that apply to your business.

- Entrances/Exits
- Liquor storage areas
- Walk-up windows
- Drive-through windows

Patio:  Contiguous, ~~\_\_\_\_\_~~  
*No Patio*  
 Non Contiguous

- 1. Is your licensed premises currently closed due to construction, renovation or redesign?  Yes  No  
If yes, what is your estimated completion date? \_\_\_\_\_

Month/Day/Year

- 2. **Restaurants and Hotel/Motel** applicants are required to draw a detailed floor plan of the kitchen and dining areas including the locations of all kitchen equipment and dining furniture. Place for diagram is on section 16 number 6.
- 3. The diagram (a detailed floor plan) you provide is required to disclose only the area(s) where spirituous liquor is to be sold, served, consumed, dispensed, possessed or stored on the premises unless it is a restaurant (see # 3 above).
- 4. Provide the square footage or outside dimensions of the licensed premises. Please do not include non-licensed premises such as parking lots, living quarters, etc.

As stated in A.R.S. § 4-207.01 (B), I understand it is my responsibility to notify the Department of Liquor Licenses and Control when there are changes to the boundaries, entrances, exits, added or deleted doors, windows, service windows or increase or decrease to the square footage after submitting this initial diagram.

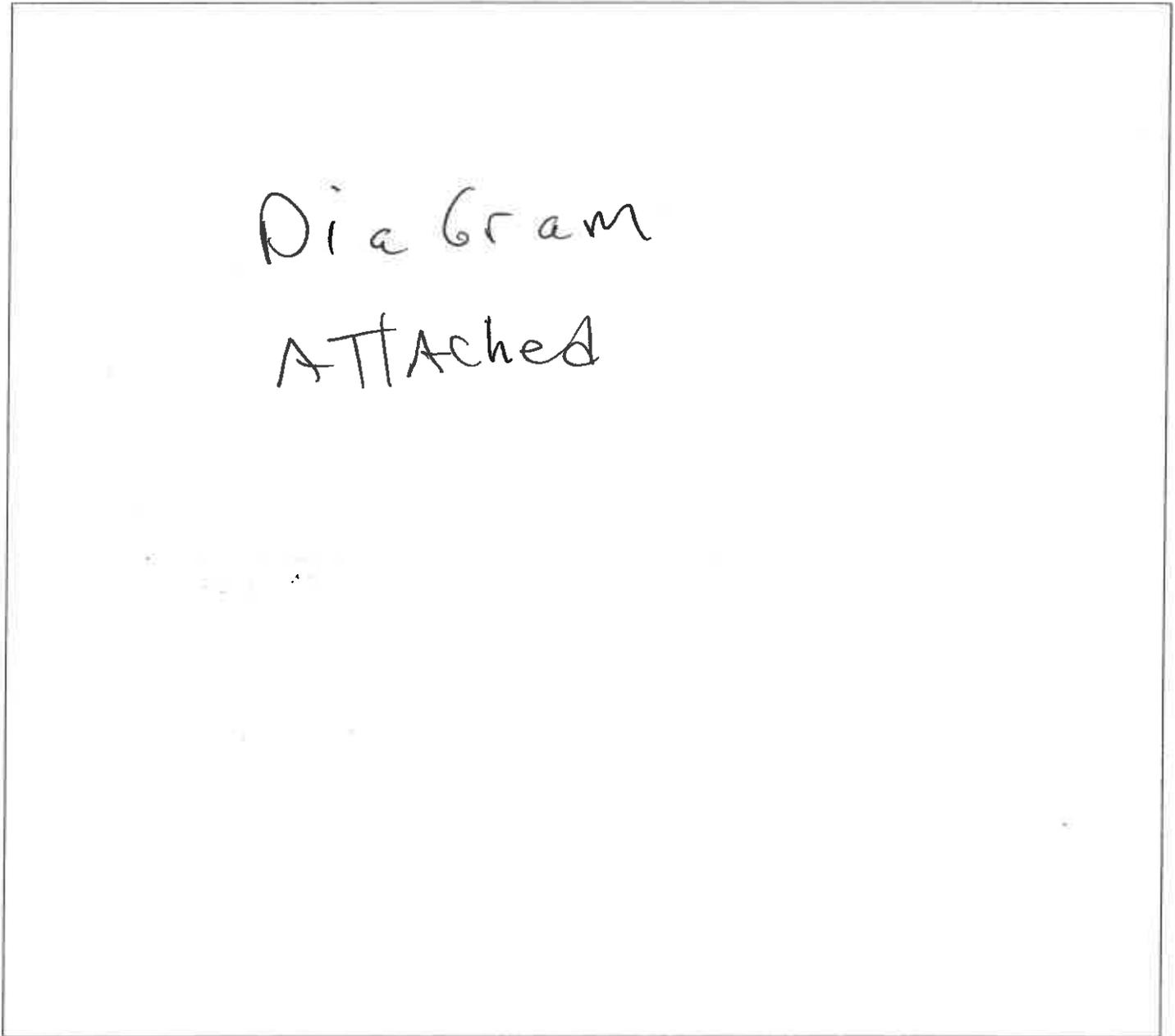
\_\_\_\_\_  
(Applicant's Initials)

**SECTION 16 Diagram of Premises – continued**

6. On the diagram please show only the areas where spirituous liquor is to be sold, served, consumed, dispensed, possessed or stored. It must show all entrances, exits, interior walls, bars, hi-top tables, dining tables, dining chairs, dance floor, stage, game room, and the kitchen. DO NOT include parking lots, living quarters, etc. When completing diagram, North is up ↑.

If a legible copy of a rendering or drawing of your diagram of the premises is attached to this application, please write the words "DIAGRAM ATTACHED" in the box provided for the diagram on the application.

**DIAGRAM OF PREMISES**







**SECTION 17 SIGNATURE BLOCK**

I, (Print Full Name) John <sup>Mike</sup> McLaughlin, hereby declare that I am the Owner/Agent filing this application as stated in Section # 1. I have read this application and verify all statements to be true, correct and complete.

X (Signature) \_\_\_\_\_

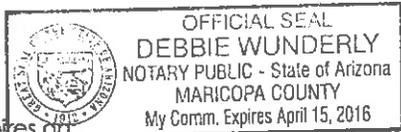
State of AZ County of MARICOPA

The foregoing instrument was acknowledged before me this

5 of OCTOBER, 2015

Day \_\_\_\_\_ Month \_\_\_\_\_ Year \_\_\_\_\_

Debbie Wunderly  
Signature of NOTARY PUBLIC



My commission expires on:

**A.R.S. § 41-1030. Invalidity of rules not made according to this chapter; prohibited agency action; prohibited acts by state employees; enforcement; notice**

B. An agency shall not base a licensing decision in whole or in part on a licensing requirement or condition that is not specifically authorized by statute, rule or state tribal gaming compact. A general grant of authority in statute does not constitute a basis for imposing a licensing requirement or condition unless a rule is made pursuant to that general grant of authority that specifically authorizes the requirement or condition.

D. THIS SECTION MAY BE ENFORCED IN A PRIVATE CIVIL ACTION AND RELIEF MAY BE AWARDED AGAINST THE STATE. THE COURT MAY AWARD REASONABLE ATTORNEY FEES, DAMAGES AND ALL FEES ASSOCIATED WITH THE LICENSE APPLICATION TO A PARTY THAT PREVAILS IN AN ACTION AGAINST THE STATE FOR A VIOLATION OF THIS SECTION.

E. A STATE EMPLOYEE MAY NOT INTENTIONALLY OR KNOWINGLY VIOLATE THIS SECTION. A VIOLATION OF THIS SECTION IS CAUSE FOR DISCIPLINARY ACTION OR DISMISSAL PURSUANT TO THE AGENCY'S ADOPTED PERSONNEL POLICY.

F. THIS SECTION DOES NOT ABROGATE THE IMMUNITY PROVIDED BY SECTION 12-820.01 OR 12-820.02.

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# NOTICE

## APPLICATION TO SELL ALCOHOLIC BEVERAGES

DATE POSTED: OCTOBER 16, 2015

A HEARING ON A LIQUOR LICENSE APPLICATION SHALL BE HELD BEFORE THE

COCHISE COUNTY BOARD OF SUPERVISORS

PLACE 1415 Melody Ln - Bldg. Bisbee DATE/TIME NOVEMBER 17, 2015 @ 10:00 A.M.

HEARING DATES SUBJECT TO CHANGE, TO VERIFY CALL: 520-432-9200

THE LOCAL GOVERNING BODY WILL RECOMMEND TO THE STATE LIQUOR BOARD WHETHER THE BOARD SHOULD GRANT OR DENY THE LICENSE. THE STATE LIQUOR BOARD MAY HOLD A HEARING TO CONSIDER THE RECOMMENDATION OF THE LOCAL GOVERNING BODY. ANY PERSON RESIDING OR OWNING OR LEASING PROPERTY WITHIN A ONE-MILE RADIUS MAY CONTACT THE STATE LIQUOR BOARD IN WRITING TO REGISTER AS A PROTESTER. TO REQUEST INFORMATION REGARDING PROCEDURES BEFORE THE BOARD AND NOTICE OF ANY BOARD HEARINGS REGARDING THIS APPLICATION, CONTACT THE **STATE LIQUOR BOARD:** 800 W. WASHINGTON, 5TH FLOOR, PHOENIX, AZ. 85007 (602) 542-9789

INDIVIDUALS REQUIRING ADA ACCOMMODATIONS CALL - LOCAL GOVERNING BODY:

STATE LIQUOR DEPT: (602) 542-9789

POST ONE COPY OF THE APPLICATION FORM BELOW THIS NOTICE.

# COCHISE COUNTY BOARD OF SUPERVISORS



Telephone (520) 432-9200

Fax (520) 432-5016

## APPLICANT INFORMATION

Applicant Name: John Mike McLoughlin Address: 8403 Bell Ranch Rd  
Business Name: 21 Grams Vineyard & Winery City/Zip: Willcox, AZ 85644  
Liquor License #: 13023042 Parcel #: 305-43-009A  
Ownership Type: Individual Liquor License  Special Event Liquor License   
Partner(s): \_\_\_\_\_

## TO BE COMPLETED BY THE SHERIFF'S OFFICE

Please advise if:

1. There have been a significant number of incidents at the named location within five (5) years prior to the application.

If so, please attach pertinent documentation.

Comments: There have not been a significant number of incidents at the named location with 5 years.

Based on the above information, the Sheriff's Office recommendation to the Board of Supervisors is:	Approval <input type="checkbox"/>	Disapproval <input type="checkbox"/>	No Recommendation <input checked="" type="checkbox"/>
-----------------------------------------------------------------------------------------------------	-----------------------------------	--------------------------------------	-------------------------------------------------------

Name: Mark P. Genz Title: Commander  
Signature: s/Mark P. Genz Date: 102315  
Contact phone: 9506 Email: mgenz@cochise.az.gov

Return completed form with any attachments by: 10/22/15

# COCHISE COUNTY BOARD OF SUPERVISORS



Telephone (520) 432-9200

Fax (520) 432-5016

## APPLICANT INFORMATION

Applicant Name: John Mike McLoughlin Address: 8403 Bell Ranch Rd  
Business Name: 21 Grams Vineyard & Winery City/Zip: Willcox, AZ 85644  
Liquor License #: 13023042 Parcel #: 305-43-009A  
Ownership Type: Individual Liquor License  Special Event Liquor License   
Partner(s): \_\_\_\_\_

## TO BE COMPLETED BY THE ENVIRONMENTAL HEALTH DEPARTMENT

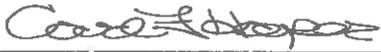
We would like to request your assistance in reviewing the attached application.

Please provide any pertinent information for the Board's consideration:

Cochise County Environmental Health has no issues or concerns with the proposed application.

## OTHER PERTINENT INFORMATION FOR THE BOARD'S CONSIDERATION:

- The Health Department will notify the applicant that he/she will be required to obtain the proper permits before operating the business.
- The Health Department is currently working with the property owner on health-related issues with the subject property.

Name: Carl Hooper Title: Environmental Health Specialist  
Signature:  Date: 10/22/2015  
Contact phone: 520 432-9442 Email: chooper@cochise.az.gov

Return completed form with any attachments by: 10/22/15

# COCHISE COUNTY BOARD OF SUPERVISORS



Telephone (520) 432-9200

Fax (520) 432-5016

## APPLICANT INFORMATION

Applicant Name: John Mike McLoughlin Address: 8403 Bell Ranch Rd  
Business Name: 21 Grams Vineyard & Winery City/Zip: Willcox, AZ 85644  
Liquor License #: 13023042 Parcel #: 305-43-009A  
Ownership Type: Individual Liquor License  Special Event Liquor License   
Partner(s): \_\_\_\_\_

## TO BE COMPLETED BY THE TREASURER'S OFFICE

Please advise if the property taxes for the parcel in question are current.

xxx  Yes  No

If not, please attach pertinent documentation.

Comments:

2015 taxes are the current year the first half is due in this month of October 2015 and become delinquent after nov 2<sup>nd</sup> 2015

Name: Kathleen wilson Title: Tax specialist 1  
Signature: Kathleen wilson Date: 10/15/215  
Contact phone: 520-432-8404 Email: kwilson@cochise.az.gov

Return completed form with any attachments by: 10/22/15

# COCHISE COUNTY BOARD OF SUPERVISORS



Telephone (520) 432-9200  
Fax (520) 432-5016

**For internal use only:**

- Restaurant/Hotel-Motel
- Club/Government
- Transfer of Premises

### APPLICANT INFORMATION

**Applicant Name:** John Mike McLoughlin      **Address:** 8403 Bell Ranch Rd.  
**Business Name:** 21 Grams Vineyard & Winery      **City/Zip:** Willcox, AZ 85644  
**Liquor License #:** 13023042      **Parcel #:** 305-43-009A  
**Ownership Type:** Individual  
**Partner(s):** \_\_\_\_\_      **Liquor License**       **Special Event Liquor License**

### TO BE COMPLETED BY THE PLANNING & ZONING DEPARTMENT

Please advise if, at the time the application was filed:

1. The premises for which the license is being applied for is within 300 horizontal feet of a church; or
2. The premises for which the license is being applied for is within 300 horizontal feet of a public or private school, or a fenced recreation area adjacent to a school building.

If so, please attach pertinent documentation and drawings or maps.

Comments: Proposed site not within 300 horizontal feet of a church, public or private school, or fenced recreation area adjacent to a school building.

Based on the above information, the Planning and Zoning Department's recommendation to the Board of Supervisors is:	Approval <input checked="" type="checkbox"/>	Disapproval <input type="checkbox"/>
---------------------------------------------------------------------------------------------------------------------	-------------------------------------------------	-----------------------------------------

### OTHER PERTINENT INFORMATION FOR THE BOARD'S CONSIDERATION:

Proper Zoning?	Y <input checked="" type="checkbox"/> N <input type="checkbox"/>	Zoning:	RU-4
Use permitted by P&Z?	Y <input checked="" type="checkbox"/> N <input type="checkbox"/>	Permit#:	CP-08-5138
Date Permit Issued:	11/20/08	Use Permitted:	Winery
If use not permitted, is it LNC?	Y <input type="checkbox"/> N <input checked="" type="checkbox"/>	Year LNC Established:	n/a

- The Planning Department will notify the applicant that if any construction is proposed, a Non-Residential Permit must first be submitted and approved by this Department, or if there is a lapse of 12 months of non-operation of the business, a Non-Residential Permit will be required to re-establish the use from this Department.
- The Planning Department will notify the applicant that he/she will be required to obtain the proper permits before operating the business.
- The Planning Department is currently working with the property owner on several zoning-related issues with the subject property.
- The Planning Department is currently working with the property owner on obtaining the proper permits to operate the business.

**Name:** Dora V Flores      **Title:** Zoning Administrator  
**Signature:** Dora V Flores      **Date:** October 21, 2015  
**Contact phone:** 520-803-3967      **Email:** dflores@cochise.az.gov

*Return completed form with any attachments by:* 10/22/15

**Regular Board of Supervisors Meeting**

**Elections & Special Districts**

**Meeting Date:** 11/17/2015

Review proposed Impact Statement regarding proposed annexation and boundary change to the Sunsites-Pearce Fire District

**Submitted By:** Katie Howard, Elections & Special Districts

**Department:** Elections & Special Districts

**Presentation:** No A/V Presentation      **Recommendation:** Approve

**Document Signatures:** BOS Signature NOT Required      **# of ORIGINALS Submitted for Signature:** 0

**NAME of PRESENTER:** Tom Schelling      **TITLE of PRESENTER:** Special Districts

**Docket Number (If applicable):**

**Mandated Function?:** Federal or State Mandate      **Source of Mandate or Basis for Support?:** A.R.S. 48-262

**Information**

**Agenda Item Text:**

Review proposed Impact Statement regarding proposed annexation and boundary change to the Sunsites-Pearce Fire District and submit written comments to the governing body, if applicable.

**Background:**

On October 28, 2015, the Clerk of the Board received notice from the Sunsites-Pearce Fire District regarding a proposed annexation and boundary change to the district, together with the associated Impact Statement filed by the proponents. The notice, dated October 12, 2016, had been mailed to property owners by the district. In accordance with A.R.S. 48-262, the Board of Supervisors is to be given a ten-day period to review and provide written comments to the district board regarding the annexation. This normally occurs prior to the public hearing by the district board. However, in the district's notice mailed to all property owners within the proposed annexation, a public hearing was called for on October 30, 2015, not allowing the ten-day period to occur prior to the hearing.

Upon consultation with the County Attorney's Office, Mr. Hanson advised that the public hearing proceed as scheduled and noticed on October 30, 2015, and the district governing board accept the Impact Statement contingent on the Board of Supervisor's review.

Tom Schelling, Special Districts, and Supervisor Searle have been working with the district regarding this annexation since 2013. The property owners in Cochise Stronghold originally approached the district with a request for the annexation. Their concern stemmed from numerous wildfires in Arizona and the region and their awareness that they lacked fire protection.

Mr. Schelling believes the Impact Statement meets the requirements of A.R.S. section 48-262 (attached) and will benefit not only the residents of Cochise Stronghold, but also add to the tax base for the fire district.

**Department's Next Steps (if approved):**

Written comments by the Board of Supervisors, if any, will be forwarded to the governing board.

**Impact of NOT Approving/Alternatives:**

There is no approval required by the Board of Supervisors; this is merely an opportunity to provide any comments for the governing board's consideration.

**To BOS Staff: Document Disposition/Follow-Up:**

Forward any written comments by the Board of Supervisors or indicate that no comments were made.

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**Attachments**

Notice of Public Hearing

Impact Statement

A.R.S. 48-262

Map

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# SUNSTITES-PEARCE FIRE DISTRICT

SERVING RESIDENTS OF THE SUNSITES-PEARCE FIRE DISTRICT,  
AND NEIGHBORING COCHISE COUNTY

Mailing Address: PO Box 507, 105 TRACY ROAD PEARCE, AZ 85625

PHONE: (520) 826-3645 FAX: (520) 826-3586

October 12, 2015

Original → ELE  
PNZ → Rural Address  
H/C/IS  
Emergency Svcs  
ASK  
REC

Re: Proposed Annexation

Dear residents and property owners,

The Sunsites-Pearce Fire District is proposing to annex your property into the fire district. This annexation would result in a fire district tax assessed on your property, and provide fire suppression response services for your property. Your parcel or parcels is/are part of an annexation area that can generally be described as west of the existing fire district boundary at Cochise Stronghold Road, and from Highland Road on the south to Eslick Ranch Road on the north, and including parcels along the north side of the existing fire district boundary along Richland Way.

For more information on this proposed annexation, please examine the accompanying brochure, or visit our website at [www.sunsitesfire.org](http://www.sunsitesfire.org). You are also encouraged to call the fire station at 520-826-3645 with specific questions about the proposed annexation, or you may email [admin@sunsitesfire.org](mailto:admin@sunsitesfire.org).

The board of directors of the Sunsites-Pearce Fire District will hold a public hearing concerning this annexation on Friday, October 30, 2015 at 6:00 P.M. at 6 W Havasu Way (the Richland Fire Station.) You are encouraged to attend this meeting, and to voice your opinion on the annexation proposal. The agenda will include a vote by the Board on whether to proceed with the annexation. If the Board votes in favor of proceeding, then petitions will be available following the meeting for property owners to agree to annexation.

Thanks to everyone who has been patiently waiting for this annexation petition to become available. We look forward to hearing your questions and comments, and hope to see you all at the public meeting on October 30.

Sincerely,

Josh Steinberg  
Fire Chief

2015 OCT 28 4 14 PM

RECEIVED

Sunsites-Pearce Fire District is an Equal Opportunity Provider and Employer

RECEIVED OCT 28 2015

DISTRICT BOUNDARY CHANGE IMPACT STATEMENT  
FOR THE SUNSITES-PEARCE FIRE DISTRICT

**Pursuant to provisions of Arizona Revised Statutes § 48-262, the undersigned submits the following Boundary Change Impact Statement for the proposed annexation of territory to the Sunsites-Pearce Fire District:**

**1. Description of Boundaries:**

The area proposed to be annexed into the Sunsites-Pearce Fire District, (referred to as Proposed Annexation Area "A") consists of: Legal Description of the Proposed Annexation Area "A" is attached as **Exhibit A** hereto, and a detailed accurate map of the Proposed Annexation Area "A" is attached as **Exhibit B** hereto.

**2. General Description:**

Beginning with the south half of Section 29, Township 16S, Range 24E; the southwest quarter of Section 28, Township 16S, Range 24E from the western boundary to the west line of Skyline Road; the east half of Section 32 Township 16S, Range 24E; all of Sections 5 Township 17S Range 24E; all of Sections 6 and 7 Township 17S Range 24E, excluding any state land; all of Section 8,17, 18, 19 and 20 Township 17S Range 24E; the east half of Section 24, Township 17S, Range 23E, excluding any federal land; the west half of Section 25, Township 17S, Range 23E, excluding any federal land; the east half of Section 29, Township 17S, Range 24E, excluding any federal land; the north half of Section 32, Township 17S, Range 24E, excluding any federal land; and the west half of Section 25, Township 18S, Range 23 E, excluding any federal land.

The aforementioned description reflects the major directional roadways to assist a property owner in determining if their property is part of the proposed boundaries and services.

Please contact the Sunsites-Pearce Fire District at (520)826-3645 if you have any questions regarding your property or for assistance in understanding the proposed boundaries and service.

**3. Detailed List of Taxable Properties:**

A detailed list of taxed properties, provided by the Cochise County Assessor, pursuant to ARS § 48-262A, 1B is attached as **Exhibit C** hereto.

**4. Estimate of Assessed Valuation in Proposed Annexation Area "A":**

The estimated net secondary assessed valuation within the proposed boundary change area is \$2,408,263 based on the September 2015 detailed list of taxed properties provided by the Cochise County Assessor's Office.

**Estimate of the Change in Tax Rate of the Sunsites-Pearce Fire District:**

If the proposed annexation is accomplished, there will be no estimated tax reduction.

The current Sunsites-Pearce Fire District tax rate is \$3.20 per hundred dollars of secondary assessed value. If the proposed annexation is accomplished, the new Sunsites-Pearce Fire District tax rate is estimated to be approximately \$3.20 per hundred dollars of secondary assessed value.

Taxes from this annexation would be due no sooner than 2016.

**5. Estimate of the Change in Property Tax Liability:**

- A. A typical resident within the current District, not in the area proposed to be annexed. The median secondary assessed valuation of a property already in the District is \$1,052. As a result of the proposed boundary changes, the change in the property tax liability of a typical resident within the current District, NOT in the proposed boundary change area, is as follows:
1. BEFORE the proposed boundary changes, the fire district tax collected by Cochise County for the Fiscal Year 2015-2016 is calculated at \$3.200 per hundred dollars of 2015 secondary assessed value of \$1,052, would have a Fire District tax liability of \$33.66 per year.
  2. AFTER the proposed boundary change, the Fire District tax is estimated to be at \$3.200 per hundred dollars of secondary assessed value, the sum of \$33.66. This reflects no change.
- B. A typical property in the Proposed Annexation Area "A". The median secondary assessed valuation of a property in the area proposed to be annexed is \$10,516. As a result of the proposed boundary changes, the change in property tax liability of a typical resident WITHIN the proposed boundary change area, is as follows:
1. BEFORE the proposed boundary changes, a resident with a median secondary assessed value, as listed above, would have a Fire District tax liability of \$0.00 per year.
  2. AFTER the proposed boundary changes, a resident with a median secondary assessed value, as listed above, would begin to pay Fire District tax in the estimated amount of \$336.51 per year.

**6. Benefits to be derived from the Proposed Annexation:**

The proposed annexations would provide the following benefits to the residents of Proposed Annexation Area "A" and to the remainder of the current Fire District:

**A. Benefits to be obtained by the residents of the area proposed to be annexed:**

1. Many of the residents and property currently have Subscriptions with the Sunsites-Pearce Fire District for fire protection and all residents and property owners are covered for ambulance service by the Certificate of Necessity held by the Fire District. Subscription holders pay the same tax rate per hundred dollars of assessed valuation as property owners within the current boundaries of the Fire District.
2. The Sunsites-Pearce Fire district is comprised of two (2) fire stations with the Richland Station being only two (2) miles from the nearest boundary of the Proposed Annexation Area "A". The Richland Station currently houses three (3) emergency vehicles.
3. Residents and property owners will be afforded lower fire insurance premiums becoming part of a fire district providing 24/7 emergency response.
4. Residents and property owners will be relieved of the billing liability for Out of District Fires.
5. The governing board of the Sunsites-Pearce Fire District is elected by the residents of the Sunsites-Pearce Fire District; therefore, residents will have a direct vote for the election of the fire district governing board members and a voice in the type and manner of fire protection and ambulance services provided for the entire Fire District.
6. Residents would be part of a government body entitled to all the provisions afforded resident of a fire district as required by Arizona Revised Statutes.

**B. The benefit to the existing residents of the Sunsites-Pearce Fire District:**

1. The tax base of the Sunsites-Pearce Fire District will be increased by \$77,064.42.
2. Residents will receive direct benefit from the additional tax base.
3. This will result in a broader tax base that will allow for additional revenues to be used to fund fire suppression and other emergency services.

**7. Injuries that will result from the proposed annexation:**

As a result of the proposed annexations, some of the injuries that will result are as follows:

- A. There will be an increase in property taxes that the residents and property owners of the to-be-annexed area will have to pay. Current Subscription holders would only see a shift from directly paying the Sunsites-Pearce Fire District for emergency services

directly to having the tax liability added to their property tax bill. The residents and property owners of the newly annexed area will be subject to the fire district taxes assessed by the Sunsites-Pearce Fire District.

**8. Injuries that will result from the proposed annexation (continued):**

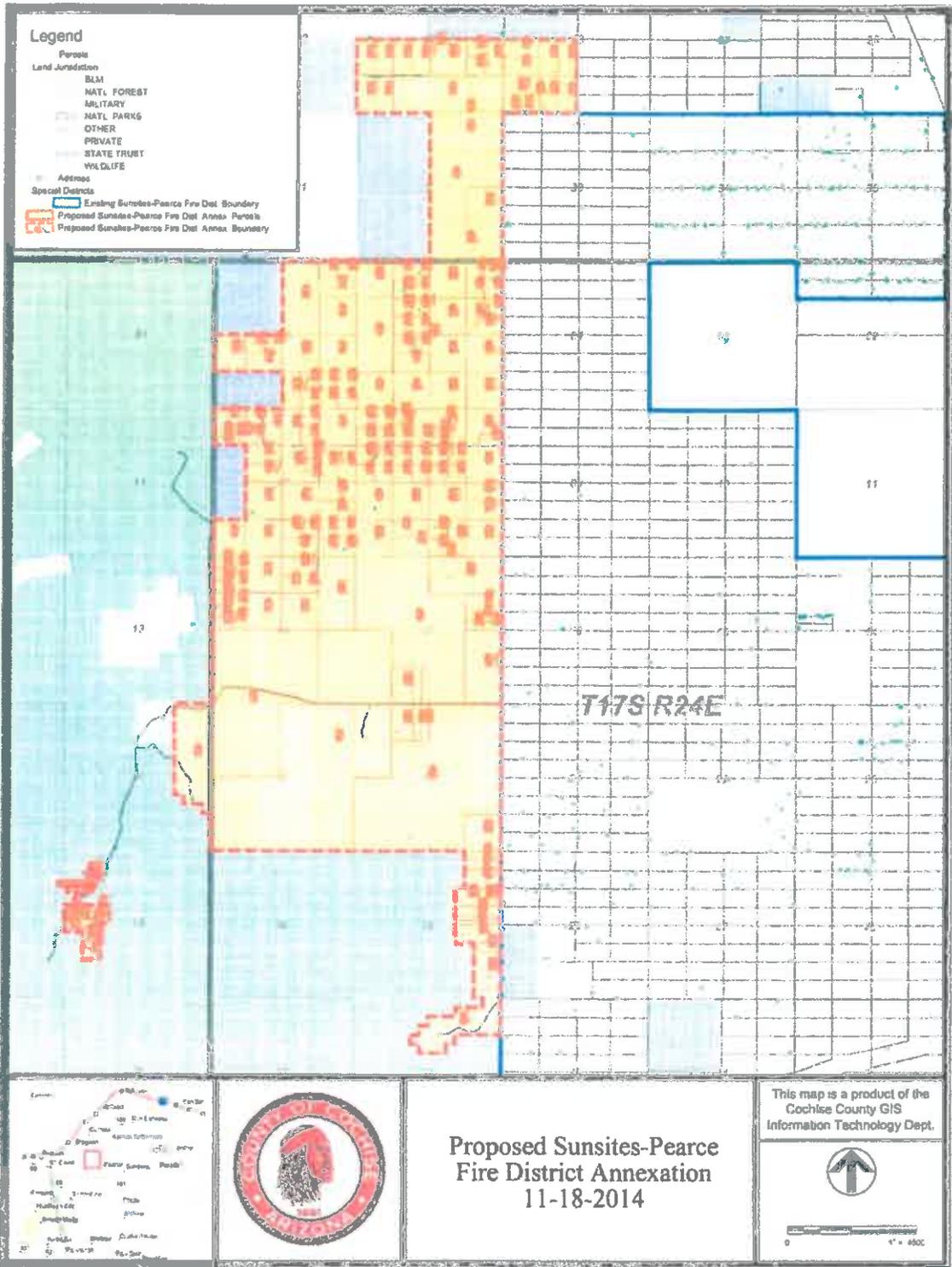
- B. The Sunsites-Pearce Fire District is a governmental entity that could be subjected to potential liability during performance of its functions, and should this occur, the tax rate of the Sunsites-Pearce Fire District could be increased to pay for any such liabilities incurred by the Fire District, subject to the maximum tax levy limit allowed by Arizona State Statute. The Sunsites-Pearce Fire District maintains liability insurance in the amount believed adequate and the Board believes that likelihood of a tax increase due to liability of this type to be extremely remote.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2015

\_\_\_\_\_  
Name

\_\_\_\_\_  
Name

\_\_\_\_\_  
Name



File Path: 2014-11-18 14:07:24  
 Proposed Sunsites-Pearce Fire District Annexation



**Proposed Sunsites-Pearce  
 Fire District Annexation  
 11-18-2014**

This map is a product of the  
 Cochise County GIS  
 Information Technology Dept.



0 1" = 400'

This document is a graphic representation of our working records.  
 Please report potential map corrections for updates to Cochise County GIS.

48-262. District boundary changes; procedures; notice; hearing; determinations; petitions

A. Except as prescribed by subsection I of this section, a fire district, community park maintenance district or sanitary district shall change its boundaries by the following procedures:

1. Any adult person desiring to propose any change to the boundaries of a district shall provide a legal description of the area proposed for inclusion in the district to the county assessor of the county in which the district is to be located. The county assessor shall provide to the person proposing any change to the boundaries of the district a detailed list of all taxable properties in the area proposed for inclusion in the district. The person proposing any change to the boundaries of the district shall prepare and submit a boundary change impact statement to the governing body of the district. The boundary change impact statement shall contain at least the following information:

(a) A legal description of the boundaries of the area to be included within the proposed change and a map and general description of the area sufficiently detailed to permit a property owner to determine whether a particular property is within the proposed district. The boundaries of the proposed change shall not overlap with the boundaries of any other proposed new district of the same type or any annexation by a district of the same type for which petitions are being circulated on the date that the boundary change impact statement is filed with the governing body.

(b) The detailed list of taxable properties provided by the assessor pursuant to this paragraph.

(c) An estimate of the assessed valuation within the boundaries of the proposed change.

(d) An estimate of the change in the tax rate of the district if the proposed change is made.

(e) An estimate of the change in the property tax liability, as a result of the proposed change, of a typical resident of a portion of the district, not in the area of the proposed change, before and after the proposed change and of a typical resident of the area of the proposed change.

(f) A list and explanation of benefits that will result from the proposed change to the residents of the area and of the remainder of the district.

(g) A list and explanation of the injuries that may result from the proposed change to residents of the area and of the remainder of the district.

2. On receipt of the boundary change impact statement, the governing body shall set a day, at least twenty but not more than thirty days from that date, for a hearing on the boundary change impact statement. The board of supervisors may at any time prior to making a determination pursuant to paragraph 5 of this subsection require that the impact statement be amended to include any information that the board of supervisors deems to be relevant and necessary.

3. On receipt of the boundary change impact statement, the clerk of the governing body shall mail, by first class mail, written notice of the statement, its purpose and notice of the day, hour and place of the hearing on the proposed change to each owner of taxable property within the boundaries of the proposed change. The clerk of the governing body shall post the notice in at least three conspicuous public places in the area of the proposed change and also publish twice in a daily newspaper of general circulation in the area of the proposed change, at least ten days before the hearing, or if no daily newspaper of general circulation exists in the area of the proposed change, at least twice at any time before the date of the hearing, a notice setting forth the purpose of the impact statement, the description of the boundaries of the proposed change and the day, hour and place of the hearing.

4. On receipt of the boundary change impact statement the clerk shall also mail notice, as provided in paragraph 3 of this subsection, to the chairman of the board of supervisors of the county in which the district is located. The chairman of the board of supervisors shall order a review of the proposed change and may submit written comments to the governing body of the district within ten days of receipt of the notice.

5. At the hearing called pursuant to paragraph 2 of this subsection, the governing body shall consider the comments of the board of supervisors, hear those who appear for and against the proposed change and determine whether the proposed change will promote the public health, comfort, convenience, necessity or welfare. If the governing body determines that the public health, comfort, convenience, necessity or welfare will be promoted, it shall approve the impact statement and authorize the persons proposing the change to circulate petitions as provided in this subsection. The order of the governing body shall be final, but if the request to circulate petitions is denied, a subsequent request for a similar change may be refiled with the governing body after six months from the date of the denial. The county board of supervisors shall authorize the circulation of petitions for only one boundary change of a district of the same type in which any property owner's land is proposed for inclusion. A new petition circulation shall not be authorized until the one-year period to submit signatures set by subsection B, paragraph 3 of this section of the original petition circulation has expired or has otherwise been extinguished.

6. Except as provided by section 48-851, the governing body shall not approve a proposed annexation if the property to be annexed is not contiguous with the district's existing boundary. For the purposes of determining whether or not the proposed addition is contiguous, the addition is deemed contiguous if land that is owned by or under the jurisdiction of the United States government, this state or any political subdivision of this state, other than an incorporated city or town, intervenes between the proposed addition and the current district boundary.

7. The governing body shall not approve a proposed annexation if the area proposed to be annexed surrounds any unincorporated territory and that unincorporated territory is not also included in the district.

8. After receiving the approval of the governing body as provided in paragraph 5 of this subsection and if no appeal filed pursuant to paragraph 14 of this subsection remains unresolved, any adult person may circulate and present petitions to the governing body of the district.

9. Within fifteen days after receiving the approval of the governing body as prescribed by paragraph 5 of this subsection, the clerk of the board shall determine the minimum number of signatures and the assessed valuation required to comply with paragraph 10, subdivision (b) of this subsection. After making that determination, the number of signatures shall remain fixed and the assessed valuation of the taxable properties within the boundaries of the proposed change shall remain fixed for purposes of determining compliance, notwithstanding any subsequent changes in ownership of the property within the boundaries of the proposed change.

10. The petitions presented pursuant to paragraph 8 of this subsection shall comply with the provisions regarding petition form in section 48-266 and shall:

(a) At all times, contain a map and general description of the boundaries of the area to be included within the proposed change sufficiently detailed to permit a property owner to determine whether a particular property is included within the proposed change. An alteration of the described area shall not be made after receiving the approval of the governing body as provided in paragraph 5 of this subsection. The items required to be contained with the petition under this subdivision shall be

printed on the back of the petition form required pursuant to section 48-266 unless the size of the items precludes compliance with this requirement. An error in the legal description of the proposed change shall not invalidate the petitions if considered as a whole the information provided is sufficient to identify the property as illustrated in the map required pursuant to this subdivision.

(b) Be signed by owners of more than one-half of the taxable property units within the boundaries of the proposed change and be signed by persons owning collectively more than one-half of the assessed valuation of the property within the boundaries of the proposed change. Property exempt pursuant to title 42, chapter 11, article 3 shall not be considered in determining the total assessed valuation of the proposed change nor shall owners of property not subject to taxation be eligible to sign petitions.

11. On receipt of the petitions, including any supplemental signatures and the report of the county assessor, the governing body shall set a day, at least ten but not more than thirty days from that date, for a hearing on the request.

12. Prior to the hearing called pursuant to paragraph 11 of this subsection, the board of supervisors shall determine the validity of the petitions presented pursuant to subsection B of this section.

13. At the hearing called pursuant to paragraph 11 of this subsection, the governing body, if the petitions are valid, shall order the change to the boundaries. The governing body shall enter its order setting forth its determination in the minutes of the meeting, at least ten days from the day of the hearing, and a copy of the order shall be sent to the officer in charge of elections and a copy shall be recorded in the county recorder's office. The order of the governing body shall be final, and the proposed change shall be made to the district boundaries thirty days after the governing body votes.

14. On filing a verified complaint with the superior court, the attorney general, the county attorney or any other interested party may question the validity of the annexation for failure to comply with this section. The complaint shall include a description of the alleged noncompliance and shall be filed within thirty days after the governing body of the district adopts a resolution that annexes the territory of the district. The burden of proof is on the plaintiff to prove the material allegations of the verified complaint. An action shall not be brought to question the validity of an annexation resolution unless it is filed within the time and for the reasons prescribed in this subsection. All hearings that are held pursuant to this paragraph and all appeals of any orders shall be preferred and shall be heard and determined in preference to all other civil matters, except election actions. If more than one complaint questioning the validity of an annexation resolution is filed, all complaints shall be consolidated for the hearing.

B. For the purpose of determining the validity of the petitions presented pursuant to subsection A, paragraph 8 of this section:

1. Property held in multiple ownership shall be treated as if it had only one property owner, and the signature of only one of the owners of property held in multiple ownership is required on the boundary change petition. The number of persons owning property inside the boundaries of the proposed boundary change shall be determined as follows:

(a) In the case of property assessed by the county assessor, the number of persons owning property shall be as shown on the most recent assessment of property.

(b) In the case of property valued by the department of revenue, the number of persons owning property shall be as shown on the most recent valuation of property.

(c) If an undivided parcel of property is owned by multiple owners, those owners are deemed to be one owner for the purposes of this section.

(d) If a person owns multiple parcels of property, that owner is deemed to be a single owner for the purposes of this section.

2. The value of property shall be determined as follows:

(a) In the case of property assessed by the county assessor, values shall be the same as those shown on the last assessment roll of the county containing the property.

(b) In the case of property valued by the department of revenue, the values shall be those determined by the department in the manner provided by law, for municipal assessment purposes. The county assessor and the department of revenue, respectively, shall furnish to the governing body, within twenty days after the request, a statement in writing showing the owner, the address of each owner and the appraisal or assessment value of properties contained within the area of a proposed change as described in subsection A of this section.

3. All petitions circulated shall be returned to the governing body of the district within one year from the date of the approval given by the governing body pursuant to subsection A, paragraph 5 of this section. Any petition returned more than one year from that date is void. If an appeal is filed pursuant to subsection A, paragraph 14 of this section, this time period for gathering signatures is tolled beginning on the date an action is filed in superior court and continuing until the expiration of the time period for any further appeal.

C. For the purposes of determining whether or not the proposed addition is contiguous, the addition is deemed contiguous if land that is owned by or under the jurisdiction of the United States government, this state or any political subdivision of this state, other than an incorporated city or town, intervenes between the proposed addition and the current district boundary. Property shall not be approved for annexation if the area proposed to be annexed surrounds any unincorporated territory and that unincorporated territory is not also included in the district.

D. If the change in the boundaries proposed pursuant to subsection A of this section would result in a withdrawal of territory from an existing district, the petitions shall be approved by the governing body only if the proposed withdrawal would not result in a noncontiguous portion of the district that is less than one square mile in size.

E. If the impact statement described in subsection A of this section relates to the withdrawal of property from a district, in addition to the other requirements of subsection A of this section, the governing body shall also determine:

1. If the district has any existing outstanding bonds or other evidences of indebtedness.

2. If those bonds were authorized by an election and issued during the time the property to be withdrawn was lawfully included within the district.

F. If the conditions of subsection E of this section are met:

1. The property withdrawn from the district shall remain subject to taxes, special assessments or fees levied or collected to meet the contracts and covenants of the bonds. The board of supervisors shall provide for the levy and collection of taxes, special assessments or fees.

2. The governing body shall:

(a) Annually determine the amount of special property taxes, special assessments or fees that must be levied and collected from property withdrawn from the district and the mechanism by which that amount is to be collected.

(b) Notify the board of supervisors on or before the third Monday in July of the amount determined in subdivision (a) of this paragraph.

3. Property withdrawn from an existing district shall not be subject to any further taxes, special assessments or fees arising from the indebtedness of the district except as provided in this subsection.

G. If the statement described in subsection A, paragraph 1 of this section requests the annexation of property located within an incorporated city or town, in addition to the other requirements of subsection A of this section, the governing body shall approve the district boundary change impact statement and authorize the circulation of petitions only if the governing body of the city or town has by ordinance or resolution endorsed the annexation and the annexation is authorized pursuant to this title.

H. Except as provided in subsection D of this section and section 48-2002, a change in the boundaries of a district pursuant to this section shall not result in a district that contains area that is not contiguous.

I. Notwithstanding subsection A of this section, any property owner, including a county, this state or the United States government, whose land is within a county that contains a sanitary district or fire district and whose land is contiguous to the boundaries of the sanitary district or fire district may request in writing that the governing body of the district amend the district boundaries to include that property owner's land. If the property is located in an incorporated city or town, in addition to the other requirements prescribed in this subsection, the governing body of the fire district or sanitary district may approve the boundary change only if the governing body of the affected city or town by ordinance or resolution has approved the inclusion of the property in the district. If the governing body determines that the inclusion of that property will benefit the district and the property owner, the boundary change may be made by order of the governing body and is final on the recording of the governing body's order that includes a legal description of the property that is added to the district. A petition and impact statement are not required for an amendment to a sanitary district's or fire district's boundaries made pursuant to this subsection.

J. Until August 1, 2014, in a county with a population greater than two million persons, notwithstanding subsection I of this section, any property owner, including the United States, this state or a county, whose land is within two thousand six hundred forty feet of an adjacent sanitary district or fire district, not contiguous to the boundaries of the sanitary district or fire district and within an unincorporated area or county island may request in writing that the governing body of the district amend the district boundaries to include that property owner's land.

K. A fire district shall not annex or otherwise add territory that is already included in another existing fire district, unless deannexed pursuant to subsections D, E and F of this section.

L. A fire district, community park maintenance district or sanitary district may appropriate and spend monies as necessary or reasonably required to assist one or more individuals or entities to change the district's boundaries pursuant to this section.

M. Notwithstanding subsection A of this section, if an incorporated city or town has previously adopted a resolution designating a fire district as the fire service agency for the city or town, the jurisdictional boundaries of the fire district without further notice or election shall be changed to include any property annexed into the city or town. If the annexation occurs pursuant to a joint petition for annexation, any joint petition for annexation shall clearly indicate in its title and in the notice required in the petition that the property to be annexed will be subject to the jurisdiction of both the city or town and the fire district. A joint petition for annexation shall comply with both section 9-471 and this section. Any fire district boundary change that occurs through city or town annexation pursuant to this subsection is effective on the effective date of the annexation by the incorporated city or town. If an incorporated city or town that has designated a fire district as the fire service agency for that city

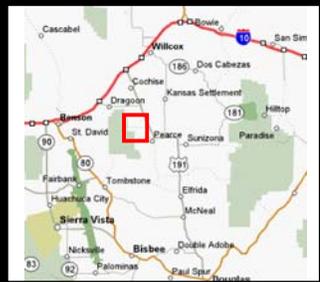
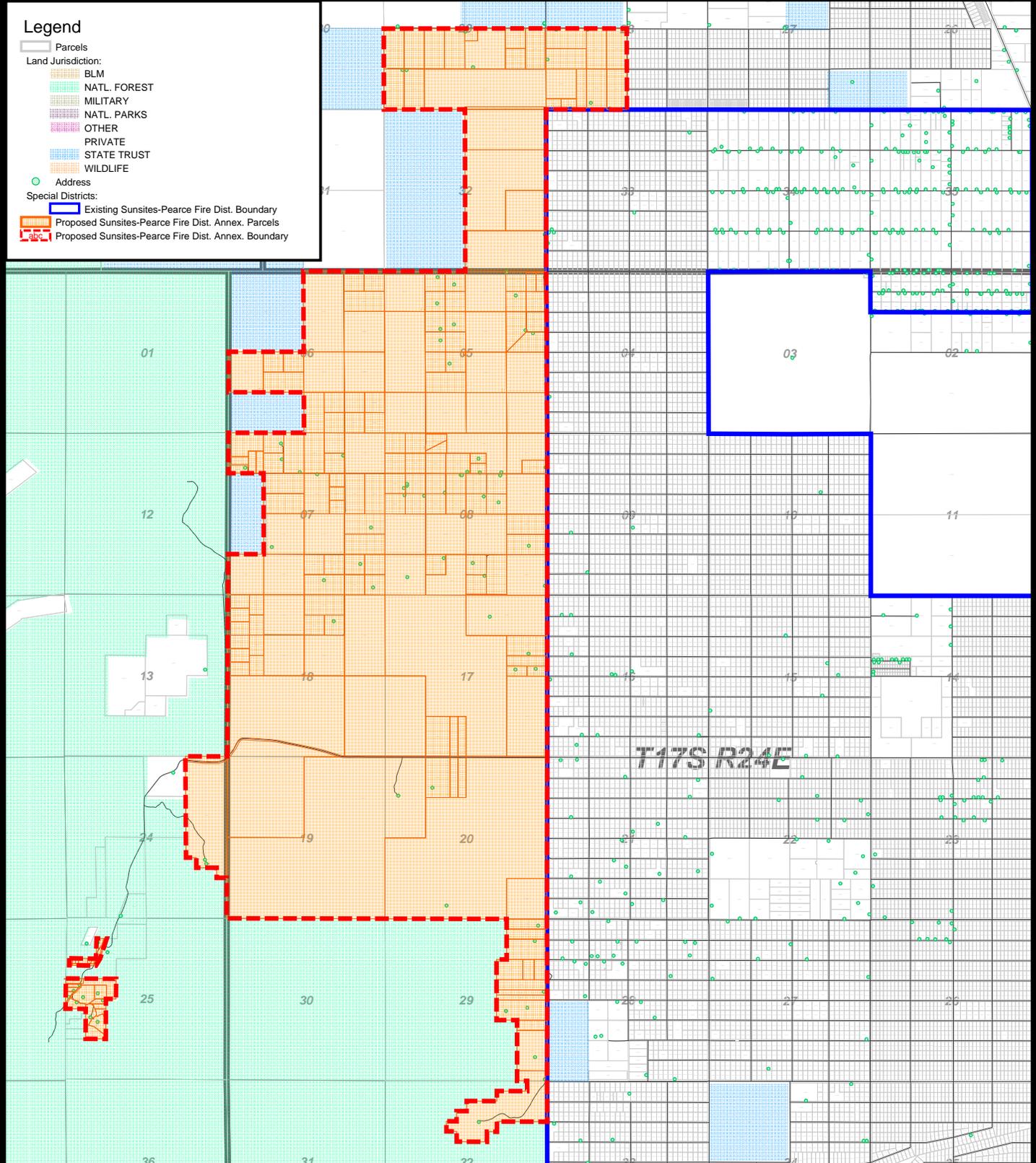
or town annexes property that is already part of another fire district, the annexed property shall remain part of the fire district in which it was located before the city or town's annexation.

N. Notwithstanding subsection I of this section, from August 2, 2012 until July 1, 2015, in counties with a population of more than two million five hundred thousand persons, any property owner, including the United States, this state or a county, whose land is within two thousand six hundred forty feet of an adjacent sanitary district or fire district and is not contiguous to the boundaries of the sanitary district or fire district may request in writing that the governing body of the district amend the district boundaries to include that property owner's land. If the property is located in an incorporated city or town, in addition to the other requirements prescribed in this subsection, the governing body of the sanitary district or fire district may approve the boundary change only if the governing body of the affected city or town, by ordinance or resolution, has approved the inclusion of the property in the district. If the governing body determines that the inclusion of that property will benefit the district and the property owner, the boundary change may be made by order of the governing body and is final on the recording of the governing body's order that includes a general description of the property, including the assessor's parcel number, that is added to the district. A petition and impact statement are not required for an amendment to a sanitary district's or fire district's boundaries made pursuant to this subsection.

O. For the purposes of this section, assessed valuation does not include property exempt pursuant to title 42, chapter 11, article 3.

**Legend**

-  Parcels
- Land Jurisdiction:
  -  BLM
  -  NATL. FOREST
  -  MILITARY
  -  NATL. PARKS
  -  OTHER
  -  PRIVATE
  -  STATE TRUST
  -  WILDLIFE
-  Address
- Special Districts:
  -  Existing Sunsites-Pearce Fire Dist. Boundary
  -  Proposed Sunsites-Pearce Fire Dist. Annex. Parcels
  -  Proposed Sunsites-Pearce Fire Dist. Annex. Boundary



**Proposed Sunsites-Pearce  
Fire District Annexation  
11-18-2014**

This map is a product of the  
Cochise County GIS  
Information Technology Dept.



0' 1" = 4500'