

**PROCEEDINGS OF THE COCHISE COUNTY BOARD OF SUPERVISORS  
REGULAR MEETING HELD ON  
Tuesday, January 25, 2011**

A regular board meeting of the Cochise County Board of Supervisors was held on Tuesday, January 25, 2011 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 Searle, Supervisor

Staff Present: Michael J. Ortega, County Administrator; Jim Vlahovich, Deputy County Administrator; Britt W. Hanson, Chief Civil Deputy County Attorney; Katie Howard, Clerk of the Board

Chairman Call called the meeting to order at 10:00 a.m.

**ANY ITEM ON THIS AGENDA IS OPEN FOR DISCUSSION AND POSSIBLE ACTION**

**PLEDGE OF ALLEGIANCE**

**THE ORDER OR DELETION OF ANY ITEM ON THIS AGENDA IS SUBJECT TO MODIFICATION AT THE MEETING**

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***CONSENT***

**Board of Supervisors**

1. Approve the Minutes of the regular meeting of the Board of January 4, 2011 and the Minutes for the Community Outreach Board meeting of January 18, 2011. APPROVED

Warrant No. 40260-40376, 40378-40617, 40651-40784, 40853-40864 and 40866-40981 were issued in the amount of \$3,305.565.42.

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:

Fund Vendor Amount

508 Stronghold Emergency Physician \$165.80  
100 Eddie Howard 40.00  
100 Robert S Esq. Zohlmann 3,713.54  
100 Karen Schasteen 170.00

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

2. Approve the appointments of the following persons as Precinct Committee persons for the Republican Party of Cochise County: Precinct #43 SV Country Club, Edward A. Wozniak; #57 SV Yaqui, Jere C. Fredenburgh; #41 SV Cloud 9, Gene D. Bodeen; #35 SV Buffalo Soldier, Kale K. Kiyabn; and the following persons as Precinct Committee persons for the Democratic Party of Cochise County: #32 St. David, Susan Moran; #34 SV Avenida Del Sol, Robert Leach; #50 SV Pueblo Del Sol, O.O. Leining; #54 SV Village Meadows, Charles R. Gordon. APPROVED

### **Community Development**

3. Adopt Resolution 11-2, authorizing the abandonment of an undefined easement and acceptance of a defined grant of public easement for the purpose of correcting the easement for the County maintained road, known as Willcox Road, located near Whetstone. APPROVED

### **County Attorney**

4. Approve the proposed settlement of the tax appeal in Wendell H. & Vicki L. Gilbert No. 2 Family LLP v. Cochise County, Tax Case No. ST2010-000595 (Assessor parcel no. 104-06-022), now pending in the Arizona Tax Court, a division of the Superior Court of and for Maricopa County. APPROVED
5. Approve the proposed settlement of the tax appeal in Toliver's House of Carpets and Draperies v. Cochise County, Tax Case No. ST2010-000703 (Assessor parcel Nos. 410-08-0800, 410-08-0810, 410-08-0820, 410-08-0830, 410-08-0840, 410-08-0850, 410-08-0860, 410-08-0870, 410-08-1420, 410-08-1430), now pending in the Arizona Tax Court, a division of the Superior Court of and for Maricopa County. APPROVED

### **Finance**

6. Approve demands and budget amendments for operating transfers. APPROVED

### **Health**

7. Approve Amendment #3, to IGA HG861229, Teen Pregnancy Prevention Program, between the Arizona Department of Health Services and the Cochise County Health Department, in the amount of \$145,131, for the period of 1/1/11 - 12/31/11. APPROVED

### **Juvenile Probation**

8. Approve Amendment #1 to the previously approved Intergovernmental Agreement (IGA) #KR10-0015 between the Arizona Supreme Court-Administrative Office of the Courts and Cochise County to provide the second-year funding for the two-year agreement in the amount of \$98,658.11. APPROVED

## Procurement

9. Approve the use of Cooperative Purchasing Agreements with National Intergovernmental Purchasing Alliance (NIPA), The Cooperative Purchasing Network (TCPN), National Joint Powers Alliance (NJPA), Arizona Department of Administration State Procurement Office, and General Services Administration. APPROVED

Approve Consent Agenda, Items 1-9.

Motion by Supervisor Richard Searle, Second by Vice-Chairman Ann English

**Vote:** 3 - 0 Approved

## **ACTION**

### Community Development

10. Adopt Resolution 11-3 (Docket S-07-02), approving the new Rio Corte Estates Subdivision Assurance Agreement with Pioneer Title Agency, Inc. as trustee under trust number 521012, and extending the deadline to complete improvements to January 25, 2014. APPROVED

Motion by Vice-Chairman Ann English, Second by Supervisor Richard Searle

Mike Turisk, Planning Manager, told the Board that the subdivision was approved by the Board on 10/16/2007. He explained that RioCorte LLC no longer holds an interest in the real property. He showed a map of the boundaries and location which is zoned RU4. He also showed an aerial photograph and diagram of the approved final plat, photos of views toward and from the property illustrating that very little improvements had been done since the plat was approved. Staff is recommending that the Board approve the new Assurance Agreement to complete the improvements, extending the deadline for three years, to 1/25/2014.

**Vote:** 3 - 0 Approved

11. Adopt Resolution 11-4 (Docket S-06-10), approving the new Ramsey Reserve Estates Subdivision Assurance Agreement with Pioneer Title Agency, Inc. as trustee under trust number 521092, and extending the deadline to complete improvements to January 25, 2014. APPROVED

Motion by Supervisor Richard Searle, Second by Vice-Chairman Ann English

Mike Turisk, Planning Manager explained that the final plat was approved by the Board on 12/11/2007 and it had expired on 12/11/2010. He told the Board that that this was a 27-lot subdivision in Hereford and showed a final plat. He explained that Ramsey Reserve LLC no longer holds ownership; staff is recommending that new Assurance Agreement be approved for clarity sake. He showed several photos of the location and added that the new Assurance Agreement would extend the deadline for completing required improvements by three years, to 1/25/2014.

Supervisor Searle commented that the Board has received an e-mail raising questions about the ownership and asked for clarification.

Britt Hanson, Chief Deputy County Attorney, stated that despite the fact that property has been foreclosed upon and the former owner claims they still have rights to property, an Assurance Agreement is not a property right but an obligation of the owners.

**Vote:** 3 - 0 Approved

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

Mr. Michael Ortega updated the Board on the status and progress for the Strategic Planning effort. He told them that he had attended a County Managers' meeting and was starting to hear a lot of discussion about the budget and legislation, at the state level. He reminded the Board that there is a Legislative Policy Committee meeting every Friday at 10:00 a.m. if they wished to dial in. He mentioned that he had met with Cochise College regarding federal insurance regulations and was exploring an opportunity to join forces with City Managers to save costs. He stated that he is starting the annual budget process, in terms of developing revenue projections, and would be scheduling a Work Session with the Board within the next thirty days to get some direction on priorities for the next year. Mr. Ortega also advised the Board that he would be attending a meeting of the Arizona City and County Managers the following week where the focal point would be a discussion of alternative approaches to providing services in today's economy.

12. Discussion and direction on Cochise County's response to recent shooting events in Tucson.

Mr. Ortega explained that he had added this item to the agenda to provide an opportunity to get the Board's direction on an appropriate County response to the recent tragedy in Tucson. He spoke of the possibility of creating a food drive and also asked if the Board would like to send a letter. The Board concurred with this approach and expressed the importance of making some gesture to show their support.

## **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.*

Chairman Call opened the Call to the Public. Mr. Jack Cook addressed the Board on matters of personal concern. No one else wished to address the Board and Chairman Call closed the Call to the Public.

## **SUMMARY OF CURRENT EVENTS**

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

Chairman Call stated that he met with representatives of ADOT last Thursday; that he had met with Tim Bee when he addressed the 1200 Club in Sierra Vista last Friday; attended the Palominas Fire Department meeting last Saturday which is showing some forward progress; that he would be attending a dinner honoring veterans riding their bicycles across the country; will be attending the Mayor/Managers' meeting on Thursday and attending the Community Reception for Fort Huachuca's new leadership on Friday.

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

Vice-Chairman English stated that she thought that Chairman Call's gesture to put together the meeting with the City of Sierra Vista was important. She added that she had attended the Adult Drug Court program graduation and felt that it was important for the Board to show their support for the graduates and the program. She stated that she had attended the State Transportation Board meeting in Nogales on Friday and spoke on the needs of rural Arizona. She announced that she will again be volunteering on Thursdays for the AARP Volunteer Tax Program over the next couple of months and asked for consideration in not scheduling meetings on Thursday, if it can be avoided.

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

Supervisor Searle stated that he would be attending the Mayor/Managers' Luncheon on Thursday.

Chairman Call adjourned the meeting at 10:31 a.m.

APPROVED:

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Patrick Call, Chairman

ATTEST:

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Katie Howard, Clerk of the Board

**"PUBLIC PROGRAMS, PERSONAL SERVICE"**

**Regular Board of Supervisors Meeting**

**Date:** 01/25/2011

**Precinct Committee Members**

**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** 0

**Submitted for Signature:**

**NAME** n/a  
**of PRESENTER:**

**TITLE** n/a  
**of PRESENTER:**

**Docket Number (If applicable):**

**Mandated Function?:**

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

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**Agenda Item Text:**

Approve the appointments of the following persons as Precinct Committee persons for the Republican Party of Cochise County: Precinct #43 SV Country Club, Edward A. Wozniak; #57 SV Yaqui, Jere C. Fredenburgh; #41 SV Cloud 9, Gene D. Bodeen; #35 SV Buffalo Soldier, Kale K. Kiyabn; and the following persons as Precinct Committee persons for the Democratic Party of Cochise County: #32 St. David, Susan Moran; #34 SV Avenida Del Sol, Robert Leach; #50 SV Pueblo Del Sol, O.O. Leininger; #54 SV Village Meadows, Charles R. Gordon.

**Background:**

Requested by the Cochise County Republican and Democratic Committee and verified as eligible by the County Elections department.

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

Send letters to those approved with copies to Elections and to Cochise County Republican and Democratic Parties.

**Impact of NOT Approving/Alternatives:**

Vacancies will exist in these positions.

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

Send letters to committee members.

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**Attachments**

Approved Precinct Committee Members



**COCHISE COUNTY REPUBLICAN COMMITTEE**

P.O. BOX 615  
SIERRA VISTA, AZ 85636

RECEIVED JAN 13 2011

January 10, 2011

Cochise County Board of Supervisors  
1415 Melody Lane, Building G  
Bisbee, Arizona 85603

Dear Supervisors,

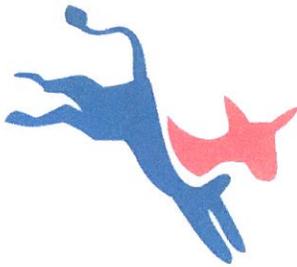
I would like to recommend the following people to be appointed as Republican County Committeemen:

- |  |                               |
|--|-------------------------------|
| <i>OK</i> Edward A. Wozniak<br>3119 Hill Ave.<br>Sierra Vista, Arizona 85650         | Precinct # 43 SV Country Club |
| <i>OK</i> Jere C. Fredenburgh<br>3474 Atsina Dr.<br>Sierra Vista, Arizona 85650      | Precinct # 57 Yaqui           |
| <i>OK</i> Kale K. Kiyabn<br>2804 Canyon View Dr.<br>Sierra Vista, Arizona 85650      | Precinct # 35 Buffalo Soldier |
| <i>OK</i> Gene D. Bodeen<br>4460 Desert Springs Trail<br>Sierra Vista, Arizona 85635 | Precinct # 41 SV Cloud        |

Respectfully submitted,

Matthew Creegan  
Chairman, Cochise County Republican Committee

RECEIVED  
COCHISE COUNTY  
BOARD OF SUPERVISORS  
2011 JAN 12 P 12:49



**Cochise County Democratic Committee**

**PO Box 3233**

**Sierra Vista, AZ 85636**

**Bob Bland, Chair**

**bob@mountainsidebland.com 520.432.5973**

January 10, 2011

Cochise County Board of Supervisors  
1415 Melody Lane, Building G.  
Bisbee, Arizona 85603

Dear Ann, Pat, and Richard,

As Chair of the Cochise County Democratic Committee, I would like to nominate the following as additional Precinct Committee Members for the Democratic Party of Cochise County:

In precinct 1:

*PND* *PO* - Jason Zibart of 2108 W. Glorious Drive, Benson, AZ 85602

In precinct 32:

*OK* Susan Moran of 2750 W. Ringtail Rd, PO Box 661, St. David, AZ 85630

In precinct 34:

*OK* Robert Leach of 5169 Calle Virada, Sierra Vista, AZ 85635

In precinct 50:

*OK* O. O. Leininger of 1425 Via Viento, Sierra Vista, AZ 85635

In precinct 54,

*OK* Charles R. Gordon of 2270 Cherry Hills Dr, Sierra Vista AZ 85635

In addition, I need to inform you that Gerald and Sharon Covey of Precinct 22 have resigned due to their move to Louisiana.

I appreciate your assistance in this matter.

Sincerely,

Robert R. Bland  
Chair

RECEIVED  
COCHISE COUNTY  
BOARD OF SUPERVISORS  
2011 JAN 11 P 12:02

**PRECINCT COMMITTEEPERSON VERIFICATION FORM**

NAME EDWARD A. WOZNIAK

ADDRESS 3119 HILL AVE.

SIERRA VISTA, AZ 85650

PARTY REP PRECINCT #43 SV COUNTRY CLUB

NUMBER OF PRECINCT COMMITTEEPERSONS NEEDED 11

NUMBER OF CURRENT PRECINCT COMMITTEEPERSONS 2

APPROVE APPOINTMENT

DO NOT APPROVE APPOINTMENT

DATE 1/14/11 BY Patricia A. Vivak

**PRECINCT COMMITTEEPERSON VERIFICATION FORM**

NAME JERE C. FREDENBURGH

ADDRESS 3474 ATSINA DR.

SIERRA VISTA, AZ 85650

PARTY REP PRECINCT #57 SV YAQUI

NUMBER OF PRECINCT COMMITTEEPERSONS NEEDED 7

NUMBER OF CURRENT PRECINCT COMMITTEEPERSONS 6

APPROVE APPOINTMENT

DO NOT APPROVE APPOINTMENT

DATE 1/14/11 BY Patricia A. Vivak

PRECINCT COMMITTEEPERSON VERIFICATION FORM

NAME GENE D. BODEEN

ADDRESS 4460 DESERT SPRINGS TRAIL

SIERRA VISTA, AZ 85635

PARTY REP. PRECINCT #41 SV CLOUD 9

NUMBER OF PRECINCT COMMITTEEPERSONS NEEDED 4

NUMBER OF CURRENT PRECINCT COMMITTEEPERSONS 0

APPROVE APPOINTMENT

DO NOT APPROVE APPOINTMENT

DATE 1/14/11 BY Patricia A. Virek

PRECINCT COMMITTEEPERSON VERIFICATION FORM

NAME SUSAN MORAN

ADDRESS 2750 W. RINGTAIL RD., BOX 661

ST. DAVID, AZ 85630

PARTY DEM PRECINCT #32 ST. DAVID

NUMBER OF PRECINCT COMMITTEEPERSONS NEEDED 4

NUMBER OF CURRENT PRECINCT COMMITTEEPERSONS 0

APPROVE APPOINTMENT

DO NOT APPROVE APPOINTMENT

DATE 1/14/11 BY Patricia A. Virek

**PRECINCT COMMITTEEPERSON VERIFICATION FORM**

NAME ROBERT LEACH

ADDRESS 5169 CALLE VIRADA

SIERRA VISTA, AZ 85635

PARTY DEM PRECINCT #34 SV AVENIDA DEL SOL

NUMBER OF PRECINCT COMMITTEEPERSONS NEEDED 6

NUMBER OF CURRENT PRECINCT COMMITTEEPERSONS 1

APPROVE APPOINTMENT X

DO NOT APPROVE APPOINTMENT \_\_\_\_\_

DATE 1/14/11 BY Patricia A. Zurub

**PRECINCT COMMITTEEPERSON VERIFICATION FORM**

NAME O. O. LEININGER

ADDRESS 1425 VIA VIENTO

SIERRA VISTA, AZ 85635

PARTY DEM PRECINCT #50 SV PUEBLO DEL SOL

NUMBER OF PRECINCT COMMITTEEPERSONS NEEDED 3

NUMBER OF CURRENT PRECINCT COMMITTEEPERSONS 1

APPROVE APPOINTMENT X

DO NOT APPROVE APPOINTMENT \_\_\_\_\_

DATE 1/14/11 BY Patricia A. Zurub

PRECINCT COMMITTEEPERSON VERIFICATION FORM

NAME CHARLES R. GORDON

ADDRESS 2270 CHERRY HILLS DR.

SIERRA VISTA, AZ 85635

PARTY DEM PRECINCT #54 SV VILLAGE MEADOWS

NUMBER OF PRECINCT COMMITTEEPERSONS NEEDED 5

NUMBER OF CURRENT PRECINCT COMMITTEEPERSONS 4

APPROVE APPOINTMENT X

DO NOT APPROVE APPOINTMENT \_\_\_\_\_

DATE 1/14/11 BY Patricia A Zwick

PRECINCT COMMITTEEPERSON VERIFICATION FORM

NAME KALE K. KIYABU

ADDRESS 2804 CANYON VIEW DR.

SIERRA VISTA, AZ 85650

PARTY REP PRECINCT #35 SV BUFFALO SOLDIER

NUMBER OF PRECINCT COMMITTEEPERSONS NEEDED 11

NUMBER OF CURRENT PRECINCT COMMITTEEPERSONS 6

APPROVE APPOINTMENT X

DO NOT APPROVE APPOINTMENT \_\_\_\_\_

DATE 1/14/11 BY Patricia A Zwick

**Regular Board of Supervisors Meeting**

**Date:** 01/25/2011

**Minutes**

**Submitted By:** Katie Howard, Board of Supervisors

**Department:** Board of Supervisors

**Presentation:** No A/V Presentation

**Recommendation:**

**Document Signatures:**

**# of ORIGINALS  
Submitted for Signature:**

**NAME  
of PRESENTER:** n/a

**TITLE  
of PRESENTER:** n/a

**Mandated Function?:**

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

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**Agenda Item Text:**

Approve the Minutes of the regular meeting of the Board of January 4, 2011 and the Minutes for the Community Outreach Board meeting of January 18, 2011.

**Background:**

Minutes

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

Signed minutes routed for processing and posted on the internet.

**Impact of NOT Approving/Alternatives:**

n/a

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

Send signed minutes to Recorder's Office to microfiche.

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**Agenda Attachments**

1.4.11 Minutes

1.18.11\_Minutes

**Minutes Attachments**

Warrants\_122910\_011811

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**PROCEEDINGS OF THE COCHISE COUNTY BOARD OF SUPERVISORS  
REGULAR BOARD MEETING HELD ON  
TUESDAY, JANUARY 4, 2011**

A regular board meeting of the Cochise County Board of Supervisors was held on Tuesday, January 4, 2011 at 10:00 a.m. in the Board of Supervisors' Hearing Room, 1415 Melody Lane, Building G, Bisbee, Arizona. In attendance were Patrick Call, Chair; Ann English, Vice-Chairman; Richard Searle, Supervisor; Michael Ortega, County Administrator; Jim Vlahovich, Deputy County Administrator; Britt Hanson, Chief Civil Deputy Attorney; and Katie Howard, Clerk of the Board.

Chairman Call called the meeting to order at 10:00 a.m.

**ANY ITEM ON THIS AGENDA IS OPEN FOR DISCUSSION AND POSSIBLE ACTION**

**PLEDGE OF ALLEGIANCE**

**THE ORDER OR DELETION OF ANY ITEM ON THIS AGENDA IS SUBJECT TO MODIFICATION AT THE MEETING**

**ROLL CALL** – All three supervisors present

**CONSENT AGENDA**

**Board of Supervisors**

**Item 1**

APPROVE THE MINUTES OF THE REGULAR MEETING OF THE BOARD OF DECEMBER 21, 2010.

**Community Development**

**Item 2**

ADOPT RESOLUTION 11-1 APPOINTING KAREN RIGGS, P.E., AS THE COUNTY ENGINEER.

**Court Administration**

**Item 3**

APPROVE THE FISCAL YEAR 2010-2011 JUDICIAL FUNDING AGREEMENTS IN THE AMOUNT OF \$3,194,098.31, AS SET FORTH ON THE ATTACHED EXHIBIT.

**Finance**

**Item 4**

APPROVE DEMANDS AND BUDGET AMENDMENTS FOR OPERATING TRANSFERS.

Warrant No. 40035-40100 and 40124-40522 were issued in the amount of \$594,168.95.

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.

**Fleet**

**Item 5**

APPROVE THE AWARD OF INVITATION FOR BIDS (IFB) NO. 11-24-FMD-04 TO SAND CHEVROLET FOR THE PURCHASE OF THREE VEHICLES FOR THE FLEET MANAGEMENT DEPARTMENT IN THE AMOUNT OF \$71,186.12 PLUS APPLICABLE SALES TAX.

**Health**

**Item 6**

APPROVE THE AMENDMENT TO THE COCHISE COUNTY DELEGATION AGREEMENT BETWEEN THE ARIZONA DEPARTMENT OF HEALTH SERVICES AND THE COCHISE COUNTY HEALTH DEPARTMENT, DELEGATING THE ADDED RESPONSIBILITY OF CONDUCTING FOOD SERVICE INSPECTIONS AT THE

COCHISE COUNTY JAILS AND DETENTION CENTERS TO THE COCHISE COUNTY HEALTH DEPARTMENT, AND EXTENDING THE AGREEMENT FOR THE PERIOD FROM 7/1/10 THROUGH 6/30/17.

Supervisor Searle made a motion to approve items 1 through 6 of the Consent Agenda. Vice-Chairman English seconded the motion and it carried unanimously.

## **PUBLIC HEARINGS**

### **Community Development**

#### **Item 7**

APPROVE DOCKET SU-09-08A (ELDER CARE FOR LIFE), AN APPEAL OF A NOVEMBER 10, 2010 PLANNING COMMISSION DECISION ON A SPECIAL USE MODIFICATION REQUEST.

Vice-Chairman English made a motion to Approve Docket SU-09-08A (Elder Care for Life), an appeal of a November 10, 2010 Planning Commission decision on a Special Use Modification request. Supervisor Searle seconded the motion.

Mr. Keith Dennis, Senior Planner, presented this item using a PowerPoint presentation. Mr. Dennis explained that the item before the Board is an appeal of a denial by the Planning and Zoning Commission of a Special Use Modification Request. The applicant has asked the Planning and Zoning Commission to remove conditions regarding access to the site via Calle de la Naranja from their special use approval; he stated those conditions. He showed several photos of the site location north of Hereford Road; road conditions; and a survey map displaying the travel way relative to the easement. He said that Naranja and Calle de la Mango are County maintained roads and Labrador Lane is a private easement.

At the time of the Planning and Zoning Commission meeting, correspondence received from Emergency Services indicated they had difficulty in assessing the property because of obstructions to traffic along the easement.

Factors in favor of granting request: At the time of the modification request staff had received correspondence from the Fry Fire Department; ambulance services and a mortuary service because of obstruction of traffic and "no trespassing" signs. Also, the latest correspondence dated December 28th from the Fry Fire District stated the concerns of obstruction of easement had been remedied and it was adequately accessible.

Factors against granting request: The Planning and Zoning Commission voted unanimously to deny the request; staff has received significant opposition to it: 36 opposed with 27 of those within the 1000' buffer area. Vice-Chairman English asked who installed the fence and gates.

Mr. Dennis showed where a gate was installed and later removed. He said neighbors had put in two gates, (which were not locked) in order to make it more convenient to use the other road. The fence put up by a neighbor to the north, along the easement was moved to the south after a survey was conducted.

Mr. Dennis reiterated that Mango is a paved County maintained road; Naranja is a dirt County maintained road; and access to both is via Hereford Road, also a paved County maintained road. Also, the easement along Labrador Lane is a private easement.

Dr. Monica Vandivort said Windmill Ranch Assisted Living is a six-bed assisted living home that opened in January 2008; it is a mission project of Elder Care for Life, a non-profit business in which she is involved. She said the ranch is a four-bedroom home built in 1950.

Dr. Vandivort gave a detailed presentation to the Board that is highlighted below:

- The neighbors say that the ranch is a commercial business in their backyard with excessive traffic but a residential care home is an allowed use in residential zoning and the County traffic planner report in April 2009 states that Windmill Ranch traffic does not exceed expected volume for Labrador Lane.
- She cited part of the Federal Fair Housing Act of 1988; showed a plat map of the easement; gave a summary of the Special Use Permit conditions placed in March/April 2009; and the private maintenance agreement entered into with the County. Per acceptance of those conditions they immediately intended to appeal the road restrictions but were advised to try the conditions and request review and change later if needed.

- She listed additional County requirements they met at great expense and time for fire safety, upgraded septic and sprinkler system, and handicapped accessibility. They obtained a Special Use Permit to increase their residents from six to eight in April 2010.
- She described the reasons for the modification of the road use restrictions in November 2010.

Vice-Chairman English asked regarding the private maintenance agreement with the County. Dr. Vandivort discussed the details covering the maintenance of Labrador Lane

Chairman Call asked about the number of employees and what road they use to access the ranch.

Mr. Robert Stachel, Attorney for Elder Care for Life said he would be glad to answer questions and stated the emergency service vehicles had a couple of concerns—blockade of Mango side but also access via Naranja during monsoons. He said here is the problem: you have disabled Americans living in the facility who have the same access issues as all the employees, delivery personnel, visitors, etc. He believes the requirement to divert all traffic to an alternate route should have been encouraged, but not required, because it is an open easement.

Supervisor Searle clarified there were no deed restrictions.

Vice-Chairman English asked for clarification of labeling as a business does not affect this elder care operation; not an accurate term.

Chairman Call opened the public hearing.

Mr. Nathan Yarbrough; he and his wife are owners of Windmill Ranch. He said they want to advocate for the elderly by providing a facility that provides them the care and love they need in the last years of their life. They purchased the ranch for this purpose in February 2005 to provide an assisted living home for elderly that is not a business. The Mango route was then the only passable route to the home. Before opening the home and during remodeling, they had several residents complain about the dust which they addressed by leveling the road and hauling in 50 yards of gravel. He said they have always tried to appease the neighbors but it always seems as though there is another issue that comes up.

Speakers who spoke in favor:

Mr. John Fritz said he purchased this ranch in 1988; the ranch had been there for 60 years. The title insurance showed a 24' easement along Mango that carried over to the current owners when it was sold to them in 2005. He said Naranja access was never an issue and never used because the road washes out during storms. He questioned why the neighbors attempted to obstruct the road by putting up fences and gates because it is a legal easement. Mr. Fritz still has an interest in the property because he carries the note.

Mr. Scott Wolfe said he is involved because his mother was in the ranch for seven months until she passed away in November. He does some volunteer work there and is on the Board of Directors. He is very appreciative of the care his mother received. He wanted to clarify that the fence constructed there is on the property line of the two objecting neighbors and took out one-half of the 24' easement, not just 4'; but 12'.

Mr. Terry Thomas Crosby said he wanted to take a big picture approach. He said Windmill Ranch is a unique facility with a home environment. He thinks one of the problems locally is the retention/recruitment of doctors and doctors need more patients to be attracted to the area. He hopes that the Board and Cochise County will send the message that Cochise County is a place that you would like to come to operate a business and a place to retire. He would like for local money to stay local particularly regarding medical care. Although people do not like to think about it some people in this room will require this type of facility and he personally would prefer it to an institution.

Ms. Mattie Stone and Ms. Nancy Doud are in favor of approving the appeal but did not want to speak.

Speakers who spoke in opposition:

Ms. Kunie Kummer and her husband own property on Mango that was purchased in 1993. She described the changes in the roads in the area (dirt to paved); changes in rain water flow during the monsoons; and said she has spoken to Mr. Dennis in Planning and Zoning regarding their traffic concerns. After a survey was completed she said the fence they constructed fenced in only the easement on their property.

Mr. Gerry Kummer said that in 1986 there was a 24' easement from Naranja to Mango from a survey and they moved their fence to the edge of the 24' easement, 9' over from the original location. He went on to describe the easements of the properties then the area and said they put gates up because the owners of Windmill Ranch

agreed not to use the road but then continued to use it. He said the owners of the ranch have not tried to work with them and they put up the gate because they said we were going through the road; it is a private easement, not a road.

Ms. Lisa Carroll, friends of the Kummings pulled all the paperwork, map, and survey and said the map in the Assessor's office is not a legal document. She talked about the two 12' easements that do not overlap and that one 12' easement stops before Windmill Ranch.

Mr. Walter Edsall is a resident who can see Windmill Ranch from his home and he questioned the location of the facility. He suggested the facility would be better located in town for easy access to medical facilities. He said he moved out there for peace and quiet; does not want fire and ambulance traffic. He does not want a business in his neighborhood.

Mr. Ken Sampson who is representing a group of approximately 60 concerned neighbors was given extra time to speak. He said the neighbors they are representing are making this effort to once and for all stop Elder Care's continuous attempts to take over their neighborhood. He said the outcome today will affect property values and the residents' quality of life in the area. Elder Care for Life signed a written agreement to abide by restrictions, and then later requested expansion of business and removal of restrictions. The Planning and Zoning Commission decided the facts have not changed and denied the request. This is the third attempt by Elder Care for Life to take over the single-lane, private, residential ingress/egress-only easement from the other families in the neighborhoods' backyards. This is nothing short of a bullying by a nationally-backed medical corporation disguised as a single-residential care facility.

Mr. Sampson showed photos of the road prior to opening Windmill Ranch. He said dozens of residents live on Naranja and do not have problems with trafficability. He said Elder Care for Life has spent a fortune on the Calle Mango side (paved road) but no work on the Naranja side because it is a dirt road, even though it is a shorter distance to access from their facility. They have done no work on Naranja which they agreed to use. He went on to describe traffic from medical personnel, repeated open houses, memorial services, staff etc. traveling to location. He and his wife have spent hundreds of dollars and he has taken six vacation days from his job to seek input from neighborhoods; attend meetings, and hearings, etc.

In 2009 & 2010, the Planning and Zoning Commission considered these facts and denied expansion:

- Property is zoned rural G7 (no businesses)

- Federal law to allow for in-home care (discussed)

- Elder Care does not operate home under federal law; nationally-backed Elder Care for Life Inc.; several others operate in Cochise County.

- Windmill Ranch is located closer to Naranja than via Mango

- Shorter distance on Naranja; ambulance service would be faster via that route (both roads are 25 mph)

- No work done on Naranja

- 24 hours a day / 7 days a week operation; traffic at all hours; up to 30 trips per day

- Continue to use route that was restricted for many months after signing the agreement with the County

Mr. Sampson summarized by saying Windmill Ranch has signed a written agreement to seize use of easement on our properties in exchange for a County permit to expand their home care facility to a full up medical institution. They have made no improvements to the Naranja access and have even installed a gate to block access. Now, after expanding their business they have come back to ask for the modification of those restrictions. Mr. Sampson urged the Board not to change the restrictions.

No one else wished to address the Board and Chairman Call closed the public hearing.

Chairman Call asked Mr. Stachel, Attorney for Elder Care for Life if he wanted a rebuttal.

Mr. Stachel said you are being asked to be brought into an easement dispute; but the determining factor in your packet is the correspondence from emergency services that states that Naranja is unsafe at that intersection; it is not even identified under emergency addressing. If they have access difficulty, then so would owners, residents, caregivers, staff, visitors etc. He suggested a changing in the wording: change "require" to "request" regarding all traffic to Naranja. He asked that the Board look at the issues raised by emergency services.

Dr. Vandivort clarified the number of staff and volunteers and the frequency of an ambulance or mortuary personnel coming to the ranch.

Mr. Sampson commented on the change in the amount of traffic before and after the restriction and said an easement is not a public road; the people on Naranja do not have the right to use it.

Mr. Hanson, County Attorney, started with the easement issue—easement is a private dispute between residents. The Board should not decide the right or wrong of that issue; it is for the courts to decide. There has been a lot of discussion at the Planning and Zoning Commission hearings and today about easements but it is not within the Board's purview to decide who uses Labrador Lane, only County-maintained roads.

Vice-Chairman English asked how the County can require the owners of an easement to not use an easement.

Mr. Hanson said that is the point, the Board should not decide. Any time a rezoning or Special Use Permit request is made, it empowers the Planning and Zoning Commission and the Board to place conditions on it they would not otherwise be legally entitled to do and if those conditions are agreed to then the County can enforce it.

Vice-Chairman English stated that the people who access this road only pass by two properties and yet we have fifty people protesting.

Chairman Call asked Keith Dennis to review the Planning and Zoning Commission's thoughts.

Mr. Dennis said when the Planning and Zoning Commission first considered the request in March 2009, they agreed to staff's suggested conditions which were placed in an attempt to mitigate neighbors' concerns. The conditions were then passed onto the applicant and the applicant signed off on it. When this was heard again in November 2010, when the applicant requested to expand to two more people, the Planning and Zoning Commission seemed to be of the opinion that Windmill Ranch signed off on the conditions and they need to abide by them; they did not get bogged down by the easement or emergency services access concerns.

Ms. Carroll stated that some property owners had given up 30' of their property in order for the County to pave Mango.

Mr. Hanson advised the Board that they needed to explain their rationale when they make their decision because of zoning regulation requirements.

Chairman Call stated that the department has based their recommendation solely on the correspondence from emergency services and asked why staff is recommending approval.

Mr. Dennis said staff is staying consistent with their recommendation to the Planning and Zoning Commission, but pointed out that they did not have the additional correspondence from emergency services at that time. The conditions were an attempt to come up with an amicable resolution to allow the home to continue and appease the neighbors. Since then, some of the facts have changed; we have entered our recommendation for approval; this is a sticky situation and staff is grateful for the Board's opinion.

Vice-Chairman English said she was trying to figure out why the level of protest when access to the property only passes by two homes. Everyone has the right to use both access roads that end up at Labrador Lane. What is the furor about; is it the elderly or number of people coming and going—does not seem to wash with all the angst coming from the community.

Supervisor Searle said he does not think the Board has the ability to say who can or cannot use the easement. The Special Use Permit process put restrictions on the use of the easement which does not apply to Emergency Services and the applicant agreed to those.

Chairman Call said the issue is relatively simple. We had a permitted use for a facility to provide care for six people. The applicants wanted to expand to allow for two additional people and agreed to move traffic to Naranja; first responders have access to the ranch; and nothing else has changed.

Supervisor Searle stated his understanding of the outcome of a yes or no vote and was clear about the results.

Chairman Call asked Mr. Hanson about the specifics of what is sufficient to state for the record for the Board decision rationale.

Chairman Call and Supervisor Searle voted to disapprove the Special Use Modification Request because the appellants had previously agreed to the conditions restricting use to Naranja. The conditions have not changed and they do not apply to Emergency Services/First Responders. Furthermore, the owners of Elder Care for Life still have the right to use the easement.

Vice-Chairman English voted to approve the Special Use Modification Request because she does not think you can place a requirement on someone to give up an easement they were given when they bought the property and her intention is to allow them to go back to using it.

Vote 1-2 (Call and Searle opposed). Appeal is denied (upheld Planning and Zoning Commission's decision).

## **ACTION AGENDA**

### **Health**

#### **Item 8**

APPROVE THE NEW IGA# HG150048, COUNTY NUTRITION SERVICES, BETWEEN THE ARIZONA DEPT OF HEALTH SERVICES (ADHS) AND THE COCHISE COUNTY HEALTH DEPARTMENT, IN THE AMOUNT OF \$187,500, FOR THE PERIOD OF 10/1/2010 TO 9/30/2011.

Chairman Call announced that the department had requested this item be removed from the agenda.

### **REPORT BY MR. MIKE ORTEGA, COUNTY ADMINISTRATOR, ON RECENT AND PENDING COUNTY MATTERS**

Mr. Michael Ortega reported that the Strategic Planning sub-groups have started to meet resulting in excellent dialogue and good ideas that will translate to measurable items in the future.

**CALL TO THE PUBLIC** – Chairman Call opened the Call to the Public. Mr. Jack Cook addressed the Board on matters of personal concern. No one else wished to address the Board and Chairman Call closed the Call to the Public.

## **SUMMARY OF CURRENT EVENTS BY BOARD MEMBERS**

REPORT BY SUPERVISOR PAT CALL, DISTRICT NO. 1

Chairman Call deferred report.

REPORT BY SUPERVISOR ANN ENGLISH, DISTRICT NO. 2

Vice-Chairman English deferred report.

REPORT BY SUPERVISOR RICHARD SEARLE, DISTRICT NO. 3

Supervisor Searle deferred report.

Chairman Call adjourned the meeting at 11:56 a.m.

APPROVED:

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Patrick Call, Chairman

ATTEST:

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Katie Howard, Clerk of the Board

((SUPPORTING DOCUMENTATION IS AVAILABLE AT THE BOARD OF SUPERVISORS' OFFICE) at (520) 432-9200, FAX (520) 432-5016, TDD (520) 432-8360, 1415 Melody Lane, Building G, Bisbee, Arizona 85603.

**Cochise County Demands 1.4.11**

39449	12/16/2010	AccentCare	\$45,675.84	39519	12/16/2010	Quince Holdings, LLC	
39450	12/16/2010	American Geriatric Ent. Inc.	\$5.01			dba Pueblo Springs	\$14,514.48
39451	12/16/2010	American Geriatric Ent. Inc.	\$8,477.35	39520	12/16/2010	Radiologists of Sierra Vista	\$75.76
39452	12/16/2010	Apria Healthcare Inc	\$4,747.11	39521	12/16/2010	Radiology Ltd	\$71.74
39453	12/16/2010	AZ Family Care Associates (AFCA)	\$351.41	39522	12/16/2010	Rainbow Ridge Assisted Living, LLC	\$2,374.48
39454	12/16/2010	AZ Family Care Associates (AFCA)	\$1,243.00	39523	12/16/2010	Renal Care Associates	\$383.16
39455	12/16/2010	AZ Inpatient Medicine Associates	\$7.83	39524	12/16/2010	Robert E. Mutterperl, DO, SC	\$64.60
39456	12/16/2010	Arizona Institute of Urology	\$2.90	39525	12/16/2010	Rural Metro Corporation	\$143.82
39457	12/16/2010	Arizona Medical Transit	\$645.10	39526	12/16/2010	Sabino Canyon Rehab & Care Center	\$12,739.50
39458	12/16/2010	Associated Internists of Tucson	\$29.51	39527	12/16/2010	Saddle Gap Emergency Physician	\$17.10
39459	12/16/2010	Avalon Care Center	\$38,340.58	39528	12/16/2010	Schryver Medical AZ	\$86.43
39460	12/16/2010	AZ Ambulance of Douglas Inc.	\$1,736.03	39529	12/16/2010	Scottsdale Village Square	\$2,984.50
39461	12/16/2010	AZ World Express	\$4,493.22	39530	12/16/2010	Sierra Health Mart Pharcacy	\$1,717.29
39462	12/16/2010	BASHAS 100	\$719.10	39531	12/16/2010	Sierra Vista Regional Health Center	\$113.28
39463	12/16/2010	Benson Hospital Corporation	\$89.56	39532	12/16/2010	Sierra Vista, City of	\$4,534.92
39464	12/16/2010	Casa de las Montanas	\$1,122.60	39533	12/16/2010	Southern AZ Anesthesia Service, PC	\$68.46
39465	12/16/2010	Catalina Village Assisted Living	\$5,992.24	39534	12/16/2010	Southwest Diagnostic Imaging	\$41.89
39466	12/16/2010	Chauhan MD, Narendra	\$251.22	39535	12/16/2010	Southwest Heart Group, LLC	\$68.06
39467	12/16/2010	Cochise Group Anest. Svc	\$51.87	39536	12/16/2010	SWEA, P.C.	\$236.83
39468	12/16/2010	Cochise Lung Center, PLLC	\$163.62	39537	12/16/2010	Territorial Drug Company, Inc.	\$1,052.04
39469	12/16/2010	Community Healthcare Douglas	\$1,370.20	39538	12/16/2010	Tucson Heart Group	\$575.49
39470	12/16/2010	Consumer Direct	\$1,006.62	39539	12/16/2010	Tucson Medical Center	\$26,291.97
39471	12/16/2010	Copper Queen Hospital	\$5,643.41	39540	12/16/2010	United Drugs	\$462.10
39472	12/16/2010	Copper Queen Medical Associates	\$4,185.93	39541	12/16/2010	United Pathology Inc	\$16.69
39473	12/16/2010	Cypress Inn LTD	\$23,461.92	39542	12/16/2010	University Medical Center	\$2,178.00
39474	12/16/2010	Devon Gables	\$24,790.58	39543	12/16/2010	University Physicians, Inc.	\$26.56
39475	12/16/2010	Dialysis Center Inc.	\$5,373.56	39544	12/16/2010	Urological Associates / Southern AZ	\$43.00
39476	12/16/2010	Douglas ARC Inc.	\$3,970.56	39545	12/16/2010	Valley Vista ICS, Inc.	\$4,199.92
39477	12/16/2010	Douglas Family Care PLLC	\$397.32	39546	12/16/2010	Walton & Walton, Inc	\$21.50
39478	12/16/2010	Douglas Pharmacy, LLC	\$1,438.88	39547	12/16/2010	Willcox Healthmart Pharmacy	\$345.40
39479	12/16/2010	Douglas, City of (Ambulance)	\$367.80	39548	12/17/2010	AOC Corrections Officer Retire	\$16,157.04
39480	12/16/2010	Eastward Assisted Living, LLC	\$9,466.90	39549	12/17/2010	Arizona Department of Revenue	\$50.00
39481	12/16/2010	Eldercare for Life dba Windmill Ranch	\$1,026.41	39550	12/17/2010	Arizona Department of Revenue	\$75.00
39482	12/16/2010	Eldercare for Life dba Windmill Ranch	\$990.35	39551	12/17/2010	Burse & Associates, P.C.	\$368.95
39483	12/16/2010	Elham Medical International	\$60.66	39552	12/17/2010	Citibank (South Dakota), N.A.	\$144.03
39484	12/16/2010	Ev Lutheran Good Samaritan Soc	\$171,712.95	39553	12/17/2010	Colonial Supplemental Insurance	\$51.63
39485	12/16/2010	Family Health Center of S.V.	\$1,518.84	39554	12/17/2010	Correction Officers	\$11,583.19
39486	12/16/2010	Family Medical Center, P LLC	\$152.34	39555	12/17/2010	DCS	\$346.91
39487	12/16/2010	Food City-#111 & #112	\$4,467.70	39556	12/17/2010	DeConcini McDonald Yetwin	\$319.25
39488	12/16/2010	GAMBRO Healthcare-Sierra Vista	\$2,069.29	39557	12/17/2010	Elliston, Patrick	\$878.60
39489	12/16/2010	Gila Health Resources	\$11.71	39558	12/17/2010	Family Support Payment Center	\$299.25
39490	12/16/2010	Gila Valley Clinic, PC	\$15.00	39559	12/17/2010	General Revenue Corporation	\$231.28
39491	12/16/2010	Golden Oaks Ranch	\$1,241.10	39560	12/17/2010	GMAC, c/o Jennifer A. Christie	\$59.56
39492	12/16/2010	Hanger Prosthetics & Orthotics West, Inc.	\$259.10	39561	12/17/2010	Guglielmo, Paul D.	\$171.90
39493	12/16/2010	Hartley, Barbara MD PC	\$427.90	39562	12/17/2010	Gurstel, Staloch & Chargo, PA	\$157.62
39494	12/16/2010	Healthcare Innovations, Inc.	\$113.69	39563	12/17/2010	Gurstel, Staloch & Chargo, PA	\$179.53
39495	12/16/2010	Hospitalists of Arizona	\$58.80	39564	12/17/2010	JP Morgan Chase	\$42,884.08
39496	12/16/2010	House of Hope	\$4,983.15	39565	12/17/2010	JP Morgan Chase	\$340,478.82
39497	12/16/2010	KeyaMed Inc.	\$342.53	39566	12/17/2010	JP Morgan Chase	\$1,028,207.86
39498	12/16/2010	Kindred Nursing Centers West, LLC	\$26,327.29	39567	12/17/2010	Kaplan, Jerold Law Office, PC	\$175.95
39499	12/16/2010	Kords Ambulance Service	\$375.38	39568	12/17/2010	NACO West	\$26,016.01
39500	12/16/2010	Martinez, Laura	\$888.89	39569	12/17/2010	National Bank	\$5,763.29
39501	12/16/2010	Maryland Gardens Care Center	\$3,087.50	39570	12/17/2010	Neuheisel, Kathryn	\$90.28
39502	12/16/2010	McCafferty, Sean J., MD	\$33.58	39571	12/17/2010	Public Safety Retirement Syst	\$14,758.40
39503	12/16/2010	Medicap Pharmacy	\$2,284.02	39572	12/17/2010	Public Safety Retirement Syst	\$65,814.49
39504	12/16/2010	Medicine Shoppe (The)	\$148.82	39573	12/17/2010	Seidberg Law Offices, P.C.	\$248.93
39505	12/16/2010	Millennium Medical Supply, Inc	\$22.75	39574	12/17/2010	State Central Collection Unit	\$214.50
39506	12/16/2010	Mt Graham Community Hospital	\$192.46	39575	12/17/2010	Support Payment Clearinghouse	\$7,271.50
39507	12/16/2010	Norma Bryce dba Mulberry House	\$6,655.39	39576	12/17/2010	United States Treasury	\$30.31
39508	12/16/2010	Northern Cochise Community Hospital, Inc.	\$67,143.46	39577	12/17/2010	United Way	\$92.00
39509	12/16/2010	Northern Cochise Community Hospital, Inc.	\$1,203.18	39578	12/15/2010	Call 24 Answering Service	\$220.00
39510	12/16/2010	Nusrum Iqbal, MD, PLC-Arizona Primary Care Center	\$319.98	39579	12/15/2010	Clear Springs Utility Inc	\$854.15
39511	12/16/2010	Old Pueblo Anesthesia	\$399.94	39580	12/15/2010	QWEST	\$98.69
39512	12/16/2010	Park Waverly Healthcare, LLC dba Waverly Park HCC	\$3,532.70	39581	12/15/2010	QWEST	\$6,137.64
39513	12/16/2010	PharMerica Mountain, Inc.	\$5,047.06	39582	12/15/2010	Qwest Interprise America Inc.	\$4,907.21
39514	12/16/2010	PharMerica Mountain, Inc.	\$319.51	39583	12/15/2010	Recall Secure Destruction Service	\$65.13
39515	12/16/2010	Pima Heart Physicians PC	\$123.95	39584	12/15/2010	San Pedro Valley News-Sun	\$22.61
39516	12/16/2010	Pima Pathologists	\$35.53	39585	12/15/2010	Sprint	\$158.71
39517	12/16/2010	Progressive Healthcare Group	\$78.22	39586	12/15/2010	Sulphur Springs Valley Electri	\$1,528.86
39518	12/16/2010	Pulmonary Assoc of Southern AZ	\$26.32	39587	12/15/2010	Sulphur Springs Valley Electri	\$342.86
				39588	12/15/2010	Valley Telephone Co-op, Inc.	\$393.73
				39589	12/15/2010	Verizon Wireless	\$397.33
				39590	12/15/2010	Verizon Wireless	\$523.36
				39591	12/15/2010	Verizon Wireless	\$636.82
				39592	12/16/2010	A C M A	\$263.68
				39593	12/16/2010	Alternative Counseling Service, Inc	\$750.82

39594	12/16/2010	AmeriPride Linen & Apparel Service	\$264.12	39671	12/16/2010	Prism Communications	\$50.00
39595	12/16/2010	ARAMARK Services, Inc.	\$12,200.14	39672	12/16/2010	Pro Tech Monitoring Services	\$300.00
39596	12/16/2010	Arizona Constables State Association	\$125.00	39673	12/16/2010	Purcell's Western State Tire Co	\$4,735.70
39597	12/16/2010	Arizona Department of Education	\$100.00	39674	12/16/2010	QWEST	\$236.79
39598	12/16/2010	Arizona Department of Revenue	\$40.00	39675	12/16/2010	QWEST	\$98.78
39599	12/16/2010	Arizona Department of Revenue	\$40.00	39676	12/16/2010	QWEST	\$238.90
39600	12/16/2010	Arizona Range News	\$210.00	39677	12/16/2010	QWEST	\$726.72
39601	12/16/2010	Arizona Restaurant Supply, Inc.	\$294.57	39678	12/16/2010	Recorded Books, LLC	\$125.47
39602	12/16/2010	Arizona Restaurant Supply, Inc.	\$10.50	39679	12/16/2010	Richardson's Mortuary	\$500.00
39603	12/16/2010	AZ Supreme Court / Admin Office	\$504.00	39680	12/16/2010	Rogers' Border Service	\$90.00
39604	12/16/2010	Arora, Mona	\$2,002.00	39681	12/16/2010	RSC Equipment Rental	\$2,940.72
39605	12/16/2010	AZ Dept of Corrections - Douglas	\$63.00	39682	12/16/2010	RWC International, LTD	\$1,615.46
39606	12/16/2010	AZ Dept of Corrections - Douglas	\$135.50	39683	12/16/2010	Safeway Stores Inc	\$79.09
39607	12/16/2010	AZ Dept of Corrections - Douglas	\$326.00	39684	12/16/2010	San Pedro Valley News-Sun	\$51.20
39608	12/16/2010	AZ Dept of Corrections - Douglas	\$29.75	39685	12/16/2010	San Pedro Valley News-Sun	\$8.30
39609	12/16/2010	AZ Dept of Corrections - Douglas	\$119.00	39686	12/16/2010	San Pedro Valley News-Sun	\$3.46
39610	12/16/2010	AZ Dept of Corrections - Douglas	\$852.50	39687	12/16/2010	Sellers & Sons, Inc.	\$40,592.28
39611	12/16/2010	Az Public Service Co	\$3,372.43	39688	12/16/2010	Sierra Vista Diagnostics	\$131.25
39612	12/16/2010	Az Water Company	\$4,858.47	39689	12/16/2010	Sierra Vista, City of	\$30,033.11
39613	12/16/2010	Baker & Taylor	\$4,033.40	39690	12/16/2010	Simmons, Sylvia	\$240.00
39614	12/16/2010	Bank of America	\$99,228.09	39691	12/16/2010	Southwest Disposal LC	\$61.01
39615	12/16/2010	Bank of New York	\$2,700.00	39692	12/16/2010	Southwest Gas Corporation	\$7,952.34
39616	12/16/2010	Bella Vista Water Company	\$10.39	39693	12/16/2010	Southwest Gas Corporation	\$7,117.09
39617	12/16/2010	Benson, City of	\$291.10	39694	12/16/2010	Southwest Polygraph Svc Inc	\$130.00
39618	12/16/2010	Bisbee, City of (Ambulance)	\$2,354.21	39695	12/16/2010	Stamback	\$342.72
39619	12/16/2010	Blevins, Olga L.	\$100.00	39696	12/16/2010	Stantec Consulting Services, Inc.	\$1,892.00
39620	12/16/2010	Bug-Wiser Exterminating Inc	\$571.00	39697	12/16/2010	Stantec Consulting Services, Inc.	\$14,152.90
39621	12/16/2010	Carson, Stephen L. PhD	\$245.00	39698	12/16/2010	State Bar of Arizona	\$6,295.00
39622	12/16/2010	Carson, Stephen L. PhD	\$125.00	39699	12/16/2010	State Bar of Arizona	\$1,840.00
39623	12/16/2010	Center Point Publishing	\$374.46	39700	12/16/2010	State Treasurer of Arizona	\$184,567.00
39624	12/16/2010	Cochise Cnty Housing Authority	\$9,403.66	39701	12/16/2010	Steiger, Jennifer	\$1,000.00
39625	12/16/2010	Cochise County Juvenile Court Serv	\$60.61	39702	12/16/2010	Stericycle Inc	\$203.44
39626	12/16/2010	Cochise Private Industry Council	\$11,027.00	39703	12/16/2010	Sulphur Springs Valley Electri	\$14,985.21
39627	12/16/2010	Copper Queen Hospital	\$1,150.57	39704	12/16/2010	Team Concepts	\$826.82
39628	12/16/2010	Crafco, Inc.	\$3,596.22	39705	12/16/2010	Technical Resource Mgmt, Inc.	\$434.00
39629	12/16/2010	CRM of America LLC	\$11,279.73	39706	12/16/2010	The Starfish Difference	\$2,725.80
39630	12/16/2010	Dell Marketing L.P.,	\$231.28	39707	12/16/2010	TransWorld Network Corp.	\$53.60
39631	12/16/2010	Demco Inc.	\$343.04	39708	12/16/2010	Union Distributing Co /Tucson	\$5,992.56
39632	12/16/2010	Dex Media West, Inc.	\$20.45	39709	12/16/2010	United Fire Equipment Co	\$2,549.05
39633	12/16/2010	Durham Communication	\$10,443.48	39710	12/16/2010	Valhalla Tactical Supply	\$5,859.95
39634	12/16/2010	Ellinas, Panayiotis A. MD MPH	\$775.00	39711	12/16/2010	Valley Telephone Co-op, Inc.	\$31.96
39635	12/16/2010	Empire S.W./Empire Machinery	\$5,645.68	39712	12/16/2010	Verizon Wireless	\$233.98
39636	12/16/2010	Federal Express Corporation	\$6.31	39713	12/16/2010	Verizon Wireless	\$247.93
39637	12/16/2010	Federal Express Corporation	\$21.32	39714	12/16/2010	Verizon Wireless	\$46.81
39638	12/16/2010	Ferguson Enterprises, Inc. #1001	\$334.85	39715	12/16/2010	Verizon Wireless	\$870.25
39639	12/16/2010	Fimbres, Manuel	\$85.00	39716	12/16/2010	Verizon Wireless	\$187.99
39640	12/16/2010	Frank Tadeo's Chevron Service	\$12.50	39717	12/16/2010	Verizon Wireless	\$37.36
39641	12/16/2010	Frank's Fix It Shop	\$273.00	39718	12/16/2010	Verizon Wireless	\$676.80
39642	12/16/2010	Gale Group	\$204.69	39719	12/16/2010	Verizon Wireless Msg Srv	\$401.29
39643	12/16/2010	Granite Construction Company	\$1,706.11	39720	12/16/2010	Verizon Wireless Msg Srv	\$298.31
39644	12/16/2010	Hale Trailer Brake & Wheel, Inc.	\$2,907.52	39721	12/16/2010	Versatile Information Products, Inc	\$262.00
39645	12/16/2010	Hansen, Karla F	\$40.00	39722	12/16/2010	Voyager Fleet System, Inc.	\$4,229.84
39646	12/16/2010	Hatfield Funeral Home Inc	\$500.00	39723	12/16/2010	Vulcan Incorporated	\$1,368.00
39647	12/16/2010	HealthCare Systems Development	\$12,000.00	39724	12/16/2010	W R Ryan Company	\$4,852.46
39648	12/16/2010	Hillyard	\$28.54	39725	12/16/2010	W R Ryan Company	\$43.62
39649	12/16/2010	Hodges Glass Co Inc	\$1,343.82	39726	12/16/2010	Waxie Sanitary Supply	\$302.17
39650	12/16/2010	Honorable Corsaro, Kimberly	\$129.94	39727	12/16/2010	Westlawn Chapel & Mortuary	\$500.00
39651	12/16/2010	I C S	\$4,501.28	39728	12/16/2010	White, Michael	\$32.00
39652	12/16/2010	Instrument Development Corporation	\$92.74	39729	12/16/2010	Zumar Industries Inc	\$2,435.55
39653	12/16/2010	Intoximeters, Inc.	\$7,349.86	39730	12/16/2010	Aegis Communications	\$70.00
39654	12/16/2010	Isaacson Homes	\$350.00	39731	12/16/2010	AP Recovery Team	\$70.00
39655	12/16/2010	Keefe Supply Company	\$1,805.53	39732	12/16/2010	Cable, Sam T.	\$245.67
39656	12/16/2010	Language Line Services, Inc.	\$51.82	39733	12/16/2010	Call, Pat	\$897.50
39657	12/16/2010	Little Caesars	\$84.97	39734	12/16/2010	Campbell, Brenda G.	\$25.00
39658	12/16/2010	Maddux & Sons Inc	\$13,980.53	39735	12/16/2010	Chavez, Tammy L.	\$5.00
39659	12/16/2010	Martinez, Victor	\$654.55	39736	12/16/2010	Cochise Cnty Sheriff/Conting	\$2,324.09
39660	12/16/2010	McBride, Kenneth A.	\$59.83	39737	12/16/2010	Frazier, Timothy	\$46.00
39661	12/16/2010	Merle's Automotive Supply	\$3,764.43	39738	12/16/2010	Home Depot	\$70.00
39662	12/16/2010	National Sheriff's Association	\$200.00	39739	12/16/2010	Montoya, Monty Gregory	\$1,000.00
39663	12/16/2010	OCLC	\$680.44	39740	12/16/2010	Nuno, Blanca Estela	\$4,600.00
39664	12/16/2010	Oil Price Information Service	\$246.00	39741	12/16/2010	O'Reilly Auto Parts, Inc.	\$57.65
39665	12/16/2010	Orkin Exterminating Co, Inc.	\$52.19	39742	12/16/2010	P B W Fire District	\$70.00
39666	12/16/2010	Phoenix New Times, LLC	\$300.00	39743	12/16/2010	Pacific Rim Capital Corp.	\$70.00
39667	12/16/2010	Pitney Bowes, Inc	\$422.66	39744	12/16/2010	Prince, Jodi	\$84.03
39668	12/16/2010	Porta-Pot	\$787.50	39745	12/16/2010	Rent 1st	\$16.81
39669	12/16/2010	Poster Frost Mirtto, Inc.	\$1,490.02	39746	12/16/2010	Searle, Richard	\$742.50
39670	12/16/2010	Presidio Distribution	\$120.00	39747	12/16/2010	Tribute MasterCard	\$86.49

39748	12/16/2010	U S Postmaster	\$5.28	39824	12/23/2010	Laboratory Corp of America	\$193.32
39749	12/16/2010	US Customs & Border Protection	\$70.00	39825	12/23/2010	Millennium Medical Supply, Inc	\$91.80
39750	12/16/2010	Wells Fargo Bank	\$140.00	39826	12/23/2010	Mt Graham Community Hospital	\$9,314.04
39751	12/16/2010	Wentland, Carolyn	\$202.00	39827	12/23/2010	Neurological Associates of Tucson	\$659.96
39752	12/16/2010	Abrams, Edward	\$44.00	39828	12/23/2010	No Cochise Community Hospital, Inc.	\$1,720.50
39753	12/16/2010	Basnar, Lee	\$25.24	39829	12/23/2010	Nusrum Iqbal, MD, PLC- AZ Primary Care Center	\$43.22
39754	12/16/2010	Bemis, Ronald	\$26.87	39830	12/23/2010	NW Allied Physicians, LLC	\$41.15
39755	12/16/2010	Bemis, Ronald	\$26.87	39831	12/23/2010	Palo Verde Homecare LLC dba Tucson House Calls	\$54.84
39756	12/16/2010	Berry, Trudy	\$315.50	39832	12/23/2010	Park Waverly Healthcare, LLC dba Waverly Park HCC	\$3,757.75
39757	12/16/2010	Brauchla, Gary	\$54.72	39833	12/23/2010	Patel Medical Clinic, PLLC	\$88.86
39758	12/16/2010	Brauchla, Gary	\$54.72	39834	12/23/2010	Petropolis, Angelo, MD PLLC	\$21.62
39759	12/16/2010	Brofer, Duane R	\$25.24	39835	12/23/2010	Pima Heart Physicians PC	\$467.13
39760	12/16/2010	Contreras, Lupe	\$12.50	39836	12/23/2010	Pima Pathologists	\$96.70
39761	12/16/2010	Duarte, Jesus	\$61.00	39837	12/23/2010	Pulmonary Assoc of Southern AZ	\$786.68
39762	12/16/2010	Duarte, Jesus	\$95.00	39838	12/23/2010	R A S W, P.C. Retina Assoc.SW	\$39.61
39763	12/16/2010	Edie, Patricia	\$32.82	39839	12/23/2010	Radiologists of Sierra Vista	\$88.41
39764	12/16/2010	Ferrara, Karen	\$96.75	39840	12/23/2010	Radiology Ltd	\$141.07
39765	12/16/2010	Hagle, Suzanne	\$14.75	39841	12/23/2010	Reliable Medical	\$629.40
39766	12/16/2010	Hagle, Suzanne	\$25.25	39842	12/23/2010	Renal Care Associates	\$729.37
39767	12/16/2010	Harguess, Rusty	\$82.42	39843	12/23/2010	RF Eye PC dba Cochise Eye & Laser	\$132.38
39768	12/16/2010	Jefferson, Brandie	\$44.00	39844	12/23/2010	Saddle Gap Emergency Physician	\$53.54
39769	12/16/2010	Kennedy, Megan R	\$61.00	39845	12/23/2010	Safe Ride Services	\$67.24
39770	12/16/2010	Lynch, Jim	\$23.40	39846	12/23/2010	Saguaro Podiatry Associates	\$3.14
39771	12/16/2010	Madero, Elizabeth	\$42.25	39847	12/23/2010	Saguaro Surgical PC	\$600.60
39772	12/16/2010	Martzke, James	\$47.14	39848	12/23/2010	Schryver Medical AZ	\$465.94
39773	12/16/2010	Morris, Patricia	\$37.45	39849	12/23/2010	Scottsdale Healthcare	\$870.86
39774	12/16/2010	Scratchfield, Larry	\$109.75	39850	12/23/2010	Sierra Vista Diagnostics	\$83.02
39775	12/16/2010	Walker-Earnest, Clara	\$187.03	39851	12/23/2010	Sierra Vista Medical Investors dba Life Care Cntr	\$1,787.50
39776	12/20/2010	Bank One	\$31,357.49	39852	12/23/2010	Southern AZ Anesthesia Service, PC	\$112.66
39777	12/23/2010	Abrio Family Services & Supports	\$13,664.12	39853	12/23/2010	Southern AZ Infectious Disease Specialists, PLC	\$23.33
39778	12/23/2010	Adobe Gastroenterology PC	\$16.61	39854	12/23/2010	Southwestern Eye Center, Ltd	\$173.63
39779	12/23/2010	Advantage Medical & Oxygen Supply	\$435.79	39855	12/23/2010	Stronghold Emergency Physician	\$44.76
39780	12/23/2010	Agave Surgical Associates, PC	\$210.55	39856	12/23/2010	Susini, Laurence, MD PC	\$361.24
39781	12/23/2010	American Geriatric Ent. Inc.	\$57.47	39857	12/23/2010	SWEA, P.C.	\$118.72
39782	12/23/2010	AngioCare, LLC	\$1,183.79	39858	12/23/2010	Tucson Gastroenterology Specialists	\$129.60
39783	12/23/2010	Apria Healthcare Inc	\$8,567.32	39859	12/23/2010	Tucson Heart Group	\$88.11
39784	12/23/2010	Arizona Community Physicians	\$30.57	39860	12/23/2010	Tucson Inpatient Medicine PLLC	\$45.28
39785	12/23/2010	Arizona Community Surgeons PC	\$46.24	39861	12/23/2010	Tucson Medical Center	\$4,364.78
39786	12/23/2010	Arizona Endovascular Center	\$7.67	39862	12/23/2010	Tucson Orthopaedic Institute	\$7.76
39787	12/23/2010	AZ Family Care Associates (AFCA)	\$546.05	39863	12/23/2010	Tucson Pulmonology PC	\$260.70
39788	12/23/2010	Az Inpatient Medicine Associates	\$255.41	39864	12/23/2010	Twena, Mordechai F. MD PLLC	\$116.33
39789	12/23/2010	Arizona Medical Transit	\$139.41	39865	12/23/2010	United Pathology Inc	\$71.61
39790	12/23/2010	Associated Internists of Tucson	\$152.22	39866	12/23/2010	United Seating and Mobility	\$426.63
39791	12/23/2010	AZ Ambulance of Douglas Inc.	\$560.01	39867	12/23/2010	University Physicians, Inc.	\$197.05
39792	12/23/2010	AZ World Express	\$2,347.64	39868	12/23/2010	Walker Family Medicine	\$59.60
39793	12/23/2010	Benson Hospital Corporation	\$521.69	39869	12/23/2010	Wick, Jeffery S. MD	\$46.13
39794	12/23/2010	Bisbee, City of (Ambulance)	\$4,287.79	39870	12/21/2010	Ortega, Michael J.	\$1,119.00
39795	12/23/2010	Blake Foundation (The)	\$1,108.80	39871	12/17/2010	JP Morgan Chase	\$211,671.60
39796	12/23/2010	Calonje, Diego H. MD	\$14.50	39872	12/22/2010	Alltel	\$26.05
39797	12/23/2010	Carefree Senior Living of CA	\$2,052.00	39873	12/22/2010	Alternative Counseling Service, Inc	\$130.83
39798	12/23/2010	Catalina Radiology, PLC	\$1.86	39874	12/22/2010	Ambrose, Adam	\$208.00
39799	12/23/2010	Catholic Community Services	\$136.00	39875	12/22/2010	Arizona Drive Guide	\$1,728.05
39800	12/23/2010	Cochise Oncology, LLC	\$4.71	39876	12/22/2010	Arizona State Library	\$1,920.00
39801	12/23/2010	Cochise Surgical Care	\$55.78	39877	12/22/2010	AZ State Prison Complex- Fort Grant	\$130.00
39802	12/23/2010	Community Healthcare Douglas	\$489.65	39878	12/22/2010	AZ State Prison Complex- Fort Grant	\$73.73
39803	12/23/2010	Consumer Direct	\$444.64	39879	12/22/2010	AZ Supreme Court / Admin Office	\$21,470.00
39804	12/23/2010	Copper Queen Hospital	\$2,918.65	39880	12/22/2010	Arizona Town Hall	\$300.00
39805	12/23/2010	Douglas ARC Inc.	\$1,704.88	39881	12/22/2010	Aspen Publishers Inc	\$520.00
39806	12/23/2010	Douglas, City of (Ambulance)	\$506.51	39882	12/22/2010	AVTranz	\$235.90
39807	12/23/2010	Eldercare for Life dba Windmill Ranch	\$4,661.15	39883	12/22/2010	AZ Dept of Corrections - Douglas	\$1,571.44
39808	12/23/2010	Elham Medical International	\$45.20	39884	12/22/2010	Az Water Company	\$2,129.30
39809	12/23/2010	Ettinger, Dean MD	\$70.88	39885	12/22/2010	B & B Selectcom, Inc.	\$5,056.79
39810	12/23/2010	Family Medical Center, P LLC	\$56.87	39886	12/22/2010	Baker & Taylor	\$917.90
39811	12/23/2010	Fry Fire District	\$797.39	39887	12/22/2010	Bank of New York	\$114,225.00
39812	12/23/2010	GAMBRO Healthcare-Sierra Vista	\$2,816.80	39888	12/22/2010	Benco Inc	\$1,386.41
39813	12/23/2010	Gila Valley Clinic, PC	\$124.20	39889	12/22/2010	Bisbee Observer (The)	\$116.86
39814	12/23/2010	Guruprasad, Raju, MD PLLC	\$23.98	39890	12/22/2010	Bisbee, City of (Ambulance)	\$1,901.21
39815	12/23/2010	Hearthstone of Sun City	\$11,450.10	39891	12/22/2010	BNA	\$3,464.50
39816	12/23/2010	Helmsetter, B. Jean, M.A.	\$128.20	39892	12/22/2010	Bruce Silva, MD & Kenneth	\$1,800.00
39817	12/23/2010	Holland Psychiatric, PLLC	\$60.66	39893	12/22/2010	Buchella, Jeffrey G	\$499.84
39818	12/23/2010	Hospitalists of Arizona	\$397.76	39894	12/22/2010	Burick, Bernadette Esq.	\$6,442.84
39819	12/23/2010	House of Hope	\$1,688.80	39895	12/22/2010	Cable One	\$99.95
39820	12/23/2010	J and B Assisted Living	\$4,508.34				
39821	12/23/2010	KeyaMed Inc.	\$259.72				
39822	12/23/2010	Kindred Nursing Centers West, LLC	\$190,265.66				
39823	12/23/2010	Kords Ambulance Service	\$804.84				

39896	12/22/2010	Calvert, Ernestine	\$150.00	39972	12/22/2010	Southwest Laboratories	\$175.50
39897	12/22/2010	Canyon State Wireless Inc.	\$832.50	39973	12/22/2010	Sparkletts	\$43.98
39898	12/22/2010	Catholic Community Services	\$4,180.62	39974	12/22/2010	Sparkletts	\$160.38
39899	12/22/2010	CDW-G	\$1,014.70	39975	12/22/2010	Sparkletts Water	\$51.50
39900	12/22/2010	Cochise Private Industry Council	\$39,502.00	39976	12/22/2010	Sulphur Springs Valley Electri	\$159.44
39901	12/22/2010	Cochise Private Industry Council	\$6,302.00	39977	12/22/2010	Sulphur Springs Valley Electri	\$99.17
39902	12/22/2010	Copper Queen Hospital	\$2,191.68	39978	12/22/2010	Sulphur Springs Valley Electri	\$1,480.86
39903	12/22/2010	Copper Queen Hospital	\$7,179.83	39979	12/22/2010	Tech Depot an Office Depot Co	\$14,004.60
39904	12/22/2010	CRM of America LLC	\$8,156.05	39980	12/22/2010	Technical Resource Mgmt, Inc.	\$1,927.25
39905	12/22/2010	Curtis, Mark R. DDS	\$475.00	39981	12/22/2010	Teran, Ruben S	\$3,713.54
39906	12/22/2010	Demco Inc.	\$304.82	39982	12/22/2010	Thomas Reprographics	\$350.00
39907	12/22/2010	DeRienzo & Williams, PLLC	\$165.08	39983	12/22/2010	Thompson West	\$2,779.89
39908	12/22/2010	Diamond Drugs Inc	\$1,088.58	39984	12/22/2010	Thomson West	\$2,419.40
39909	12/22/2010	Douglas Police Dept.	\$3,131.35	39985	12/22/2010	Thomson West	\$1,569.00
39910	12/22/2010	Drumlevitch, Adele, Esq.	\$3,568.07	39986	12/22/2010	U.S. Healthworks Medical Group of Arizona, PC	\$159.00
39911	12/22/2010	Emily Lorna Danies, Esq.	\$245.00	39987	12/22/2010	Union Distributing Co /Tucson	\$1,715.74
39912	12/22/2010	Excel Print Communications	\$550.23	39988	12/22/2010	University Physicians, Inc.	\$2,750.00
39913	12/22/2010	Excel Print Communications	\$76.26	39989	12/22/2010	University Physicians, Inc.	\$1,000.00
39914	12/22/2010	FasPsych, LLC	\$1,998.75	39990	12/22/2010	Valley Telephone Co-op, Inc.	\$188.20
39915	12/22/2010	Federal Express Corporation	\$42.48	39991	12/22/2010	Valley Telephone Co-op, Inc.	\$156.54
39916	12/22/2010	First In, Inc.	\$3,184.83	39992	12/22/2010	Verizon Wireless Msg Srv	\$307.89
39917	12/22/2010	Gale Group	\$102.33	39993	12/22/2010	W R Ryan Company	\$1,493.50
39918	12/22/2010	Hamilton, Lynn T.	\$365.00	39994	12/22/2010	Ward, Joel	\$100.00
39919	12/22/2010	Hansen, Karla F	\$20.00	39995	12/22/2010	Wells, Doris	\$840.00
39920	12/22/2010	Hatfield Funeral Home Inc	\$500.00	39996	12/22/2010	West Group	\$750.50
39921	12/22/2010	Higgins, Thomas E. Jr. Esq.	\$525.00	39997	12/22/2010	West Group	\$444.59
39922	12/22/2010	Hillyard	\$442.12	39998	12/22/2010	West Group	\$286.96
39923	12/22/2010	JB Investigations, LLC	\$684.00	39999	12/22/2010	West Group	\$3,760.63
39924	12/22/2010	Jensen, Lowell A, PLC	\$1,112.80	40000	12/22/2010	West Payment Center	\$845.28
39925	12/22/2010	Johnson, Bradley R. MD PLLC	\$250.00	40001	12/22/2010	West Payment Center	\$143.48
39926	12/22/2010	Keefe Supply Company	\$1,670.72	40002	12/22/2010	Zack, Ronald, Esq.,	\$2,421.50
39927	12/22/2010	Kelly, Peter A.	\$14,392.09	40003	12/22/2010	Zohlmann, Robert J. Esq.	\$3,713.54
39928	12/22/2010	La Quinta Motor Inn	\$68.70	40004	12/22/2010	Abrams, Edward	\$21.03
39929	12/22/2010	Lakosil, William F PC	\$9,045.93	40005	12/22/2010	Benz, Timothy	\$468.60
39930	12/22/2010	Law Offices of Kelly Smith, LLC	\$2,607.27	40006	12/22/2010	Besst, Robert	\$108.75
39931	12/22/2010	Levitt, Harriette P.	\$806.78	40007	12/22/2010	Cochise Cnty Justice Court #2	\$100.00
39932	12/22/2010	Lewis, Edward Esq.	\$4,040.20	40008	12/22/2010	Diaz, Carlos	\$10.00
39933	12/22/2010	Lindstrom, Jason A.	\$788.97	40009	12/22/2010	Dwayne Druse, MA LMFT	\$1,074.70
39934	12/22/2010	Long, Jerrod D. DDS	\$574.00	40010	12/22/2010	Hunter, Jackie Lynn	\$99.00
39935	12/22/2010	Lovell, John William Esq.	\$2,218.68	40011	12/22/2010	Mundt, Sandra	\$581.50
39936	12/22/2010	Malanga Law Office	\$661.80	40012	12/22/2010	Nikitas, Danny	\$10.00
39937	12/22/2010	Mariposa Community Health Ctr	\$4,648.00	40013	12/22/2010	Peninsula Equine Therapy, Inc.	\$450.00
39938	12/22/2010	Matchett, Edward W.	\$1,229.20	40014	12/22/2010	Robie, Carl	\$1,040.00
39939	12/22/2010	Mattson, Luanne	\$420.00	40015	12/22/2010	Saddle Gap Emergency Physician	\$419.00
39940	12/22/2010	McEachern, Janelle Esq	\$380.00	40016	12/22/2010	Sanchez, George	\$10.00
39941	12/22/2010	Mendoza, Joseph	\$2,760.70	40017	12/22/2010	Schilling, Leilani	\$879.12
39942	12/22/2010	MME Consulting Services LLC	\$37.50	40018	12/22/2010	Sierra Vista Diagnostics	\$125.00
39943	12/22/2010	Monroe Systems For Business	\$22.95	40019	12/22/2010	Sierra Vista Magistrate Court	\$50.00
39944	12/22/2010	Natale, Gail Gianasi	\$1,426.90	40020	12/22/2010	Smith, Bradford	\$470.57
39945	12/22/2010	National Bank	\$219.20	40021	12/22/2010	U S Postal Service	\$10,000.00
39946	12/22/2010	Nina L. Caples, P.C.	\$2,317.17	40022	12/22/2010	Way, Joan	\$503.97
39947	12/22/2010	O S A M Inc	\$17,360.34	40023	12/22/2010	Eric Levy, Esq.	\$109.00
39948	12/22/2010	Occupational Health Centers of the Southwest, P.A.	\$243.00	40024	12/22/2010	Gierlach, Marian Baker	\$51.00
39949	12/22/2010	Office of Vital Records	\$825.00	40025	12/22/2010	Hyde, Michael	\$44.00
39950	12/22/2010	Office Smart	\$348.21	40026	12/22/2010	Kennedy, Charlene	\$32.00
39951	12/22/2010	PDR Distribution, LLC	\$59.95	40027	12/22/2010	Matthews, Daisy	\$15.00
39952	12/22/2010	Pre-paid Legal Services, Inc.	\$1,799.15	40028	12/22/2010	Morales, David Hon.	\$26.79
39953	12/22/2010	Presidio Distribution	\$60.00	40029	12/22/2010	Morales, Rosa	\$254.61
39954	12/22/2010	Pro Data Computer Services	\$414.75	40030	12/22/2010	Nunez, Socorro (Corie)	\$106.12
39955	12/22/2010	Pro Petroleum, Inc.	\$22,027.86	40031	12/22/2010	Schasteen, Karen	\$170.00
39956	12/22/2010	QWEST	\$115.88	40032	12/22/2010	Schasteen, Karen	\$44.00
39957	12/22/2010	QWEST	\$64.75	40033	12/22/2010	Sirois, Louise	\$59.50
39958	12/22/2010	QWEST	\$33.62	40034	12/22/2010	Sotelo, Ana	\$17.75
39959	12/22/2010	QWEST	\$65.45	40035	12/27/2010	Bank One	\$56,316.33
39960	12/22/2010	Recall Secure Destruction Service	\$76.54	40100	12/27/2010	TALX UC eXpress	\$3,022.25
39961	12/22/2010	Recorded Books, LLC	\$385.19				
39962	12/22/2010	Rogers' Border Service	\$90.00				
39963	12/22/2010	Ross, Ramiro	\$61.50				
39964	12/22/2010	Ryan, Carla G.	\$14,646.72				
39965	12/22/2010	Safariland LLC	\$895.00				
39966	12/22/2010	Sager, Elizabeth	\$150.00				
39967	12/22/2010	San Pedro Valley News-Sun	\$62.27				
39968	12/22/2010	Sierra Vista Diagnostics	\$525.00				
39969	12/22/2010	Sierra Vista Glass	\$325.93				
39970	12/22/2010	Slaton Law Office, P.C.	\$450.00				
39971	12/22/2010	Sonora Quest Laboratories LLC	\$506.53				

**PROCEEDINGS OF THE COCHISE COUNTY BOARD OF SUPERVISORS  
COMMUNITY OUTREACH MEETING HELD ON  
Tuesday, January 18, 2011**

A Community Outreach meeting of the Cochise County Board of Supervisors was held on Tuesday, January 18, 2011 4:00 p.m. in the Large Conference Room, at Foothills Center, 4001 E. Foothills Drive, Sierra Vista, Arizona.

Present: Patrick G. Call, Chairman; Ann English, Vice-Chairman; Richard Searle, Supervisor  
Staff Present: Michael J. Ortega, County Administrator  
Jim Vlahovich, Deputy County Administrator  
David C. Fifer, Civil Deputy County Attorney  
Katie Howard, Clerk of the Board

Chairman Call called the meeting to order at 4:03 p.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***

- |   |                       |
|---|-----------------------|
| 1. Presentation of Certificates of Appreciation to members of the Industrial Development Authority of the County of Cochise in recognition of their dedication and many years of volunteer service. We recognize: William Jenney, Gerald Curfman, Richard C. Dullum, Kenneth R. Symmes, Bob Fernandez, Irene Hauser, Mary A. Battaglia, Howard D. Bethel, and G. Lee Knaeble. | NO<br>ACTION<br>TAKEN |
|---|-----------------------|

Chairman Call congratulated all of the members of the Industrial Development Authority (IDA), four of whom were in attendance. He asked Mr. Lee Knaeble to provide some background on the history and successful efforts of the IDA. Mr. Knaeble told the Board that the IDA was founded in 1975 in an effort to mitigate the effects of high interest rates by issuing government-backed bonds to bring money to the County. He recounted several of the successful projects which the IDA had been involved in over the years. Mr. Ken Symmes also pointed out that the IDA had provided several grants to the Cochise Community Foundation, City of Willcox, the University of Arizona Cooperative Extension and others throughout the years.

Supervisor Searle then presented Certificates of Appreciation to each of the attending members. Chairman Call pointed out that some of the members had served in this volunteer capacity for over thirty years and he thanked all the Board members for their service and dedication. Vice-Chairman English added that these members' volunteerism has been long-standing -- they stepped up when times were tough to help bring money to Cochise County.

(Additional background about the IDA's history is attached to the agenda for this meeting and available on the County's website).

2. Presentation by Don Brush, Planning Administrator for the City of Sierra Vista / Community Development department: Overview of cooperative efforts between the City of Sierra Vista and Cochise County and a City of Sierra Vista development update. NO ACTION TAKEN

Mr. Don Brush thanked the Board for conducting meetings in other areas within the County. He used a PowerPoint for his presentation, to highlight several cooperative efforts between the City and the County. Specifically, he cited the Fry Task Force; various Community Development Block Grants for drainage and street projects; the Graffiti Abatement intergovernmental agreement; enforcement and building inspections; the Upper San Pedro Partnership and the Brown - Garden Canyon Trail. He provided additional detail about the Fry Task Force and the trail Bypass from Garden Canyon Park to the US Forest Service property at Brown Canyon.

Mr. Brush then reviewed with the Board a number of development projects (both commercial and residential) in various stages within the City of Sierra Vista, including those with plans approved, those with plans under review, projects under construction, recently completed projects, and projects currently on hold. He added that a few of those responsible for actually building and maintaining the Brown - Garden Canyon Trail were in attendance at the meeting and they offered comments about the great partnership and cooperative effort, pointing out that there is now a connection to the USFS land, for people who use the trail. They expressed appreciation for the County's support of that project.

Chairman Call thanked Mr. Brush for his presentation and the others for their comments and for their work on the trail. Vice-Chairman English added that she had not been aware of all of the projects in Sierra Vista and found the presentation to be both enlightening and encouraging.

Ms. Mary Jacobs, Assistant City Manager, added that the City and County have also been working together for years on traffic planning as well as coordinating to determine which federal and state funding applications for road and flood control projects should move forward for the overall benefit of the area, rather than competing for limited funds. She stated that there was a "terrific and strong relationship between the City and the County" and that they routinely shared resources.

The Board thanked Mr. Brush for the overview and everyone for their input. (A copy of Mr. Brush's PowerPoint presentation is now attached to the agenda for this meeting, available on the County's website.)

## **CONSENT**

### **Facilities**

3. Approve the award of Request for Qualifications (RFQ) No. 11-25-FAC-01 to establish a list of pre-qualified general contractor's to bid on the construction of the Douglas Government Center project. APPROVED

4. Approve the renewal of Contract No. 09-33-FAC-02 for General Aviation Gasoline and Jet Aviation Fuel to Ascent Aviation Group, Inc. in the estimated amount of \$288,000.00 for the period of January 1, 2011 through December 31, 2011. APPROVED

Motion by Vice-Chairman Ann English, Second by Supervisor Richard Searle to approve Consent Calendar items 3-4.

**Vote:** 3 - 0 Approved

**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.*

No one chose to address the Board and Chairman Call closed the Call to the Public.

Vice-Chairman English commented that she was glad to have been at the meeting; that it helps to understand issues of relevance in particular communities which is helpful to the Board as a whole. She added that the County has many diverse areas and communities and one size does not fit all.

Supervisor Searle thanked Chairman Call for his able representation in the Sierra Vista.

Chairman Call thanked everyone for attending the meeting and adjourned the meeting at 4:50 p.m.

APPROVED:

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Patrick Call, Chairman

ATTEST:

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Katie Howard, Clerk of the Board

**"PUBLIC PROGRAMS...PERSONAL SERVICE"**

**Cochise County Demands 1.25.11**

40036	12/30/2010	AccentCare	\$33,505.01	40108	12/30/2010	GMAC, c/o Jennifer A. Christie	\$164.12
40037	12/30/2010	Apothecary Shops	\$70.30	40109	12/30/2010	Guglielmo, Paul D.	\$168.97
40038	12/30/2010	Arizona Community Physicians	\$110.88	40110	12/30/2010	Gurstel, Staloch & Chargo, PA	\$174.33
40039	12/30/2010	Arizona Family Care Assocs (AFCA)	\$57.29	40111	12/30/2010	Gurstel, Staloch & Chargo, PA	\$156.25
40040	12/30/2010	Arizona Inpatient Medicine Assocs	\$321.26	40112	12/30/2010	JP Morgan Chase	\$41,951.56
40041	12/30/2010	Arizona Urology Center PLLC	\$6.37	40113	12/30/2010	JP Morgan Chase	\$332,633.55
40042	12/30/2010	AZ World Express	\$6,049.32	40114	12/30/2010	JP Morgan Chase	\$1,073,056.20
40043	12/30/2010	Benson Hospital Corporation	\$0.40	40115	12/30/2010	Kaplan, Jerold Law Office, PC	\$190.89
40044	12/30/2010	Catholic Community Services	\$867.00	40116	12/30/2010	Kaplan, Jerold Law Office, PC	\$166.29
40045	12/30/2010	Chiricahua Community Health	\$55.78	40117	12/30/2010	NACO West	\$25,840.77
40046	12/30/2010	Community Healthcare Douglas	\$1,454.28	40118	12/30/2010	National Bank	\$5,659.04
40047	12/30/2010	Community Provider		40119	12/30/2010	SEAFUCU	\$260.25
		Enrichment Services (CPES)	\$8,847.67	40120	12/30/2010	Seidberg Law Offices, P.C.	\$248.70
40048	12/30/2010	Consumer Direct	\$1,577.92	40121	12/30/2010	Sheakley Pension Administratio	\$454.00
40049	12/30/2010	Copper Queen Hospital	\$9,551.47	40122	12/30/2010	United States Treasury	\$30.31
40050	12/30/2010	Desert Haven Care Center	\$1,142.10	40123	12/30/2010	United Way	\$92.00
40051	12/30/2010	Devon Gables	\$672.16	40124	12/29/2010	A V I D	\$403.05
40052	12/30/2010	Douglas ARC Inc.	\$1,761.44	40125	12/29/2010	ACE Hardware - Bisbee	\$163.78
40053	12/30/2010	Douglas Pharmacy, LLC	\$1,671.70	40126	12/29/2010	AmeriPride Linen and Apparel Serv	\$275.85
40054	12/30/2010	Family Medical Center, P LLC	\$32.63	40127	12/29/2010	Apache Animal Center	\$334.51
40055	12/30/2010	Food City-#111 & #112	\$3,266.54	40128	12/29/2010	Arizona Counties Insurance Pool	\$5,010.18
40056	12/30/2010	GAMBRO Healthcare-Sierra Vista	\$626.11	40129	12/29/2010	Arizona Department of	
40057	12/30/2010	Gila Health Resources	\$3.86			Environmental Quality	\$2,165.50
40058	12/30/2010	Heart Felt Help	\$37,291.87	40130	12/29/2010	Arizona Department of Public Safety	\$1,145.47
40059	12/30/2010	Helmsetter, B. Jean, M.A.	\$512.80	40131	12/29/2010	Arizona Detention Association	\$900.00
40060	12/30/2010	Hospitalists of Arizona	\$87.77	40132	12/29/2010	Arizona Radiation Regulatory Agency	\$1,000.00
40061	12/30/2010	KeyaMed Inc.	\$316.66	40133	12/29/2010	Aspen Publishers Inc	\$137.22
40062	12/30/2010	Kindred Nursing Centers West, LLC	\$600.00	40134	12/29/2010	Az Water Company	\$157.40
40063	12/30/2010	Kindred Nursing Centers West, LLC	\$2,968.03	40135	12/29/2010	Az Water Company	\$21.65
40064	12/30/2010	Maddur, Jaya MD	\$13.16	40136	12/29/2010	Baker & Taylor	\$779.65
40065	12/30/2010	McCafferty, Sean J., MD	\$105.43	40137	12/29/2010	Banc of America Public Capital Corp	\$55,395.84
40066	12/30/2010	Medicap Pharmacy	\$3,538.75	40138	12/29/2010	Bella Vista Water Company	\$328.60
40067	12/30/2010	Medicine Shoppe (The)	\$106.85	40139	12/29/2010	Benson, City of	\$458.21
40068	12/30/2010	Millennium Medical Supply, Inc	\$843.01	40140	12/29/2010	Bisbee, City of	\$12,000.00
40069	12/30/2010	Mt Graham Community Hospital	\$1,469.62	40141	12/29/2010	C-PEC Corporation	\$1,796.70
40070	12/30/2010	Northern Cochise Community Hospital, Inc.	\$238.31	40142	12/29/2010	Cable One	\$299.85
				40143	12/29/2010	Cardinal Health Inc.	\$317.53
40071	12/30/2010	Park Waverly Healthcare, LLC		40144	12/29/2010	Center for Disease Detection, LLC	\$502.00
		dba Waverly Park HCC	\$29.10	40145	12/29/2010	Clear Springs Utility Inc	\$220.31
40072	12/30/2010	PharMerica Mountain, Inc.	\$5,996.57	40146	12/29/2010	Cochise Cnty Farmers Assoc.	\$1,138.04
40073	12/30/2010	PharMerica Mountain, Inc.	\$63.10	40147	12/29/2010	Cochise Enterprises, LLC	\$9,602.20
40074	12/30/2010	Pima Heart Physicians PC	\$299.74	40148	12/29/2010	Cochise Lock & Safe	\$175.00
40075	12/30/2010	Portable Imaging of Arizona	\$40.58	40149	12/29/2010	Computer Business Applications, Inc.	\$7,425.00
40076	12/30/2010	R A S W, P.C. Retina Assoc.SW	\$254.12	40150	12/29/2010	Copper Queen Hospital	\$9,535.12
40077	12/30/2010	Radiologists of Sierra Vista	\$26.46	40151	12/29/2010	Copper Queen Hospital	\$501.93
40078	12/30/2010	Radiology Ltd	\$30.78	40152	12/29/2010	Copper Queen Medical Associates	\$65.00
40079	12/30/2010	Reliable Medical	\$2,837.32	40153	12/29/2010	Copper Valley Telephone, Inc.	\$48.28
40080	12/30/2010	RF Eye PC dba Cochise Eye & Laser	\$128.59	40154	12/29/2010	County Supervisors Assoc	\$76.37
40081	12/30/2010	Rocky Mountain Hldngs LLC		40155	12/29/2010	Courtesy Chevrolet / GMAC	\$48,412.26
		dba Lifenet Eagle Rescue	\$6,299.23	40156	12/29/2010	D&M Well Service	\$1,107.02
40082	12/30/2010	Saguaro Podiatry Associates	\$17.14	40157	12/29/2010	Demco Inc.	\$183.91
40083	12/30/2010	Schryver Medical AZ	\$230.25	40158	12/29/2010	Demco Inc.	\$256.39
40084	12/30/2010	Sierra Health Mart Pharcacy	\$956.13	40159	12/29/2010	Empire S.W./Empire Machinery	\$4,617.19
40085	12/30/2010	Sierra Vista Medical Investors		40160	12/29/2010	Federal Express Corporation	\$79.43
		dba Life Care Cntr	\$1,922.43	40161	12/29/2010	Federal Express Corporation	\$20.94
40086	12/30/2010	Sierra Vista Regional Health Center	\$2,978.13	40162	12/29/2010	Federal Express Corporation	\$43.57
40087	12/30/2010	Sierra Vista Regional Health Center	\$8.25	40163	12/29/2010	Gale Group	\$84.51
40088	12/30/2010	Southern AZ Anesthesia Service, PC	\$87.59	40164	12/29/2010	Goodmans Office Furniture	\$3,063.54
40089	12/30/2010	Southern AZ Infectious Disease Specialists, PLC	\$117.64	40165	12/29/2010	Granite Construction Company	\$1,505.15
40090	12/30/2010	Stronghold Emergency Physician	\$104.31	40166	12/29/2010	Henson, Toni	\$250.00
40091	12/30/2010	Territorial Drug Company, Inc.	\$572.38	40167	12/29/2010	Holguin, Frances	\$315.00
40092	12/30/2010	Tiburon Diagnostic Laboratory	\$66.40	40168	12/29/2010	HOV Services/Lason Services	\$98.33
40093	12/30/2010	Tucson Medical Center	\$4,496.97	40169	12/29/2010	Huachuca City, Town of	\$21,623.36
40094	12/30/2010	United Drugs	\$548.81	40170	12/29/2010	Jackson Compaction	\$4,409.07
40095	12/30/2010	University Physicians, Inc.	\$380.80	40171	12/29/2010	Keefe Supply Company	\$3,346.65
40096	12/30/2010	Walton & Walton, Inc	\$154.22	40172	12/29/2010	Kuttner, Barbara L	\$46.00
40097	12/30/2010	Wang, Kaidong, MD PhD	\$24.72	40173	12/29/2010	Lawley Motors	\$34,617.78
40098	12/30/2010	Wick, Jeffery S. MD	\$133.68	40174	12/29/2010	Legend Technical Services, Inc	\$89.00
40099	12/30/2010	Willcox Healthmart Pharmacy	\$491.36	40175	12/29/2010	LightSquared LP	\$513.36
40101	12/30/2010	Arizona Department of Revenue	\$50.00	40176	12/29/2010	Mattson, Luanne	\$2,500.00
40102	12/30/2010	Arizona Department of Revenue	\$75.00	40177	12/29/2010	Merle's Automotive Supply, Inc.	\$4,187.47
40103	12/30/2010	Burse & Associates, P.C.	\$359.09	40178	12/29/2010	Northern Cochise Community Hospital, Inc.	\$90.10
40104	12/30/2010	Citibank (South Dakota), N.A.	\$148.75	40179	12/29/2010	Office Max	\$31.32
40105	12/30/2010	DCS	\$346.91	40180	12/29/2010	Office Max	\$14.54
40106	12/30/2010	DeConcini McDonald Yetwin	\$279.04	40181	12/29/2010	Patio Pools	\$75.00
40107	12/30/2010	General Revenue Corporation	\$231.28	40182	12/29/2010	Phoenix New Times, LLC	\$150.00

40183	12/29/2010	Pro Petroleum, Inc.	\$9,082.71	40259	12/30/2010	Public Safety Retirement Syst	\$14,758.17
40184	12/29/2010	Pueblo del Sol Water Company	\$227.19	40260	01/04/2011	Bank One	\$40,213.55
40185	12/29/2010	Pukas, Katherine	\$100.00	40261	01/06/2011	AccentCare	\$44,886.03
40186	12/29/2010	Purcell's Western State Tire Company	\$4,454.28	40262	01/06/2011	Acumen Fiscal Agent LLC	\$3,141.31
40187	12/29/2010	QWEST	\$65.85	40263	01/06/2011	Advantage Medical & Oxygen Supply	\$27.37
40188	12/29/2010	QWEST	\$126.06	40264	01/06/2011	Aesthetic Surgery of Tucson	\$61.91
40189	12/29/2010	QWEST	\$251.70	40265	01/06/2011	Agave Surgical Associates, PC	\$114.46
40190	12/29/2010	QWEST	\$65.85	40266	01/06/2011	Air Evac Services, Inc	\$251.94
40191	12/29/2010	QWEST	\$31.50	40267	01/06/2011	AKDHC, LLC	\$55.26
40192	12/29/2010	QWEST	\$32.06	40268	01/06/2011	Apria Healthcare Inc	\$9,868.23
40193	12/29/2010	QWEST	\$2,499.55	40269	01/06/2011	Arizona Community Physicians	\$95.37
40194	12/29/2010	QWEST	\$40.93	40270	01/06/2011	Arizona Endovascular Center	\$11.64
40195	12/29/2010	QWEST	\$146.13	40271	01/06/2011	AZFamily Care Associates (AFCA)	\$204.57
40196	12/29/2010	QWEST	\$678.96	40272	01/06/2011	Arizona Heart Anesthesia, PLLC	\$90.57
40197	12/29/2010	QWEST	\$877.00	40273	01/06/2011	Arizona Inpatient Medicine Assocs	\$287.85
40198	12/29/2010	Recorded Books, LLC	\$610.94	40274	01/06/2011	Arizona Medical Transit	\$159.21
40199	12/29/2010	Rogers' Border Service	\$90.00	40275	01/06/2011	Arizona Oncology Associates	\$340.43
40200	12/29/2010	RSC Equipment Rental	\$5,724.52	40276	01/06/2011	Arizona State Radiology	\$1.48
40201	12/29/2010	Rubin, Chad	\$475.00	40277	01/06/2011	AZ Ambulance of Douglas Inc.	\$2,080.27
40202	12/29/2010	Ruffo, Anthony M.	\$200.00	40278	01/06/2011	AZ World Express	\$2,592.00
40203	12/29/2010	RWC International, LTD	\$4,513.36	40279	01/06/2011	BASHAS 100	\$719.10
40204	12/29/2010	RWC International, LTD	\$165.71	40280	01/06/2011	Benson Hospital Corporation	\$959.17
40205	12/29/2010	RWC International, LTD	\$2,249.02	40281	01/06/2011	Bisbee, City of (Ambulance)	\$821.75
40206	12/29/2010	S V Herald/Bisbee Daily Review	\$575.89	40282	01/06/2011	Calonje, Diego H. MD	\$48.17
40207	12/29/2010	Safariland, LLC	\$1,193.93	40283	01/06/2011	Canyonlands Community Health	\$147.70
40208	12/29/2010	Sellers & Sons, Inc.	\$6,437.94	40284	01/06/2011	Chiricahua Community Health	\$187.96
40209	12/29/2010	Sierra Vista Diagnostics	\$412.50	40285	01/06/2011	Cochise Oncology, LLC	\$196.48
40210	12/29/2010	Sierra Vista Diagnostics	\$56.25	40286	01/06/2011	Community Healthcare Douglas	\$1,198.25
40211	12/29/2010	Simmons, Sylvia	\$300.00	40287	01/06/2011	Community Provider Enrichment Services (CPES)	\$4,669.62
40212	12/29/2010	Sound Off Signal	\$9,053.61	40288	01/06/2011	Consumer Direct	\$1,105.48
40213	12/29/2010	Sound Off Signal	\$485.28	40289	01/06/2011	Copper Queen Hospital	\$146.85
40214	12/29/2010	Southwest Gas Corporation	\$262.13	40290	01/06/2011	Diagnostic Pathology Consultants	\$45.37
40215	12/29/2010	Sparkletts	\$100.82	40291	01/06/2011	Dialysis Center Inc.	\$6,203.43
40216	12/29/2010	Sparkletts	\$13.50	40292	01/06/2011	Douglas ARC Inc.	\$177.76
40217	12/29/2010	St. David Unified Schools	\$1,250.00	40293	01/06/2011	Douglas Family Care PLLC	\$55.02
40218	12/29/2010	Stantec Consulting Services, Inc.	\$3,170.89	40294	01/06/2011	Douglas Pharmacy, LLC	\$2,725.82
40219	12/29/2010	Stantec Consulting Services, Inc.	\$403.59	40295	01/06/2011	Douglas, City of (Ambulance)	\$774.31
40220	12/29/2010	Stantec Consulting Services, Inc.	\$7,940.00	40296	01/06/2011	Eldercare for Life dba Windmill Ranch	\$4,792.74
40221	12/29/2010	Stantec Consulting Services, Inc.	\$13,312.05	40297	01/06/2011	Elham Medical International	\$85.65
40222	12/29/2010	Stericycle Inc	\$221.43	40298	01/06/2011	Ettinger, Dean MD	\$252.93
40223	12/29/2010	Sulphur Springs Valley Electri	\$49.81	40299	01/06/2011	Ev Lutheran Good Samaritan Soc	\$1,792.03
40224	12/29/2010	Sulphur Springs Valley Electri	\$525.10	40300	01/06/2011	Family Health Center of S.V.	\$212.14
40225	12/29/2010	Sulphur Springs Valley Electri	\$1,212.55	40301	01/06/2011	Family Medical Center, P LLC	\$59.07
40226	12/29/2010	Sulphur Springs Valley Electri	\$2,400.03	40302	01/06/2011	Food City-#111 & #112	\$5,229.62
40227	12/29/2010	Tombstone, City of	\$260.62	40303	01/06/2011	GAMBRO Healthcare-Sierra Vista	\$810.83
40228	12/29/2010	Top Bid	\$315.00	40304	01/06/2011	Gila Health Resources	\$0.61
40229	12/29/2010	Union Distributing Co /Tucson	\$4,404.53	40305	01/06/2011	Gila Valley Clinic, PC	\$104.52
40230	12/29/2010	United Fire Equipment Co	\$240.00	40306	01/06/2011	Gonzalez, Jose I.	\$216.52
40231	12/29/2010	UPS Store	\$7.72	40307	01/06/2011	Healthcare Innovations, Inc.	\$312.74
40232	12/29/2010	Valley Telecom CELLULAR	\$277.10	40308	01/06/2011	Hill-Rom Company, Inc.	\$3,092.85
40233	12/29/2010	Valley Telephone Co-op, Inc.	\$1,933.78	40309	01/06/2011	Hospitalists of Arizona	\$529.03
40234	12/29/2010	W R Ryan Company	\$2,307.45	40310	01/06/2011	House of Hope	\$5,271.21
40235	12/29/2010	Waste Mgmt of Sierra Vista	\$91.13	40311	01/06/2011	Inpatient Medical Consultants	\$15.10
40236	12/29/2010	Waste Mgmt of Sierra Vista	\$89.16	40312	01/06/2011	Kenneth O Anaeme LLC	\$7.46
40237	12/29/2010	Waxie Sanitary Supply	\$378.33	40313	01/06/2011	KeyaMed Inc.	\$233.03
40238	12/29/2010	West Group	\$756.09	40314	01/06/2011	Kindred Nursing Centers West, LLC	\$550.00
40239	12/29/2010	Willcox Pest Management	\$70.00	40315	01/06/2011	Kindred Nursing Centers West, LLC	\$11.67
40240	12/29/2010	Wood, Patel & Associates, Inc.	\$10,270.00	40316	01/06/2011	Kords Ambulance Service	\$70.17
40241	12/29/2010	Zumar Industries Inc	\$297.02	40317	01/06/2011	Lifeline Systems, Inc.	\$3,248.00
40242	12/29/2010	Arizona Department of Water Resources	\$5,000.00	40318	01/06/2011	Maddur, Jaya MD	\$41.95
40243	12/29/2010	Buckner, Ken	\$654.55	40319	01/06/2011	McMaster, Paul B. DPM	\$31.99
40244	12/29/2010	Cochise Cnty Sheriff/Conting	\$1,177.28	40320	01/06/2011	Medicap Pharmacy	\$1,875.22
40245	12/29/2010	Denney, Marc	\$654.55	40321	01/06/2011	Medicine Shoppe (The)	\$65.71
40246	12/29/2010	Good News Jail/Prison Ministry	\$13,500.00	40322	01/06/2011	Millennium Medical Supply, Inc	\$910.05
40247	12/29/2010	Kennedy, Megan R	\$656.00	40323	01/06/2011	Mt Graham Community Hospital	\$2,224.06
40248	12/29/2010	Morales, Rosa	\$350.01	40324	01/06/2011	Neurological Associates of Tucson	\$191.72
40249	12/29/2010	United Pathology Inc	\$15,000.00	40325	01/06/2011	Northern Cochise Community Hospital, Inc.	\$8,181.12
40250	12/29/2010	Berg, Nancy	\$166.00	40326	01/06/2011	Nusrum Iqbal, MD, PLC-Arizona Primary Care Center	\$102.16
40251	12/29/2010	Carlson, Marie	\$24.00	40327	01/06/2011	Palo Verde Homecare LLC dba Tucson House Calls	\$77.95
40252	12/29/2010	Lacombe, Kathleen A.	\$415.00	40328	01/06/2011	Parvez, Jessani P. MD	\$12.36
40253	12/29/2010	Madden, Jessica	\$31.50	40329	01/06/2011	Patel Medical Clinic, PLLC	\$162.10
40254	12/29/2010	Sayers, Dr. Rhema	\$82.25	40330	01/06/2011	Paul, Simon MD	\$12.36
40255	12/29/2010	Smith, Noelle	\$184.00	40331	01/06/2011	PharMerica Mountain, Inc.	\$5,011.82
40256	12/30/2010	AOC Corrections Officer Retire	\$16,421.97	40332	01/06/2011	PharMerica Mountain, Inc.	\$580.53
40257	12/30/2010	Correction Officers	\$11,729.13				
40258	12/30/2010	Public Safety Retirement Syst	\$62,149.72				

40333	01/06/2011	Pima Heart Physicians PC	\$3.26	40407	01/06/2011	B & D Lumber & Hardware	\$1,939.81
40334	01/06/2011	Pinnacle Healthcare, LLC	\$96.66	40408	01/06/2011	Baker & Taylor	\$2,690.30
40335	01/06/2011	Progressive Healthcare Group	\$58.28	40409	01/06/2011	Barnetts Propane	\$1,205.95
40336	01/06/2011	Quince Holdings, LLC		40410	01/06/2011	Benson, City of	\$30.35
		dba Pueblo Springs	\$4,122.60	40411	01/06/2011	Bentley Systems Inc	\$383.76
40337	01/06/2011	Radiologists of Sierra Vista	\$191.98	40412	01/06/2011	Bisbee, City of (Ambulance)	\$957.13
40338	01/06/2011	Radiology Ltd	\$29.86	40413	01/06/2011	Bokowski, Nancy M.	\$100.00
40339	01/06/2011	Rapid Ray	\$6.76	40414	01/06/2011	C.S. Constructions, Inc.	\$18,524.48
40340	01/06/2011	Reliable Medical	\$4,009.48	40415	01/06/2011	CAD Soft Consulting, Inc	\$5,346.00
40341	01/06/2011	Renal Care Associates	\$243.15	40416	01/06/2011	Carson, Stephen L PhD	\$1,200.00
40342	01/06/2011	RenalWest Inc	\$792.92	40417	01/06/2011	Central Alarm Inc	\$528.00
40343	01/06/2011	RF Eye PC dba Cochise Eye & Laser	\$181.22	40418	01/06/2011	Chiricahua Community Health	\$140.00
40344	01/06/2011	Rural Metro Corporation	\$647.48	40419	01/06/2011	Copper Queen Hospital	\$2,693.73
40345	01/06/2011	Saddle Gap Emergency Physician	\$347.11	40420	01/06/2011	Copper Queen Hospital	\$43.00
40346	01/06/2011	Safe Ride Services	\$20.40	40421	01/06/2011	Copygraphix Inc	\$20,913.83
40347	01/06/2011	Saguaro Podiatry Associates	\$39.07	40422	01/06/2011	Coronado Veterinary Hospital	\$67.25
40348	01/06/2011	Saguaro Surgical PC	\$145.52	40423	01/06/2011	County Supervisors Association	\$390.00
40349	01/06/2011	San Pedro Family Care PLC	\$81.07	40424	01/06/2011	Crafco, Inc.	\$15,448.64
40350	01/06/2011	Santa Rosa Clinical Center LLC	\$319.20	40425	01/06/2011	Dell Marketing L.P.,	\$2,287.65
40351	01/06/2011	Schryver Medical AZ	\$149.14	40426	01/06/2011	Dirks, Richard	\$46.50
40352	01/06/2011	Scottsdale Village Square	\$1,352.76	40427	01/06/2011	EcoWater of Sierra Vista	\$217.70
40353	01/06/2011	Sierra Health Mart Pharcacy	\$1,481.85	40428	01/06/2011	Federal Express Corporation	\$46.74
40354	01/06/2011	Sierra Vista Diagnostics	\$61.20	40429	01/06/2011	Goen's Tow-En	\$125.00
40355	01/06/2011	Sierra Vista Emergency Physicians	\$1,243.42	40430	01/06/2011	Hillyard	\$1,090.89
40356	01/06/2011	Sierra Vista, City of	\$646.25	40431	01/06/2011	HOV Services/Lason Services	\$1,500.83
40357	01/06/2011	Southern AZ Anesthesia Service, PC	\$109.57	40432	01/06/2011	Instrument Development Corporation	\$92.74
40358	01/06/2011	Southern AZ Infectious Disease Specialists, PLC	\$346.76	40433	01/06/2011	IP Mobile Net, Inc.	\$335.00
40359	01/06/2011	Southwest Ambulance/86-0758145	\$3,008.32	40434	01/06/2011	J E Fuller/Hydrology & Geomorphology, Inc.	\$5,000.00
40360	01/06/2011	Southwestern Eye Center, Ltd	\$34.66	40435	01/06/2011	Keefe Supply Company	\$1,756.82
40361	01/06/2011	Stronghold Emergency Physician	\$77.25	40436	01/06/2011	Laboratory Corp of America	\$380.00
40362	01/06/2011	Sullivan, William II R.MD PLLC	\$12.00	40437	01/06/2011	Legal Transcription Services Plus, Inc.	\$247.50
40363	01/06/2011	Sunset Hills Care & Rehab, Inc	\$7,326.87	40438	01/06/2011	Mattogno, Chris R.	\$500.00
40364	01/06/2011	SWEA, P.C.	\$211.03	40439	01/06/2011	Mundt, Lester E.	\$13.00
40365	01/06/2011	Territorial Drug Company, Inc.	\$859.53	40440	01/06/2011	Newport 653 Graphic Design	\$85.00
40366	01/06/2011	Tilsner, Thomas J.	\$499.21	40441	01/06/2011	Office Max	\$33.00
40367	01/06/2011	Trans Med	\$736.54	40442	01/06/2011	POLY STAR, Inc.	\$1,570.00
40368	01/06/2011	Tucson Gastroenterology Specialists	\$26.96	40443	01/06/2011	Pro Petroleum, Inc.	\$16,070.23
40369	01/06/2011	Tucson Heart Group	\$6.28	40444	01/06/2011	Pro Petroleum, Inc.	\$73,148.01
40370	01/06/2011	Tucson Pulmonology PC	\$67.37	40445	01/06/2011	Pro Tech Monitoring Services	\$310.00
40371	01/06/2011	United Drugs	\$453.81	40446	01/06/2011	QWEST	\$118.19
40372	01/06/2011	University Physicians, Inc.	\$426.54	40447	01/06/2011	QWEST	\$65.21
40373	01/06/2011	Urological Associates / Southern AZ	\$79.39	40448	01/06/2011	QWEST	\$198.77
40374	01/06/2011	Walton & Walton, Inc	\$15.00	40449	01/06/2011	Recorded Books, LLC	\$203.61
40375	01/06/2011	West Valley Internal Medicine	\$5.66	40450	01/06/2011	Riviera Finance	\$576.24
40376	01/06/2011	Willcox Healthmart Pharmacy	\$381.96	40451	01/06/2011	Rocky Mountain Hldngs LLC dba Lifenet Eagle Rescue	\$15,375.08
40377	12/30/2010	JP Morgan Chase	\$208,761.74	40452	01/06/2011	Ross, Ramiro	\$3.70
40378	01/04/2011	Zohlmann, Robert J. Esq.	\$500.00	40453	01/06/2011	Sierra Vista Diagnostics	\$393.75
40379	01/05/2011	Az Public Service Co	\$1,089.04	40454	01/06/2011	Sierra Vista Regional Health Center	\$439.00
40380	01/05/2011	Az Public Service Co	\$30,153.07	40455	01/06/2011	Southwest Gas Corporation	\$126.41
40381	01/05/2011	Bella Vista Water Company	\$103.85	40456	01/06/2011	Sparkletts Water	\$13.50
40382	01/05/2011	Bowie Water Improvement Dist	\$80.53	40457	01/06/2011	Stauffer, Monica	\$168.78
40383	01/05/2011	Cochise County Farmers Association	\$2,436.90	40458	01/06/2011	SunTrust Leasing Corp.	\$5,968.37
40384	01/05/2011	Douglas, City of	\$152.76	40459	01/06/2011	SunTrust Leasing Corp.	\$27,646.15
40385	01/05/2011	Douglas, City of	\$196.07	40460	01/06/2011	Thermo Fluids, Inc.	\$7,289.00
40386	01/05/2011	LPB Energy Management	\$121.74	40461	01/06/2011	University of Arizona	\$28,563.50
40387	01/05/2011	QWEST	\$64.54	40462	01/06/2011	UPS Store	\$19.21
40388	01/05/2011	QWEST	\$33.04	40463	01/06/2011	Valley Security Service, Inc.	\$75.00
40389	01/05/2011	QWEST	\$150.05	40464	01/06/2011	Valley Telephone Co-op, Inc.	\$52.50
40390	01/05/2011	Southwest Gas Corporation	\$1,843.28	40465	01/06/2011	Valley Telephone Co-op, Inc.	\$781.59
40391	01/05/2011	Sulphur Springs Valley Electri	\$551.64	40466	01/06/2011	Verizon Wireless	\$51.78
40392	01/05/2011	Sulphur Springs Valley Electri	\$362.63	40467	01/06/2011	Verizon Wireless	\$1,731.77
40393	01/05/2011	Sulphur Springs Valley Electri	\$113.41	40468	01/06/2011	Verizon Wireless	\$22.47
40394	01/05/2011	Verizon Wireless	\$119.37	40469	01/06/2011	Waxie Sanitary Supply	\$592.72
40395	01/05/2011	Whetstone Water District	\$166.01	40470	01/06/2011	Waxie Sanitary Supply	\$1,759.93
40396	01/05/2011	Willcox, City of	\$801.90	40471	01/06/2011	West Group	\$4,686.00
40397	01/05/2011	Willcox, City of	\$1,877.50	40472	01/06/2011	Western Mental Health & Restoration Services, LLC	\$450.00
40398	01/06/2011	AECOM USA	\$6,412.31	40473	01/06/2011	Aegis Communications	\$100.00
40399	01/06/2011	Arizona Association of Economic Development	\$298.00	40474	01/06/2011	Andrews, Bruce	\$613.52
40400	01/06/2011	Arizona Department of Environmental Quality	\$2,000.00	40475	01/06/2011	AP Recovery Team	\$70.00
40401	01/06/2011	Arizona State Land Department	\$706.37	40476	01/06/2011	Benjamin Supply Inc	\$735.11
40402	01/06/2011	ASCE Membership	\$210.00	40477	01/06/2011	Bonham, Marsha	\$10.00
40403	01/06/2011	AVID	\$159.60	40478	01/06/2011	Health Net Life Insurance Company	\$896.06
40404	01/06/2011	AZ Dept of Corrections - Douglas	\$531.00	40479	01/06/2011	Home Depot	\$70.00
40405	01/06/2011	Az Public Service Co	\$1,787.59	40480	01/06/2011	Hunter, Jackie Lynn	\$44.00
40406	01/06/2011	Aztlan Language Services	\$450.00	40481	01/06/2011	P B W Fire District	\$70.00

40482	01/06/2011	Pacific Rim Capital Corp.	\$70.00	40555	01/11/2011	Radiology Ltd	\$18.33
40483	01/06/2011	Peninsula Equine Therapy, Inc.	\$260.00	40556	01/11/2011	Rainbow Ridge Assisted Living, LLC	\$3,308.07
40484	01/06/2011	Schasteen, Karen	\$32.00	40557	01/11/2011	Renal Care Associates	\$451.45
40485	01/06/2011	State Bar of Arizona	\$3,245.00	40558	01/11/2011	RenalWest Inc	\$1,036.38
40486	01/06/2011	Thrasher, Robert	\$140.00	40559	01/11/2011	RF Eye PC dba Cochise Eye & Laser	\$250.49
40487	01/06/2011	U S Postmaster	\$18.81	40560	01/11/2011	Sabino Canyon Rehab & Care Center	\$13,249.04
40488	01/06/2011	US Customs & Border Protection	\$70.00	40561	01/11/2011	Saddle Gap Emergency Physician	\$109.06
40489	01/06/2011	Mayo, Twila	\$16.00	40562	01/11/2011	Saguaro Podiatry Associates	\$20.68
40490	01/06/2011	Oertel, Brian	\$32.00	40563	01/11/2011	Saguaro Surgical PC	\$27.23
40491	01/06/2011	Smith, Noelle	\$54.00	40564	01/11/2011	Santa Cruz Radiology, LLC	\$157.56
40492	01/11/2011	Bank One	\$670,722.56	40565	01/11/2011	Santa Rosa Clinical Center LLC	\$100,985.88
40493	01/11/2011	AccentCare	\$36,223.91	40566	01/11/2011	Scottsdale Village Square	\$7,055.50
40494	01/11/2011	Agave Surgical Associates, PC	\$16.73	40567	01/11/2011	Sierra Vista Emergency Physicians	\$33.48
40495	01/11/2011	American Geriatric Ent. Inc.	\$8,216.16	40568	01/11/2011	Southwest Ambulance	\$79.37
40496	01/11/2011	Apria Healthcare Inc	\$5,985.69	40569	01/11/2011	Southwestern Eye Center, Ltd	\$38.77
40497	01/11/2011	Arenas, Miguel MD	\$37.08	40570	01/11/2011	Struse DO. T. Bryson	\$19.65
40498	01/11/2011	AZ Family Care Associates (AFCA)	\$1,289.84	40571	01/11/2011	Sunset Hills Care & Rehab, Inc	\$4,950.00
40499	01/11/2011	Arizona Oncology Associates	\$30.83	40572	01/11/2011	SWEA, P.C.	\$70.36
40500	01/11/2011	Arizona Urology Center PLLC	\$129.60	40573	01/11/2011	Thorn, Shannon	\$21.24
40501	01/11/2011	Associated Internists of Tucson	\$8.92	40574	01/11/2011	Tucson Gastroenterology Specialists	\$7.30
40502	01/11/2011	Avalon Care Center	\$35,637.32	40575	01/11/2011	United Pathology Inc	\$117.89
40503	01/11/2011	AZ Ambulance of Douglas Inc.	\$3,127.40	40576	01/11/2011	University Medical Center	\$13.51
40504	01/11/2011	AZ World Express	\$2,970.80	40577	01/11/2011	Valley Vista ICS, Inc.	\$3,683.20
40505	01/11/2011	Barnet Dulaney Eye Center	\$126.10	40578	01/11/2011	Wick, Jeffery S. MD	\$232.24
40506	01/11/2011	Benson Hospital Corporation	\$663.41	40579	01/12/2011	Accurant	\$174.00
40507	01/11/2011	Carefree Senior Living of CA	\$28,379.27	40580	01/12/2011	Alex Espinosa's Bisbee Funeral Home	\$500.00
40508	01/11/2011	CareGiver Connection of AZ LLC	\$69.28	40581	01/12/2011	Az Public Service Co	\$271.86
40509	01/11/2011	Casa de las Montanas	\$8,288.05	40582	01/12/2011	Az Public Service Co	\$3,927.93
40510	01/11/2011	Catalina Village Assisted Living	\$3,976.89	40583	01/12/2011	Az Water Company	\$1,076.22
40511	01/11/2011	Chiricahua Community Health	\$142.83	40584	01/12/2011	Az Water Company	\$407.23
40512	01/11/2011	Cochise Ear Nose/Throat Assoc.	\$16.36	40585	01/12/2011	Benson, City of	\$294.20
40513	01/11/2011	Cochise Group Anest. Svc	\$109.70	40586	01/12/2011	Bisbee, City of	\$7,092.22
40514	01/11/2011	Cochise Heart Center, PLLC	\$175.09	40587	01/12/2011	Blan Plaza/Blan Enterprises	\$700.00
40515	01/11/2011	Cochise Lung Center, PLLC	\$54.90	40588	01/12/2011	Bowie Water Improvement Dist	\$39.79
40516	01/11/2011	Community Healthcare Douglas	\$1,449.82	40589	01/12/2011	Brown & Caldwell	\$16,570.21
40517	01/11/2011	Community Provider		40590	01/12/2011	Community Provider Enrichment Services (CPES)	\$1,800.00
40518	01/11/2011	Enrichment Services (CPES)	\$10,030.97	40591	01/12/2011	Culligan of Tucson	\$109.07
40519	01/11/2011	Consumer Direct	\$2,565.90	40592	01/12/2011	Curtis Landscape & Irrigation	\$130.00
40520	01/11/2011	Copper Queen Medical Associates	\$3,497.25	40593	01/12/2011	Douglas, City of	\$25.53
40521	01/11/2011	Crane Transportation	\$47.59	40594	01/12/2011	Elfrida Water Improvement	\$12.55
40522	01/11/2011	Cypress Inn LTD	\$24,386.11	40595	01/12/2011	Greater Arizona Central Credentialing	\$1,950.00
40523	01/11/2011	District Medical Group	\$17.91	40596	01/12/2011	Hatfield Funeral Home Inc	\$650.00
40524	01/11/2011	Douglas ARC Inc.	\$4,151.04	40597	01/12/2011	Hatfield Funeral Home Inc	\$500.00
40525	01/11/2011	Douglas Family Care PLLC	\$86.61	40598	01/12/2011	Haun, Melinda R.N. CHPN	\$100.00
40526	01/11/2011	Douglas, City of (Ambulance)	\$101.09	40599	01/12/2011	HealthCare Systems Development	\$12,000.00
40527	01/11/2011	Emergency Professional Service	\$55.14	40600	01/12/2011	QWEST	\$99.17
40528	01/11/2011	Family Health Center of S.V.	\$20.29	40601	01/12/2011	QWEST	\$5,893.49
40529	01/11/2011	GAMBRO Healthcare-Sierra Vista	\$4,512.19	40602	01/12/2011	QWEST	\$32.93
40530	01/11/2011	Gila Valley Clinic, PC	\$110.40	40603	01/12/2011	QWEST	\$94.50
40531	01/11/2011	Golden Oaks Ranch	\$1,317.10	40604	01/12/2011	Qwest Interprise America Inc.	\$4,935.13
40532	01/11/2011	Gonzalez, Jose I.	\$67.72	40605	01/12/2011	Southwest Gas Corporation	\$622.38
40533	01/11/2011	Hartley, Barbara MD PC	\$427.90	40606	01/12/2011	Sulphur Springs Valley Electri	\$187.28
40534	01/11/2011	Healthcare Innovations, Inc.	\$101.20	40607	01/12/2011	Sulphur Springs Valley Electri	\$4,677.25
40535	01/11/2011	Heart Felt Help	\$39,352.76	40608	01/12/2011	Sulphur Springs Valley Electri	\$847.46
40536	01/11/2011	Helmsetter, B. Jean, M.A.	\$576.90	40609	01/12/2011	Thomson West	\$56.00
40537	01/11/2011	Hospitalists of Arizona	\$41.66	40610	01/12/2011	USA Mobility Wireless, Inc.	\$40.20
40538	01/11/2011	Independent First Assist, Inc.	\$140.72	40611	01/12/2011	Valley Telephone Co-op, Inc.	\$396.19
40539	01/11/2011	Intermountain Centers	\$180.00	40612	01/12/2011	Valley Telephone Co-op, Inc.	\$103.23
40540	01/11/2011	Kenneth O Anaeme LLC	\$14.92	40613	01/12/2011	Vasquez, Ignacio	\$50.26
40541	01/11/2011	KeyaMed Inc.	\$236.03	40614	01/12/2011	Verizon Wireless	\$135.06
40542	01/11/2011	Kindred Nursing Centers West, LLC	\$1,925.00	40615	01/12/2011	Verizon Wireless	\$694.57
40543	01/11/2011	Legacy Home Health Care of Southern Arizona, LLC	\$868.80	40616	01/12/2011	Verizon Wireless Msg Srv	\$140.91
40544	01/11/2011	Maryland Gardens Care Center	\$11,162.50	40617	01/12/2011	Willcox, City of	\$167.65
40545	01/11/2011	Mollen Immunization Clinics LLC	\$10.80	40618	01/14/2011	ADOA-Risk Management	\$5,813.00
40546	01/11/2011	Mt Graham Community Hospital	\$6,788.25	40619	01/14/2011	AOC Corrections Officer Retire	\$16,172.91
40547	01/11/2011	Neurological Associates of Tucson	\$24.95	40620	01/14/2011	Arizona Department of Revenue	\$75.00
40548	01/11/2011	Northern Cochise Community Hospital, Inc.	\$72,522.32	40621	01/14/2011	Arizona Department of Revenue	\$50.00
40549	01/11/2011	Nusrum Iqbal, MD, PLC-A rizona Primary Care Center	\$23.98	40622	01/14/2011	Burse & Associates, P.C.	\$339.61
40550	01/11/2011	Palo Verde Homecare LLC dba Tucson House Calls	\$212.85	40623	01/14/2011	Citibank (South Dakota), N.A.	\$63.71
40551	01/11/2011	Patel Medical Clinic, PLLC	\$177.42	40624	01/14/2011	Cochise County Juvenile Court Serv	\$159.13
40552	01/11/2011	Pathology Specialists of Az	\$107.59	40625	01/14/2011	Colonial Supplemental Insurance	\$51.63
40553	01/11/2011	Pima Heart Physicians PC	\$117.17	40626	01/14/2011	Correction Officers	\$11,729.09
40554	01/11/2011	PISA	\$51.10	40627	01/14/2011	DCS	\$352.24
40555	01/11/2011	Radiologists of Sierra Vista	\$23.91	40628	01/14/2011	DeConcini McDonald Yetwin	\$252.98
				40629	01/14/2011	Family Support Payment Center	\$299.25
				40630	01/14/2011	General Revenue Corporation	\$234.83

40631	01/14/2011	GMAC, c/o Jennifer A. Christie	\$73.21	40708	01/13/2011	McEver, Richard	\$215.00
40632	01/14/2011	Guglielmo, Paul D.	\$174.07	40709	01/13/2011	MGM Associates, Inc.	\$1,477.66
40633	01/14/2011	Gurstel, Staloch & Chargo, PA	\$158.32	40710	01/13/2011	O S A M Inc	\$80.88
40634	01/14/2011	Gurstel, Staloch & Chargo, PA	\$179.73	40711	01/13/2011	OCLC	\$386.49
40635	01/14/2011	Internal Revenue Service	\$136.23	40712	01/13/2011	OCLC	\$293.95
40636	01/14/2011	JP Morgan Chase	\$1,047,461.70	40713	01/13/2011	Office of Vital Records	\$861.00
40637	01/14/2011	JP Morgan Chase	\$43,188.43	40714	01/13/2011	Office Smart	\$348.21
40638	01/14/2011	JP Morgan Chase	\$335,587.70	40715	01/13/2011	Phoenix New Times, LLC	\$300.00
40639	01/14/2011	Kaplan, Jerold Law Office, PC	\$194.50	40716	01/13/2011	Porta-Pot	\$803.25
40640	01/14/2011	NACO West	\$28,928.62	40717	01/13/2011	Poster Frost Mirtlo, Inc.	\$1,123.70
40641	01/14/2011	National Bank	\$5,637.14	40718	01/13/2011	Presnell, Virginia	\$25.00
40642	01/14/2011	Public Safety Retirement Syst	\$14,826.49	40719	01/13/2011	Pro Petroleum, Inc.	\$10,395.50
40643	01/14/2011	Public Safety Retirement Syst	\$62,644.87	40720	01/13/2011	QWEST	\$471.11
40644	01/14/2011	SEAFUCU	\$258.97	40721	01/13/2011	QWEST	\$244.40
40645	01/14/2011	Seidberg Law Offices, P.C.	\$250.23	40722	01/13/2011	Robie, Carl	\$1,878.00
40646	01/14/2011	State Central Collection Unit	\$214.50	40723	01/13/2011	Safeway Stores Inc	\$46.54
40647	01/14/2011	Support Payment Clearinghouse	\$6,649.89	40724	01/13/2011	Sierra Vista Diagnostics	\$393.75
40648	01/14/2011	United States Treasury	\$30.31	40725	01/13/2011	Sierra Vista, City of	\$10,000.00
40649	01/14/2011	United Way	\$80.00	40726	01/13/2011	Southeastern Az Gov't Organiza	\$8,224.00
40650	01/14/2011	NACO West	\$9,310.00	40727	01/13/2011	Southwest Disposal LC	\$63.14
40651	01/13/2011	ACE Hardware - Bisbee	\$139.03	40728	01/13/2011	Southwest Polygraph Svc Inc	\$650.00
40652	01/13/2011	ARAMARK Services, Inc.	\$61,177.30	40729	01/13/2011	Sparkletts Water	\$56.00
40653	01/13/2011	Arizona Department of Revenue	\$42.36	40730	01/13/2011	Stamback	\$342.72
40654	01/13/2011	Arizona Department of Revenue	\$4,985.95	40731	01/13/2011	Stantec Consulting Services, Inc.	\$292.66
40655	01/13/2011	AZ Family Care Associates (AFCA)	\$2,593.00	40732	01/13/2011	State Treasurer of Arizona	\$184,567.00
40656	01/13/2011	AZ Homicide Investigators Assoc, Inc.	\$120.00	40733	01/13/2011	Stericycle Inc	\$81.82
40657	01/13/2011	Arizona Range News	\$60.00	40734	01/13/2011	Technical Resource Mgmt, Inc.	\$525.00
40658	01/13/2011	Arizona State Library	\$2,160.00	40735	01/13/2011	The Starfish Difference	\$1,489.02
40659	01/13/2011	AZ State Prison Complex - Fort Grant	\$84.26	40736	01/13/2011	Thompson West	\$2,738.46
40660	01/13/2011	AZ State Prison Complex - Fort Grant	\$130.00	40737	01/13/2011	Thomson West	\$1,569.00
40661	01/13/2011	Arizona Tactical, Inc.	\$1,493.69	40738	01/13/2011	TransWorld Network Corp.	\$53.60
40662	01/13/2011	AZ Dept of Corrections - Douglas	\$72.00	40739	01/13/2011	U S D A, APHIS, Wildlife Svcs	\$9,591.00
40663	01/13/2011	AZ Dept of Corrections - Douglas	\$91.25	40740	01/13/2011	UniFirst Corporation	\$2,709.40
40664	01/13/2011	AZ Dept of Corrections - Douglas	\$34.00	40741	01/13/2011	United Fire Equipment Co	\$1,095.81
40665	01/13/2011	AZ Dept of Corrections - Douglas	\$1,213.25	40742	01/13/2011	United Pathology Inc	\$15,000.00
40666	01/13/2011	AZ Dept of Corrections - Douglas	\$923.75	40743	01/13/2011	University Physicians, Inc.	\$500.00
40667	01/13/2011	AZ Dept of Corrections - Douglas	\$110.00	40744	01/13/2011	Valley Telephone Co-op, Inc.	\$32.20
40668	01/13/2011	Bahn, James C.	\$232.30	40745	01/13/2011	Verizon Wireless	\$247.93
40669	01/13/2011	Baker & Taylor	\$1,776.90	40746	01/13/2011	Verizon Wireless	\$47.11
40670	01/13/2011	Bank of America	\$105,468.31	40747	01/13/2011	Verizon Wireless	\$870.27
40671	01/13/2011	Benson Police Department	\$1,529.90	40748	01/13/2011	Verizon Wireless	\$180.31
40672	01/13/2011	Bisbee Observer (The)	\$353.46	40749	01/13/2011	Verizon Wireless	\$37.36
40673	01/13/2011	Bisbee Police Dept	\$30,876.85	40750	01/13/2011	Verizon Wireless Msg Srv	\$379.83
40674	01/13/2011	Bisbee, City of (Ambulance)	\$919.35	40751	01/13/2011	VICaP	\$505.76
40675	01/13/2011	Bruce Silva, MD & Kenneth Kacenga, DO, LLC	\$1,500.00	40752	01/13/2011	W R Ryan Company	\$1,173.74
40676	01/13/2011	Bug-Wiser Exterminating Inc	\$945.00	40753	01/13/2011	Western Mental Health & Restoration Services, LLC	\$750.00
40677	01/13/2011	Center for Disease Detection, LLC	\$525.00	40754	01/13/2011	Willcox Against Substance Abus	\$1,200.00
40678	01/13/2011	Center Point Publishing	\$19.17	40755	01/13/2011	Willcox Auto Parts Inc	\$41.56
40679	01/13/2011	Certified Folder Display	\$413.00	40756	01/13/2011	Willcox Rock & Sand Inc	\$5,833.95
40680	01/13/2011	Chiricahua Community Health	\$476.00	40757	01/13/2011	Anthony, Brandy C.	\$42.01
40681	01/13/2011	Cochise Group Anesthesia Services	\$193.80	40758	01/13/2011	Boyden, Kristen	\$12.60
40682	01/13/2011	Cochise Lock & Safe	\$245.00	40759	01/13/2011	Cochise County Finance Revolving Fund	\$170.00
40683	01/13/2011	Cochise Private Industry Council	\$28,446.00	40760	01/13/2011	Cochise County Finance Revolving Fund	\$5.70
40684	01/13/2011	Cochise Private Industry Council	\$37,015.00	40761	01/13/2011	Cochise County Finance Revolving Fund	\$10.70
40685	01/13/2011	Copper Queen Hospital	\$7,949.88	40762	01/13/2011	Cochise County Finance Revolving Fund	\$170.00
40686	01/13/2011	Copygraphix Inc	\$187.27	40763	01/13/2011	English, Ann	\$581.45
40687	01/13/2011	Dell Marketing L.P.,	\$348.12	40764	01/13/2011	Lucero, Rebecca	\$16.81
40688	01/13/2011	Diamond Drugs Inc	\$10,046.05	40765	01/13/2011	New Century Inc.	\$548.52
40689	01/13/2011	Dingess Jr., Redford	\$37.50	40766	01/13/2011	Phelps, Dale Steven	\$32.85
40690	01/13/2011	Direct TV	\$20.00	40767	01/13/2011	Pursell, Barbara Joan	\$1,600.00
40691	01/13/2011	Douglas Police Dept.	\$3,176.35	40768	01/13/2011	Ryan, Collett	\$10.00
40692	01/13/2011	Durham Communication	\$280.88	40769	01/13/2011	Salmon, Barbara-Rene	\$12.61
40693	01/13/2011	Federal Express Corporation	\$43.01	40770	01/13/2011	Searle, Richard	\$802.50
40694	01/13/2011	Federal Express Corporation	\$20.36	40771	01/13/2011	Sierra Vista Police Dept	\$8,954.36
40695	01/13/2011	Fort Huachuca 50	\$200.00	40772	01/13/2011	Skok-Lewis, Patricia A	\$26.30
40696	01/13/2011	Gaylord Bros., Inc.	\$12,732.10	40773	01/13/2011	Villa, James	\$700.00
40697	01/13/2011	Gorman, Thomas A.	\$13,070.88	40774	01/13/2011	Acuna, Gloria	\$259.50
40698	01/13/2011	HOV Services/LASON Service Admin	\$1,005.00	40775	01/13/2011	De La Cruz, Noriko	\$91.46
40699	01/13/2011	Howard, Eddie	\$40.00	40776	01/13/2011	Graeme, Nina Sue	\$19.50
40700	01/13/2011	Infiniti Wireless, Inc.	\$2,270.00	40777	01/13/2011	Harik, Vaira	\$209.15
40701	01/13/2011	Johnson, Bradley R. MD PLLC	\$1,000.00	40778	01/13/2011	Madero, Elizabeth	\$68.50
40702	01/13/2011	Keefe Supply Company	\$1,419.29	40779	01/13/2011	Munoz, Ana Angelica	\$236.50
40703	01/13/2011	Kuttner, Lou (Ludwig)	\$19.00	40780	01/13/2011	Patterson, Jenna	\$53.00
40704	01/13/2011	Laboratory Corp of America	\$358.00				
40705	01/13/2011	Latimore, Lee	\$27.42				
40706	01/13/2011	Law by George, PLLC	\$1,710.31				
40707	01/13/2011	Madden Preprint Media	\$2,527.50				

40781	01/13/2011	Vaughn, Julie	\$74.00
40782	01/13/2011	Wical, Jane	\$57.25
40783	01/18/2011	Bank One	\$36,078.74
40852	01/14/2011	JP Morgan Chase	\$208,956.56

## Community Development

## Regular Board of Supervisors Meeting

Date: 01/25/2011

## Correcting Willcox Road easement near Whetstone

Submitted By: Terry Couchenour, Community  
Development

Department: Community Development

Division:

Right of Way

Presentation: No A/V Presentation

Recommendation: Approve

Document Signatures: BOS Signature Required

# of ORIGINALS 2

Submitted for Signature:

NAME  
of PRESENTER: N/ATITLE  
of PRESENTER: N/A

Docket Number (If applicable):

Mandated Function?: Not Mandated

Source of Mandate  
or Basis for Support?:**Agenda Item Text:**

Adopt Resolution 11-2, authorizing the abandonment of an undefined easement and acceptance of a defined grant of public easement for the purpose of correcting the easement for the County maintained road, known as Willcox Road, located near Whetstone.

**Background:**

Allen J. McCarty, Jr., owner of APN 106-34-001, contacted the Highway Department in order to clear up a title issue dealing with a public easement granted by his parents across his property. In 1989, Allen J. McCarty and Joetta K. McCarty granted an easement to the public recorded as document 890815918 and 900509102. Unfortunately the legal description for the easement defined his entire parcel with a caveat that the intent of the document was to convey an easement for the existing road only. Further the easement did not contain a description for the existing road or a width for the public right-of-way. The effect of the easement may be that there is a cloud over the entire parcel and the public easement may be disputed in the future due to the fact that the 1989 road width and alignment are unknown.

Recently, Mr. McCarty hired Donald Loose, R.L.S. to perform a survey of his parcel and the centerline of the public road. The survey was reviewed by the county surveyor and found acceptable. Staff consulted with the attorney's office and it was determined that rather than re-recording the original grant of easement, that it would be preferable to cancel the old easement and accept a new grant of easement. This is due to the change in ownership of the subject property.

Mr. McCarty has signed a 60' wide easement to the county in exchange for the abandonment of the previous easement.

Therefore this department supports the request to abandon the previous easement in exchange for a more appropriately defined easement for Willcox Road.

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

Upon acceptance and recording of the resolution, records will be updated and a copy of the action will be sent to the property owner by the department.

**Impact of NOT Approving/Alternatives:**

If the resolution and grant of easement are not approved, the property owner will have an undefined easement across his property and this easement may be disputed in the future regarding width and alignment.

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

PLEASE RECORD THE RESOLUTION AND THE GRANT OF EASEMENT AS TWO SEPARATE INSTRUMENTS. PLEASE RECORD THE RESOLUTION FIRST AND THE GRANT OF EASEMENT SECOND.

PLEASE RETURN A COPY OF THE RECORDED RESOLUTION AND THE ORIGINAL RECORDED GRANT OF EASEMENT TO THE RIGHT-OF-WAY STAFF AT H&F.

---

**Attachments**

[Executive summary for correcting Willcox Road easement](#)

[Executive summary map for correcting Willcox Road easement](#)

[Resolution for correcting Willcox Road easement](#)

[Grant of Easement for correcting Willcox Road easement](#)

[Location map for correcting Willcox Road easement](#)



**COCHISE COUNTY**  
**HIGHWAY AND FLOODPLAIN DEPARTMENT**  
**MEMORANDUM**



*MAKING IT BETTER*

Your County Questions answered:  
[www.cochise.az.gov](http://www.cochise.az.gov)

**DATE:** December 14, 2010

**TO:** Board of Supervisors

**THRU:** Patricia D. Morris, Acting Director

**FROM:** Terry Couchenour, Right-of-way Agent II

**SUBJECT:** **Resolution 11-\_\_\_, correcting an undefined easement for Willcox Road located near Whetstone**

**Recommendation:** This department recommends adoption of the accompanying resolution authorizing the abandonment of an undefined easement and acceptance of a defined easement for the purpose of correcting a legal description for that County Maintained Road known as Willcox Road.

**Background (Brief):** Allen J. McCarty, Jr., owner of APN 106-34-001, contacted the Highway Department in order to clear up a title issue dealing with a public easement granted by his parents across his property. In 1989, Allen J. McCarty and Joetta K. McCarty granted an easement to the public recorded as document 890815918 and 900509102. Unfortunately the legal description for the easement defined his entire parcel with a caveat that the intent of the document was to convey an easement for the existing road only. Further the easement did not contain a description for the existing road or a width for the public right-of-way. The effect of the easement may be that there is a cloud over the entire parcel and the public easement may be disputed in the future due to the fact that the 1989 road width and alignment are unknown.

Recently, Mr. McCarty hired Donald Loose, R.L.S. to perform a survey of his parcel and the centerline of the public road. The survey was reviewed by the county surveyor and found acceptable. Staff consulted with the attorney's office and it was determined that rather than re-recording the original grant of easement, that it would be preferable to cancel the old easement and accept a new grant of easement. This is due to the change in ownership of the subject property.

Mr. McCarty has signed a 60' wide easement to the county in exchange for the abandonment of the previous easement.

Therefore this department supports the request to abandon the previous easement in exchange for a more appropriately defined easement for Willcox Road.

**Fiscal Impact & Funding Sources:** N/A

**Next Steps/Action Items/Follow-up:** Upon acceptance and recording of the resolution and grant of easement, no further Board action is necessary.

**Impact of Not Approving:** If the resolution and grant of easement are not approved the property owner will have an undefined easement across his property and this easement may be disputed in the future regarding width and alignment.

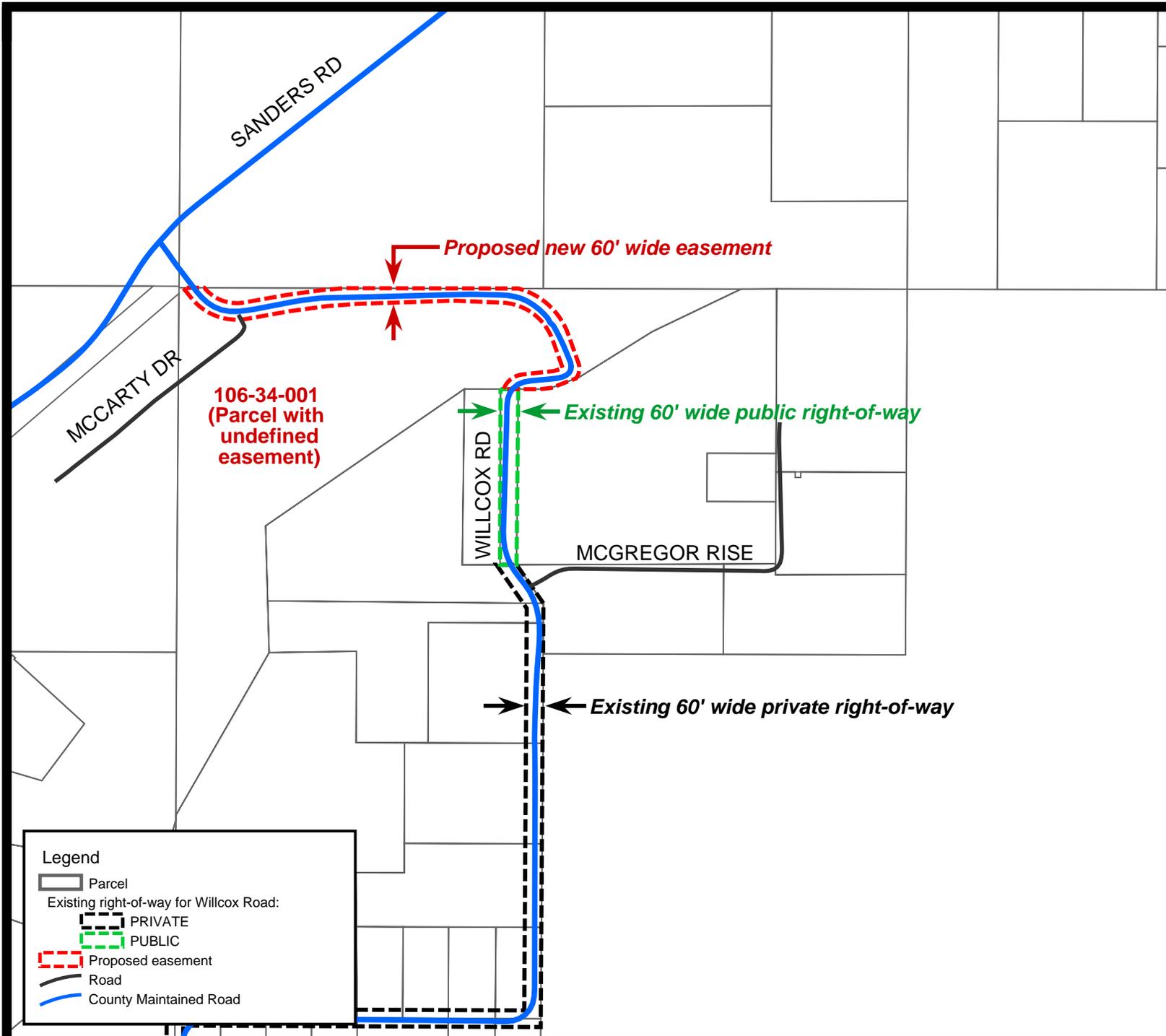


### Map for Executive Summary

Proposed action to correct an undefined easement for Willcox Road

Located within Section 24 Township 20 South Range 20 East G.&S.R.M.

This map is a product of the Cochise County GIS



**Legend**

- Parcel
- Existing right-of-way for Willcox Road:
  - PRIVATE
  - PUBLIC
- Proposed easement
- Road
- County Maintained Road

**RESOLUTION 11-\_\_\_**

**AUTHORIZING THE ABANDONMENT OF A PUBLIC EASEMENT AND  
ACCEPTANCE OF A GRANT OF PUBLIC EASEMENT IN ORDER TO  
CORRECT AN UNDEFINED LEGAL DESCRIPTION FOR THAT ROAD  
KNOWN AS WILLCOX ROAD LOCATED NEAR WHETSTONE**

**WHEREAS**, the Board of Supervisors of Cochise County Arizona, is authorized to exchange existing public rights-of-way pursuant to A.R.S. § 28-7203; and

**WHEREAS**, a previous property owner, Allen J. McCarty and Joetta K. McCarty, granted an undefined easement to the public for the existing Wilcox Road, also known as Willcox Road, across their property, Assessor Parcel Number 106-34-001, per Recording Fee number 900509102, as filed in the office of the Cochise County Recorder; and

**WHEREAS**, the current property owner, Allen J. McCarty, Jr., Trustee of The McCarty Family Trust, surveyed the centerline of the existing Willcox Road, filed in the office of the Cochise County Recorder under Book 45 of Surveys, page 29, and filed a formal request to the Board of Supervisors to define the centerline and width of the easement; and

**WHEREAS**, the Board of Supervisors determined that it is in the best interests of the County and the public at large to define the easement; and

**WHEREAS**, due to the change in ownership of Assessor Parcel Number 106-34-001 it is appropriate to abandon the existing undefined easement and accept a new defined grant of easement rather than amend the existing undefined easement; and

**WHEREAS**, unknown public utilities may exist within said right-of-way.

**NOW THEREFORE, IT IS HEREBY RESOLVED**, that we, the Board of Supervisors, having determined that this exchange of easements, to be in the public interest, do hereby approve and authorize the Chairman to accept the accompanying Grant of Easement.

**IT IS FURTHER RESOLVED**, that the interests of Cochise County in the undefined easement granted per Recording Fee number 900509102, across Assessor Parcel Number 106-34-001, is hereby vacated in accordance with A.R.S. § 28-7203 and 28-7214, in exchange for the defined accompanying easement to be accepted.

**IT IS FINALLY RESOLVED** that any and all rights-of-way or easements for existing sewer, gas, water or similar pipelines and appurtenances and for canals, laterals or ditches and

appurtenances and for electric, telephone, and similar lines and appurtenances shall continue as they existed prior to the disposals or abandonment thereof, pursuant to A.R.S. § 28-7210.

**PASSED AND ADOPTED** by the Board of Supervisors of Cochise County, Arizona, this \_\_\_\_ day of \_\_\_\_\_, 2011.

---

Patrick Call, Chairman  
Cochise County Board of Supervisors

ATTEST:

APPROVED AS TO FORM:

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Katie A. Howard,  
Clerk of the Board



---

Britt Hanson,  
Chief Civil Deputy County Attorney



## **EXHIBIT A**

That portion of the existing road, known as Wilson Road, being a 60 foot wide public easement, according to Book 45 of Surveys at page 29A, as filed in the Office of the County Recorder, Cochise County, Arizona.



### LOCATION MAP

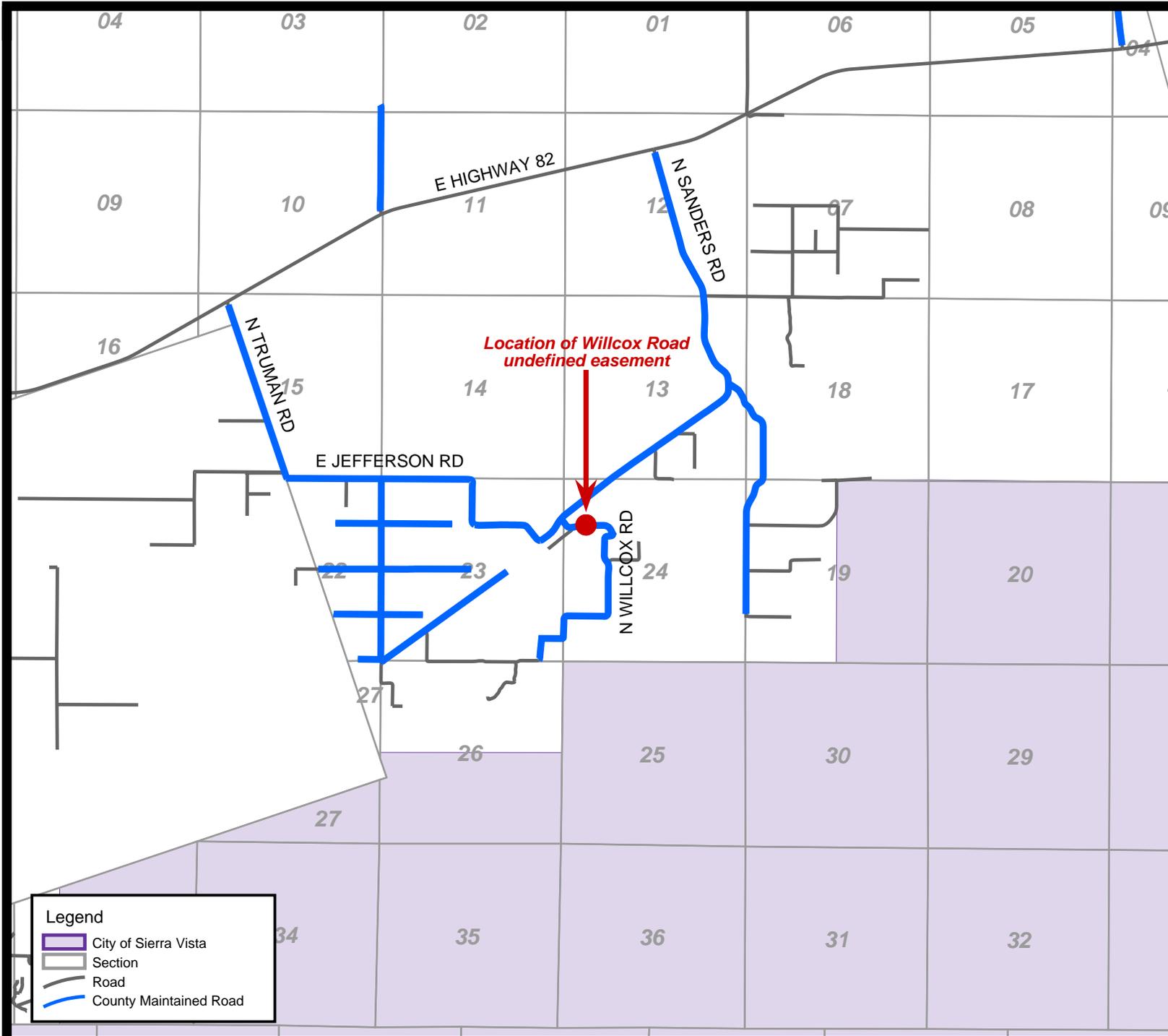
Proposed action to correct an undefined easement for Willcox Road

Located within Section 24 Township 20 South Range 20 East G.&S.R.M.

This map is a product of the Cochise County GIS



0' 1" = 4000'



#### Legend

- City of Sierra Vista
- Section
- Road
- County Maintained Road

**Regular Board of Supervisors Meeting**

**Date:** 01/25/2011

**Approve proposed settlement of a tax appeal**

**Submitted By:** Sue Blanchard, County Attorney

**Department:** County Attorney

**Presentation:** No A/V Presentation

**Recommendation:** Approve

**Document Signatures:** BOS Signature NOT Required

**# of ORIGINALS** 0

**Submitted for Signature:**

**NAME** n/a  
**of PRESENTER:**

**TITLE** n/a  
**of PRESENTER:**

**Docket Number (If applicable):**

**Mandated Function?:** Not Mandated

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

---

**Agenda Item Text:**

Approve the proposed settlement of the tax appeal in Wendell H. & Vicki L. Gilbert No. 2 Family LLP v. Cochise County, Tax Case No. ST2010-000595 (Assessor parcel no. 104-06-022), now pending in the Arizona Tax Court, a division of the Superior Court of and for Maricopa County.

**Background:**

Taxpayer timely filed a civil action in Arizona Tax Court asking for a reduction in assessed full cash value from \$316,186.00 to \$199,000.00 for Tax Year 2011. After conducting reviewing the taxpayer's documentation and sales in the local market, the Assessor agrees that the property was overvalued, and so recommends a reduction as requested by the taxpayer (to \$199,000.00). By statutory formula, the limited property value will be set at \$154,245.00. It should be noted that the Gilberts purchased the property for \$199,000.00 on 3/18/2010, and as new owners this information is relevant in setting value for the 2011 tax year at issue.

Fiscal Impact & Funding Sources: Not applicable, no funding sources are required. Fiscal impact will be a slight reduction in the tax base.

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

Upon approval by the Board, Counsel for the County will sign a stipulation for entry of Judgment that has already been signed by the taxpayer, and will submit a form of Judgment to the Arizona Tax Court disposing of this matter pursuant to the settlement terms.

**Impact of NOT Approving/Alternatives:**

Additional litigation for the County, with the risk that the Arizona Tax Court would rule in the taxpayer's favor, reducing the assessed value of the subject property and subjecting the County to paying the Plaintiff's fees and expenses.

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

Advise County Attorney's Office - Civil Division upon Board's approval.

---

**Regular Board of Supervisors Meeting**

**Date:** 01/25/2011

**Approve proposed settlement of a tax appeal**

**Submitted By:** Annette Weems, County Attorney

**Department:** County Attorney

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

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

**NAME** n/a **TITLE** n/a  
**of PRESENTER:** **of PRESENTER:**

**Docket Number (If applicable):**

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

---

**Agenda Item Text:**

Approve the proposed settlement of the tax appeal in Toliver's House of Carpets and Draperies v. Cochise County, Tax Case No. ST2010-000703 (Assessor parcel Nos. 410-08-0800, 410-08-0810, 410-08-0820, 410-08-0830, 410-08-0840, 410-08-0850, 410-08-0860, 410-08-0870, 410-08-1420, 410-08-1430), now pending in the Arizona Tax Court, a division of the Superior Court of and for Maricopa County.

**Background:**

Taxpayer timely filed a civil action in Arizona Tax Court asking for a reduction in assessed value from \$32,500.00 to \$20,000.00 for each of 11 parcels of vacant land. After reviewing the taxpayer's documentation and reviewing valuation of other parcels in the area, the Assessor recommends agreeing to the requested valuation of \$20,000.00 per parcel.

Fiscal Impact & Funding Sources: Not applicable, no funding sources are required. Fiscal impact will be a slight reduction in the tax base.

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

Upon approval by the Board, Counsel for the County will sign a stipulation for entry of Judgment that has already been signed by the taxpayer, and will submit a form of Judgment to the Arizona Tax Court disposing of this matter pursuant to the settlement terms.

**Impact of NOT Approving/Alternatives:**

Additional litigation for the County, with the risk that the Arizona Tax Court would rule in the taxpayer's favor, reducing the assessed value of the subject property and subjecting the County to paying the Plaintiff's fees and expenses.

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

Advise County Attorney's Office - Civil Division upon Board's approval.

---

**Regular Board of Supervisors Meeting**

**Date:** 01/25/2011

**Demands & Operating Transfers**

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

**Department:** Board of Supervisors

**Presentation:** No A/V Presentation

**Document Signatures:**

**NAME** n/a

**of PRESENTER:**

**Mandated Function?:**

**Recommendation:**

**# of ORIGINALS**

**Submitted for Signature:**

**TITLE** n/a

**of PRESENTER:**

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

---

**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.

---

**Regular Board of Supervisors Meeting**

**Date:** 01/25/2011

**HG861229, Teen Pregnancy Prevention Program, Amendment 3**

**Submitted By:** Jennifer Steiger, Health

**Department:** Health

**Presentation:** No A/V Presentation

**Recommendation:** Approve

**Document Signatures:** BOS Signature NOT Required

**# of ORIGINALS** 0

**Submitted for Signature:**

**NAME of PRESENTER:** n/a

**TITLE of PRESENTER:** n/a

**Mandated Function?:** Not Mandated

**Source of Mandate or Basis for Support?:** Arizona Department of Health Services

**REMINDER:** 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).

**Agenda Item Text:**

Approve Amendment #3, to IGA HG861229, Teen Pregnancy Prevention Program, between the Arizona Department of Health Services and the Cochise County Health Department, in the amount of \$145,131, for the period of 1/1/11 - 12/31/11.

**Background:**

The Teen Pregnancy Prevention Program will begin its fourth year on January 1. Work will continue with the Juvenile Probation System to deliver education to probationers. Classes on healthy relationships will also be provided to the teens in the Juvenile Detention Center. Expansion of the program into schools using an approved ADHS/ADE curriculum will be attempted. At least five Teen Mazes will be held throughout the year and parent education classes will be offered on talking to youth about sensitive subjects.

This program is important as Arizona has the fourth highest rate of teen pregnancy in the country.

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

Your approvals are respectfully requested.

**Impact of NOT Approving/Alternatives:**

Not approving this amendment will cause all activities falling under the Teen Pregnancy Prevention Program grant to cease.

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

BOS signature is not required. A fully executed original will be sent to the Clerk of the Board for recording purposes.

**Fiscal Year:** 2010-2011  
**One-time Fixed Costs? (\$\$\$):** 0  
**Ongoing Costs? (\$\$\$):** 0  
**County Match Required? (\$\$\$):** 0  
**A-87 Overhead Amt? (Co. Cost Allocation \$\$\$):** 29,876  
**Source of Funding?:** ADHS

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

This is a grant-funded, cost reimbursement program by the ADHS funded at \$145,131. The net county subsidy is calculated as follows:

ADHS Approved Salaries & ERE's: \$86,472

A-87 Overhead @ 34.55%:	\$29,876
- Authorized Overhead @ 20%:	\$17,295
Net County Subsidy:	\$12,581

---

**Attachments**

Teen Pregnancy Amend 3

Executive Summary Form

**Agenda Number: HLT Teen Pregnancy Prevention Program**

Recommendation:

Approval of IGA #HG861229, Amendment 3 Teen Pregnancy Prevention Program between the Arizona Department of Health Services and the Cochise County Health Department in the amount of \$145,131. This amendment extends the contract period from January 1, 2011 through December 31, 2011.

Background (Brief):

The Teen Pregnancy Prevention Program will begin its fourth year on January 1. Work will continue with the Juvenile Probation System to deliver education to probationers. Classes on healthy relationships will also be provided to the teens in the Juvenile Detention Center. Expansion of the program into schools using an approved ADHS/ADE curriculum will be attempted. At least five Teen Mazes will be held throughout the year and parent education classes will be offered on talking to youth about sensitive subjects.

This program is important as Arizona has the fourth highest rate of teen pregnancy in the country.

Fiscal Impact & Funding Sources:

This is a grant-funded, cost reimbursement program by the ADHS funded at \$145,131. The net county subsidy is calculated as follows:

ADHS Appvd. Salaries / EREs	86,472
A-87 OH @ 34.55%	29,876
Authorized OH @ 20%	<u>17,295</u>
Net County Subsidy	12,581

Next Steps/Action Items/Follow-up:

Your approvals are respectfully requested.

Impact of Not Approving:

Not approving this amendment will cause all activities falling under the Teen Pregnancy Prevention Program grant to cease.



**COCHISE COUNTY HEALTH DEPARTMENT**  
REQUEST FOR GRANT APPROVAL

Department: Health Division: Prevention Services

Type of Grant: IGA Contract HG861229 – Teen Pregnancy Prevention

New: \_\_\_\_\_ Renewal: \_\_\_\_\_ Amendment: X

Effective Date: 1/1/11 Expiration Date: 12/31/11

Source of Grant Funds: ADHS

Amount: \$ 145,131 Budgeted: Yes X Fund # 242 No \_\_\_\_\_

Disbursement of Funds:  
 Start of Grant Date 1/1/11  
 Reimbursement of Expenditures X  
 Other (please specify) \_\_\_\_\_

Can funds be deposited into interest bearing accounts? Yes \_\_\_\_\_ No X  
 If Yes, General Fund? Yes \_\_\_\_\_ No \_\_\_\_\_

Administrative fees or other direct revenues to County General Fund: \$ 0

County Match Required? Yes \_\_\_\_\_ \$ \_\_\_\_\_ General Fund: \_\_\_\_\_  
 No X Other (specify): \_\_\_\_\_

In-kind match (if any): County Subsidy = \$12,581 (\$29,876 A-87 OH – \$17,295 Aprvd OH @ 20%) \$86,472 Salary/ERE

Duration of grant funds: 1/1/11 – 12/31/11

Future County General Fund financial impact (if any): \$ \_\_\_\_\_  
 Explain: \_\_\_\_\_

Overhead charges allowed by grant? Yes X (20%) No \_\_\_\_\_  
(supply contract reference, statute or regulation prohibiting)

Additional personnel required. Yes \_\_\_\_\_ No X  
(requires Human Resources position review and approval)

Additional space required? Yes \_\_\_\_\_ No X  
If yes, how much? \_\_\_\_\_

IT/Communications support required? Yes X No \_\_\_\_\_  
 Telephones X  
 Computers X  
 Other (specify) \_\_\_\_\_

Other requirements/costs: \_\_\_\_\_

How will the County benefit from this funding? Continue to provide comprehensive pregnancy prevention programs  
 for the targeted groups of County teens.

What will be the impact of not funding? Lack of comprehensive pregnancy prevention programs for the targeted  
 groups of County teens, allowing for increases in teen pregnancy.

[Signature]  
 Department Head Signature (required)

1/10/11  
 Date Signed



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: HG861229

Amendment No. 3

Procurement Specialist
Christine Ruth

Teen Pregnancy Prevention

Amendment Date: November 17, 2010

It is mutually agreed that the Intergovernmental Agreement referenced is amended, effective upon final signature unless specified otherwise, as follows:

- 1. Pursuant to Page Twelve (12), Special Terms and Conditions, Provision Two (2), Contract Extension (4) Years, the Contract is hereby extended through December 31, 2011.
2. Effective January 1, 2011, Replace the Scope of Work, pages Fourteen (14) through Sixteen (16) of the Agreement and Provision Number Three (3), Page Two (2) of Amendment Two (2) with the Scope of Work, Pages Two (2) through Five (5) of this Amendment Three (3).
3. Effective January 1, 2011, replace Price Sheet in Amendment Two (2), Page Three (3), with revised Price Sheet in Amendment Three (3), Page Six (6). There is no change to the overall Price Sheet; just line adjustments.
a. Personnel will increase by \$12,804.00. Staff was increased by .64 FTE and temporary staff added.
b. ERE increased by \$7,927.75 as a percentage of total payroll.
c. Professional and Outside Services decreased by \$2,000.00 due to a change in contractor and focus for 2011.
d. Travel increased by \$90.00 due to more travel in the northern region of the County.
e. Operating Expenses will decrease by \$6,436.10 due to moving funds to Professional and Outside Services.
f. Capital Outlay Expense will decrease by \$7,000.00 due to moving funds to Professional and Outside Services.
g. Indirect will decrease by \$5,385.65 based on the decrease in the indirect rate.

Cochise County Health Department

Contractor Name
1415 Melody Lane, Building A
Address
Bisbee, AZ 85603
City State Zip

CONTRACTOR SIGNATURE

In accordance with A.R.S. 35-391.06 and A.R.S. 35-393.06, the Contractor hereby certifies that the Contractor does not have scrutinized business operations in Sudan or Iran.

Contractor Authorized Signature
Vaira Hafik
Printed Name
Director
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.

Signature
Date
Terry Bannon
Printed Name

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 \_\_\_ 2009

Procurement Officer

Attorney General Contract No. PIGA2011000344, 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.

Signature
Date
Assistant Attorney General
Printed Name: Ronald E. Johnson

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.

	<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: <b>HG861229</b>	Amendment No. <b>3</b>	Procurement Specialist Christine Ruth

## 1. Background

Arizona continues to have high teen pregnancy and teen birth rates even though there have been significant decreases since 1998, following the national trend. In 2004, Arizona had the 5th highest teen birth rate in the United States for females aged fifteen (15) to nineteen (19). (Source: National Vital Statistics Reports, Vol. 55, 2006). The Arizona rate was 60.1 per 1,000 females aged fifteen (15) to nineteen (19) compared to the United States rate of 41.1 per 1,000 for 2004. In 2006, the birth rate among all females fifteen (15) to nineteen (19) years old was 59.6 per 1,000 females for Arizona. The highest rates were in Yuma (71.8) Mohave (69.1) and Gila (66.0) counties. In 2006, 40 teens became pregnant every day in Arizona. (Source: Arizona Vital Statistics).

Teens pregnant with their second or later pregnancy have represented approximately 20%-30% of all teen pregnancies for the last nine (9) years. In 2005 approximately 61% of teen births in Arizona were to Latinos. Further, the substantial reduction in teen pregnancy and birth rates in recent years can be attributed, in part, to shifts in the sexual behavior of teen boys. Also recent research from the National Campaign to Prevent Teen Pregnancy indicates that parents have the most influence on their teens' decisions about sexual behavior. Most teens agree that it would be much easier for them to postpone sexual activity and avoid teen pregnancy if they were able to have more open, honest conversations about sexual issues with their parents. Additional health status statistics can be obtained by accessing the ADHS website at [www.azdhs.gov/plan/index.htm](http://www.azdhs.gov/plan/index.htm).

In an effort to reduce teen pregnancy in the State, ADHS has proposed the following goals:

Goals 1: Annually reduce the number of pregnancies by 1.5 per 1,000 teenage girls age fifteen (15) to nineteen (19).

Goals 2: Annually reduce the number of repeat pregnancies by .5 per 1000 teen girls age fifteen (15) to nineteen (19).

## 2. Objective

Provide funding to County Health Departments to implement programs that:

- 2.1 Reduce second pregnancies among teens;
- 2.2 Develop and implement culturally sensitive programs to reduce teen pregnancy in the Latino community;
- 2.3 Develop and implement programs that involve boys and young men in teen pregnancy prevention;
- 2.4 Develop and implement programs to provide education and training to parents/caregivers on effective communication regarding sexual health issues and other risk behaviors; and/or
- 2.5 Develop and implement programs addressing youth in care.

## 3. Scope of Work

Teen pregnancy prevention programs and programs designed to reduce the incidence of Sexually Transmitted Infections (STI's) among youth must employ research based strategies that have been demonstrated to be effective or those that have been shown to have promise in reducing the incidence of STI among youth and reducing the rate of teen pregnancy. These programs should be consistent with findings on programs to reduce teen pregnancy such as those stated in Emerging Answers, by Douglas Kirby, 2001, and the characteristics of effective programs as stated in a working paper entitled "The Impact of Sex and HIV Education Programs of Youth in Developing and Developed Countries", by Douglas Kirby, 2005. Programs shall also incorporate a youth development approach. Refer to

[www.teenpregnancy.org](http://www.teenpregnancy.org) for information on Emerging Answers, a copy of the working paper may be downloaded from [www.fhi.org/en/youth/youthnet/publications/youthresearchworkingpapers](http://www.fhi.org/en/youth/youthnet/publications/youthresearchworkingpapers).

Programs designed to provide education to parents/caregivers shall have demonstrated to be effective or been shown to have promise and be consistent with research findings on strategies to involve parents in education programs. Programs as provided by the National Campaign to Prevent Teen Pregnancy and the Annie B. Casey Foundation are recommended.

3.1 Parent education should include the following topic areas:

- 3.1.1 Development and practical application of parent/child communication skills;
- 3.1.2 Risk and protective factors;
- 3.1.3. Consequences of unhealthy risk behaviors;
- 3.1.4. Benefits of healthy behaviors;
- 3.1.5. Information on prevention of teen pregnancy and sexually transmitted infections;
- 3.1.6. Growth and development of children and adolescents; and
- 3.1.7. Exploration and discussion of parental views regarding sex, love and healthy relationships with others.

3.2 All programs shall be medically and scientifically accurate.

3.3 **Target Populations include:**

- 3.3.1. Male and female high risk youth age twelve (12) to eighteen (18);
- 3.3.2 Youth in Care;
- 3.3.3. Parents/caregivers;;
- 3.3.4. Teens at risk of a second birth
- 3.3.5. Latinos; and
- 3.3.6. Boys and young men.

Counties may utilize methods that are appropriate for their demographics and particular characteristics of their community to achieve program standards and outcomes. Counties will have the flexibility to implement the program in a manner that "fits" their neighborhood or community. The program shall assure that differences in culture, family structure, personal and family values, and resources are respected among communities throughout the county.

Curricula and other educational materials provided in a school based setting must follow Arizona Department of Education (ADE) guidelines regarding sex education and be recommended for use by ADE and approved by ADHS (see [www.ade.state.az.us/health-safety](http://www.ade.state.az.us/health-safety) for a list of recommended curricula).

The County shall be required to conduct a process and a short term outcome evaluation of the project. At a minimum, a post survey shall be required to measure skills, knowledge, attitudes, values, intentions and satisfaction with the project and project educators. An example of a pre/post survey is provided.

**4. Tasks**

- 4.1 Provide a detailed description of the project that the County shall implement;

- 4.2. Submit an outline of selected strategy (s) and an Implementation Plan to ADHS for approval. Use of the BDI Logic Model is recommended. <http://www.etr.org/recapp/bdillogicmodel20030924.pdf>, the State of Arizona logic model is an approved alternative;
- 4.3 Develop and submit a proposed budget for the upcoming year;
- 4.4 Develop an evaluation plan that shall include goals and objectives for the project including numbers of youth/parents to be served over a one year period, include expected outcomes;
- 4.5 Implement approved strategies; and
- 4.6 Analyze program evaluation data.

**5. Reference Documents**

- 5.1 Healthy Arizona 2010: Collaborating For a Healthier Future (<http://azdhs.gov/phs/healthyaz2010/>);
- 5.2 National Campaign to Prevent Teen Pregnancy, What Works [http://www.teenpregnancy.org/resources/reading/pdf/what\\_works.pdg](http://www.teenpregnancy.org/resources/reading/pdf/what_works.pdg);
- 5.3 National Campaign to Prevent Teen Pregnancy, Science Says: Adolescent Boys' Use of Health Services [http://www.teenpregnancy.org/works/pdf/Science\\_Says\\_26\\_boys\\_health.pdf](http://www.teenpregnancy.org/works/pdf/Science_Says_26_boys_health.pdf);
- 5.4 National Campaign to Prevent Teen Pregnancy, Science Says, Effective and Promising Teen Pregnancy Prevention Programs for Latino Youth [http://www.teenpregnancy.org/works/pdf/Science\\_Says\\_32\\_latino\\_programs.pdf](http://www.teenpregnancy.org/works/pdf/Science_Says_32_latino_programs.pdf);
- 5.5 National Campaign to Prevent Teen Pregnancy, Science Says, Characteristics of Effective Curricula Based Programs <http://www.teenpregnancy.org/works/pdf/sciencesaysEffectiveCurricula.pdf>;
- 5.6 National Campaign to Prevent Teen Pregnancy, Science Says. Another Chance: Preventing Additional Births to Teen Mothers <http://www.teenpregnancy.org/works/pdf/AnotherChance.pdf>;
- 5.7 Regulations on sexuality education: [www.ade.state.az.us/health-safety](http://www.ade.state.az.us/health-safety); and
- 5.8 Health status data: [www.azdhs.gov/plan/menu/for/births.htm](http://www.azdhs.gov/plan/menu/for/births.htm).

**6. State Provided Items**

Attached hereto and incorporated herein:

- 6.1 ADHS Implementation Plan (Forms E-G);
- 6.2 Data Sheets (Attachment B);
- 6.3 Attendance sheets (Attachment C);
- 6.4 Monthly Report (Attachment D); and
- 6.5 Survey Forms (Forms E-G).

**7. Deliverables**

The Contractor shall submit to ADHS:

- 7.1 A detailed description of the overall project, due within sixty (60) days of contract award;
- 7.2 An outline of selected strategies including an Implementation plan, due within sixty (60) days of Contract award;

- 7.3 An evaluation plan, due within sixty (60) days of Contract award;
- 7.4 Evaluation results, due within forty-five (45) days of the end of Contract year;
- 7.5 A proposed budget for the next year, due by the first day of the 8<sup>th</sup> month of the Contract year;
- 7.6 A monthly progress report to include how you implemented approved strategy(s), due the 15<sup>th</sup> of the month following service provision;
- 7.7 Participant data sheets, Form A, B and attendance sheets due the 15<sup>th</sup> of the following month class/session ended; and
- 7.8 Contractors Expenditure Reports, due by the 15<sup>th</sup> of the month following expenditure. The CER can be found on [http://azdhs.gov/hsd/primary\\_care.htm](http://azdhs.gov/hsd/primary_care.htm).
- 7.9 Attendance in quarterly ADHS Teen Pregnancy Prevention Contractor meetings.

**8. Notices, Correspondence and Reports**

Notices, correspondence, reports and invoices from the contractor to ADHS shall be sent to:

Teen Pregnancy Prevention Program Manager  
Bureau of Women's and Children's Health  
150 N. 18<sup>th</sup> Avenue, Suite 320  
Phoenix, Arizona 85007-3242  
(602) -364-1400

Notices, Correspondence, Reports from the ADHS to the Contractor shall be sent to:

Director  
Cochise County Health Department  
1415 Melody Lane, Building A  
Bisbee, Arizona 85603-3090  
Phone: 520-432-9472  
Fax: 520-432-9480  
Email: vharikr@co.cochise.az.us

	<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: <b>HG861229</b>	Amendment No. <b>3</b>	Procurement Specialist Christine Ruth

## PRICE SHEET

### Cost Reimbursement Line Item Budget

ACCOUNT CLASSIFICATION	AMOUNT
Personnel	\$ 64,860.00
ERE	\$ 21,611.75
Professional & Outside Services	\$ 14,000.00
Travel Expense	\$ 7,000.00
Occupancy Expense	\$ 0.00
Other Operating Expense	\$ 20,363.90
Capital Outlay Expense	\$ 0.00
Indirect (if authorized)	\$ 17,295.35
<b>TOTAL</b>	<b>\$ 145,131.00</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 a Contract Amendment.

**Regular Board of Supervisors Meeting**

**Date:** 01/25/2011

**Amendment to Intergovernmental Agreement for Title I**

**Submitted By:** Tracey Rocco, Juvenile Probation

**Department:** Juvenile Probation

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

**Document Signatures:** BOS Signature Required **# of ORIGINALS Submitted for Signature:** 3

**NAME of PRESENTER:** Tracey Rocco **TITLE of PRESENTER:** Finance/Admin. Manager

**Mandated Function?:** Federal or State Mandate **Source of Mandate or Basis for Support?:** Federal Title funding / IGA

**Docket Number (If applicable):**

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**Agenda Item Text:**

Approve Amendment #1 to the previously approved Intergovernmental Agreement (IGA) #KR10-0015 between the Arizona Supreme Court-Administrative Office of the Courts and Cochise County to provide the second-year funding for the two-year agreement in the amount of \$98,658.11.

**Background:**

Original two year IGA between Arizona Supreme Court-Administrative Office of the Courts and the Cochise County Board of Supervisors through the County School Superintendent and Juvenile Court Services. Amendment #1 is for second year of IGA award of \$ 98,685.11 to be used in the juvenile detention center's classrooms and transition program. Federal title funds are awarded to the Arizona Supreme Court-Administrative Office of the Courts on behalf of all Arizona counties.

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

Juvenile Court Services will pick up two of the three signed originals for forwarding onto the Arizona Supreme Court-Administrative Office of the Courts.  
The third signed original is for the BOS files.

**Impact of NOT Approving/Alternatives:**

Juvenile Court Services will not receive the award of \$ 98,685.11 from the funding source.

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

Juvenile Court Services will drop off the hard copy of three original items for **BLUE INK signature by: Patrick Call**, Chairman of the Board of Supervisors.  
Please call the dept at 432-7523 and advise when ready for pick up.

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**Fiscal Impact**

**Fiscal Year:** Fy2011

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

**Ongoing Costs? (\$\$\$):** 0

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

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

**Source of Funding?:**

AOC

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

This award of \$98,685.11 is used each year to offset the payroll, operating and equipment costs in the juvenile detention classrooms and transition program.

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**Regular Board of Supervisors Meeting**

**Date:** 01/25/2011

**Approval of Cooperative Agreements**

**Submitted By:** Dave Seward, Procurement

**Department:** Procurement

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

**Document Signatures:** BOS Signature Required **# of ORIGINALS** 2

**Submitted for Signature:**

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

**Docket Number (If applicable):**

**Mandated Function?:** Federal or State Mandate

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

---

**Agenda Item Text:**

Approve the use of Cooperative Purchasing Agreements with National Intergovernmental Purchasing Alliance (NIPA), The Cooperative Purchasing Network (TCPN), National Joint Powers Alliance (NJPA), Arizona Department of Administration State Procurement Office, and General Services Administration.

**Background:**

The Cochise County procurement department has access to several cooperative purchasing agreements with various organizations. These cooperative purchasing organizations prepare solicitations and award bids/contracts for a wide range of commodities and services on behalf of local governments nationwide. By combining the requirements of a multitude of government agencies, these cooperative organizations can offer Cochise County volume pricing through economies of scale. Many of the vendors Cochise County uses have contracts with several cooperative organizations allowing us to use the Cooperative organization that has the best pricing available for the specific requirement.

NIPA and TCPN – No contracts are necessary. Registration via email is all that is required. These agreements are in effect until cancelled by either party

NJPA - Cooperative agreement is attached and requires signature of the Chairman. This agreement is in effect until cancelled by either party.

Arizona Department of Administration State Procurement Office – The current agreement is still in effect, however, a new agreement has been developed as there is no longer an administrative fee required to use the State Contract. This agreement is valid for a period of five years and will require signature of the Chairman.

U.S General Services Administration – The U.S General Service Administration Section 1122 program authorizes states and local governments to take advantage of the purchasing power of the federal government through the Cooperative Purchasing Program. This program is applicable for purchases of Law Enforcement Equipment, Vehicles and Supplies. Procurement is currently obtaining pricing from several GSA vendors for a covert scope vehicle using homeland security grand funds. Additionally, GSA Schedules 84 and 70 allow states and local government's authorization to purchase security and law enforcement equipment (84) and technology products and professional services (70) through the GSA Cooperative Purchasing Program. No contract is necessary to use the GSA cooperative agreements.

The purpose of this recommendation is to obtain Board of Supervisors approval to use these cooperative agreements as blanket authority in accordance with Section 16.13 of the procurement policy for the purchase of equipment, supplies and services for Cochise County. Section 16.13 states that "Requisitions for items purchased based on Inter-government Agreements (IGA) or Cooperative Purchase Agreements that Cochise County is a party to will be processed immediately without additional approval of the Board of Supervisors if the purchase is already approved in the current budget".

Whenever possible, procurement will compete purchase requirements among the various cooperative organizations to ensure we are getting the best price. Procurement will also competitively evaluate these requirements to make sure a cooperative purchase is in the best interest of Cochise County or whether a formal competitive sealed bid could result in better pricing through further competition and/or to afford the opportunity for a local business to bid.

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

Execute applicable agreements.

**Impact of NOT Approving/Alternatives:**

The procurement department will be required to prepare a Board agenda item for approval of all purchases of \$50,000 or more when using cooperative purchasing agreements. Approval will expedite purchasing throughput time for processing of purchase requisitions and improve efficiency.

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

Contracts for signature of the Chairman will be hand carried to the Clerk of the Board. There is no fiscal impact until a purchase is made.

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**Attachments**

State Contract

TCPN

NIPA

NJPA

GSA

**JANICE K. BREWER**  
Governor



**DAVID RABER**  
Interim Director

**ARIZONA DEPARTMENT OF ADMINISTRATION**  
**STATE PROCUREMENT OFFICE**  
100 North 15<sup>th</sup> Avenue, Suite 201, Phoenix, Arizona 85007  
(602) 542-5511 (main) (602) 542-5508 (fax)  
<http://www.azdoa/spo>

**ARIZONA STATE PURCHASING COOPERATIVE AGREEMENT**

This Cooperative State Purchasing Agreement ("Agreement") is entered between the

**State of Arizona Procurement Office**

and

**Cochise County**

(An Eligible Procurement Unit)

in accordance with Arizona Revised Statutes §41-2631, Article 10 Intergovernmental Procurement, which article authorizes cooperative purchasing for public procurement units and nonprofit educational or public health institutions and Arizona Revised Statutes § 41-2631 *et seq.* and the Arizona Administrative Code R2-7-1001, which permits the governing body of any Eligible Procurement Unit may enter into an Agreement with the State for the purpose of utilizing State contracts.

The purpose of this Agreement is to permit the Eligible Procurement Unit named above, hereafter known as the State Cooperative Member, to purchase materials and services from State contractors at the prices and terms expressed in contracts between the State and those State contractors.

In consideration of the mutual promises contained in this Agreement, and of the mutual benefits to result there from, the State and the State Cooperative Member agree as follows:

1. The State shall conduct the procurement in compliance with the Arizona Procurement Code, A.R.S. Title 41, Chapter 23, and its Rules, A.A.C. Title 2, Chapter 7.

2. The specifications for the materials and services will be determined by the State Procurement Administrator or delegated State agencies.
3. The State will identify the State Cooperative Member as an eligible participant in any solicitation intended for general use by State Cooperative Members. In addition, the State may invite the State Cooperative Member to participate in certain exclusive solicitations. Only State Cooperative Members indicating an interest in participating in these exclusive solicitations will be eligible to participate in the resulting State contracts.
4. The State Cooperative Member shall not use a State contract to obtain improper concessions, including lower prices, from State contractors or any other suppliers for the same or similar materials or services. The State Cooperative Member is also prohibited from participating in any organization or group that seeks to obtain such concessions from State contractors or other suppliers based on State contracts.
5. The State shall provide the State Cooperative Member with access to listings of all eligible State contracts. The original copy of each State contract is a public record on file with the State. The State's eProcurement System shall provide all contract information available and be used for contract purchases.
6. The State Cooperative Member shall:
  - a. Insure that purchase orders issued against eligible State contracts are in accordance with the terms and prices established in the State contract.
  - b. Make timely payments to the State contractor for all materials and services received in accordance with the terms and conditions of the State contract. Payment for materials or services and inspection and acceptance of materials or services ordered by the State Cooperative Member shall be the exclusive obligation of such unit.

- c. Be responsible for the ordering of materials or services under this Agreement. The State shall not be liable in any fashion for any violation by the State Cooperative Member of this Agreement, and the State Cooperative Member shall hold the State harmless from any liability which may arise from action or inaction of the State Cooperative Member relating to this Agreement or its subject matter.
  - d. The exercise of any rights or remedies by the State Cooperative Member shall be the exclusive obligation of such unit; however, the State, as the contract administrator and without subjecting itself to any liability, may join in the resolution of any controversy should it choose to do so.
7. The State Cooperative Member shall endeavor to utilize State contracts to the fullest extent possible. That is, to purchase all items covered under exclusive contracts and to not fracture purchases by means of utilizing line items from alternate contracts. Such practices weaken the State's ability to negotiate lowest possible volume prices.
  8. Failure of the State Cooperative Member to secure performance from the State contractor in accordance with the terms and conditions of its purchase order does not necessarily require the State to exercise its own rights or remedies.
  9. This Agreement shall take effect with execution by both Parties on the date signed by the State Procurement Administrator, and shall remain in effect for a total period of five (5) state fiscal years.
  10. This Agreement may be canceled pursuant to the provisions of A.R.S. § 38-511.
  11. This Agreement is exempt from the provisions of A.R.S. §§ 11-952 and 12-1518.
  12. The State Cooperative Member certifies that its organization shall comply with the State and Federal Equal Opportunity and Non-Discrimination requirements and conditions of employment in accordance with A.R.S. Title 41 Chapter 9, Article 4 and Executive Order No. 99-4 dated January 29, 1999.

13. The State Cooperative Member hereby acknowledges that each State contractor shall be remitting an administrative fee to the State, based upon the member's purchasing volume under the state contracts.
14. The State Cooperative Member authorizes State contractors to release usage information to the State. Usage information shall be limited to the State Cooperative Member's purchasing activity and shall generally consist of, but shall not be limited to, purchase order information including purchase date(s); units purchased, their descriptions and quantities; unit prices and aggregate amounts paid for all materials and services purchased off of the State's contract.
15. The State may terminate this Agreement without notice if the State Cooperative Member fails to comply with the terms of a State contract or this Agreement.
16. Except as provided in Paragraph 15, either of the Parties may terminate this Agreement with at least thirty (30) days written notice to the other party.

IN WITNESS WHEREOF, the Parties of this Agreement, having caused their names to be affixed hereto by their proper officers, hereby execute this Agreement on the dates indicated hereunder.

**FOR THE STATE COOPERATIVE MEMBER:**

**FOR THE STATE:**

**Signature:** \_\_\_\_\_

**Name:** Pat Call  
\_\_\_\_\_

**Title:** Chairman  
\_\_\_\_\_

**Date:** \_\_\_\_\_

**Signature:** \_\_\_\_\_

Jean A. Clark, CPPO, C.P.M., CPPB, CPM

**Title:** State Procurement Administrator

**Date:** \_\_\_\_\_

**Seward, David**

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**From:** Candice Nunn [cnunn@esc4.net]  
**Sent:** Wednesday, December 22, 2010 8:39 AM  
**To:** Seward, David  
**Subject:** TCPN membership

Congratulations! We have received your Membership Agreement and have added your name and entity to our Membership list. You and your entity are now authorized to begin purchasing from any and all of our Official Contract Holders. A complete list of all contracts can be found on our website at [www.TCPN.org](http://www.TCPN.org). Be sure to check the website frequently for updates and news about exciting new contracts and vendors. Or subscribe online to our RSS feed and have news sent to you automatically!

We look forward to working with you and appreciate you participating in our purchasing cooperative. If we can be of assistance in any way, please do not hesitate to contact us.

*Jason Wickel*

Director, TCPN

Candice Nunn  
TCPN Secretary



The Cooperative Purchasing Network  
7145 W. Tidwell  
Houston, TX 77092-2096  
713-744-6394  
[www.tcpn.org](http://www.tcpn.org)

**Seward, David**

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**From:** Wayne Casper [Wayne.Casper@nationalipa.org]  
**Sent:** Wednesday, December 22, 2010 8:55 AM  
**To:** Seward, David  
**Cc:** Wayne Casper  
**Subject:** Welcome to National Intergovernmental Purchasing Alliance (National IPA)! HRG:0251243

Dear David:

Welcome to National IPA! Your participation form has been received and processed. For future reference, the National IPA Participating Agency number assigned to Cochise County is NIPA6724. We are pleased to offer a growing portfolio of publicly solicited and awarded master agreements to your agency. Details for all awarded contracts, as well as contracts in process and under evaluation are available at [www.nationalipa.org/agreements.html](http://www.nationalipa.org/agreements.html).

If you need additional information or assistance with any of our master agreements, please contact me. Thank you and I look forward to serving your agency in the future.

Wayne Casper  
National IPA  
[info@nationalipa.org](mailto:info@nationalipa.org)

**MEMBERSHIP AGREEMENT  
PARTICIPATING MEMBER**



This Agreement, made and entered into this 25th day of January, 2011,  
by and between National Joint Powers Alliance®, hereinafter referred to as "NJPA" and  
COCHISE COUNTY hereinafter referred to as the "Applicant".

**Witnesseth:**

That for a good and valuable consideration of the premises, mutual terms, covenants, provisions, and conditions hereafter set forth, it is agreed by and between the parties as follows:

*Whereas, the NJPA is created by Minnesota Statute §123A.21 (with membership further defined in M.S. §471.59) to serve cities, counties, towns, public or private schools, political subdivisions of Minnesota or another state, another state, any agency of the State of Minnesota or the United States including instrumentalities of a governmental unit and all non-profits; and*

*Whereas, NJPA's purpose as defined in M.S. §123A.21 is to assist in meeting specific needs of clients which could be better provided by NJPA than by the members themselves; and*

*Whereas, the NJPA Board of Directors has established the ability for an "Applicant" desiring to participate in NJPA contracts and procurement programs to become a Participating Member; and*

*Whereas, the NJPA Board of Directors has determined that Participating Members will have no financial or organizational liability to NJPA or to its organizational activities;*

**Now Therefore,** it is hereby stipulated and agreed that the "Applicant" Agency desires to be a Participating Member of NJPA with contract purchasing benefits, in accordance with terms and conditions of the applicable contract(s), and that NJPA hereby grants said Membership to said "Applicant."

**Term:**

This continuing agreement shall remain in force or until either party elects to dissolve the Agreement by written notice.

**THEREFORE, IN WITNESS THEREOF,**

the parties hereto have executed this Agreement the day and year written above.

**Member Name:**

**National Joint Powers Alliance®  
200 1st Street NE, Suite 1  
Staples, MN 56479**

By \_\_\_\_\_

AUTHORIZED SIGNATURE

\_\_\_\_\_  
AUTHORIZED SIGNATURE

Its \_\_\_\_\_

CHAIRMAN

TITLE

\_\_\_\_\_  
TITLE

January 25, 2011

DATE

\_\_\_\_\_  
DATE



- GSA Schedules
- Overview
- FAQ
- ▶ 1122 Program
  - List of Available Equipment
  - State Points of Contact
  - Blanket Purchase Agreement (BPA)
  - Contractor Team Arrangements
  - Cooperative Purchasing
  - Disaster Recovery Purchasing
  - For Customers - Ordering from Schedules
  - For Vendors - Getting on Schedule
  - GSA Schedules Background
  - GSA Schedules and the Recovery Act
  - Hot Topics
  - Options on GSA Schedule Contract Orders
  - Other Direct Costs
  - Schedules News

## 1122 Program

Section 1122 of the fiscal year 1994 National Defense Authorization Act established the authority for states and units of local government to purchase law enforcement equipment through federal procurement channels, provided that the equipment is used in the performance of counter-drug activities. The "1122 Program" affords state and local governments the opportunity to maximize their use of taxpayer dollars, by taking advantage of the purchasing power of the federal government to receive discounts commensurate with large volume purchases.

The authority for the 1122 Program resides with the Department of Defense. The U.S. Army, as the executive agent of the program, formed a steering committee initially consisting of representatives from GSA, the Defense Logistics Agency (DLA), and the Department of Justice (DOJ). Today, the Army, GSA, and DLA are actively involved in the program.

The governor of each state participating in the 1122 Program designates a State Point of Contact (SPOC) to administer the state's activities under the program, by validating the counter-drug mission of each procurement request, and ensuring the availability of funds.

GSA publishes the Law Enforcement Equipment and Supplies Catalog (1122 Catalog), which explains how the 1122 Program works, and identifies the equipment and supplies available from the Army, GSA, and DLA.

With the approval of the executive agent, GSA has authorized states and units of local government to purchase certain products under selected GSA Schedules and Special Item Numbers (SINs) in support of their counter-drug missions. Specific types of vehicles are also available under the program by utilizing AutoChoice, GSA's online vehicle ordering system. All GSA items authorized for use under the 1122 Program, as well as detailed information regarding ordering procedures, are contained in the 1122 Catalog.

In addition to the 1122 Program, state and local government entities may take advantage of the purchasing power of the federal government through the Cooperative Purchasing Program and the Disaster Recovery Purchasing Program. Access these websites to learn how to acquire authorized products and services from a variety of GSA Schedules.

The shortcut to this page is [www.gsa.gov/1122program](http://www.gsa.gov/1122program).

### CONTACTS

Patricia Scaglione  
(571) 259-9921

- [patricia.reed@gsa.gov](mailto:patricia.reed@gsa.gov)
- [View Contact Details](#)

Cheryl Allen  
(817) 850-8120

- [cheryl.allen@gsa.gov](mailto:cheryl.allen@gsa.gov)
- [View Contact Details](#)

MAS Helpdesk (National Customer Service Center)  
(800) 488-3111

- [mashelpdesk@gsa.gov](mailto:mashelpdesk@gsa.gov)
- [View Contact Details](#)



Programs for State and Local Governments

**DISASTER RECOVERY PURCHASING PROGRAM**



Purchase directly from approved GSA Federal Supply Schedule vendors before and after Presidentially declared disasters or acts of terrorism, to aid in recovery.

- \* About the Program
- \* Disaster Recovery Frequently Asked Questions (FAQs)
- \* Download the Disaster Recovery Program Brochure

**NATIONAL WILDLAND FIRE PROGRAM**



Purchase U.S. Forest Service approved wildland fire protection equipment and supplies from GSA's Global Supply Program.

- \* About the Program
- \* Program Coordinator and Other Resources
- \* Download the National Wildland Fire Program Brochure

**COMPUTERS FOR LEARNING PROGRAM**



Schools and educational nonprofit organizations can acquire excess computer equipment from government agencies.

- \* About the Program
- \* Computers for Learning Sign In
- \* Download the Computers for Learning Program Brochure

**WORKING WITH OTHER GOVERNMENTS**



GSA promotes cooperation among federal, state, and local governments.

- \* About the Program

**ALERT: SCHEDULES ACCESS FOR FEDERAL GRANTEES DURING PUBLIC HEALTH EMERGENCIES**

Effective August 17, 2009, state, local, territorial, and tribal governments may access all Federal Supply Schedules as authorized users for goods and services when expending Federal grant funds in response to Public Health Emergencies (PHE) declared by the Secretary of Health and Human Services under section 319 of the Public Health Services Act, codified at 42 U.S.C. § 247d.

- \* Download the Federal Grantee Access to Schedules in Response to Public Health Emergencies Program Brochure

**COOPERATIVE PURCHASING PROGRAM**



Purchase security and law enforcement equipment from GSA Schedule 84 and technology products and professional services from GSA IT Schedule 70 and the IT Special Item Numbers on the Consolidated Schedule.

- \* About the Program
- \* Cooperative Purchasing Frequently Asked Questions (FAQs)
- \* Download the Cooperative Purchasing Program Brochure

**1122 PROGRAM**



Purchase approved law enforcement equipment and vehicles from selected GSA Schedules and AutoChoice for use in counter-drug activities.

- \* About the Program
- \* List of Available Equipment
- \* Download the 1122 Program Brochure

**FEDERAL SURPLUS PERSONAL PROPERTY DONATION PROGRAM**



Eligible state and local governments and nonprofits can acquire federal surplus personal property through State Agencies for Surplus property (SASPs).

- \* About the Program
- \* List of Available Personal Property and How to Acquire
- \* Eligibility Requirements
- \* Download the Federal Surplus Personal Property Donation Program Brochure

**Regular Board of Supervisors Meeting****Date:** 01/25/2011**Request for a New Assurance Agreement for the Rio Corte Estates Subdivision (S-07-02)****Submitted By:** Mike Turisk, Community Development**Department:** Community Development**Division:** Planning**Presentation:** PowerPoint**Recommendation:** Approve**Document Signatures:** BOS Signature Required**# of ORIGINALS** 2**Submitted for Signature:****NAME of PRESENTER:** Michael Turisk**TITLE of PRESENTER:** Planning Manager**Docket Number (If applicable):****Mandated Function?:** Not Mandated**Source of Mandate or Basis for Support?:****Agenda Item Text:**

Adopt Resolution 11-3 (Docket S-07-02), approving the new Rio Corte Estates Subdivision Assurance Agreement with Pioneer Title Agency, Inc. as trustee under trust number 521012, and extending the deadline to complete improvements to January 25, 2014.

**Background:**

This is a request for a new Assurance Agreement for the Rio Corte Estates Subdivision (Docket S-07-02) that will allow for three additional years to complete improvements. The Rio Corte Estates subdivision is a 22 lot subdivision on 66 acres zoned RU-4 located approximately 1.2 miles south of Hereford Rd. Access is provided via Land Grant, Limousine and Windsock Roads. The Board of Supervisors approved the final plat on October 16, 2007. The Assurance Agreement with the former property owner, Rio Corte LLC, expired on October 16, 2010. Few of the agreed development improvements were commenced or completed by Rio Corte LLC.

Rio Corte Lender LLC gave notice of default to Rio Corte LLC, and eventually obtained title to the collateral property. Thus, Rio Corte LLC no longer holds ownership in the property which is the subject of the Assurance Agreement.

As with the Ramsey Reserve Estates subdivision, the new owner could have requested substitution as beneficiary under the existing Assurance Agreement, and then requested an extension, but the County Attorney suggested that the owner simply request a new Assurance Agreement in light of the fact that the old agreement has expired. Rio Corte Lender LLC, as the new property owner, hopes that the additional three years provided by the new Assurance Agreement will allow time for market conditions to improve and to see the project through to completion.

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

If the Board of Supervisors approves the new Assurance Agreement, the next step would be for the Chairman to sign Resolution 11-\_\_\_, and the Rio Corte Assurance Agreement Signature Form, and to send copies of the recorded documents to the Planning Department for Docket S-07-02.

**Impact of NOT Approving/Alternatives:**

The Assurance Agreement provides authorization for the County to abandon the subdivision final plat and convert the property to un-subdivided land if the required improvements fail to be completed in compliance with the County's standard specifications within three years.

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

If approved, an original new Assurance Agreement and original Resolution are to be signed by the Chairman of the Board and the Clerk of the Board. The Chief Civil Deputy will sign these documents the week of January 17 and forward them to the Board of Supervisors for the required signatures prior to the January 25 meeting.

---

**Attachments**

[Rio Corte AA Memo](#)

[Rio Corte Resolution](#)

[Rio Corte AA](#)

[Rio Cortez PPT\\_.pdf](#)



## **COMMUNITY DEVELOPMENT DEPARTMENT**

***Planning, Zoning and Building Safety***

1415 W. Melody Lane, Bisbee, Arizona 85603

(520) 432-9450

Fax 432-9278

**Carlos De La Torre, P.E., Director**

**TO:** Board of Supervisors  
Through: Michael J. Ortega, County Administrator

**FROM:** Michael Turisk, Planning Manager  
For: James E. Vlahovich, Planning Director

**SUBJECT:** New Assurance Agreement for the Rio Corte Estates Subdivision  
(S-07-02)

**DATE:** December 14, 2010 for the January 25, 2011 Board Meeting

### **Background**

This is a request for a new Assurance Agreement for the Rio Corte Estates Subdivision (Docket S-07-02) that will allow for three additional years to complete improvements. The Rio Corte Estates subdivision is a 22 lot subdivision on 66 acres zoned RU-4 located approximately 1.2 miles south of Hereford Rd. Access is provided via Land Grant, Limousine and Windsock Roads. The Board of Supervisors approved the final plat on October 16, 2007. The Assurance Agreement with the former property owner, Rio Corte LLC, expired on October 16, 2010. Few of the agreed development improvements were commenced or completed by Rio Corte LLC.

Rio Corte *Lender* LLC gave notice of default to Rio Corte LLC, and eventually obtained title to the collateral property. Thus, Rio Corte LLC no longer holds ownership in the property which is the subject of the Assurance Agreement.

Similar to the Ramsey Reserve Estates subdivision, the new owner could have requested substitution as beneficiary under the existing Assurance Agreement, and then requested an extension, but the County Attorney suggested that the owner simply request a new Assurance Agreement in light of the fact that the old agreement has expired. Rio Corte Lender LLC, as the new property owner, hopes that the additional three years provided by the new Assurance Agreement will allow time for market conditions to improve and to see the project through to completion.

This request is from Pioneer Title Agency, Inc, as Trustee under Trust #521012; William Skalak, Skalak Administration, Administration #Rio Corte Lender, LLC, is the beneficiary. Two documents are presented for the Chairman's signature – a resolution extending the date for the completion of improvements to January 25, 2014, at the request of the new owner, and the required signature form bearing the signatures of the trustee and beneficiary.

**Motion**

Mr. Chairman, I move to adopt the resolution approving the new Rio Corte Estates Subdivision Assurance Agreement with Pioneer Title Agency, Inc. as trustee under trust number 521012, and extending the deadline to complete improvements to January 25, 2014.

**RESOLUTION NO. 11-\_\_\_\_\_**

**TRUST AGREEMENT FOR COMPLETION  
OF SUBDIVISION IMPROVEMENTS FOR  
RIO CORTE ESTATES SUBDIVISION, DOCKET NO. S-07-02**

**WHEREAS**, an Assurance Agreement between Cochise County and Pioneer Title Agency, Inc, as Trustee under Trust #517603, with beneficiary Rio Corte, LLC was made for the completion of subdivision improvements for Rio Corte Estates Subdivision, Docket No. S-07-02, as recorded in Book 15 p. 86 and 86A of maps and plats, in the Office of the Cochise County Recorder. Said agreement was recorded on October 25, 2007, Fee No. 0710-34406 with the Office of the County Recorder; the subdivision is generally located west of Palominas Rd, and south of Hereford Rd. in Hereford.

**WHEREAS**, a final plat has been recorded for Rio Corte Estates; and

**WHEREAS**, very little progress has been made towards completion of improvements for the above-referenced subdivision; and

**WHEREAS**, the above-referenced Assurance Agreement expired on October 16, 2010; and

**WHEREAS**, Rio Corte Lender, LLC is owner of the property that is the subject of Rio Corte Estates Subdivision and the Assurance Agreement;

**WHEREAS**, Pioneer Title Agency, Inc, as Trustee under Trust #521012, beneficiary Rio Corte Lender, LLC has requested a new Assurance Agreement that allows an additional three years for completion of Rio Corte Estates improvements to January 25, 2014; and;

**WHEREAS**, Cochise County believes that a new Assurance Agreement allowing additional time is justified;

**NOW, THEREFORE, BE IT RESOLVED THAT** the Assurance Agreement with Pioneer Title Agency, Inc., as Trustee under Trust #521012, beneficiary Rio Corte Lender LLC, for Completion of Subdivision Improvements for Rio Corte Estates, is hereby approved with an expiration date of \_\_\_\_\_, 201\_.

**PASSED AND ADOPTED** by the Board of Supervisors of Cochise County, Arizona, this \_\_\_\_\_ day of \_\_\_\_\_, 2011.

---

Patrick Call, Chairman  
Cochise County Board of Supervisors

ATTEST:

---

Katie Howard,  
Clerk of the Board

APPROVED AS TO FORM:

---

Britt Hanson,  
Chief Civil Deputy

**ASSURANCE AGREEMENT  
FOR COMPLETION OF SUBDIVISION IMPROVEMENTS**

THIS AGREEMENT made and entered as of this 15 day of November, 2010, between Pioneer Title Agency, as Trustee under Trust no. **521012**, hereinafter referred to as "Trustee", Rio Corte Lender LLC, as Beneficiary(ies) of Trust no. **521012**, hereinafter referred to as "Beneficiary", and COCHISE COUNTY, Arizona, hereafter referred to as "County."

RECITALS :

1. Trustee is owner of a certain parcel of property located in Cochise County, Arizona, and described in paragraph 1 below.
2. Beneficiary has established Trust no. **521012** for the purpose of developing a subdivision of Cochise County and has conveyed legal title to the Trustee.
3. The parties hereto wish to establish specific terms, conditions and guidelines for compliance with the provision of A.R.S. Section 11-806.01 and the Cochise County Subdivision Regulations.

AGREEMENT :

In consideration of the County approving a final plat for the property which is the subject matter of this Agreement, the parties mutually agree that:

1. Property Description. The property which is the subject matter of this agreement is described in that attached Exhibit "A" and recorded in Book 15, at Page(s) 86 of Maps and Plats on the 25 day of October, 2007, in the Office of the Cochise County Recorder.
2. Assurances. This Agreement is submitted as a means of assuring the completion of the subdivision improvements required by A.R.S. Section 11-806.01, the Cochise County Subdivision Regulations, all Plans and Specifications approved and on file with the County, and any special conditions, if applicable, on Exhibit "B" attached hereto and made a part hereof. These subdivision improvements include but are not limited to,

streets, alleys, sidewalks, curbs and gutters, sanitary sewer systems, water supply, lot staking and monuments, traffic and street signs, and drainage and flood control improvements, as applicable.

3. Conveyances and Transfers of Title. The Trustee shall not transfer title to, enter into contracts for sale of property, lease, or in any way convey, in whole or in part, any of the property described in paragraph 1 without obtaining prior written approval from the County, except as authorized in the Agreement. A Release of Assurances shall only be given by the County upon satisfactory completion as verified by County inspections of the required improvements.
4. Bulk Sales. Notwithstanding paragraph 3, the Trustee may sell or convey all of the property described in paragraph 1 in one transaction to a single successor to the beneficiary's interests, provided that such successor, prior to the conveyance, shall have entered into an appropriate agreement with the County to assure completion of the improvements, and the County has approved, in writing, the transfer.
5. Conveyance Out of Trust for the Purpose of Encumbrance; Condition on Other Interests. Notwithstanding paragraph 3, the Trustee may convey the property described in paragraph 1 to the Beneficiary of the Trust for the limited purposes of allowing any obligations secured by the Trust, other than those which are the subject of this Agreement with Cochise County, to be subordinated to subsequent loans for the purpose of constructing improvements on the subject land or to create security for additional loans for the purchase or improvement of this land. In such event, the property shall immediately thereafter be reconveyed to the Trustee. This Agreement shall be deemed to be a condition on and restriction on the rights and interests of any third party whose interest in the property arises after the date of this Agreement, however such interest is created, the same as if such party were included as a signatory of this Agreement.

6. Substitution of Assurances. Subdivider or Beneficiary may offer substitute assurances at any time during the term of this Agreement in accordance with the provisions of the Cochise County Subdivision Regulations. The Assurance shall be in a form and amount acceptable to the County, and shall to the extent applicable, partially or wholly replace the Assurances in this Agreement.
7. Completion of Improvements. The required improvements shall be completed by the Subdivider within three (3) years from the date of this Agreement. This date for completion of improvements may be extended by separate agreement of the parties where Subdivider or Beneficiary is prevented from completing the improvements by act of God, strike or similar event or circumstances beyond its control, or at the discretion of the County.
8. Inspection and Approval of Improvements. The Subdivider shall arrange for the inspection of all improvements required for this project, to ensure satisfactory completion. Satisfactory completion of all such improvements, in conformance with the required standards and specifications, shall be confirmed by a written statement, signed and sealed by the project engineer. Until these improvements have been satisfactorily completed, the County will not release the property
9. Payment of Applicable Property Taxes. The County shall not release, in whole or in part, any of the property described in paragraph 1 until all property and taxes and assessments due and owing on the subject property have been paid in full.
10. Partial Release of Assurances. The County, in its discretion, and upon receipt of a written request from Trustee, may give the Trustee a Release of Assurances for a portion of the Lots created by the subdivision plat described in paragraph 1, provided that all of the improvements required in connection with such lots have been satisfactorily completed and accepted,

and provided further that the lots released and improvements associated with such lots can function independently on a permanent basis in the event the remaining portion of the subdivision is never developed.

11. Release of Assurances. Upon completion of all improvements required under this Agreement or upon receipt of acceptable substitute assurances replacing this Agreement, the County shall release the Assurances in this Agreement.
12. Failure to Complete Improvements. Trustee and Beneficiary hereby agree that in the event that the required improvements are not completed within the time period provided by paragraph 7, the County may replat that portion of the property described in paragraph 1 for which a release of assurances has not been given. The purpose of the new plat will be to abandon the subdivision and return the property to approximately the same boundary configurations of record as existed before the subdivision plat was recorded. Prior to initiating any action to replat, the County shall provide Trustee and Beneficiary with thirty (30) days written notice of the intent to replat.

The County, by this Agreement, is expressly authorized to replat this property after the required notice has been provided. All expenses by the County, including legal costs if applicable, in executing a replat shall be paid for by Beneficiary, and shall, if unpaid, become a lien on the property.

13. Effect on Trust Agreement. Trustee and Beneficiary agree that any provision of Trust no. **520012** that is incompatible or inconsistent with this Agreement shall be null and void and not enforceable. The Trust shall not be revoked prior to a full Release of Assurances without prior written consent of Cochise County. Nor shall any amendment which would alter this Assurance Agreement be effective until the County has approved such amendment.

- 14. Incorporation or Annexation. In the event the property which is the subject matter of this Agreement is incorporated into or annexed by a city or town, the city or town shall automatically become the successor in interest to all of the County's rights and obligations under this Agreement.
- 15. Purpose of Agreement. The purpose and intent of this Agreement is to prohibit the sale of individual subdivision lots to the public prior to the completion of the subdivision improvements that are associated with such lots. The sale or conveyance of such lots without the necessary improvements is harmful to the public and places excessive burdens on the County. The terms and conditions of this Agreement shall be construed and interpreted as broadly as necessary to accomplish this purpose.

IN WITNESS WHEREOF, the parties have executed this Assurance Agreement this 15th day of November, 2010

COCHISE COUNTY:

\_\_\_\_\_  
Chairman, Cochise County Board of Supervisors

**ATTEST:**

\_\_\_\_\_  
Clerk of the Board

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Deputy County Attorney

TRUSTEE:

Pioneer Title Agency, Inc., an Arizona Corporation  
(Title Company)  
an Arizona corporation, as Trustee under  
Trust no. 521012 only and not in its  
capacity

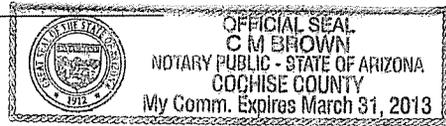
By: *R. Keith Newlon*  
Trust Officer R. Keith Newlon  
STATE OF ARIZONA )

) ss.  
COUNTY OF Cochise )

On this the 16 day of October, 2010, before me, the undersigned  
officer, personally appeared R. Keith Newlon, who  
acknowledged himself/herself to be the Trust Officer of  
Pioneer Title Agency Inc., an Arizona corporation, and that  
he/she as such officer being authorized so to do, executed the foregoing instrument  
for the purposes therein contained by signing the name of the corporation by  
himself/herself as such officer.

In witness whereof, I have hereunto set my hand and official seal.

*C M Brown*  
Notary Public



My Commission Expires:

OWNER/BENEFICIARY

*William Skalak*  
Owner/Beneficiary Rio Corte Lender LLC

By: William Skalak as co-trustee of the Skalak Family Trust Dated May 1, 2010  
As Manager of Skalak Skalak Administration LLC, Member

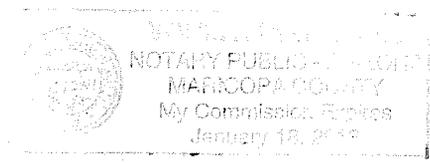
ASSURANCE AGREEMENT

STATE OF ARIZONA )  
 )  
COUNTY OF MARICOPA ) ss.

The foregoing instrument was acknowledged before me this 17th day of November, 2010, by William H. Skalak as Administrative Member.

[Signature]  
Notary Public

My Commission Expires:  
JAN 18, 2013.



**PARCEL I:**

**Lots 1 through 22, inclusive, and Tract A, RIO CORTE ESTATES, according to Book 15 of Maps, Page 86, records of Cochise County, Arizona.**

**PARCEL II:**

**A 40.00 foot private easement for ingress, egress and utilities as created in Document No. 0106-17981 and Document No. 0008-22132 existing in a portion of Section 17, Township 23 South, Range 22 East of the Gila and Salt River Base and Meridian, Cochise County, Arizona, described as follows:**

**COMMENCING at the Southwest corner of said Section 17;**

**thence North 00° 02' 01" West, along the West line of said Section 17, a distance of 2,414.31 feet;**

**thence South 89° 52' 11" East, a distance of 1,087.00 feet;**

**thence North 0° East a distance of 417.42 feet;**

**thence North 90° East a distance of 417.42 feet to a point; that point being the TRUE POINT OF BEGINNING of said 40.00 foot private easement for ingress, egress and utilities, the sideline lying 40.00 feet to the right of the following described line;**

**thence South 0° 0' 0" West, a distance of 1,725.56 feet to the POINT OF TERMINUS;**

**EXCEPT any portion lying within Parcel I.**

**PARCEL III:**

**A 40.00 foot private easement for ingress and egress as created in Document No. 0006-17947 existing in a portion of Section 17, Township 23 South, Range 22 East of the Gila and Salt River Base and Meridian, Cochise County, Arizona, described as follows:**

**COMMENCING at the Northeast corner of that parcel of land as recorded in Document No. 9605-11805, records of Cochise County, Arizona;**

**thence North 89° 52' 11" West along the North line of said parcel, a distance of 1,219.17 feet to a point; that point being the TRUE POINT OF BEGINNING of said 40.00 foot private easement for ingress and egress, the sideline lying 40.00 feet to the right of the following described line;**

**thence South 0° 0' 0" West a distance of 1,137.16 feet to the POINT OF TERMINUS;**

**PARCEL IV:**

A 40.00 foot easement for ingress and egress as created in Document No. 0006-17947 existing in a portion of Section 17, Township 23 South, Range 22 East of the Gila and Salt River Base and Meridian, Cochise County, Arizona, described as follows:

**COMMENCING** at the Southwest corner of said Section 17;

thence North 00° 02' 01" West along the West line of said Section 17 a distance of 3,969.83 feet;

thence South 89° 52' 11" East a distance of 2,724.51 feet being the Northeast corner of the parcel of land as created in Document No. 9605-11805, records of Cochise County, Arizona;

Said point also being the TRUE POINT OF BEGINNING of said 40.00 foot easement for ingress and egress, the sideline lying 40.00 feet to the left of the following described line:

thence North 89° 52' 11" West a distance of 1,934.51 feet;

thence South 00° 00' 00" West a distance of 296.00 feet to the POINT OF TERMINUS;

**PARCEL V:**

A 40.00 foot easement for ingress, egress and utilities as created in Document No. 9605-11805 existing in a portion of the SAN RAFAEL DEL VALLE PRIVATE LAND GRANT, as granted by the Patent recorded November 21, 1903 in Book 23 of Deeds, page 140; and all that portion of Section 17, Township 23 South, Range 22 East of the Gila and Salt River Base and Meridian, Cochise County, Arizona, described as follows:

**COMMENCING** at the West quarter corner of said Section 17;

thence North 0° 02' 01" West along the West line of said Section 17, a distance of 1,323.37 feet;

thence South 89° 52' 11" East a distance of 2,724.51 feet to the POINT OF BEGINNING of said 40.00 foot easement for ingress, egress and utilities, the sideline lying 40.00 feet to the right of the following described line;

thence continue South 89° 52' 11" East a distance of 271.57 feet;

thence North 13° 42' 06" West, a distance of 1,028.45 feet;

thence North 13° 31' 27" West, a distance of 336.27 feet to a point;

thence North 13° 10' 39" West a distance of 501.76 feet to the POINT OF TERMINUS on the centerline of existing Hereford Road.



# Rio Corte Estates

S-07-02

## Request for New Assurance Agreement

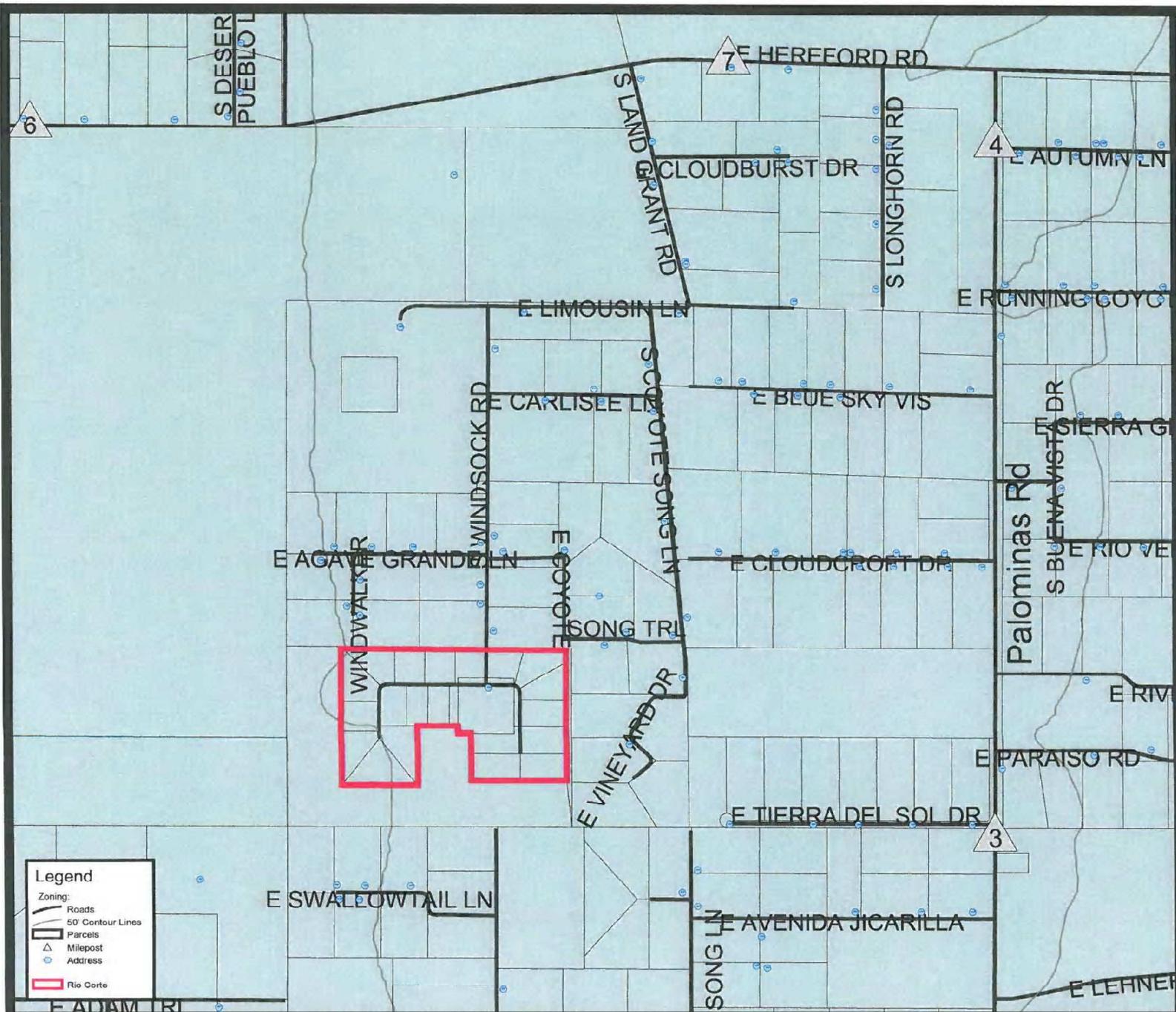
Cochise County Board of Supervisors

January 25, 2011



# Rio Corte Background

- 22 lots located about 1.2 miles south of Hereford Road via Land Grant, Limousine and Windsock Roads
- Final Plat approved by Board on October 16, 2007
- Notice of default to Rio Corte LLC; Rio Corte *Lender* LLC obtained title to the collateral property
- Rio Corte LLC no longer holds ownership in the real property which is the subject of the Assurance Agreement
- Request for new agreement by lender/new owner (to assume developer's position)
- In light of the transfer of ownership, the County suggested a new Assurance Agreement



Rio Corte

This map is a product of the Cochise County GIS





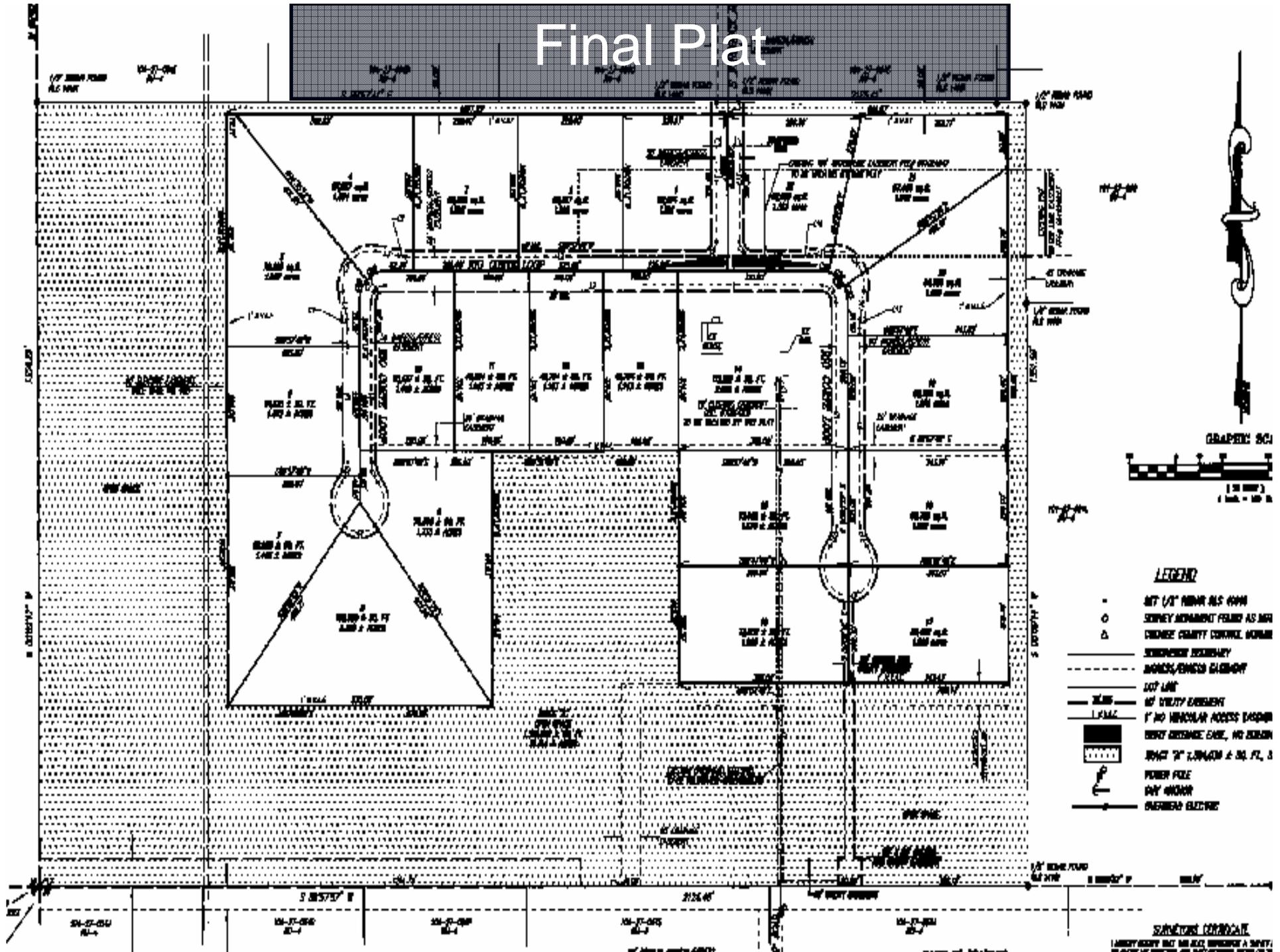
# Rio Corte Estates

**Legend**

- Parcels
- Address
- Subdivision Boundary

This map is a product of the Cochise County GIS

# Final Plat



- LEGEND**
- SET 1/2" NEAR ALL CORNERS
  - SETTING MARKED FOUND AS SHOWN
  - △ CHANGE COUNTY CONTROL NUMBER
  - SECONDARY BOUNDARY
  - - - - - BOUNDARY/ENCLOSURE
  - LOT LINE
  - NO SURVEY EVIDENCE
  - NO VEHICULAR ACCESS DESIGN
  - BEST AVAILABLE CASE, NO RECORD
  - ▨ 30' X 7' 1/2" X 30' X 30' FT. 3
  - ⚡ POWER POLE
  - ⚡ DAY MIRROR
  - ⚡ INSURED ELECTRIC

**SURVEYOR'S CERTIFICATE**  
 I HEREBY CERTIFY THAT THE SEVERAL PARCELS SHOWN ON THIS PLAT ARE THE SEVERAL PARCELS OF THE

South toward property



Northwest



Southeast



South



Southwest





# Recommendation

Staff recommends the Chairman sign the Resolution to approve the new Assurance Agreement, thus extending the deadline to complete improvements to January 25, 2014

**Regular Board of Supervisors Meeting****Date:** 01/25/2011**Request for a New Assurance Agreement for the Ramsey Reserve Estates Subdivision (S-06-10)****Submitted By:** Mike Turisk, Community Development**Department:** Community Development**Division:** Planning**Presentation:** PowerPoint**Recommendation:** Approve**Document Signatures:** BOS Signature Required**# of ORIGINALS** 2**Submitted for Signature:****NAME of PRESENTER:** Michael Turisk**TITLE of PRESENTER:** Planning Manager**Docket Number (If applicable):****Mandated Function?:** Not Mandated**Source of Mandate or Basis for Support?:****Agenda Item Text:**

Adopt Resolution 11-4 (Docket S-06-10), approving the new Ramsey Reserve Estates Subdivision Assurance Agreement with Pioneer Title Agency, Inc. as trustee under trust number 521092, and extending the deadline to complete improvements to January 25, 2014.

**Background:**

This is a request for a new Assurance Agreement for the Ramsey Reserve Estates Subdivision (Docket S-06-10) that will allow for three additional years to complete improvements. The Ramsey Reserve Estates subdivision is comprised of 27 lots located west of State Route 92, and south of Ramsey Rd. in unincorporated Sierra Vista. Access is via Richards Rd. and E. Astro St. The Board of Supervisors approved the final plat on December 11, 2007.

An Assurance Agreement is a contract between the Board of Supervisors and a trust company that guarantees lots will not be offered for sale until all improvements are completed. The current Assurance Agreement with the former property owner, Ramsey Reserve, LLC, expired on December 11, 2010. Few of the agreed development improvements were commenced or completed by Ramsey Reserve, LLC.

This Assurance Agreement is requested by Sierra Vista 41 Lender, LLC, the new owner of the property ("SV41"). In 2008, SV41 gave notice of default to Ramsey Reserve, LLC, and on December 12, 2008, SV41 obtained title to the collateral property at a trustee's sale. Thus, Ramsey Reserve, LLC no longer holds ownership in the property which is the subject of the Assurance Agreement.

The owner could have requested substitution as beneficiary under the existing Assurance Agreement, and then requested an extension, but the County Attorney suggested that the owner simply request a new Assurance Agreement in light of the fact that the old one has expired. SV41, as the new property owner, hopes that the additional three years provided by the new Assurance Agreement will allow time for market conditions to improve and to see the project through to completion.

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

If the Board of Supervisors approves the new Assurance Agreement, the next step would be for the Chairman to sign Resolution 11-\_\_\_\_, and the Ramsey Reserve Assurance Agreement Signature Form, and to send copies of the recorded documents to the Planning Department for Docket S-06-10.

**Impact of NOT Approving/Alternatives:**

The Assurance Agreement provides authorization for the County to abandon the subdivision final plat and convert the property to un-subdivided land if the required improvements fail to be completed in compliance with the County's standard specifications within three years.

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

If approved, an original Assurance Agreement and original Resolution are to be signed by the Chairman of the Board and the Clerk of the Board. The Chief Civil Deputy will sign these documents the week of January 17 and forward them to the Board of Supervisors for the required signatures prior to the January 25 meeting.

---

**Attachments**

[Ramsey Reserve Memo](#)

[Ramsey Reserve Resolution](#)

[Ramsey Reserve AA](#)

[Ramsey Reserve PPT\\_pdf](#)



## **COMMUNITY DEVELOPMENT DEPARTMENT**

*Planning, Zoning and Building Safety*

1415 W. Melody Lane, Bisbee, Arizona 85603

(520) 432-9450

Fax 432-9278

**Carlos De La Torre, P.E., Director**

**TO:** Board of Supervisors  
Through: Michael J. Ortega, County Administrator

**FROM:** Michael Turisk, Planning Manager  
For: James E. Vlahovich, Planning Director

**SUBJECT:** New Assurance Agreement for the Ramsey Reserve Estates Subdivision  
(S-06-10)

**DATE:** December 14, 2010 for the January 25, 2011 Board Meeting

### **Background**

This is a request for a new Assurance Agreement for the Ramsey Reserve Estates Subdivision (Docket S-06-10) that will allow for three additional years to complete improvements. The Ramsey Reserve Estates subdivision is comprised of 27 lots located west of State Route 92, and south of Ramsey Rd. in unincorporated Sierra Vista. Access is via Richards Rd. and E. Astro St. The Board of Supervisors approved the final plat on December 11, 2007.

An Assurance Agreement is a contract between the Board of Supervisors and a trust company that guarantees lots will not be offered for sale until all improvements are completed. The current Assurance Agreement with the former property owner, Ramsey Reserve, LLC, expired on December 11, 2010. Few of the agreed development improvements were commenced or completed by Ramsey Reserve, LLC.

This Assurance Agreement is requested by Sierra Vista 41 Lender, LLC, the new owner of the property ("SV41"). In 2008, SV41 gave notice of default to Ramsey Reserve, LLC, and on December 12, 2008, SV41 obtained title to the collateral property at a trustee's sale. Thus, Ramsey Reserve, LLC no longer holds ownership in the property which is the subject of the Assurance Agreement.

The owner could have requested substitution as beneficiary under the existing Assurance Agreement, and then requested an extension, but the County Attorney suggested that the owner simply request a new Assurance Agreement in light of the fact that the old one has expired. SV41, as the new property owner, hopes that the additional three years provided by the new Assurance Agreement will allow time for market conditions to improve and to see the project through to completion.

This request is from Pioneer Title Agency, Inc, as Trustee under Trust #521092; William Skalak, Skalak Administration, Administration #Sierra Vista 41 Lender, LLC, is the beneficiary. Two documents are presented for the Chairman's signature – a resolution extending the date for the completion of improvements to January 25, 2014, at the request of the new property owner, and the required signature form bearing the signatures of the trustee and beneficiary.

**Motion**

Mr. Chairman, I move to adopt the resolution approving the new Ramsey Reserve Estates Subdivision Assurance Agreement with Pioneer Title Agency, Inc. as trustee under trust number 521092, and extending the deadline to complete improvements to January 25, 2014.

**RESOLUTION NO. 11-\_\_\_\_\_**

**TRUST AGREEMENT FOR COMPLETION  
OF SUBDIVISION IMPROVEMENTS FOR  
RAMSEY RESERVE ESTATES SUBDIVISION, DOCKET NO. S-06-10**

**WHEREAS**, an Assurance Agreement between Cochise County and Pioneer Title Agency, Inc, as Trustee under Trust #517312, with beneficiary Ramsey Reserve, LLC was made for the completion of subdivision improvements for Ramsey Reserve Estates Subdivision, Docket No. S-06-10, as recorded in Book 15 p. 90 of maps and plats, in the Office of the Cochise County Recorder. Said agreement was recorded on December 20, 2007, Fee No. 0712-39900 with the Office of the County Recorder; the subdivision is generally located west of State Route 92, and south of Ramsey Rd. in unincorporated Sierra Vista.

**WHEREAS**, a final plat has been recorded for Ramsey Reserve Estates; and

**WHEREAS**, very little progress has been made towards completion of improvements for the above-referenced subdivision; and

**WHEREAS**, the above-referenced Assurance Agreement expired on December 11, 2010; and

**WHEREAS**, Sierra Vista 41 Lender, LLC is owner of the property that is the subject of Ramsey Reserve Estates Subdivision and the Assurance Agreement;

**WHEREAS**, Pioneer Title Agency, Inc, as Trustee under Trust #521092, beneficiary Sierra Vista 41 Lender, LLC has requested a new Assurance Agreement that allows an additional three years for completion of Ramsey Reserve Estates improvements to January 25, 2014; and;

**WHEREAS**, Cochise County believes that a new Assurance Agreement allowing additional time is justified;

**NOW, THEREFORE, BE IT RESOLVED THAT** the Assurance Agreement with Pioneer Title Agency, Inc., as Trustee under Trust #521092, beneficiary Sierra Vista 41, Lender LLC, for Completion of Subdivision Improvements for Ramsey Reserve Estates, is hereby approved with an expiration date of \_\_\_\_\_, 201\_.

**PASSED AND ADOPTED** by the Board of Supervisors of Cochise County, Arizona, this \_\_\_\_\_ day of \_\_\_\_\_, 2011.

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Patrick Call, Chairman  
Cochise County Board of Supervisors

ATTEST:

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Katie Howard,  
Clerk of the Board

APPROVED AS TO FORM:

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Britt Hanson,  
Chief Civil Deputy

**ASSURANCE AGREEMENT  
FOR COMPLETION OF SUBDIVISION IMPROVEMENTS**

THIS AGREEMENT made and entered as of this 15 day of November,  
2010, between Pioneer Title Agency, as Trustee under Trust no. 521092  
hereinafter referred to as "Trustee", Sierra Vista 41 Lender LLC, as  
Beneficiary(ies) of Trust no. 521092, hereinafter referred to as "Beneficiary", and  
COCHISE COUNTY, Arizona, hereafter referred to as "County."

RECITALS :

1. Trustee is owner of a certain parcel of property located in Cochise County, Arizona, and described in paragraph 1 below.
2. Beneficiary has established Trust no. 521092 for the purpose of developing a subdivision of Cochise County and has conveyed legal title to the Trustee.
3. The parties hereto wish to establish specific terms, conditions and guidelines for compliance with the provision of A.R.S. Section 11-806.01 and the Cochise County Subdivision Regulations.

AGREEMENT :

In consideration of the County approving a final plat for the property which is the subject matter of this Agreement, the parties mutually agree that:

1. Property Description. The property which is the subject matter of this agreement is described in that attached Exhibit "A" and recorded in Book 15, at Page(s) 90 of Maps and Plats on the 20 day of December, 2007, in the Office of the Cochise County Recorder.
2. Assurances. This Agreement is submitted as a means of assuring the completion of the subdivision improvements required by A.R.S. Section 11-806.01, the Cochise County Subdivision Regulations, all Plans and Specifications approved and on file with the County, and any special conditions, if applicable, on Exhibit "B" attached hereto and made a part hereof. These subdivision improvements include but are not limited to,

streets, alleys, sidewalks, curbs and gutters, sanitary sewer systems, water supply, lot staking and monuments, traffic and street signs, and drainage and flood control improvements, as applicable.

3. Conveyances and Transfers of Title. The Trustee shall not transfer title to, enter into contracts for sale of property, lease, or in any way convey, in whole or in part, any of the property described in paragraph 1 without obtaining prior written approval from the County, except as authorized in the Agreement. A Release of Assurances shall only be given by the County upon satisfactory completion as verified by County inspections of the required improvements.
4. Bulk Sales. Notwithstanding paragraph 3, the Trustee may sell or convey all of the property described in paragraph 1 in one transaction to a single successor to the beneficiary's interests, provided that such successor, prior to the conveyance, shall have entered into an appropriate agreement with the County to assure completion of the improvements, and the County has approved, in writing, the transfer.
5. Conveyance Out of Trust for the Purpose of Encumbrance; Condition on Other Interests. Notwithstanding paragraph 3, the Trustee may convey the property described in paragraph 1 to the Beneficiary of the Trust for the limited purposes of allowing any obligations secured by the Trust, other than those which are the subject of this Agreement with Cochise County, to be subordinated to subsequent loans for the purpose of constructing improvements on the subject land or to create security for additional loans for the purchase or improvement of this land. In such event, the property shall immediately thereafter be reconveyed to the Trustee. This Agreement shall be deemed to be a condition on and restriction on the rights and interests of any third party whose interest in the property arises after the date of this Agreement, however such interest is created, the same as if such party were included as a signatory of this Agreement.

6. Substitution of Assurances. Subdivider or Beneficiary may offer substitute assurances at any time during the term of this Agreement in accordance with the provisions of the Cochise County Subdivision Regulations. The Assurance shall be in a form and amount acceptable to the County, and shall to the extent applicable, partially or wholly replace the Assurances in this Agreement.
7. Completion of Improvements. The required improvements shall be completed by the Subdivider within three (3) years from the date of this Agreement. This date for completion of improvements may be extended by separate agreement of the parties where Subdivider or Beneficiary is prevented from completing the improvements by act of God, strike or similar event or circumstances beyond its control, or at the discretion of the County.
8. Inspection and Approval of Improvements. The Subdivider shall arrange for the inspection of all improvements required for this project, to ensure satisfactory completion. Satisfactory completion of all such improvements, in conformance with the required standards and specifications, shall be confirmed by a written statement, signed and sealed by the project engineer. Until these improvements have been satisfactorily completed, the County will not release the property
9. Payment of Applicable Property Taxes. The County shall not release, in whole or in part, any of the property described in paragraph 1 until all property and taxes and assessments due and owing on the subject property have been paid in full.
10. Partial Release of Assurances. The County, in its discretion, and upon receipt of a written request from Trustee, may give the Trustee a Release of Assurances for a portion of the Lots created by the subdivision plat described in paragraph 1, provided that all of the improvements required in connection with such lots have been satisfactorily completed and accepted,

and provided further that the lots released and improvements associated with such lots can function independently on a permanent basis in the event the remaining portion of the subdivision is never developed.

11. Release of Assurances. Upon completion of all improvements required under this Agreement or upon receipt of acceptable substitute assurances replacing this Agreement, the County shall release the Assurances in this Agreement.
12. Failure to Complete Improvements. Trustee and Beneficiary hereby agree that in the event that the required improvements are not completed within the time period provided by paragraph 7, the County may replat that portion of the property described in paragraph 1 for which a release of assurances has not been given. The purpose of the new plat will be to abandon the subdivision and return the property to approximately the same boundary configurations of record as existed before the subdivision plat was recorded. Prior to initiating any action to replat, the County shall provide Trustee and Beneficiary with thirty (30) days written notice of the intent to replat.

The County, by this Agreement, is expressly authorized to replat this property after the required notice has been provided. All expenses by the County, including legal costs if applicable, in executing a replat shall be paid for by Beneficiary, and shall, if unpaid, become a lien on the property.

13. Effect on Trust Agreement. Trustee and Beneficiary agree that any provision of Trust no. 521092 that is incompatible or inconsistent with this Agreement shall be null and void and not enforceable. The Trust shall not be revoked prior to a full Release of Assurances without prior written consent of Cochise County. Nor shall any amendment which would alter this Assurance Agreement be effective until the County has approved such amendment.

14. Incorporation or Annexation. In the event the property which is the subject matter of this Agreement is incorporated into or annexed by a city or town, the city or town shall automatically become the successor in interest to all of the County's rights and obligations under this Agreement.
15. Purpose of Agreement. The purpose and intent of this Agreement is to prohibit the sale of individual subdivision lots to the public prior to the completion of the subdivision improvements that are associated with such lots. The sale or conveyance of such lots without the necessary improvements is harmful to the public and places excessive burdens on the County. The terms and conditions of this Agreement shall be construed and interpreted as broadly as necessary to accomplish this purpose.

IN WITNESS WHEREOF, the parties have executed this Assurance Agreement this 15th day of November, 2010.

COCHISE COUNTY:

\_\_\_\_\_  
Chairman, Cochise County Board of Supervisors

**ATTEST:**

\_\_\_\_\_  
Clerk of the Board

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Deputy County Attorney

TRUSTEE:

Pioneer Title Agency, Inc.  
(Title Company)  
an Arizona corporation, as Trustee under  
Trust no. 521092 only and not in its  
capacity

By: [Signature]  
Trust Officer R. Keith Newlon  
STATE OF ARIZONA )

)  
ss.  
COUNTY OF Cochise )

On this the 6<sup>th</sup> day of December, 2010, before me, the undersigned  
officer, personally appeared R. Keith Newlon, who  
acknowledged himself/herself to be the Trust Officer of  
Pioneer Title Agency, Inc., an Arizona corporation, and that  
he/she as such officer being authorized so to do, executed the foregoing instrument  
for the purposes therein contained by signing the name of the corporation by  
himself/herself as such officer.

In witness whereof, I have hereunto set my hand and official seal.

[Signature]  
Notary Public



My Commission Expires:

OWNER/BENEFICIARY

[Signature]  
Owner/Beneficiary Sierra Vista 41 Lender LLC

By: William Skalak as co-trustee of the Skalak Family Trust Dated May 1, 2010  
As Manger of Skalak Administration LLC, Member

ASSURANCE AGREEMENT

STATE OF ARIZONA )  
 )  
 ) ss.  
COUNTY OF MARICOPA )

The foregoing instrument was acknowledged before me this 17<sup>th</sup> day of November, 2010, by William H. Skalok as Administrative member



Notary Public



My Commission Expires: JAN 18, 2013

## Exhibit A

### PARCEL I:

Lots 1 through 27, inclusive, RAMSEY RESERVE ESTATES, according to Book 15 of Maps, Page 90, records of Cochise County, Arizona.

### PARCEL II:

An easement for ingress and egress as created in Docket 1819, page 497, records of Cochise County, Arizona, over the following described property:

That portion of the Southwest quarter of Section 1, Township 23 South, Range 20 East of the Gila and Salt River Base and Meridian, Cochise County, Arizona, and being described by metes and bounds as follows:

COMMENCING at the Northwest corner of said Section 1 said point being a brass tablet set in concrete in Ramsey Canyon Road;

thence South 2,645.13 feet along the West line of said Section 1 to an iron pin found marked L.S. 11845 said point being the Northwest corner of Parcel 4 as recorded as a Report of Survey, Book 3, page 53, records of Cochise County, Arizona;

thence North  $89^{\circ} 56' 57''$  East 1,320.26 feet along the North line of the Northwest quarter of the Southwest quarter of said Section 1 to an iron pin found marked L.S. 9086;

thence South  $00^{\circ} 00' 01''$  East 12.96 feet to an iron pin found marked L.S. 9086 and the POINT OF BEGINNING of the parcel herein described;

thence South  $00^{\circ} 00' 01''$  East 766.11 feet along the East line of the Northwest quarter of the Southwest quarter of said Section 1 to a point;

thence North  $89^{\circ} 42' 55''$  West 593.65 feet along the South line of an existing roadway to the beginning of a curve to the right said curve having a radius of 544.82 feet, a central angle of  $16^{\circ} 36' 20''$  whose chord bears North  $81^{\circ} 24' 45''$  West 157.35 feet to the end of said curve;

thence North  $73^{\circ} 06' 35''$  West 57.47 feet to a point said point being the beginning of a curve to the left said curve having a radius of 267.79 feet, a central angle of  $20^{\circ} 26' 12''$  whose chord bears North  $83^{\circ} 19' 41''$  West 95.01 feet to the end of said curve;

thence South  $86^{\circ} 27' 13''$  West 256.21 feet to a point said point and the beginning of a curve to the right having a radius of 130.50 feet, a central angle of  $61^{\circ} 07' 46''$  whose chord bears North  $62^{\circ} 58' 54''$  West 132.72 feet to a point on curve;

thence South  $07^{\circ} 13' 08''$  West 71.42 feet to a point;

thence West 30.24 feet to a point;

thence North  $07^{\circ} 13' 08''$  East 415.50 feet to the beginning of a curve to the right having a radius of 366.09 feet, a central angle of  $15^{\circ} 30'$  whose chord bears North  $14^{\circ} 58' 08''$  East 98.74 feet to the point of reverse curve;

thence with a curve to the left having a radius of 73.49 feet, a central angle of  $59^{\circ} 07' 38''$  whose chord bears North  $06^{\circ} 50' 41''$  West 75.52 feet to the end of said curve;

thence North  $36^{\circ} 24' 30''$  West 50.00 feet to the beginning of a curve to the right, having a radius of 182.24 feet, a central angle of  $24^{\circ} 25'$  whose chord bears North  $24^{\circ} 12' 00''$  West 77.07 feet to a point, said point being in the South line of a 60.00 foot road;

thence North  $89^{\circ} 56' 57''$  East 30.80 feet along the South line of said roadway to a point;  
thence with a curve to the left having a radius of 152.24 feet, a central angle of  $22^{\circ} 01' 04''$  whose chord bears South  $25^{\circ} 23' 58''$  East 58.14 feet to the end of said curve;  
thence South  $36^{\circ} 24' 30''$  East 50.00 feet to a point and the beginning of a curve to the right having a radius of 103.49 feet, a central angle of  $59^{\circ} 07' 38''$  whose chord bears South  $06^{\circ} 50' 41''$  East 102.12 feet to the point of reverse curve said curve being to the left having a radius of 336.09 feet, a central angle of  $15^{\circ} 30'$  whose chord bears South  $14^{\circ} 58' 08''$  West 90.645 feet to a point;  
thence South  $07^{\circ} 13' 08''$  West 257.04 feet to a point and the beginning of curve to the left having a radius of 100.50 feet, a central angle of  $100^{\circ} 45' 55''$  whose chord bears South  $43^{\circ} 09' 50''$  East 154.83 feet to a point;  
thence North  $86^{\circ} 27' 13''$  East 256.21 feet to a point and the beginning of a curve to the right having a radius of 297.79 feet, a central angle of  $20^{\circ} 26' 12''$  whose chord bears South  $83^{\circ} 19' 41''$  East 105.65 feet to a point;  
thence South  $73^{\circ} 06' 35''$  East 57.47 feet to a point and the beginning of a curve to the left having a radius of 514.82 feet, a central angle of  $16^{\circ} 36' 20''$  whose chord bears South  $81^{\circ} 24' 45''$  East 148.68 feet to a point;  
thence South  $89^{\circ} 42' 55''$  East 563.50 feet to a point;  
thence North  $00^{\circ} 00' 01''$  West 735.75 feet to a point;  
thence North  $89^{\circ} 36' 39''$  East 30.00 feet to the POINT OF BEGINNING;

**EXCEPT any portion lying within Parcel I herein.**



# Ramsey Reserve Estates

S-06-10

## Request for New Assurance Agreement

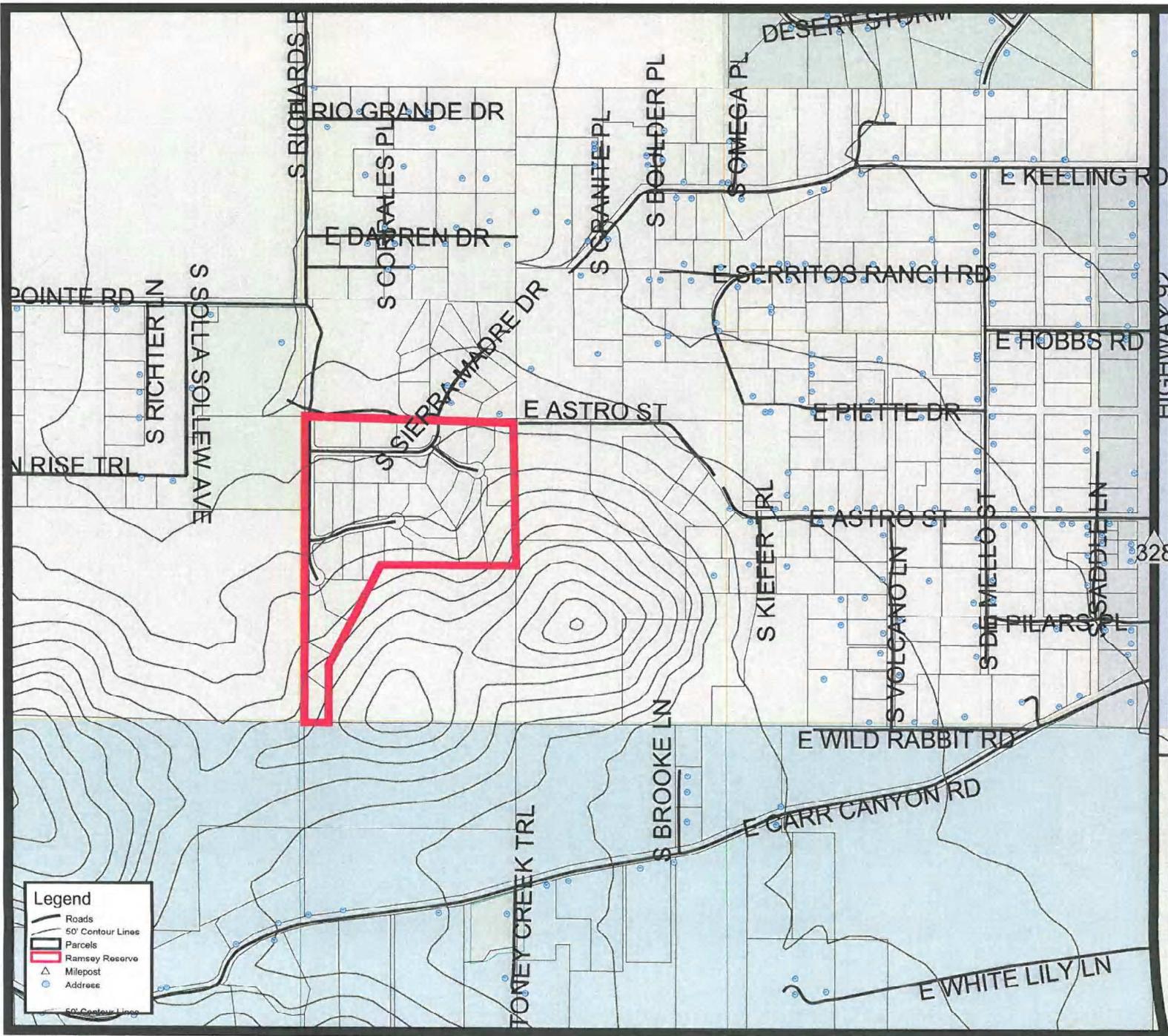
Cochise County Board of Supervisors

January 25, 2011



# Ramsey Reserve - Background

- 27 lots located west of State Route 92, and south of Ramsey Rd. in unincorporated Sierra Vista
- The Board approved the final plat on December 11, 2007; the current Assurance Agreement expired on December 11, 2010



Ramsey Reserve

**Legend**

- Roads
- 50' Contour Lines
- Parcels
- Ramsey Reserve
- Milepost
- Address

This map is a product of the Cochise County GIS

0' 850'





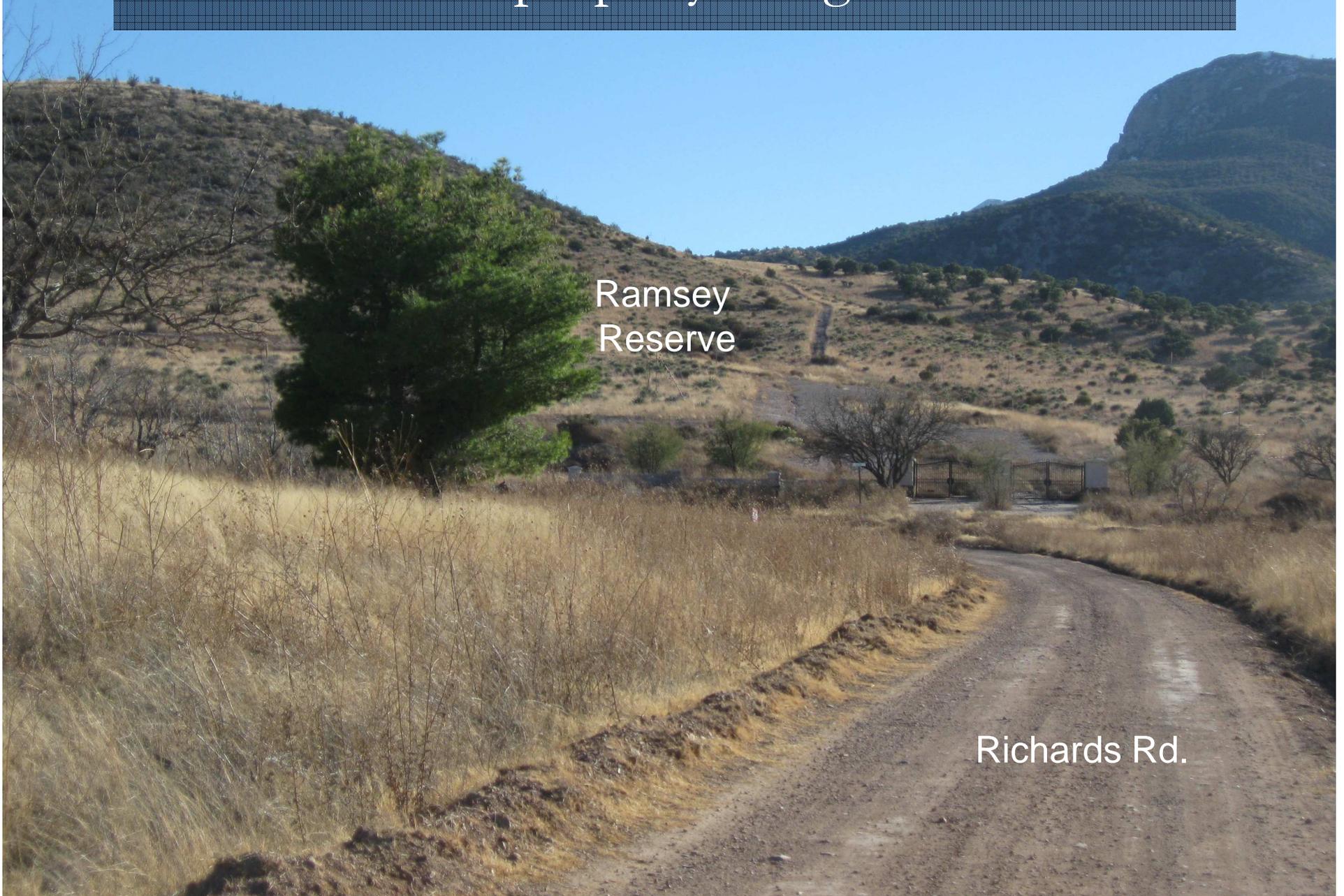
# Background

- 2008 -- Notice of default to Ramsey Reserve, LLC; Sierra Vista 41 Lender, LLC obtained title to the collateral property
- Ramsey Reserve, LLC no longer holds ownership in the property which is the subject of the Assurance Agreement
- Request for new agreement by lender/new owner (to assume developer's position)
- In light of the transfer of ownership, the County suggested a new Assurance Agreement would be best

# South toward property along Richards Rd.

Ramsey  
Reserve

Richards Rd.





  
RAMSEY  
RESERVE  
ESTATES

South toward property



East toward property along E. Astro St.





# Recommendation

Staff recommends the Chairman sign the Resolution to approve the new Assurance Agreement, thus extending the deadline to complete improvements to January 25, 2014