

**PROCEEDINGS OF THE COCHISE COUNTY BOARD OF SUPERVISORS
REGULAR MEETING HELD ON
Tuesday, October 14, 2014**

A regular board meeting of the Cochise County Board of Supervisors was held on Tuesday, October 14, 2014, 10:00 a.m. in the Board of Supervisors' Hearing Room, 1415 Melody Lane, Building G, Bisbee, Arizona.

Present: Patrick G. Call, Chairman; Ann English, Vice-Chairman; Richard R. Searle, Member
Staff Michael J. Ortega, County Administrator; Jim Vlahovich, Deputy County Administrator; Arlethe G.
Present: Rios, Clerk of the Board; Elda Orduno, Civil Deputy County Attorney

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

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

PLEDGE OF ALLEGIANCE

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

PRESENTATION

Presentation of Award to the Cochise County 50th Anniversary of the Vietnam War Commemorative Committee by Commander Frank Martinez, Bisbee Veterans of Foreign Wars, Post 836.

Commander Frank Martinez, Bisbee Veterans of Foreign Wars, Post 836 presented the Cochise County 50th Anniversary of the Vietnam War Commemorative Committee with a certificate of appreciation. He conveyed his sincere gratitude to the Board and the staff for their work on this effort and presented Nike Noack, Marty Renteria, and Arlethe Rios with individual certificates for their leadership in coordinating events to honor the service and courage of Vietnam Veterans.

The Board thanked Commander Martinez for his service and continued support and partnership with the committee.

CONSENT

Item 8 was pulled from the Consent Agenda and discussed as an Action Item per the request of Vice-Chairman English and Supervisor Searle.

Board of Supervisors

1. Approve acceptance of Quit Claim Deed from Thomas R. Theroux and Barbara L. Theroux (Grantors) to Cochise County for real property described as "Lot 610 of Sun Sites Ranches Unit No. 2, according to Maps and Plats Book 5 Pages 89 through 89F, as filed in the office of the County Recorder, Cochise County, Arizona" (APN 401-41-613) as recommended by the Highway & Floodplain Division and the County Attorney's Office.
2. Approve the appointment of Mr. Ronald Wilson to fill the vacancy on Board of Adjustment District 1 (BA-1) due to the resignation of Michael Cerepanya for the remainder of his term ending in December 31, 2014 and another four-year term ending on December 31, 2018.

3. Approve the appointment of Mr. Wayne Gregan to the Planning and Zoning Commission representing District 1 to fill a vacancy due to the resignation of Mr. Jim Lynch for the remainder of his term ending December 31, 2016.
4. Approve the Minutes of the regular meeting of the Board of Supervisors of September 23, 2014.

County Schools

5. Approve a grant agreement with Tohono O'odham Nation to purchase books for schools in Cochise County in the amount of \$50,000.

County Sheriff

6. Approve award agreement A.G. #2015-043 from the Office of the Arizona Attorney General Victim's Rights Program awarding the Sheriff's Office \$15,100 in funding to pay for 40.94% of the salary and employee related expenses (ERE) for a records specialist to conduct state mandated victim notifications, with a term of July 1, 2014 to June 30, 2015.
7. Request the Board approve the contract amendment with the Arizona Department of Corrections Agreement # 13003 1 DC Correctional Officer Certification Training.
8. ***Item was removed from Consent and discussed as an Action Item:*** Approve the acceptance of a donation to the Sheriff's Office for a Lenco BearCat rescue vehicle that will be used for law enforcement and tactical operations.

Deputy County Sheriff Thad Smith presented this item. Deputy County Sheriff Smith gave the description of the vehicle and clarified that it was a law enforcement vehicle, not military. He noted that there have been several instances and situations in which the Sheriff's Office has had to use such vehicles and noted that having two vehicles would add to the efficiency of operations by the Sheriff's Office.

Vice-Chairman English said that she had asked for the item to be moved to action because there was not enough background information and requested that for future items information be attached to the item when submitted.

Deputy County Sheriff Smith said they would do so and added that the Sheriff's Office is committed to transparency and always holds the County's best interest in high regard.

Vice-Chairman English moved to approve the acceptance of a donation to the Sheriff's Office for a Lenco BearCat rescue vehicle that will be used for law enforcement and tactical operations. Supervisor Searle seconded the motion.

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

Emergency Services

9. Approve a cooperative agreement between Cochise County and the Arizona State Forester for the protection of forests and wildlands, and assistance with fire and non-fire national, state, and county emergencies and multi-agency logistical support in this state and other states.

Facilities

10. Approve contract extensions with the Arizona Department of Corrections (ADC) for contract nos. 040193DC and 040194DC for inmate labor from November 1, 2014 to June 30, 2015.

Finance

11. Approve demands and budget amendments for operating transfers.

Warrants Nos.83148-83307, 83324-83578, 83584-83734 were issued in the amount of \$1,801,498.95.

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. The voided warrants are listed below:

<u>Fund</u>	<u>Vendor</u>	<u>Amount</u>
261	SE Fuller/Hydrology & Geomorphology	23,478.28
100	Carrie Mitten	115.00
100	John Williams	10.00
100	Patricia Edie	41.84
171	Charlene Kennedy	53.58
100	Stephen Fischer	100.00

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

Fleet Services Management

12. Approve the award of Request For Price Quote (RFPQ) No. 15-06-FSD-04 to Wilkins Industries Inc. for the purchase of one Walking Floor Transfer Trailer for the Fleet Services/Solid Waste Departments in the amount of \$65,632 plus any applicable tax.

Procurement

13. Approval of award for copiers using the Western States Cooperative Alliance (WSCA) agreement to Copygraphix in the estimated amount of \$300,000 for the period of October 14, 2014 through October 13, 2015 with 4 renewable options.

Vice-Chairman English moved to approve Items 1-7 and 9-13 on the Consent Agenda. Supervisor Searle seconded the motion and it carried unanimously.

PUBLIC HEARINGS

Elections & Special Districts

14. Adopt Resolution 14-75 approving the proposed schedule of fees and reimbursements for election services provided by the Elections Department effective November 14, 2014.

Mr. James E. Vlahovich, Interim Elections Director, presented this item. Mr. Vlahovich gave the background and noted some statistics on Election fees from other counties around the state. He stated that this was a housekeeping item as several cities already had this fee covered for hand counts as part of their agreements.

Supervisor Searle asked if the hand count was the required hand count that the County is mandated to do by statute.

Mr. Vlahovich said that this was not the mandated hand count, but a hand count that a city could request.

Chairman Call opened the public hearing.

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

Supervisor Searle moved to adopt Resolution 14-75 approving the proposed schedule of fees and

reimbursements for election services provided by the Elections Department effective November 14, 2014. Vice-Chairman English seconded the motion.

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

Board of Supervisors

15. Public meeting for citizen comments on configuration of Old Divide Road.

Vice-Chairman English stated that she had requested to have a public meeting in order for the public to comment and to present an opportunity for the Board to hear the public's input.

Chairman Call opened the public hearing.

Citizens who spoke in opposition: Guy Plaa, Lane Barne Goodrich, Al Anderson, Loretta Plaa, Anne E. Carl, Douglas Danforth, Heather Ryan Sampson, Jane A. Borger, Ben Susman, Jennifer "Ginger" Ryan, Darrell Thompson, John A. MacKinnon, Matthew A. Cook, Patricia Brinton, Marjorie Ward, Larry Borger and Joan Reichel

Citizens who spoke in favor: Michael Dennis Bednorz, Jessica Fleet Smith, Evelyn G. Wood, Doreen Edward, Carolyn Marsh, William R. Stoller and Todd Bogatay

Chairman Call closed the call to the public.

ACTION

Board of Supervisors

16. Approve rebuilding Old Divide Road as a two lane road, one lane road, emergency access road, or other type of configuration.

Ms. Karen Riggs, Highways and Floodplain Director/County Engineer, presented this item. Ms. Riggs showed a map of the area, gave background information and noted that the money received from the Arizona Department of Transportation (ADOT) would be used to repair the road, not improve the road. She added that the County had hired geo technical structural engineers to conduct research and make a recommendation, as well as completed a work schedule and received the approved permits from the Bureau of Land Management (BLM). She said that staff recommended repairing the road as a two line highway with shoulders on both sides.

Vice-Chairman English noted that ADOT did plan on improving the entrance from Old Divide Road to Highway 80.

Chairman Call asked about ongoing maintenance costs.

Ms. Riggs stated that since the road is County maintained it is on the road schedule and there is no additional costs. She also noted that repairing the road for regular traffic or emergency traffic would amount to the same amount of work and costs.

Vice-Chairman English asked if not adding guard rails posed a liability issue.

Ms. Riggs said that the road was grandfathered in and that no additional improvements would have to be made in order to open the road.

Vice-Chairman English noted that liability is an important issue for the Board, but complaints about illegal activities should be resolved with local law enforcement agencies. She noted that proper measures would be taken to ensure the safest environment for all users.

County Sheriff Mark Dannels stated all public safety issues should be addressed by the Sheriff's Office.

Vice-Chairman English moved to approve rebuilding Old Divide Road as a two lane road with a speed limit of 15 mph with weight limits that apply and add signage for walking path. Supervisor Searle seconded the motion.

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

Community Development

17. Approve an Intergovernmental Agreement (IGA) between the Sunnyside Fire District and Cochise County for road maintenance, paving and other public works projects for one year with automatic annual renewals.

Ms. Karen Riggs, Highway and Floodplains Director/County Engineer, presented this item. Ms. Riggs gave the background and said that the IGA was a formality since County money was being used.

Vice-Chairman English clarified that she had used some of her discretionary funds to help complete this project.

Vice-Chairman English moved to approve an Intergovernmental Agreement (IGA) between the Sunnyside Fire District and Cochise County for road maintenance, paving and other public works projects for one year with automatic annual renewals. Supervisor Searle seconded the motion.

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

Court Administration

18. Approve the appointment of Ms. Terry Bannon who currently serves in the Cochise County Attorney's Office to serve as Superior Court Judge Pro Tempore, pursuant to Arizona Revised Statute 12-141, for the period of October 26, 2014 to June 30, 2015.

Judge James Conlogue, Presiding Superior Court Judge, presented this item. Judge Conlogue discussed the process used to recruit a new Judge Pro Tempore and said that although there was a good pool of applicants, Ms. Bannon was selected due to her knowledge and expertise.

Vice-Chairman English said that the Board did not have questions about the process, but simply wanted to highlight such an important appointment and congratulate Ms. Bannon.

Supervisor Searle moved to approve the appointment of Ms. Terry Bannon who currently serves in the Cochise County Attorney's Office to serve as Superior Court Judge Pro Tempore, pursuant to Arizona Revised Statute 12-141, for the period of October 26, 2014 to June 30, 2015. Vice-Chairman English seconded the motion.

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

CALL TO THE PUBLIC

Chairman Call opened the call to the public.

Mr. Jack Cook addressed the Board on matters of personal concern.

Ms. Donna Pulling addressed the Board regarding meeting in Sunsites about residential wells.

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

This is the time for the public to comment. Members of the Board may not discuss items that are not specifically identified on the agenda.

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

Mr. Ortega did not have any pressing matters to discuss with the Board.

SUMMARY OF CURRENT EVENTS

Report by District 1 Supervisor, Patrick Call

Chairman Call deferred his report.

Report by District 2 Supervisor, Ann English

Vice-Chairman English deferred her report.

Report by District 3 Supervisor, Richard Searle

Supervisor Searle said he would be attending several meeting throughout the County to discuss water issues.

Chairman Call adjourned the meeting at 12:23 p.m.

APPROVED:

Patrick G. Call, Chairman

ATTEST:

Arlathe G. Rios, Clerk of the Board