

**MINUTES
OF THE
LA PAZ COUNTY BOARD OF SUPERVISORS
Monday, January 7, 2019, 10:00 a.m.
Regular Meeting**

Chairman Minor called the January 7, 2019, regular meeting of the La Paz County Board of Supervisors to order at 10:00 a.m. Elected Officials and Department Heads present were: Chairman Minor, Supervisor Irwin, Supervisor Wilson, County Administrator Drake, Deputy County Attorney Dooley, Superior Court Clerk Spielman, Elections Director Scholl, Public Defender Higgins, Public Works Director Simmons, Parks Director Prefling, Recorder Baker, Human Resources Director Frantz, and Clerk of the Board Green.

Chairman Minor led the Pledge of Allegiance followed by the Invocation given by Pastor Glenn Swarthout of the First Baptist Church.

Call to the Public: This is the time for the public to comment for a limit of three (3) minutes per person. Members of the Board may not discuss items that are not specifically identified on the agenda. Therefore, pursuant to A.R.S. § 38-431.01(H), action taken as a result of public comment will be limited to directing staff to study the matter, responding to any criticism or scheduling the matter for further consideration and decision at a later date

Tammy Hiatt, County employee, stated that several employees have had issues with inaccuracies involving their vacation hours; and expressed that she had issues with the item on the agenda dealing with the payout of vacation time when others have had to “use it or lose it”.

Curt Giebler related negative experiences with Park personnel.

J. C. Sanders, Chairman of the Arizona Peace Trail, Inc., expressed appreciation to the County and the Board of Supervisors for their continued support. He reported that the organization obtained a grant from State Parks, and the development of the Bouse Park will be a large “plus” for the Peace Trail.

Chairman Minor thanked Mr. Sanders for all his efforts in the area.

County Administrator and/or County Supervisor’s Current Event Summary: The County Administrator or Board Member may present a brief summary of current events summarizing recent occurrences without any discussion or feedback from the remainder of the board. The Board will not propose, discuss, deliberate or take legal action on any matter mentioned in the summary unless the specific matter is already properly noticed for legal action, and then only at such time as that matter comes before the board itself pursuant to its meeting agenda. A.R.S. § 38-431.02(K)

County Administrator Drake stated that the County will be starting the budget process this week. He added that the 2017 audit was complete and is expected to be posted on Arizona Auditor General’s website today.

CONSENT AGENDA (*Discussion and possible action on the following items*):

County Administrator Drake presented for approval Consent Agenda Items #5(a) through #5(n).

5(a) Approval of Minutes

Approve the minutes of the August 13, 2018, 10:00 a. m. special meeting/public hearing; Wednesday, August 15, 2018, 10:00 a.m. worksession; Thursday, September 6, 2018, 10:00 a.m., special meeting; Monday, December 10, 2018, 10:00 a. m. special meeting; and Monday, December 17, 2018, 10:00 a.m. regular meeting.

5(b) Approval of Payroll

Approve December 9, 2018, through December 22, 2018, gross payroll, as presented, in the amount of \$467,862.88, plus employer benefit contributions of \$113,269.15, for a total of \$581,132.03, including handwritten warrants.

5(c) Approval of Demands

Approve the demands, as presented, for FY2018/2019, in the amount of \$718,447.23, including handwritten warrants.

5(d) Approve to appoint the position of Court Clerk for the Quartzsite Justice Court, a vacant budgeted position – JP4 (Replacement)

Approve to appoint Natasha Walters to the position of Court Clerk for the Quartzsite Justice Court, effective January 8, 2019, at an annual salary of \$24,278.11 (NE014, Step 1), a vacant and budgeted position.

5(e) Approve to appoint the position of Golf Course Assistant, a vacant and budgeted position – Golf Course (Replacement)

Approve to appoint Bob Gronnel to the position of Golf Course Assistant effective January 8, 2019, at an annual salary of \$25,086.65 (NE025, Step 2), a vacant and budgeted position.

5(f) Approve promotion of Court Clerk to the position of Courtroom Clerk & Assistant Jury Commissioner for the Superior Court Clerk, a vacant and budgeted position – Superior Court (Promotion)

Approve to promote Nichole Pena, Court Clerk, to the position of Courtroom Clerk & Assistant Jury Commissioner, for the Superior Court Clerk's office, effective January 8, 2019, at an annual salary of \$34,049.60 (NEO015, Step 1), a vacant and budgeted position.

5(g) Approve to hire the position of Court Clerk for the Superior Court, a vacant and budgeted position – Superior Court (Replacement)

Approve to appoint Teresa Mays to the position of Court Clerk for the Superior Court, effective January 8, 2019, at an annual salary of \$31,928 (NEO014, Step 5), a vacant and budgeted position.

5(h) Approve to appoint the position of Deputy Public Defender I, a vacant and budgeted position – Public Defender (Replacement)

This item was pulled from the Consent Agenda for discussion.

5(i) Approve to appoint the position of Uncertified Deputy Sheriff, a vacant and budgeted position – Sheriff (Replacement)

Approve to appoint Jordan Lang to the position of Uncertified Deputy Sheriff, effective January 8, 2019, at an annual salary of \$40,973.40 (L15, Step 1), increasing to \$43,464.58 (L07, Step 1), upon successful completion of an Arizona P.O.S.T. Academy and completion of a Personnel Action Form; requiring a six-month County probation period; and an additional six-month probation for the Sheriff's office.

5(j) Approve grant application to the Arizona Governor's Office of Highway Safety/DUI Abatement Council for Driving Under the Influence (DUI) enforcement overtime in the amount of \$18,432; and radar equipment in the amount of \$13,000; for a total grant amount of \$31,432 – Sheriff

Approve grant application to the Arizona Governor's Office of Highway Safety/DUI Abatement Council for Driving Under the Influence (DUI) enforcement overtime in the amount of \$18,432; and five Kustom Eagle II radar units in the amount of \$13,000; for a total grant amount of \$31,432.

5(k) Approve Addendum #2 to the Intergovernmental Agreement between Mohave County and La Paz County to allow Mohave County Community Services Department to assume the operation and control of La Paz County's Title I Adult and Dislocated Worker Program under the Mohave/La Paz Workforce Development Area Consortium pursuant to the Workforce Innovation and Opportunity Act of 2014 (WIOA) Public Law 113-128 – Board of Supervisors

Approve Addendum #2 to the Intergovernmental Agreement between Mohave County and La Paz County to allow Mohave County Community Services Department to assume the operation and control of La Paz County's Title I Adult and Dislocated Worker Program under the Mohave/La Paz Workforce Development Area Consortium pursuant to the Workforce Innovation and Opportunity Act of 2014 (WIOA) Public Law 113-128.

5(l) Approve Official Appointment and Oath of Office for Limited Duty Special Deputy Clerk in matters related to service of process for claims and lawsuits – Clerk of the Board/Board of Supervisors

Approve Official Appointment of Juliana Bowman and Oath of Office for Limited Duty Special Deputy Clerk in matters related to service of process for claims and lawsuits, without compensation.

5(m) Approve to appoint the position of Maintenance Worker I – Parker for Public works – Public Works (Replacement)

Approve to appoint Enrique Romero, Maintenance Worker I – Parker, effective Tuesday, January 8, 2019, at an annual salary of \$26,725.59 (NE045, Step 4), a vacant and budgeted position.

5(n) Approve to adjust the wages of two (2) Uncertified Deputy Sheriff to the status of Deputy Sheriff, having completed the Western Arizona Law Enforcement Training Academy, retroactive to December 14, 2018 – Sheriff (Wage adjustment)

Approve to adjust the wages of Eduardo Lopez and Nicholas Tacey to the status of Deputy Sheriff to a salary of \$43,464.58 (L07, Step 1), retroactive to December 14, 2018, having completed the Western Arizona Law Enforcement Training Academy; both budgeted positions.

Chairman Minor requested that item #5(h) be pulled for discussion and separate action.

SUPERVISOR WILSON MOVED to approve Consent Agenda Items #5(a) through #5(g) and #5(i) through #5(n). Motion seconded by Supervisor Irwin, passed unanimously, including the vote by Chairman Minor.

5(h) Approve to appoint the position of Deputy Public Defender I, a vacant and budgeted position – Public Defender (Replacement)

Chairman Minor expressed that this item was once again approving a salary at a higher step to start, no doubt in order to attract someone to the position; however, his concern was with the hiring of an attorney in the Public Defender’s office, which competes with the County Attorney’s office for staff, it creates some level of inequity. He noted that the Board will be discussing a “Comp and Class Plan” at the afternoon worksession and felt the County was “putting the cart before the horse” in hiring staff at higher salaries before going through that process.

SUPERVISOR WILSON MOVED to approve the appointment (of Marla Yvonne Reed) to the position of Deputy Public Defender I, effective January 8, 2019, at an annual salary of \$65,754.11 (E019, Step 11), a vacant and budgeted position. Motion seconded by Supervisor Irwin, passed by a vote of two to one, with Chairman Minor voting nay.

Chairman Minor recessed the Board of Supervisors and convened the Jail District Board of Directors at 10:18

CONSENT AGENDA (*Discussion and possible action on the following items*):

County Administrator Drake presented for approval Jail District Consent Agenda Items #6(a) and #6(b).

6(a) Approval of Jail District Payroll

Approve December 9, 2018, through December 22, 2018, gross payroll, as presented, in the amount of \$62,473.44, plus employer benefit contributions of \$10,527.42, for a total of \$73,000.86, including handwritten warrants.

6(b) Approval of Jail District Demands

Approve the demands, as presented, for FY2018/2019, in the amount of \$60,683.20, including handwritten warrants.

SUPERVISOR IRWIN MOVED to approve the Jail District Consent Agenda Items #6(a) and #6(b). Motion seconded by Supervisor Wilson, passed unanimously, including the vote by Chairman Minor.

Chairman Minor recessed the Jail District Board of Directors and reconvened the Board of Supervisors at 10:19 a.m.

REGULAR AGENDA (*Discussion and possible action on the following items*):

Adopt Resolution No. 2019-01, approving application to the Arizona Game and Fish Department for a Shooting Range Development Grant for installing shooting benches at the Bouse Shooting Range; in the amount of \$4,075, with a \$4,075 in-kind match by the County; and authorizing the Accounting Operations Manager to execute all forms required for the grant – Parks/Finance

Accounting Operations Manager MacFarland requested adoption of Resolution No. 2019-01, approving application to the Arizona Game and Fish Department for a Shooting Range Development Grant for installing shooting benches at the Bouse Shooting Range.

He explained that it was necessary to get permission from the Bureau of Land Management (BLM); the lease having just renewed with the County for public usage of the land. He added that the grant had a 50/50 match required for the project.

Chairman Minor stated he felt it would be an asset to the park.

SUPERVISOR IRWIN MOVED to adopt Resolution No. 2019-01, approving application to the Arizona Game and Fish Department for a Shooting Range Development Grant for installing shooting benches at the Bouse Shooting Range; in the amount of \$4,075, with a \$4,075 in cash and in-kind match by the County; and authorizing the Accounting Operations Manager to execute all forms required for the grant. Motion seconded by Supervisor Wilson, passed unanimously, including the vote by Chairman Minor.

Approve to accept a Land and Water Conservation Grant Award, Project Sponsor Agreement ASP#04-00757, administered by Arizona State Parks and Trails, to renovate a portion of riverfront recreation area within the La Paz County Park – Parks/Finance

Accounting Operations Manager MacFarland described the improvements that would be made to the Park with the grant, adding that the project would go forward once approval was obtained from the Bureau of Land Management (BLM). He added that all the materials and labor would count towards the in-kind match and explained that since the plans for the project has been in the works for over three years, it is possible that the project would go over budget. He added that there would be a surcharge to Arizona State Parks and Trails.

Supervisor Wilson asked that the plans be coordinated with the Parks and Recreation Advisory Commission.

SUPERVISOR WILSON MOVED to approve to accept a Land and Water Conservation Grant Award, Project Sponsor Agreement ASP#04-00757, administered by Arizona State Parks and Trails, in the amount of \$77,510, to renovate approximately 900 yards of riverfront recreation area within the La Paz County Park; pay a surcharge of \$7,751 to the Arizona State Parks and Trails; authorizing matching funds of \$77,510 in cash and in-kind contributions; and authorize Accounting Operations Manager MacFarland to sign all forms required for the grant. Motion seconded by Supervisor Irwin, passed unanimously, including the vote by Chairman Minor.

Approve support letter to the Bureau of Land Management (BLM) regarding a proposed development near Wenden – Board of Supervisors

Supervisor Wilson presented a request from the Bureau of Land Management (BLM) regarding a draft support letter for a proposed development near Wenden. He stated the proposed project is of a confidential nature for the Economic Development Corporation.

Supervisor Irwin stated that she had spoken to Skip Becker of the Economic Development Corporation, and she had no questions about it.

SUPERVISOR WILSON MOVED to approve a support letter to the Bureau of Land Management (BLM) regarding a proposed development near Wenden. Motion seconded by Supervisor Irwin, passed unanimously, including the vote by Chairman Minor.

Approve the purchase of fifty (50) new Panasonic MDC Computers for patrol vehicles, including keyboards, software and docking stations for a total amount of \$265,114; funded by Federal Asset Sharing Funds – Sheriff

Lieutenant Epps requested approval for the purchase of fifty (50) new Panasonic MDC Computers for patrol vehicles, including keyboards, software and docking stations to replace outdated computers. He added that the equipment would be funded by Federal Asset Sharing Funds.

Representatives from All Covered, Brent Beasley, Director of Service Delivery and John Petersen, IT Services Consultant, gave a power point presentation explaining the equipment and the purchase plan, with a total cost of \$265,114.

Captain Bagby explained Federal Asset Sharing Funds, stating that funds were available that would cover the expenditure, and it was confirmed that this purchase would qualify for its usage.

He added that the package that All Covered had put together would be difficult to do themselves, and is a “good deal”.

SUPERVISOR IRWIN MOVED to approve purchase of fifty (50) new Panasonic MDC Computers for patrol vehicles, including keyboards, software and docking stations for a total amount of \$265,114; funded by Federal Asset Sharing Account 241-017-00200-6906. Motion seconded by Supervisor Wilson, passed unanimously, including the vote by Chairman Minor.

Approve the paydown of vacation time to 300 hours for employees who have more than 300 hours of accrued vacation time as of December 31, 2018 – Finance

Finance Director Krukemyer explained the reason for the paydown of vacation time, noting that a number of employees were unable to take vacation time due to the lack of staff and “taking up slack” after the County’s reduction-in-force. He referred to the list provided to the Board, projecting the numbers involved, adding that taxes would be deducted as it would for any salary payment.

Chairman Minor referred to the comment made at Call to the Public on this item, expressing that this recommendation was made to alleviate a financial liability to the County for hours that were due to staff, and it was not the intention of the County to take anything away from them.

He further expressed that it was not the County's intention to ignore County policy, but to pay down the vacation hours to pay employees what is due them and go forward with a more manageable system.

Supervisor Wilson stated that Comp time has been a continuous concern and should not accumulate but be paid out, and the employee should not have to lose vacation time for Comp time leave.

Discussion ensued noting the payout was a compromise to the growing problem and it may still be a problem that would have to be addressed in the coming months as vacation time continued to accrue.

SUPERVISOR WILSON MOVED to approve paydown of vacation time to 300 hours for accrued vacation for employees who have more than 300 hours as of December 31, 2018, as presented. Motion seconded by Supervisor Irwin, passed unanimously, including the vote by Chairman Minor.

Approve recommendation of the County Assessor to hire outside counsel Helm, Livesay & Worthington to represent La Paz County in TX2018-001117 Quartzsite Apartments II, LP v. La Paz County – County Attorney

Deputy County Attorney Dooley requested approval to use outside counsel Helm, Livesay & Worthington to represent La Paz County in TX2018-001117 Quartzsite Apartments II, LP v. La Paz County, and as requested by the County Assessor.

He reminded the Board that the firm had been retained previously for this and similar cases and felt it would be beneficial for the County for the firm to take on this case appealing the 2019 valuation.

SUPERVISOR WILSON MOVED to approve the recommendation of the County Assessor to hire outside counsel Helm, Livesay & Worthington to represent La Paz County in TX2018-001117 Quartzsite Apartments II, LP v. La Paz County. Motion seconded by Supervisor Irwin, passed unanimously, including the vote by Chairman Minor.

Approve to hire outside counsel, Roberta Livesay with Helm, Livesay & Worthington to represent La Paz County with regard to Sunrun Inc. and any other solar case that deals with the same legal issues raised in Solar City – County Attorney

Deputy County Attorney Dooley explained that this case was one of several cases going before the State Tax Court and the legal issues involved with this and other solar cases in the State. He noted that these cases before the State involve a "shared fee" agreement with the State's counties of which La Paz County's fee is 0%.

La Paz County Board of Supervisors
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SUPERVISOR IRWIN MOVED to approve to hire outside counsel, Roberta Livesay with Helm, Livesay & Worthington to represent La Paz County with regard to Sunrun Inc. and any other solar cases that deal with the same legal issues raised in Solar City. Motion seconded by Supervisor Wilson, passed unanimously, including the vote by Chairman Minor.

Adjournment

Chairman Minor adjourned the meeting at 11:02 a.m.

APPROVED:

/s/
Duce Minor, Chairman

ATTEST:

/s/
Diane Green, Clerk of the Board

The following La Paz County demands were audited, approved and ordered paid by the La Paz County Board of Supervisors: 11136977, All Covered, \$28,502.83; #11136979, Amazon, \$1,652.93; #11136980, Ammo, Inc., \$2,399; #11136981, APS, \$22,962.014; #11136986, Bingham Equipment, \$1,876.50; #11136995, Colorado River Funeral, \$2,570; #11136999, Davis Building Supply, \$1,089.01; #11137003, Election Systems & Software, \$15,448.96; #11137005, Empire Southwest, \$4,219.06; #11137006, Enterprise Technology Services, \$2,454.54; #11137007, Growers Oil Company, \$5,152.05; #11137014, Jessica L. Quickle, \$6,390; #111370125, JP Morgan One Card, \$20,927.0; #11137020, La Paz County Sheriff's Office, \$5,662; #11137027, Norbert Mendoza, \$2,436.50; #11137029, Mikes Contracting Inc., \$1,642.33; #11137035, Parker Oil Products, Inc., \$8,759.19; #11137038, Pitney Bowes, \$2,074.89; #11137040, Precision Striping, Inc., \$32,045; #11137049, Shamrock Foods Co., \$2,231.76; #11137052, Simplot Partners, \$11,803.72; #11137053, Simpson Norton Corp., \$2,458.35; #11137059, State Bar of Arizona, \$3,353; #11137060, T & C Seal Coating, Inc., \$209,419.65; #11137062, TAMCO, \$4,330.29; #11137063, TDS Telecom, \$1,857.87; #11137068, Trinity Services Group. Inc., \$11,930.11; #11137070, Vederman Law Office, PLLC, \$1,237.50; #11137071, Western States Petroleum, \$3,868.64; #11137072, White Sheet Free Shopping, \$1,799.28; #11137073, Internal Rev. Service, \$3,497.90; #11137074, State Water Resources Control Board, \$15,00; #11137075, Arizona Peace trail, #11137076, Bouse Chamber of Commerce, \$2,000; #11137077, La Paz County Fair Association, \$3,000; #11137078, La Paz Economic Development Corp., \$7,500; #11137079, McMullen Valley Chamber, \$3,000; #11137080, Parker Chamber of Commerce, \$3,000; #11137081, Parker Senior Center, \$2,500; 11137082, Quartzsite Area Chamber of Commerce, \$3,000; #11137083, Quartzsite Senior Center, \$2,500; #11137084, Bouse Fire District, \$1,340.27; #11137085, Buckskin Fire Department, \$22,632.89; #11137086, Ehrenberg Fire District, \$6,053.83; #11137087, McMullen Fire District, \$4,636.30; #11137088, Parker Fire District, \$4,960.37; #11137089, Quartzsite Fire Department, \$11,127.03; #11137095, Desert Golf Cars, \$3,552.25; #11137097, Election Systems & Software, \$5,763.18; #11137098, Michael Frame, \$12,982.50; #11137099, Gloria Eagle PA-C, \$2,437.50; #11137103, JP Morgan One Card, \$5,373.41; #11137107, MCI, \$1,665.53; #11137111, Priyanka Miller, \$1,594.02; #11137112, Rays Tree Service, \$1,460; #11137114, Rosenfeld, Gust, PLC, \$1,075; #11137128, AZ Department Environmental Quality, \$4,520; #11137138, CBS Office Automation, LLC, \$3,621.19; #11137139, Central Arizona Project, \$3,000; #11137158, Interstate Battery, \$2,757.04; #11137161, La Paz Solar LLC, \$1,263.66; #11137163, Lawson Products, Inc., \$1,977.42; #11137165, Marcus Faust, \$7,500; #11137170, Motorola Solutions, \$1,845.97; #11137176j, Pima County Treasurer, \$2,300; #11137183, Professional Development Academy, \$4,980; #11137188, Reddy Ice, \$1,061.84; #11137197, Senergy Petroleum, #11137200, Southwest Gas Corp., \$1,274.89; #11137202, Staples Credit Plan, \$1,195.38; #11137206, Sunedison c/o DG Solar Lease, \$3,304.29; #11137212, Thomson Reuters-West, \$1,692.91; #11137219, Verizon Wireless, \$3,452.26; #11137223, Western Alliance Bank, #21,717.50; #11137226, Whitney & Whitney, PLLC, \$3,907.50; #11137230, Yuma County Juvenile, \$2,241.60; #11137231, AHCCCS State Treasurer, \$17,675; #11137233, Cobiz Public Finance, \$11,808.08; ##11137309, Atkins North America, Inc., \$4,12; #11137323, Horizon Health & Wellness, \$7,200; #11137328, Knowledge Capital Alliance, Inc., \$1,400; #11137334, Parker Funeral Home, Inc., \$1,812; #11137344, Sanofi Pasteur, Inc., \$1,092.02.