

**MINUTES
OF THE
LA PAZ COUNTY BOARD OF SUPERVISORS
Monday, July 16, 2018, 10:00 a.m.
Regular Meeting**

Chairman Minor called the July 16, 2018, regular meeting of the La Paz County Board of Supervisors to order at 10:03 a.m. Elected Officials and Department heads present were: Chairman Minor, Supervisor Irwin, Supervisor Wilson, County Administrator Drake, Deputy County Attorney Buckelew, Finance Director Krukemyer, Human Resource Director Frantz, Superior Court Clerk Spielman, Elections Director Scholl, Public Works Director Simmons, Community Development Administrator Yackley; and Executive Assistant Reeves.

Chairman Minor led the Pledge of Allegiance followed by the Invocation given by Pastor Jose Garcia of the Parker Apostolic Church.

Presentation: “Sandy Dodge Employee Excellence Award”

Dorothy Fenech, Safety Committee Chairman, recognized Kim Pollak, Senior Account Clerk, with the May 2018, Sandy Dodge Employee Excellence Award, along with a \$25 gift certificate to Walmart.

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. 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

Hal Davidson, resident of Quartzsite, requested the Board’s assistance with tax relief for veterans.

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)

Supervisor Irwin read a letter from Hal Davidson, who expressed appreciation to River Valley Hospice for their assistance in caring for his 99-year old mother. He stated that they were “the most friendly, professional and most important of all, compassionate people I’ve ever dealt with”, and highly recommended their services.

Chairman Minor concurred, saying that the organization was “wonderful”; and noted that there have been some County staff that were going through some “hard times” with family loses, adding that his “thoughts and prayers” were with them.

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

County Administrator Drake presented for approval Consent Agenda Items #6(a) through #6(h).

6(a) Approval of Minutes

Approve the minutes of the June 18, 2018, 10:00 a.m. regular meeting.

6(b) Approval of Payroll

Approve June 24, 2018, through July 7, 2018, gross payroll, as presented, in the amount of \$389,289.71, plus employer benefit contributions of \$101,714.76, for a total of \$41,004.67, including handwritten warrants.

6(c) Approval of Demands

Approve the demands, as presented, for FY2018/2019 in the amount of \$663,704.69, including handwritten warrants.

6(d) Approve to appoint an Uncertified Deputy Sheriff, a budgeted position – Sheriff (Replacement)

Approve to appoint Nicholas Tacey to the vacant, budgeted position of Uncertified Deputy Sheriff, effective July 16, 2018, 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; requiring a six (6) month County probation period; and an additional six (6) month probation for the Sheriff’s office.

6(e) Approve to promote retroactively a Deputy position to Patrol Sergeant, a vacant budgeted position – Sheriff (Replacement/Promotion)

Approve to promote Deputy John Walker to the vacant, budgeted position of Patrol Sergeant, retroactive to June 25, 2018, at an annual salary of \$56,665.48 (L10, Step 5), requiring a six (6) month County probation period; and an additional six (6) month probation for the Sheriff’s office.

6(f) Approve cancellation of ten (10) uncollectible personal property tax bills, pursuant to A.R.S/ §42-19118, totaling \$6,043.19 – Treasurer

Approve cancellation of ten (10) uncollectible personal property tax bills, pursuant to A.R.S. §42-19118, totaling \$6,043.19.

6(g) Approve to accept FY2018/2019, Local Judicial Collection Enhancement Fund (JCEF) Grant GPT#1818J001, providing \$25,168 for the Salome Justice Court, transferring funds from fund 999 to fund 390 – JP5/Finance

Approve to accept FY2018/2019, Local Judicial Collection Enhancement Fund (JCEF) Grant GPT#1818J001, providing \$25,168 for the Salome Justice Court, transferring funds from fund 999 to fund 390.

6(h) Approve to accept FY2018/2019, Court Security Improvement Grant 18B15CS002 for \$67,296 and transferring \$67,296 from fund 999 to fund 358 – Superior Court/Finance

Approve to accept FY2018/2019, Court Security Improvement Grant 18B15CS002 for \$67,296 and transferring \$67,296 from fund 999 to fund 358.

SUPERVISOR WILSON MOVED to approve Consent Agenda Items #6(a) through #6(h). Motion seconded by Supervisor Irwin, passed unanimously.

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

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

County Administrator Drake presented for approval Jail District Consent Agenda Items #7(a) and #7(b).

7(a) Approval of Jail District Payroll

Approve June 24, 2018, through July 7, 2018, gross payroll, as presented, in the amount of \$58,742.34, plus employer benefit contributions of \$11,321.72, for a total of \$70,064.06, including handwritten warrants.

7(b) Approval of Jail District Demands

Approve the demands, as presented, for FY2018/2019, in the amount of \$312,190.25, including handwritten warrants.

SUPERVISOR IRWIN MOVED to approve Jail District Consent Agenda Items #7(a) through #7(b). Motion seconded by Supervisor Wilson, passed unanimously.

Chairman Minor recessed the Jail District Board of Directors and reconvened the Board of Supervisors at 10:11 a.m.

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

Discussion and possible action to adopt Resolution No. 2018-16, approving and directing the employment of legal counsel to represent the County in potential litigation against parties responsible for the impacts of the opioid addiction crisis in the County (“Responsible Parties”) – Board of Supervisors

County Administrator Drake stated that Anne Andrews of Andrews & Thornton, was present to address the Board on the matter of the opioid crisis and the “spill-over” effect that has had a grave concern for this and other counties as spoken about already by Ms. Andrews at a previous Board meeting.

He stated that Deputy County Attorney Buckelew suggested a few changes to the wording on the resolution.

Ms. Andrews stated that her firm urged adoption of the resolution and would be happy to answer any questions regarding the engagement letter. She gave a brief report on what was happening on this matter around the state and noted the various counties that have and those that would shortly approve an engagement letter.

Chairman Minor stated that the changes to the resolution would: 1) delete the words “Responsible Parties” in the bold heading; and 2) under Section 2., County “Counsel” would be revised to read County “Attorney”.

SUPERVISOR WILSON MOVED to approve adoption of Resolution No. 2018-16, approving and directing the employment of legal counsel to represent the County in potential litigation against parties responsible for the impacts of the opioid addiction crisis in the County (with corrections made to the wording, as presented). Motion seconded by Supervisor Irwin, passed unanimously.

Discussion and possible action to approve Engagement to Represent with the law firms of Andrews & Thornton, and Fennemore Craig, P.C., on a contingent fee basis, to pursue all civil remedies, against the manufacturers of prescription opiates and those in the chain of distribution of prescription opiates responsible for the opioid epidemic – Board of Supervisors

Ms. Andrews stated that this agreement was a contingency agreement typical to law firms around the country featuring no “up front” charges, contingent upon success of the “team”. She stated that it is a “stated lawsuit”, and the county is engaging their firm to represent the county for all claims/damages of the opioid crisis.

She stated that there would be a meeting process outlining the costs as the firm goes forward so there is no misunderstanding or surprises; and the County will be engaged in the litigation process.

She stated she would be happy to answer any questions. She added the fee was reduced; a contingent fee based on a 20% gross recovery.

A brief discussion ensued regarding a few changes to the agreement; adding a sentence under item #1, under “Attorney Fees”; and item #4 under Costs and Other Expenses, stating “under no circumstance(s), will client be responsible for any costs exceeding client’s net recovery”.

County Attorney Buckelew has questions regarding “costs” and what the County would be responsible for.

Ms. Andrews stated that if there was no recovery, there would be no costs; and the changes requested were agreeable.

County Administrator Drake stated that Supervisor Irwin asked that he inquire with Craig Sullivan with the County Supervisors Association to see what their position was on this matter. He added that Mr. Sullivan did not have a position; however, he stated that he researched to find that the proposals being offered by other firms were similar in nature.

Ms. Andrews gave an explanation of item #8(h) under Termination, as requested by Chairman Minor.

Deputy County Attorney Buckelew expressed satisfaction as to #8(k) under Fee Arbitration.

SUPERVISOR WILSON MOVED to approve Engagement to Represent with the law firms of Andrews & Thornton, and Fennemore Craig, P.C., on a contingent fee basis, to pursue all civil remedies, against the manufacturers of prescription opiates and those in the chain of distribution of prescription opiates responsible for the opioid epidemic; with the changes as discussed. Motion seconded by Supervisor Irwin, passed unanimously.

Approve service contract retroactively with Western Arizona Council of Governments (WACOG) to provide assistance to the County with their Community Development Block Grant (CDBG) 2018/2019 “La Paz County Bathroom Rehabilitation Project” – Board of Supervisors

County Administrator Drake explained that this contract is regarding the management assistance given towards the CDBG 2018/2019 grant awarded the County, at an expense of \$28,500.

SUPERVISOR IRWIN MOVED to approve contract with Western Arizona Council of Governments (WACOG) to provide assistance to the County with their Community Development Block Grant (CDBG) 2018/2019 “La Paz County Bathroom Rehabilitation Project”, retroactive to July 3, 2018, at \$75/hour including expenses; maximum 380 or \$28,500 total. Motion seconded by Supervisor Wilson, passed unanimously.

Approve purchase of one (1) Konica Minolta copier with 60-month service agreement for the Parker Justice Court, from the cooperative purchasing agreement with Mohave Educational Services Cooperative, contract #15M-KMBS-0128 – JP6

Accounting Operations Manager MacFarland requested approval to purchase one (1) Konica Minolta copier with 60-month service agreement for the Parker Justice Court, from the cooperative purchasing agreement with Mohave Educational Services Cooperative, contract #15M-KMBS-0128. He explained that the contract is based on usage.

Deputy County Attorney Buckelew stated that an agreement with the vendor is also needed to insure they are bound by the procurement agreement, and he was working on that; therefore, he advised the Board to approve the cooperative purchasing agreement and the service agreement contingent upon the addition of an agreement from the vendor to comply with the terms of the procurement agreement, or Agreement for Cooperative Purchasing. He felt that it was related closely enough to the arrangements that he did not feel it would have to come back separately before the Board for approval.

SUPERVISOR WILSON MOVED to approve purchase of one (1) Konica Minolta copier with 60-month service agreement for the Parker Justice Court, from the cooperative purchasing agreement with Mohave Educational Services Cooperative, contract #15M-KMBS-0128; subject to the execution of an Agreement for Cooperative Purchasing. Motion seconded by Supervisor Irwin, passed unanimously.

Approve purchase of one (1) Konica Minolta copier with 60-month service agreement for the Quartzsite Justice Court, from the cooperative purchasing agreement with Mohave Educational Services Cooperative, contract #15M-KMBS-0128 – JP4

Accounting Operations Manager MacFarland presented a request for the purchase of one (1) Konica Minolta copier with 60-month service agreement for the Quartzsite Justice Court, from the cooperative purchasing agreement with Mohave Educational Services Cooperative, contract #15M-KMBS-0128.

He stated that different options were selected for this purchase; however, the information and the addendum for approval of this item would be the same.

SUPERVISOR WILSON MOVED to approve purchase of one (1) Konica Minolta copier with 60-month service agreement for the Quartzsite Justice Court, from the cooperative purchasing agreement with Mohave Educational Services Cooperative, contract #15M-KMBS-0128; subject to the execution of an Agreement for Cooperative Purchasing. Motion seconded by Supervisor Irwin, passed unanimously.

Adjournment

Chairman Minor adjourned the meeting at 10:44 a.m.

APPROVED:

/s/
Duce Minor, Chairman

ATTEST:

/s/
Diane Green, Deputy Clerk of the Board

The following La Paz County demands were audited, approved and ordered paid by the La Paz County Board of Supervisors as follows: #11134274, Abbe Stubbs & Ford, LLC, \$7,500; #11134276, APS, \$8,120.77; #11134285, Cintas Corp #44, \$3,258.96; #11134289, Davis Building, \$3,160.72; #11134295, Election Systems & Software, \$8,423.71; #11134298, Empire Southwest, \$3,813.66; #11134299, Frontier, \$8,870.93; #11134301, Growers Oil Company, \$3,205.37; #11134309, LR Anderson, LLC, \$1,580; #11134316, Parker Oil Products, Zinc., \$12,841.14; #11134318, Town of Parker, \$1,433.17; #11134319, Pitney Bowes Global Finance, \$1,720.42; #11134327, Redburn Tire Company, \$5,533.24; #11134328, Reddy Ice, \$1,235.86; #11134336, Simpson Norton Corp, \$1,525.53; #11134340, Spillman Technologies, Inc, \$44,243; ##11134342, Sudden Link, \$1,689.71; #11134347, Tyler Technologies, \$4,934; #11134348, United Truck and Equipment, \$1,216.54; #11134349, Valley Equipment, \$1,669; #11134350, Verizon Wireless, \$2,532.06; #11134352, West Payment Center, \$1,683; #11134356, All Covered, \$20,304.36; #11134363, Bob Barker Company, \$4,229.31; #11134365, Carlson Software, Inc., \$28,453.12; #11134368, Colorado River Joint Venture, \$1,368.79; #11134372, Diamondback, \$3,156.33; #11134375, Fulton Distributing, \$1,167.98; #11134383, La Paz Solar, LLC, \$1,864.29; #11134384, Larry H. Miller, \$42,330.47; #11134386, Moore Medical (2), \$1,050.64; #11134396, Scuba Guy Diving, \$1,060; #11134399, Sunedison, \$5,146.02; #11134403, Trinity Services Group, Inc., \$11,386.90; #11134408, White Sheet Free Shopping, \$1,268.62; #11134411, Arizona Dept. of Juvenile Corrections, \$36,100; #11134431, Michael Donaghue, \$2,287; #11134449, IWORQ Systems, \$5,940; #11134459, Eduardo Lopez, \$2,059; #11134460, Marcus G. Faust, \$7,500; #11134466, Amber McLean, \$2,287; #11134467, McNaughton, \$6,391.44; #11134474, Abraham Pacheco, \$2,287; #1113375, Bryce Piper, \$2,287; ##11134492, Nicholas Tacey, \$2,359; #11134495, Krystal Thompkinson, \$2,059; #11134497, Tyler Technologies, \$27,235.48; ##11134504, Standard Insurance, \$10,077.20; #11134503, Westearn Alliance Bank, \$8,830.50; #11134505, Attorney General's Office, \$1,985.66; #11134507, Bio Quip Products, \$1,477.46; #11134520, Ronald Parker, MC, \$2,850; #11134523, Simpson Norton Corp., \$1,238.46; #11134525, Town of Quartzsite, \$2,404.80.