

**MINUTES
OF THE
LA PAZ COUNTY BOARD OF SUPERVISORS
Monday, November 19, 2018, 10:00 a.m.
Regular Meeting**

Chairman Minor called the November 19, 2018, 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, Finance Director Krukemyer, Human Resource Director Frantz, Shop Supervisor Braska, Public Works Director Simmons, Sheriff Risen, Elections Director Scholl, Community Development Administrator Yackley, Health Director Shontz, Parks Director Prefling; and Clerk of the Board Green.

Chairman Minor led the Pledge of Allegiance followed by the Invocation given by Pastor Julian Barbara of the Calvary Christian Fellowship.

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

There were no comments.

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)

Chairman Minor stated that he wished to thank the voters of La Paz County for taking the time to cast their vote regarding Proposition 402, a good thing for the County. He added that, with the passage of the Proposition, the County could look forward to its plans for La Paz County.

Supervisor Wilson stated that the passage of Proposition 402 was the "final chapter" in implementing the path of financial stability started a couple of years ago.

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

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

CONSENT AGENDA (continued)

5(a) Approval of Minutes

Approve the minutes of the Wednesday, June 20, 2018, 2:00 p.m. Special Meeting; Monday, June 25, 2018, 10:00 a.m. Special Meeting; and Monday November 5, 2018, 10:00 a.m. regular meeting.

5(b) Approval of Payroll

Approve October 28, 2018, through November 10, 2018, gross payroll, as presented, in the amount of \$375,509.93, plus employer benefit contributions of \$109,892.48, for a total of \$485,402.41, including handwritten warrants.

5(c) Approval of Demands

Approve the demands, as presented, for FY2018/2019, in the amount of \$642,006.76, including handwritten warrants.

5(d) Approve to appoint member to the La Paz County Planning & Zoning Commission – Board of Supervisors

Approve to appoint Daniel Tucker as member to the La Paz County Planning & Zoning Commission; effective November 19, 2018, for term expiring December 31, 2022.

5(e) Approve to appoint the position of Certified Deputy Sheriff, a vacant budgeted position – Sheriff (Replacement)

Approve to appoint Juan Casteneda to the position of Certified Deputy Sheriff, effective November 20, 2018, at a salary of \$43,464.58 (L07, Step 1), requiring a one-year probation period.

5(f) Approve to appoint the position of Uncertified Deputy Sheriff, an unbudgeted position – Sheriff (New Position)

This item was pulled from the Consent Agenda for discussion and separate action.

5(g) Approve to appoint two (2) Uncertified Deputy Sheriff positions; budgeted – Sheriff (Replacements)

Approve to appoint Taylor Saban and Chad Hertz to the budgeted positions of Uncertified Deputy Sheriff effective November 21, 2018 at annual salaries 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 certification; with a six-month County probation period and a six-month probation period with the Sheriff's Office, and conclusion of Field Training.

5(h) Approve salary increase to the Deputy County Attorney II position, retroactive to March 1, 2018; increase funded by the STOP Grant in collaboration with the Colorado River Crisis Services – County Attorney (Salary Increase)

This item was pulled from the Consent Agenda for discussion and separate action.

5(i) Approve to appoint the position of Mechanic I – Parker for Public Works, a vacant budgeted position – Public Works (Replacement)

Approve the appointment of Alexandro Sandoval to the position of Mechanic I – Parker, effective November 20, 2018, at an annual salary of \$28,867.13 (NE049, Step 1) a vacant budgeted position.

5(j) Approve salary increase for Golf Course Groundskeeper I position, a budgeted position – Golf Course (Salary Increase)

Approve salary increase for Porfirio Garcia, Golf Course Groundskeeper I, effective November 20, 2018, from \$23,251.03 (NE028, Step 5) to \$25,086.65 (NE028, Step 8), a budgeted position.

5(k) Approve appointment of Justice Court Pro Tempore Justices of the Peace from January 1, 2019 through December 31, 2019, without compensation, pursuant to A.R.S. §22-121(A) – Superior Court

Approve appointments of Paul Julien, Lawrence King, James Putz-Atrup, Kyndra Aguirre, Kaela Purcell, Jasmine Martinez-Salazar, Ashli Ruvo and Diane Jones-Zakrajsek as Pro Tempore Justices of the Peace for all Justice Courts in La Paz County; from January 1, 2019 through December 31, 2019, pursuant to A.R.S. §22-121(A); without compensation.

5(l) Approve cancellation of forty-one (41) uncollectible personal property tax bills, pursuant to A.R.S. §42-19118 totaling \$10,206.06 – Treasurer

Approve cancellation of forty-one (41) uncollectible personal property tax bills, pursuant to A.R.S. §42-19118 totaling \$10,206.06.

Chairman Minor requested that Consent Agenda Items #5(f) and #5(h) be pulled from that list for discussion and separate action.

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

5(f) Approve to appoint the position of Uncertified Deputy Sheriff, an unbudgeted position – Sheriff (New Position)

Human Resource Director Frantz stated that although the position requested is unbudgeted, it was signed off by Finance Director Krukemyer and County Administrator Drake, following procedure. She noted that the backup included a statement regarding the need for the position, as well as three additional positions.

Chairman Minor stated that his intention for discussion was to make it clear what was being requested.

Finance Director Krukemyer explained the percentages of salary expenditures during the first and second quarter of the fiscal year; employee overtime and the cost of a new employee with benefits, by comparison. He stated that he felt it “made sense” to hire an additional person at “straight time” rather than pay the overtime.

Sheriff Risen stated that the amount of compensatory time accrued was “tremendous” and an unfunded liability the County could not afford to pay, and employees are not able to take time off for vacation because there is no one to fill the time, and compensatory time increases.

He described the “crime problems” in the County, particularly in Salome.

Lieutenant Epps stated that the new positions will 1) reduce comp and vacation time and 2) “double up” patrols in some areas where needed.

Supervisor Wilson stated that he understood the need for more Deputies; however, he asked what was the “bottom line number” to the budget after adding the four new positions.

Finance Director Krukemyer stated a new person would be approximately \$60,000 without overtime.

Discussion ensued on the approximate salary that would be paid for each new employee; grant payments towards overtime, percentages affecting the budget versus the needs in the County, particularly when its population swells during certain times of the year.

Supervisor Irwin stated that the issue of response time was also an issue to address and it was the responsibility of the County to protect the public.

Finance Director Krukemyer stated that the expenditures would go over the Sheriff’s budget; however, it was possible to find the funds in “non-personnel” costs. He added that, with over time presently at 67% of the budgeted amount, it was “clearly” an issue.

Discussion ensued, reiterating the issues and the need for additional personnel, and the time it would take to acquire new Deputies.

County Administrator Drake explained that the funding was available for the new Deputies.

SUPERVISOR WILSON MOVED to appoint Justin Eagle to the position of Uncertified Deputy Sheriff, effective November 20, 2018, an unbudgeted position; 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 certification; with a six-month County probation period and a six-month probation period with the Sheriff's Office, and conclusion of Field Training. Motion seconded by Supervisor Irwin, passed unanimously, including the vote by Chairman Wilson.

5(h) Approve salary increase to the Deputy County Attorney II position, retroactive to March 1, 2018; increase funded by the STOP Grant in collaboration with the Colorado River Crisis Services – County Attorney (Salary Increase)

Chairman Minor asked, noting that this position was grant funded, what happened to the person if the grant "went away".

County Attorney Office Administrator Mott answered that Ms. Shackelford is aware that if the grant "goes away" the increase goes away.

Supervisor Wilson stated that the information he received from the County Attorney's office was that this grant was expected to be an ongoing/renewable grant.

SUPERVISOR IRWIN MOVED to approve the salary increase for Rachel Shackelford, the Deputy County Attorney II, retroactive to March 1, 2018, from \$60,942.72 (E017, Step 4) to \$67,502.31 (E017, Step 8), funded by the STOP Grant in collaboration with the Colorado River Crisis Services. Motion seconded by Supervisor Wilson, passed unanimously, including the vote by Chairman Minor.

Chairman Minor recessed the Board of Supervisors and convened the Jail District Board of Directors at 10:26 a.m.

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 October 28, 2018, through November 11, 2018, gross payroll, as presented, in the amount of \$57,192.30, plus employer benefit contributions of \$8,685.98, for a total of \$65,878.28, including handwritten warrants.

6(b) Approval of Jail District Demands

Approve the demands, as presented, for FY2018/2019, in the amount of \$54,913.72, including handwritten warrants.

SUPERVISOR IRWIN MOVED to approve 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 10:28 a.m.

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

PUBLIC HEARING:

Docket No. Z2018-006, HNC Properties, LLC, APN: 304-57-020F, requesting to rezone from Mobile Home Subdivision (MHS) to Commercial (C1) to divide into four (4) five-acre parcels for commercial use; property located in Salome – Community Development

Office Administrator Yackley presented Docket No. Z2018-006, HNC Properties, LLC, APN: 304-57-020F, requesting to rezone from Mobile Home Subdivision (MHS) to Commercial (C1) to divide into four (4) five-acre parcels for commercial use; property located in Salome.

She stated that 29 property owners were notified, and no comments were received except for one comment from outside the comment area approving the rezoning.

She added that the current zoning was not appropriate and there needed to be a change to commercial zoning to fit in the surrounding zoning area.

She further stated that the Review Committee comments from Public Works stated that a right of way needed to be dedicated on Harquahala Road; a survey was provided; and staff recommended approval with the stipulation that an easement is to be connected, and the applicant would need to sign an A.R.S. §12-1134 (207) Waiver.

Chairman Minor opened the public hearing and asked if anyone wished to comment on the request for rezoning.

There being no comments, Chairman Minor closed the public hearing.

Discussion and possible action on Docket No. Z2018-006, HNC Properties, LLC, APN: 304-57-020F, requesting to rezone from Mobile Home Subdivision (MHS) to Commercial (C1) to divide into four (4) five-acre parcels for commercial use; property located in Salome – Community Development

Chairman Minor asked if the comment from Public Works was to be part of the stipulation.

Community Development Administrator Yackley confirmed that the comment from Public Works requiring that an easement needed to be an added stipulation.

SUPERVISOR WILSON MOVED to approve Docket No. Z2018-006, HNC Properties, LLC, APN: 304-57-020F, to rezone from Mobile Home Subdivision (MHS) to Commercial (C1) to divide into four (4) five-acre parcels for commercial use; property located in Salome; with the stipulation that the applicant sign an A.R.S. §12-1134 (207) Waiver; and a 30-foot dedicated right-of-way be given as noted in the survey. Motion seconded by Supervisor Irwin, passed unanimously, including the vote by Chairman Minor.

Docket No. Z2018-007. Vantage Retirement Plans, LLC, APN: 304-52-004A, requesting to rezone from Rural Agricultural Zoning District, Minimum 40 Acres, (RA-40) to Suburban Ranch SR1 (1 parcel) and Rural Agriculture, Minimum Five Acres (RA5) (4 parcels); for the purpose of selling to a farm and for installation of a well; property located at 68200 Highway 60, in Salome – Community Development

Community Development Administrator Yackley presented Docket No. Z2018-007. Vantage Retirement Plans, LLC, APN: 304-52-004A, requesting to rezone from Rural Agricultural Zoning District, Minimum 40 Acres, (RA-40) to Suburban Ranch SR1 (1 parcel) and Rural Agriculture, Minimum Five Acres (RA5) (4 parcels); for the purpose of selling to a farm and for installation of a well; property located at 68200 Highway 60, in Salome.

She stated that 29 property owners were notified, and no comments were received except for one comment from outside the comment area opposed the rezoning.

She stated that the property owner is seeking to split the property into five parcels, which would require the zoning change; and a survey was provided. She added the change fit into the Comprehensive Plan.

She added that the only remark from the Review Committee was from the Public Works Rights of Way Agent who commented that a permit would be needed to lay pipes across the roadway; and the Planning and Zoning Commission recommended approval with the stipulation that an A.R.S. §12-1134 (207) Waiver be signed.

Discussion ensued on the proposed installation of a well although it was noted the request before the Board was to rezone the property; expressing concerns that the water would not be used on the property but be an “inter-basin transfer of water from McMullen to the Harquahala Basin, which is an irrigation non-expansion area”, and prohibited by statute.

Supervisor Irwin stated that this issue would most likely come up at a later date.

There being no further comments, Chairman Minor closed the public hearing.

Discussion and possible action on Docket No. Z2018-007, Vantage Retirement Plans, LLC, APN: 304-52-004A, requesting to rezone from Rural Agricultural Zoning District, Minimum 40 Acres, (RA-40) to Suburban Ranch SR1 (1 parcel) and Rural Agriculture, five acres (RA5) (4 parcels); for the purpose of selling to a farm and for installation of a well; property located at 68200 Highway 60, in Salome – Community Development

SUPERVISOR IRWIN MOVED to deny Docket No. Z2018-007, Vantage Retirement Plans, LLC, APN: 304-52-004A, requesting to rezone from Rural Agricultural Zoning District, Minimum 40 Acres, (RA-40) to Suburban Ranch SR1 (1 parcel) and Rural Agriculture, five acres (RA5) (4 parcels); for the purpose of selling to a farm and for installation of a well, until more information is received. Motion seconded by Supervisor Wilson.

Discussion ensued noting that a denial of the rezone request would require the process to start all over again and it was uncertain whether the well questions were a valid or legal reason for denial.

Deputy County Attorney Dooley recommended a clarification of the issues for a specific reason for denial, or to bring it back before the Board for additional information.

SUPERVISOR IRWIN WITHDREW her motion.

SUPERVISOR WILSON WITHDREW his second.

SUPERVISOR IRWIN MOVED to table Docket No. Z2018-007, Vantage Retirement Plans, LLC, APN: 304-52-004A, requesting to rezone from Rural Agricultural Zoning District, Minimum 40 Acres, (RA-40) to Suburban Ranch SR1 (1 parcel) and Rural Agriculture, five acres (RA5) (4 parcels); for the purpose of selling to a farm and for installation of a well, until a legal opinion can be obtained regarding this item. Motion seconded by Supervisor Wilson, passed unanimously, including the vote by Chairman Minor.

Approve the Canvass of the 2018 General Election held November 6, 2018 – Elections

Elections Director Scholl reviewed the canvass material brought before the Board, noting the winners of each seat, including the school board races.

He stated that there was a good turnout for the election, noting that 51.4% voted, which was a 12% increase from prior mid-term elections.

He went over the numbers of early ballots, early ballots at the polls; rejected ballots, write-ins, provisional report; accessibility report, number of poll workers, and voting statistics by precinct.

Chairman Minor thanked Elections Director Scholl and his staff, and poll workers.

SUPERVISOR IRWIN MOVED to approve the Canvass of the 2018 General Election held on November 6, 2018. Motion seconded by Supervisor Wilson, passed unanimously, including the vote by Chairman Minor.

Approve to ratify consulting services fee from Karen Ziegler for Racketeering Influenced and Corrupt Organizations (RICO) reporting, fund allocations and accounting – County Attorney

Deputy County Attorney Dooley explained that new law required that whatever monies were spent by the Sheriff relating to RICO funds were to be “signed off” by the County Attorney’s office, and monies spent by the County Attorney’s office would be checked by the Board of Supervisors.

He added that this item was to approve the consulting services hired to look over the RICO account for expenditures made by either the County Attorney’s office and the Sheriff’s Department, requesting a ratification of the payment.

SUPERVISOR IRWIN MOVED to approve to ratify consulting services fee in the amount of \$2,185 from Karen Ziegler for Racketeering Influenced and Corrupt Organizations (RICO) account management. Motion seconded by Supervisor Wilson, passed unanimously, including the vote by Chairman Minor.

Approve Arizona State Society Daughters of the American Revolution (DAR) request to place a Historical Marker identifying the site of a historical steamboat landing on the Colorado River called “Empire Flat” located in the La Paz County Park – Board of Supervisors

Deana Beaver gave a brief report on the historical background of the site called “Empire Flat”, noting that it took approximately a year to research the information and send it to the Society for their process in establishing it as a historical site.

CHAIRMAN MINOR MOVED to approve Arizona State Society Daughters of the American Revolution (DAR) request to place a Historical Marker identifying the site of a historical steamboat landing on the Colorado River called “Empire Flat” located in the La Paz County Park. Motion seconded by Supervisor Irwin, passed unanimously, including the vote by Supervisor Wilson..

Adjournment

Chairman Minor adjourned the meeting at 11:11 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: #11136286, AZLGEBT, \$196,473.14; #11136287, Standard Insurance, \$10,162.60; #11136289, All Covered, \$2,465.50; #11136291, APS, \$28,274.19; #11136292, Arizona State Land Dept., \$1,800; #11136293, Atkins North America, Inc., \$9,995.00; #11136294, Back to Life, Inc., \$3,146.00; #11136296, Bingham Equipment, \$3,753.00; #11136301, Certified Folder Display Serv., \$3,294.22; #11136307, Digital Assurance Certification LLC, \$2,500; #11136309, Emerald Canyon – Petty Cash, \$1,882.35; #11136311, ESRI, \$2,988.79; #11136314, Frontier, \$9,160.13; #11136321, ICS Jail Supplies, Inc., \$2,020.00; #11136326, La Paz County Landfill, \$2,925.00; #11136330, Los Plebes Transport/Edgar Leyva, \$1,800.50; #11136331, L.R. Anderson, LLC, \$1,580.00; #11136333, Norbert Mendoza, \$2,096.50; #11136337, Office of the Attorney General, \$7,661.00; #11136338, Parker Auto & Marine, \$1,395.30; #11136340, Parker Oil Products, Inc., \$11,104.23; #11136342, Pima County Treasurer, \$3,800.00; #11136343, Pioneer Landscaping Materials, \$1,936.92; #1116346, Priyanka Miller, \$1,855.00; #11136349, Reddy Ice, \$2,114.45; #11136354, SBA Structures LLC, \$4,446.80; #11136355, Shamrock Foods Co., \$1,450.71; #11136358, TAMCO, \$2,975.84; #11136360, Thompson Reuters – West, \$2,149.75; #11136361, Titleist, \$5,255.64; #11136365, Trinity Services Group, Inc., \$11,563.64; #11136366, Verizon \$1,246.96; #11136368, Western States Petroleum, \$2,162.73; #11136370, Kelly Xochilt, \$3,200.00; #11136371, AZ Dept of Revenue, \$3,480.23; #11136470, Precision Striping, Inc.,

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\$9,603.00; #11136472, Rays Tree Service, \$3,000.00; #11136477, T & C Seal Coating, Inc., \$209,022.94; #11136482, Yuma County Juvenile, \$4,019.20; #11136484, Abbey Stubbs & Ford LLC, \$7,500.00; #11136488, Amazon, \$2,856.05; #11136490, Arden Industries, \$2,402.07; #11136494, AZ Counties Insurance Pool, \$3,066.00; #11136496, Back to Life, Inc., \$3,058.00; #11136498, Bob Barker Company, \$1,792.97; #11136505, Dana Kepner Company, Inc., \$1,563.89; #11136513, For The Record, Ltd, \$1,416.00; #11136517, Growers Oil Company, \$6,732.15; #11136531, Town of Parker, \$1,926.21; #11136536, Printing Plus, \$9,933.05; #11136543, Ruffner Law PLLC, \$16,212.70; #11136548, Simpson Norton Corp., \$3,139.24; #11136557, Todays News Herald, \$1,358.46; #11136560, Vederman Law Office, PLLC, \$2,092.50; #11136563, White Sheet Free Shopping Guide, \$1,513.68.