

**MINUTES  
OF THE  
LA PAZ COUNTY BOARD OF SUPERVISORS  
Monday, February 1, 2016, 10:00 a.m.  
Regular Meeting**

Chairman Irwin called the February 1, 2016, 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 Irwin, Supervisor Wilson, Supervisor Clapperton, County Administrator/Clerk of the Board Field, Deputy County Attorney Buckelew, School Superintendent Price, Elections Director Scholl, Sheriff Drum, Shop Director Braska, Golf Professional Benton, Public Works Director Simmons, Community Development Administrator Yackley, Public Defender Field, Community Resource Manager MacFarland, Assessor Schuler; and Deputy Clerk of the Board Green.

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

**Current Event Summary**

County Administrator Field referred to a worksession held previously by Chairman Irwin regarding water issues and asked her to summarize what has been occurring.

Chairman Irwin stated that the Arizona Department of Water Resources (ADWR) had conducted a meeting at the Centennial Community Center in Wenden on January 30, 2016, from 3:00 – 5:00 pm in which Tom Buschatzke, Director of ADWR, was present with his staff.

She expressed she was pleased approximately 272 people attended the meeting, along with those from the media. She added that, although some were reluctant to speak publically, there were others that willingly spoke of the water issues they were experiencing.

She further added that, although La Paz County is a rural County, ADWR “stepped up” to listen to the issues.

Supervisor Clapperton encouraged the public to “stay tuned” to the water issues in La Paz County on the internet in order to stay abreast of the issues.

Supervisor Wilson stated the meeting by ADWR was a good session, attracting much attention, with some of the major water users in attendance, along with Arizona Land Department personnel. He added the meeting gave ADWR the opportunity to present their plan and to listen to the residents. He expressed appreciation for Chairman Irwin’s efforts in assisting ADWR in the coordination of this meeting.

Chairman Irwin expressed that the issue was one of great importance; encouraged the public to stay abreast of the issues, adding that a copy of the ADWR presentation should be at the ADWR website.

Supervisor Wilson stated that ADWR was “up front” to the fact that they were not there to answer questions; rather, they would commit to recording all the questions and posting answers to those questions on the website for the public to access.

Supervisor Clapperton added that these issues did not reflect on one particular country or entity other than the fact that the County’s water is being taken away at an “alarming” rate for whatever purposes, which is the basis of the concern for future water conditions.

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

County Administrator Field presented for approval Consent Agenda Items #4(a) through #4(i).

**4(a) Approval of Minutes**

Approve the minutes of the Thursday, January 14, 2016, 9:00 a.m. worksession, and Monday, January 19, 2016, 10:00 a.m. regular meeting.

**4(b) Approval of Payroll**

Approve January 10, 2016, through January 23, 2016, gross payroll as presented, in the amount of \$419,630.47, plus employer benefit contributions of \$97,630.47, for a total of \$516,657.53, including handwritten warrants.

**4(c) Approval of Demands**

Approve the demands, as presented, for FY2015/2016, in the amount of \$382,329.24, including handwritten warrants.

**4(d) Approve to appoint the position of Code Enforcement Officer/Building Inspector, a vacant budgeted position – *Community Development (Replacement)***

Approve to appoint Jeffrey Sorensen to the position of Code Enforcement Officer/Building Inspector with the Community Development Department at an annual salary of \$31,166.30 (NE010, Step 1), effective February 1, 2016, a vacant budgeted position.

**4(e) Approve to appoint the position of Public Defender III, a vacant budgeted position – *Public Defender (Replacement)***

Approve to appoint Arthur Higgs III to the position of Public Defender III, effective February 3, 2016, at an annual salary of \$90,231.65 (E021, Step 16); a vacant budgeted position.

**4(f) Approve to appoint the position of Park Ranger I, a vacant budgeted position – Parks (Replacement)**

Approve to appoint Theodore Englebright to the position of Park Ranger I, retroactive to January 31, 2016, at an annual salary of \$24,080.16 (NE053, Step 1), a vacant budgeted position.

**4(g) Approve to appoint Pro Tempore Superior Court Judge Jerry Landau to the La Paz County Superior Court, pursuant to A.R.S.§12-141, commencing July 1, 2016 through June 30, 2017; without compensation – Superior Court**

Approve to appoint Pro Tempore Superior Court Judge Jerry Landau to the La Paz County Superior Court, pursuant to A.R.S.§12-141, commencing July 1, 2016 through June 30, 2017; without compensation.

**4(h) Approve change of Bouse Precinct #55 polling location at the Bouse Elementary School, 44966 Joshua Drive, in Bouse – Elections**

Approve change of Bouse Precinct #55 polling location to the Bouse Elementary School, 44966 Joshua Drive, in Bouse.

**4(i) Approve all mail ballots for the Presidential Preference Election on March 22, 2016, for Precincts #56/Wenden, #59/Cibola, and #62/Vicksburg – Elections**

Approve all mail ballots for the Presidential Preference Election on March 22, 2016, for Precincts #56/Wenden, #59/Cibola, and #62/Vicksburg.

**4(j) Approve recommendation to the Arizona Department of Liquor Licenses & Control for application for Special Event License submitted by Lynnda Sweeney on behalf of the Soroptimist of Parker, for their La Paz Music Festival and Rotary Dinner fundraiser on Saturday, March 26, 2016 at the La Paz County Park at 7350 Riverside Drive, in Parker – Board of Supervisors**

Recommend approval to the Arizona Department of Liquor Licenses & Control for application for Special Event License submitted by Lynnda Sweeney on behalf of the Soroptimist of Parker, for their La Paz Music Festival and Rotary Dinner fundraiser on Saturday, March 26, 2016 at the La Paz County Park at 7350 Riverside Drive, in Parker.

**SUPERVISOR WILSON MOVED** to approve Consent Agenda Items #4(a) through #4(i). Motion seconded by Supervisor Clapperton, passed unanimously.

*Chairman Irwin recess as the Board of Supervisors and convened the Jail District Board of Directors at 10:13 a.m.*

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

County Administrator Field presented for approval Jail Consent Agenda Items #5(a) and #5(b).

**5(a) Approval of Jail District Payroll**

Approve January 10, 2016, through January 23, 2016, gross payroll, as presented, in the amount of \$60,649.46 plus employer benefit contributions of \$13,204.97, for a total of \$73,854.43, including handwritten warrants.

**5(b) Approval of Jail District Demands**

Approve the Jail District demands as presented, for FY2015/2016, in the amount of \$57,244.48, including handwritten warrants.

**SUPERVISOR WILSON MOVED** to approve Jail Consent Agenda Items #4(a) and #4(b). Motion seconded by Supervisor Clapperton, passed unanimously.

*Chairman Irwin recessed the Jail District Board of Directors and reconvened the Board of Supervisors at 10:14 a.m.*

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

**Tax Roll Corrections – Assessor**

Chief Deputy Assessor Jones presented five (5) tax roll corrections as follows with the net result of +\$1,695.98:

#2012.TRC.455S1	+\$47.04	#2013.TRC.455S1	+\$62.06
#2014.TRC.455S1	+\$137.34	#2014.TRC.458S5	+\$412.50
#2014.TRC.458S7	+\$1,862.04		

**SUPERVISOR CLAPPERTON MOVED** to approve five (5) tax roll corrections for the net result of +\$1,695.98, as presented by Chief Deputy Assessor Jones on behalf of Assessor Schuler. Motion seconded by Supervisor Wilson, passed unanimously.

**Approve acceptance of the Colorado River Indian Tribes (CRIT) 2015 Annual Contribution under the State of Arizona Gaming Compact on behalf the La Paz County Co-Op (Agricultural) Extension – Board of Supervisors**

Supervisor Wilson requested approval to accept the Colorado River Indian Tribes (CRIT) 2015 Annual Contribution under the State of Arizona Gaming Compact on behalf the La

Paz County Co-Op (Agricultural) Extension in the amount of \$20,951; authorizing immediate disbursement of these funds.

He stated that these funds are required by the Gaming Compact from the Blue Water Casino to give back to the community. He explained a check is received from CRIT; and the County disperses the funds to the designated organization.

**SUPERVISOR WILSON MOVED** to approve acceptance of the Colorado River Indian Tribes (CRIT) 2015 Annual Contribution under the State of Arizona Gaming Compact on behalf the La Paz County Co-Op (Agricultural) Extension in the amount of \$20,951. Motion seconded by Chairman Irwin, passed unanimously.

**Approve active duty military personnel discount on golf fees – Emerald Canyon Golf Course**

Golf Professional Benton stated that, to show appreciation to the men and women who serve in the military, he proposed a 20% discount on green fees at Emerald Canyon Golf Course for all active duty military personnel.

**CHAIRMAN IRWIN MOVED** to approve a 20% discount for all active duty military personnel discount on golf fees at the Emerald Canyon Golf Course. Motion seconded by Supervisor Clapperton, passed unanimously.

**Approve Arizona State Land Department Waiver of Appeal to the Notice of Appraisal, ASLD Application No. 14-118319 for an acquisition of right-of-way on North McVay Road – Public Works**

Right of Way Agent Bennett presented for approval, an Arizona State Land Department Waiver of Appeal to the Notice of Appraisal, ASLD Application No. 14-118319 for an acquisition of right-of-way pertaining to a North McVay Road running from State Route 72 to Butler Valley.

She explained that, on May 4, 2015, the Board of Supervisors authorized Public Works to work with Fondomonte Arizona LLC in the acquisition of this right-of-way (ROW). She added that Fondomonte Arizona LLC was covering all costs associated with the application, including surveys, property descriptions, archeological surveys and appraisal at a cost of \$27,801 for the 31.5 acres of right-of-way for a 29-year term. She added that Fondomonte Arizona LLC had confirmed that they do not wish to appeal the valuation and were committed to paying the fees.

Supervisor Clapperton questioned how the acquisition would affect the County in the event of some unforeseen circumstance, such as Fondomonte Arizona LLC going out of business, or some other circumstance before the term expired.

Right of Way Agent Bennett explained that the application was actually in the name of La Paz County although Fondomonte Arizona LLC paid all the costs, and would extend for twenty nine (29) years. She added that the County was not under any obligation to renew the term.

Discussion ensued over the length of the term noting that it was not a perpetual ROW, timing itself with the Bureau of Land Management lease, in an “extremely rural” area in which there were no plans by the County to improve the road.

Supervisor Clapperton inquired whether Fondomonte Arizona LLC would have the ability to restrict access by the public or a resident in the area.

Right of Way Agent Bennett stated that there was “no conversation” from Fondomonte Arizona LLC that they would restrict access; and to her knowledge, there have been no restrictions imposed.

She volunteered to contact their legal counsel to “ask for that commitment”, which she stated she should be able to obtain by next meeting.

County Administrator Field stated that it was a “public access easement”, therefore, should be open to the public.

Brief comments ensued noting that the application created a “legal access” all the way through the Butler Valley and direct access for Fondomonte Arizona LLC.

**SUPERVISOR WILSON MOVED** to approve Arizona State Land Department Waiver of Appeal to the Notice of Appraisal dated January 4, 2016, ASLD Application No. 14-118319, in the amount of \$27,801, for 31.52 acres of right-of-way on North McVay Road between State Route 72 and Butler Valley. Motion seconded by Chairman Irwin, passed by a vote of two to one, with Supervisor Clapperton voting nay.

**Discussion and possible action for direction regarding the refinancing of outstanding judgment funding bonds – Board of Supervisors**

County Administrator Field introduced Mark Reader, Managing Director of Stifel, Nicolaus & Company, to explain the possibility of refinancing outstanding judgment bonds, which would save money and shorten the debt length of time.

Mr. Reader handed out printed copies of a power point presentation to the Board, stating he had “potentially some very good news for the County and for taxpayers”.

He explained the reason initially for the bonds, resolving a judgment requiring \$18.1 million in County Excise Tax Revenue to satisfy the judgment.

He explained at length the financing, pointing out figures from various pages of the printed presentation, ultimately concluding that the restructure of the debt would save the County approximately \$9.8 million in interest and 10 – 12 years of payments.

He noted that a calendar was in the Board’s packet if they chose to give direction regarding this item.

Supervisor Wilson stated that there may be the perception that the public has been “over-taxed” by the excess collected; however, he explained that the excise tax rates require 1.2% coverage of the annual debt service. He noted collection trends that contributed to the \$2.3 – \$3.5 million in excess tax collections, which required that it be applied to the debt; reducing that further. He stated that he felt the plan presented was a conservative and good plan.

**SUPERVISOR WILSON MOVED** to direct staff to proceed, based on the calendar submitted, on the potential refinancing of the judgment tax bond. Motion seconded by Chairman Irwin, passed unanimously.

**Call to the Public**

There were no comments.

**Adjournment**

Chairman Irwin adjourned the meeting at 10:47 a.m.

APPROVED:

\_\_\_\_\_/s/\_\_\_\_\_  
Holly Irwin, Chairman

ATTEST:

\_\_\_\_\_/s/\_\_\_\_\_  
Dan Field, Clerk of the Board

La Paz County Board of Supervisors  
Monday, February 1, 2016, 10:00 a.m. Regular Meeting

**The following La Paz County demands were audited, approved and ordered paid by the La Paz County Board of Supervisors:** #11120988, Aircraft Spruce & Safety Co. \$2,671.27; #11120994, AZ Counties Insurance Pool \$80,828.16; #11120995, AZLGEBT \$190,196.53; #11120996, Bank of Nevada \$41,721.00; #11120998, BI Incorporated \$2,314.57; #11121004, Cintas Fas Lockbox 636525 \$1,374.39; #11121005, City of Yuma – Accounting Division \$7,962.50; #11121006, Civic Plus \$10,011.61; #11121008, Colorado River Sand & Rock \$2,230.00; #11121012, Data Bank \$4,265.63; #11121013, Davis Building Supply \$2,059.28; #11121016, Ecology Auto Parts \$20,953.81; #11121025, General Dynamics OTS \$1,190.00; #11121029, Henry Schein \$1,226.62; #11121038, Newman, Matthew G. \$4,080.00; #11121049, Pitney Bowes Purchase Power 6945 \$1,000.00; #11121051, Pro Petroleum, Inc. \$11,109.46; #11121052, Quill \$1,275.89; #11121059, Salome Concrete Delivery \$4,357.92; #11121063, Shamrock Foods Co. \$2,313.80; #11121071, Tamco \$3,201.35; #11121072, Tasc, Inc. \$1,899.00; #11121077, U.S. Foodservice, Inc. \$1,347.26; #11121082, Wells Fargo Payment Remittance Ctr 3249 \$6,348.81; #11121084, Western Arizona Humane Society \$3,130.00; #11121085, Western States Petroleum \$1,649.72; #11121086, White Sheet Free Shopping Gde \$2,230.74; #11121088, Yuma County Juvenile \$5,440.00.