

**MINUTES
OF THE
LA PAZ COUNTY BOARD OF SUPERVISORS
Tuesday, February 17, 2015, 10:00 a.m.
Regular Meeting**

Chairman Irwin called the February 17, 2015, 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, Grants Administrator/Resource Coordinator Taft, Interim Public Works Director Simmons, Elections Director Scholl, Chief Probation Officer Greene, Assessor Schuler, Public Defender Field; and Deputy Clerk of the Board Green.

Chairman Irwin led the Pledge of Allegiance followed by the Invocation given by Deacon Roger Yoder of the Messiah Lutheran Church.

Presentation: Recognition of support from Best in the Desert

Supervisor Wilson, on behalf of Casey Folks with Best in the Desert, presented two plaques, to Public Works and the Board of Supervisors, in appreciation of the “incredible support” given that organization for off-road racing in the Parker community.

Current Event Summary

County Administrator Field stated that he had talked with Craig Reynolds at Pirate’s Den relating to the Buckskin Sanitary District Area 4 Project issue. He added that he anticipates that this item would be before the Board at their next regular meeting on March 2, 2015, or at a called Special Meeting, with information he had received from bond counsel.

He reported that the County had received an “action alert” from the County Supervisors Association relating to legislation that is going underway in negotiation of the State’s budget. He stated that it is important that Counties make their voice known to the legislature on the typical issues related to Counties, and the continued “pillaging” of revenues. He gave a brief history of the continued shifting of funds from the County to State coffers; and what is expected in the next fiscal year.

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

County Administrator Field presented for approval Consent Agenda Items #5(a) through #5(h).

5(a) Approval of Minutes

Approve the minutes of the Monday, February 2, 2015, 10:00 a.m. regular meeting and 1:30 p.m. workession.

5(b) Approval of Payroll

Approve January 25, 2015, through February 7, 2015, gross payroll, as presented, in the amount of \$391,220.96, plus employer benefit contributions of \$49,100.78, for a total of \$440,321.74, including handwritten warrants.

5(c) Approval of Demands

Approve the demands, as presented, for FY2014/2015, in the amount of \$310,356.80, including handwritten warrants.

5(d) Approve to appoint a Probation Officer I, a vacant budgeted position – Probation (Replacement)

Approve to appoint Karla Contreras to the position of Probation Officer I, effective February 23, 2015, at an annual salary of \$39,525.08 (NE084, Step 3), to be funded 50% through State Aid Enhancement-Adult (fund 249-26); 10% PIS Assist (fund 342-26), 7% Probation Fees-Adult (fund 374-26), 13% JIPS-Juvenile (fund 259-82), 10% Diversion Intake (fund 298-82) and 10% Diversion-Consequence (fund 299-82), a budgeted position.

5(e) Approve to appoint a Public Defender III, a vacant budgeted position – Public Defender (Replacement)

Approve to appoint Michael K. Henson for the position of Public Defender III, a vacant budgeted position, retroactive to February 9, 2015, at an annual starting salary of \$61,256 (E021, Step 2), increasing to \$75,088 (Step 10), in four (4) months after a successful performance review.

5(f) Approve to appoint a Lead Crusher Plant Operator, a vacant budgeted position – Public Works (Replacement/Promotion)

Approve to promote Craig Lush, Mechanic II, to the position of Lead Crusher Plant Operator, effective February 17, 2015, at an annual salary of \$36,836.80 (NE038, Step 11), a vacant budgeted position.

5(g) Approve to appoint a Crusher Plant Operator, a vacant budgeted position – Public Works (Replacement/Promotion)

Approve to promote Tyler Barnes, Maintenance Worker I, to the position of Crusher Plant Operator, effective February 17, 2015, at an annual salary of \$27,435.20 (NE016, Step 7), a vacant budgeted position.

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5(h) Approve requests for payout of (compensatory) and/or annual leave for John Settles, Melissa Settles, and Joshua Banuelos– IT/Sheriff

Approve requests for payout of compensatory and/or annual leave for John Settles, Melissa Settles, and Joshua Banuelos, as presented.

SUPERVISOR WILSON MOVED to approve Consent Agenda Items #5(a) through #5(h). Motion seconded by Supervisor Clapperton, passed unanimously.

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

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

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

6(a) Approval of Jail District Payroll

Approve January 25, 2015, through February 7, 2015, gross payroll, as presented, in the amount of \$55,141.54, plus employer benefit contributions of \$11,516.57, for a total of \$66,658.11, including handwritten warrants.

6(b) Approval of Jail District Demands

Approve the Jail District demands for FY2014/2015, in the amount of \$15,492.38, including handwritten warrants.

SUPERVISOR CLAPPERTON MOVED to approve Jail Consent Agenda Items #6(a) and #6(b). Motion seconded by Supervisor Wilson, passed unanimously.

Chairman Irwin recessed the Jail District Board of Directors and reconvened the Board of Supervisors at 10:12 a.m.

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

PUBLIC HEARING(S):

PUBLIC HEARING(S) continued

Community Development Block Grant – Regional Account (CDBG-RA) FY2015/2016 Projects – Community Resources

Grants Administrator/Resource Coordinator Taft gave a description of the suggested projects for FY2015/2016 CDGB-RA funds as follows:

Wenden Flood and Drainage Improvement, at an approximate cost of \$172,000 for the engineering and mitigation of flooding issues for over 300 homes in the flood plain, and serving 728 residents; all within the economic low-to-moderate percentile requirements.

Vi-Sa-Wen GFWC Women’s Club, a non-profit organization seeking a new facility serving the Vicksburg, Salome, and Wenden area at the cost of approximately \$181,000.

Patria Flats Park for removal of barriers for accessibility for the disabled; paving and parking; at a cost of approximately \$10,000.

McMullen Valley Fire District, for a Mobile Command Center, and requests for a communications and alarm system for the Salome/Wenden area, at a cost of approximately \$100,000.

She stated all the projects were from 51% to 61% low-to-moderate income areas. She added that a “letter of intent” is required by the end of the month for the CDGB funds.

Supervisor Clapperton stated that each of the projects appeared to be valid; however, deciding which project would receive these funds were “like having four starving children and one slice of bread”; and that it would be a difficult decision to make between them.

Chairman Irwin opened the public hearing and asked if anyone wished to comment on any of the proposed projects for CDBG funding.

Larry O’Daniel, from Wenden, clarified that project listed for the McMullen Valley Fire District was actually broken down into four parts. 1) A fully integrated alarm system that would be tied into the Maricopa County Flood District, at \$55,000; 2) Another system with a landline or one that is switch activated; with a 6.5 square mile notification ability, less the software, at \$26,000; 3) Two emergency light towers for flood evacuation and associated generators, at \$29,000; and 4) a command vehicle, three laptops, and two dozen blankets, at an approximate cost of \$10,000.

Dorothy Schnittker, from Wenden, expressed frustration over the many flooding problems and other issues in the Wenden area, stating that she felt Wenden was a “forgotten” community in the County. She claimed calling the County about these issues with no response.

George Nault, from Bouse, stated the wash and areas causing the flooding problems belonged to the State, and it was not possible for the County to do anything with that property. He added that those people that volunteered to go out with their own equipment would get into trouble if they did so.

Chairman Irwin stated that the County has done everything they could do within their jurisdiction. She stated that the jurisdiction within the wash is with the Army Corps of Engineers, and the County has as much as been fined for doing any repair work in the wash. She added that she has been working with the Army Corps of Engineers for a plan, and has worked outside that jurisdiction as well to alleviate some of the problems.

She added that when a berm was put up in the area, she understood that the Federal Emergency Management Agency (FEMA) pushed it back into the wash, emphasizing the many issues involved are associated with the different governmental agencies involved.

She further stated these problems have been ongoing for years, which is the reason these are listed as projects for Wenden. She added she is submitting a request for additional funding for three projects in the Wenden area, through Hazard Mitigation funds, in which \$2.4 million is available for submitted projects. She stated that she is doing all she can; however, these problems will not be fixed with just thousands of dollars; but rather, millions of dollars.

She stated that this last flooding in September 2014, hit the entire County “hard”, not just Wenden. She noted that the County Public Works staff has been doing all they can; having been spread thin all across the County, with the resources they have, to address the issues. She encouraged the public to call her personally with their concerns.

Supervisor Clapperton stated that the “trickle down” effect from the deficit nationwide and from the State affects everyone; and everyone should take a stand on those things that affect the County locally. He added the County is doing all that it can to serve the citizens of La Paz, and he asked the public to “bear with us” on these issues.

Danny Peterson, from Wenden, stated that he appreciated what the County did for Wenden; and the Public Works Department for work they did in the area. He expressed that he felt the Army Corp of Engineers has “overstepped their bounds” in their control of the wash and by taking away the ability of the locals to upkeep the wash and the area themselves, even for the purposes of flood control, at risk of being “thrown into jail”. He questioned the reasoning. He agreed with Supervisor Clapperton that the citizenry needed to stand up for themselves.

County Administrator Field stated the work suggested by the Wenden Drainage Project is about diverting waters from the homes in the floodway. He added that this proposal can be described as “seed money” because there is other funding “coming down the pike” that would more assist the construction needed, reiterating the comments made by Supervisor Irwin.

A brief discussion ensued noting that it was possible that additional funding could be obtained through the Department of Homeland Security through its Western Regional Advisory Council (WRAC) discussions.

Steve Ryan, stated that he was a real estate broker and was speaking on behalf of his client. He spoke at length, claiming there was an agreement with the County he felt was not fulfilled regarding the cleaning of his client's property along the Centennial Wash; ultimately suggesting that the County buy the property to add to the neighboring park to solve the issue. He asked if there was funding available to buy any of the properties along the wash.

County Administrator Field answered that if any claims are made against the County, they would have been forwarded to the County's insurance company for investigation. He added that there are no funds allocated to buy properties along the wash. He added that the Federal government performs a "cost benefit analysis" to find out the number of people impacted in an area to determine if it exceeds the amount of benefit received, and presently "are not inclined to buy any more property out there". He stated that it is up to the County and those that live there to resolve the issues that contribute to flooding.

He described some of the issues present in the Centennial Wash area that further complicate the flooding and drainage issues, such as associated with the berms, culverts and land held by the Bureau of Land Management. He added the County can put forth a measure of flood control; however, such events as a "100-Year Flood" will cause flooding no matter what is done to alleviate such conditions.

Discussion ensued noting that the County can choose up to two projects for CDBG funding.

Mr. O'Daniel stated that he felt the McMullen Valley Fire District project regarding the alarm system would more fit the CDBG criteria. He stated that the kind of equipment requested is more adequately designed to warn people at all hours of flood conditions.

Supervisor Clapperton interjected, stating that he wished to clarify the County's stance regarding the Centennial Wash. He stated that the County cannot touch the wash as it is Federal property; and it does not have the funding nor the availability of equipment to take on projects of the magnitude needed to solve the current flooding issues. He added that the County is mostly federally controlled, with only 5.2% of private land.

A brief discussion ensued regarding the use of bid services for outlying areas, noting Public Works goes out to bid yearly for such services for some areas.

Michael D., from 3rd Street in Wenden, spoke of his experience with a berm break and the extensive flooding that took place. He did not think the berm was a good idea.

Supervisor Irwin stated that the September 2014, flooding was so severe, it was rated a “100-Year Flood” by the Army Corps of Engineers.

Steve Ryan reiterated that the area of his client’s property was included in the severe flooding that occurred, and questioned the design of Pioneer Park and its soccer field nearby.

Chairman Irwin answered, summing “you want to sell your property, we get that” and defended the park, stating that the park was provided for the children and families of Wenden, and was promised to them by the previous Board of Supervisors.

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

Adopt Resolution No. 2015-01, authorizing the submission of an application to the Arizona Department of Housing for FY 2015/2016 Community Development Block Grants Regional Account (CDBG-RA) funds for project(s) selected by the Board of Supervisors – Community Resources

Grants Administrator/Resource Coordinator Taft requested the adoption of a resolution authorizing the submission of an application to the Arizona Department of Housing for FY 2015/2016 Community Development Block Grants Regional Account (CDBG-RA) funds for the project(s) selected by the Board of Supervisors.

Supervisor Wilson stated that the County will be shortly looking at its budget for 2015/2016 fiscal year with the knowledge that there will be a 2-3% reduction in the total primary assessed valuations in the County. He stated that the County’s portion of the tax rate was set at the maximum this past year; therefore, the rate cannot be increased; leaving the County “up against a brick wall” as to funding County operations. He stated that every dollar the State does not give to the County is a further reduction of what the County can do for its citizens, which makes what the State does during its budgetary process “extremely important”.

He felt that all of the projects submitted had merit; however, one of the projects appeared to contribute more towards a long-term solution for the flooding problem in Wenden; a health, public safety and welfare issue. He expressed he was glad that the fire district item could obtain alternate funding, adding that it will take a couple of years to implement some of the measures needed to protect the community; to be able to notify residents of impending floods.

He stated no flood control system will solve all flooding problems because “mother nature” can overpower it. He added County will do its best for the best design on the issues.

SUPERVISOR WILSON MOVED to adopt Resolution No. 2015-01, authorizing the submission of an application to the Arizona Department of Housing for FY 2015/2016 Community Development Block Grants Regional Account (CDBG-RA) funds for the Wenden Flood & Drainage Improvements. Motion seconded by Chairman Irwin, passed unanimously.

Discussion ensued noting that the chosen project left approximately \$10,000 from the CDBG-RA funds total.

SUPERVISOR WILSON MOVED to add the McMullen Valley Fire District Mobile Command Center project to the application submitted to the Arizona Department of Housing for FY 2015/2016 Community Development Block Grants Regional Account (CDBG-RA) funds left over from the Wenden Flood & Drainage Improvements project. Motion seconded by Supervisor Clapperton, passed unanimously.

Approve Memorandum of Understanding (MOU) with Parker Chamber of Commerce, Inc. – Board of Supervisors

County Administrator Field explained that this item on the agenda dealt with one of the outside agencies the County provides funding to every year. He stated that the Memorandum of Understanding (MOU) informs the Board what these organizations are doing and expect to do. He added that the following item on the agenda is similar. He described the MOU as simply constructed with termination of the agreement allowable at any time.

Supervisor Clapperton stated that budgetary concerns in the future may affect the amounts organizations receive from the County.

CHAIRMAN IRWIN MOVED to approve Memorandum of Understanding (MOU) with Parker Chamber of Commerce, Inc. Motion seconded by Supervisor Wilson, passed unanimously.

Approve Memorandum of Understanding (MOU) with Parker Area Tourism Committee, Inc., - Board of Supervisors

County Administrator Field stated that this Memorandum of Understanding is similar to the previous MOU on the agenda, and includes a description of the function of the Parker Area Tourism Committee.

SUPERVISOR CLAPPERTON MOVED to approve Memorandum of Understanding (MOU) with Parker Area Tourism Committee, Inc. Motion seconded by Supervisor Wilson, passed unanimously.

Tax Roll Corrections – Assessor

Chief Deputy Assessor Jones, on behalf of Assessor Schuler, presented eleven (11) tax roll corrections as follows for the net amount of -\$8,503.86:

#2013.TRC.428S1	-\$18.02	#2014.TRC.425S6	+\$167.32
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#2014.TRC.427S2	-\$143.08	#2014.TRC.428S1	-\$169.64
#2014.TRC.428S2	-\$585.00	#2014.TRC.428S3	-\$5,653.44
#2014.TRC.428S4	-\$430.52	#2014.TRC.428S5	-\$430.52
#2014.TRC.428S6	-\$430.52	#2014.TRC.428S7	-\$304.70
#2014.TRC.428S8	-\$505.74		

A brief discussion ensued noting that these parcels were properties owned by the Salt River Project.

SUPERVISOR CLAPPERTON MOVED to approve eleven (11) tax roll corrections for the net amount of -\$8,503.86, as presented by Chief Deputy Assessor Jones on behalf of Assessor Schuler. Motion seconded by Supervisor Wilson, passed unanimously.

Call to the Public

George Nault, from Bouse, stated that he felt the Army Corps of Engineers needed to be exposed for what they do, suggesting a solution to direct attention to the organization.

Pat Jones stated that he had attended a Buckskin Sanitary District (BSD) Board meeting and a person attending the meeting claimed that the BSD was severely behind in their retirement contributions.

Supervisor Wilson announced that the Colorado River Indian Tribes (CRIT) was celebrating 150 years of being a reservation.

George Nault added that a Chili Cook-Off was occurring in Salome.

Adjournment

Chairman Irwin adjourned the meeting at 11:34 a.m.

APPROVED:

/s/
Holly Irwin, Chairman

ATTEST:

/s/
Dan Field, Clerk of the Board

The following La Paz County demands were audited, approved and ordered paid by the La Paz County Board of Supervisors: #11114990, Abbey Stubbs & Ford LLC, \$15,000.00; #11114991, ADOA Risk Management \$1,068.69; #11114993, APS, \$1,758.75; #11114994, Arizona Department of Revenue, \$2,845.48; #11114995, Arizona State Land Dept., \$2,500.00; #11114997, Atkins North America, Inc., \$4,686.50; #11114999, AZ Dept. of Economic Security, \$13,549.29; #11115004, Bingham Equipment, \$1,036.76; #11115006, Bob Barker Company, \$1,408.57; #11115009, Cactus Intertie, Inc., \$6,000.00; #11115011, Colorado River Joint Venture, \$1,344.88; #11115012, Conditioned Response Training, LLC, \$1,300.00; #11115018, Davis Building Supply, \$1,103.47; #11115019, Desert Ammunition and Components, LLC, \$3,891.601; #11115023 Emerald Canyon – Petty Cash, \$2,519.09; #11115024, Empire Southwest, \$6,935.11; #11115029, Frame, Michael Leland, \$11,085.00; #11115030 Frontier, \$9,393.23; #11115032, Gloria Eagle, PA-C, \$1,500.00; #11115044, International Right of Way, \$1,050.00; #11115045, Jessica L. Quickle, \$7,642.50; #11115049, La Paz County Treasurer, \$3,124.09; #11115052, LR Anderson, LLC, \$1,660.00; #11115057, Mikes Contracting Inc., \$6,296.40; #11115061, Moore Medical, \$2,725.28; #11115062, Motorola, \$1,629.86; #11115069, Parker Office Supply, \$1,103.76; #11115070, Parker Oil Products, \$5,384.73; #11115079, Pima County Treasurer, \$6,600.00; #11115081, PNC Equipment Finance, LLC, \$1,457.50; #11115083, Pro Petroleum Inc., \$11,153.44; #11115090, Rideout Law PLLC, \$2,812.50; #11115095, Salome Justice Court, \$1,699.91; #11115096, Schiff, Laurence, M.D., \$1,225.00; #11115097, Shamrock Food Co., \$2,485.75; #11115101, Simpson Norton Corp., \$1,829.91; #11115107, Strategic Management Group, \$12,500.00; #11115108, Sudden Link, \$4,427.17; #11115110, Sun Edison c/o DG Solar Lease LLC, \$11,524.87; #11115111, Sysco Food Services, \$3,137.31; #11115114, Tires@wholesale, \$5,869.90; #11115115, Titleist, \$1,354.51; #11115119, U.S. Foodservice, Inc., \$1,310.08; #11115121, Verizon Wireless, \$1,860.90; #11115126, Western States Petroleum, \$1,524.84; #11115131, Affordable Fence, Inc., \$4,200.00; #11115140, AZ Counties Insurance Pool, \$11,618.86; #11115153, Contech Engineered Solutions LLC, \$2,693.15; #11115159, Ecology Auto Parts, \$45,464.33; #11115173, Jack Pots Portables, Inc., \$1,013.30; #11115177, La Paz County Landfill, \$21,640.84; #11115181, Matthew Bender & Co., Inc., \$1,243.96; #11115212, Sourcecorp, \$8,837.63; #11115216, Stericycle, Inc., \$1,161.69; #11115230, William F. Halishak, \$7,000.00; #11115232, Zion Bank/Public Financial Services, \$4,463.48.