

**MINUTES
OF THE
LA PAZ COUNTY BOARD OF SUPERVISORS
Monday, May 2, 2016, 10:00 a.m.
Regular Meeting**

Chairman Irwin called the May 2, 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, Community Resource Manager MacFarland, Finance Director Mancuso, Community Development Administrator Yackley, Public Defender Field, Shop Supervisor Braska, Human Resource Director Frantz, Assessor Schuler; School Superintendent Price; and Deputy Clerk of the Board Green.

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

Presentation: Sandy Dodge Employee Excellence Award

Chairman Irwin presented the March 2016, Sandy Dodge Employee Excellence Award to Dorothy Fenech, Legal Assistant for the County Attorney, along with a \$25 gift certificate to Walmart.

Current Event Summary

County Administrator Field stated the State had not yet passed a budget, noting that there was a “pushback from Legislators” and issues regarding charter school legislation to resolve.

He stated the County will start procedures to formulate its tentative budget. He added that there will be a worksession in the afternoon presenting a tentative budget calendar informing the department heads what to expect.

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

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

5(a) Approval of Minutes

Approve the minutes of the Monday, April 18, 2016, 10:00 a.m. regular meeting, and Wednesday, April 13, 2016, 1:30 p.m. worksession.

5(b) Approval of Payroll

Approve April 3, 2016, through April 16, 2016, gross payroll, as presented, in the amount of \$398,369.91, plus employer benefit contributions of \$93,621.40, for a total of \$491,991.31, including handwritten warrants.

5(c) Approval of Demands

Approve the demands, as presented, for FY2015/2016, in the amount of \$175,868.51, 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 Diana Ellis to the position of Court Clerk for the Quartzsite Justice Court, retroactive to April 7, 2016, at an annual salary of \$23,570.98 (NE014, Step 1), a budgeted position.

5(e) Approve to appoint the position of Senior Mechanic, a vacant budgeted position – Public Works (Replacement/Promotion)

Approve to promote Rodney Gossman, Mechanic II, to the position of Senior Mechanic, retroactive to April 1, 2016, at an annual salary of \$34,200.19 (NE068, Step 4), a vacant budgeted position.

5(f) Approve to appoint the position of Mechanic II, a vacant budgeted position – Public Works (Replacement/Promotion)

Approve to promote Michael Burgoz, Mechanic I, to the Mechanic II position, retroactive to April 1, 2016, at an annual salary of \$31,654.27 (NE050, Step 4), a vacant budgeted position.

5(g) Approve to appoint Animal Control Officer (AC2), a vacant budgeted position – Animal Control (Replacement)

Approve to appoint Shea Beer to the position of Animal Control Officer (AC2), effective April 25, 2016, at an annual salary of \$29,384.16 (NE006, Step 1), increasing to \$30,126.72 (NE006, Step 2) at completion of County probation, a vacant budgeted position.

5(h) Approve to appoint the position of Court Clerk for the Salome Justice Court – JP5 (Replacement/Transfer)

Approve the transfer and appointment of Teresa VanDemark to the position of Court Clerk for the Salome Justice Court, retroactive to April 12, 2016, at an annual salary of \$33,033.31 (NE014, Step 14), a vacant budgeted position.

5(i) Approve Intergovernmental Agreement with the Arizona Department of Health Services for Healthy People Healthy Communities, Contract No. ADHS 16-098348, Amendment No. 2, effective July 1, 2016, through June 30, 2017; and authorize the Health Director to sign the agreement – Health

Approve Intergovernmental Agreement with the Arizona Department of Health Services for Healthy People Healthy Communities, Contract No. ADHS 16-098348, Amendment No. 2, effective July 1, 2016, through June 30, 2017, at a grant award of \$395,172; and authorize the Health Director to sign the agreement.

SUPERVISOR WILSON MOVED to approve Consent Agenda Items #5(a) through #5(i). 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 April 3, 2016, through April 16, 2016, gross payroll, as presented, in the amount of \$60,417.18, plus employer benefit contributions of \$12,894.71, for a total of \$73,311.89, including handwritten warrants.

6(b) Approval of Jail District Demands

Approve the Jail District demands as presented, for FY2015/2016, in the amount of \$13,364.74, 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 recess 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):

Docket No. FP2009-001, Arroyos Preserve, Landway Development Corporation and Michael Denise Larson, APN: 302-32-012, requesting a two (2) year extension for a Final Plat for the development of up to 129 residential lots and additional tracts on forty (40) acres; located at 51626 Ave 23E, West of Highway 95 in La Paz Valley – Community Development

Community Development Administrator Yackley presented Docket No. FP2009-001, Arroyos Preserve, Landway Development Corporation and Michael Denise Larson, APN: 302-32-012, requesting a two (2) year extension for a Final Plat for the development of up to 129 residential lots and additional tracts on forty (40) acres; located at 51626 Ave 23E, West of Highway 95 in La Paz Valley.

She stated that she had spoken with the applicants on a number of occasions for updates to this project, noting that there was some delay due to the economic slowdown these past years; however, it appeared they were ready to go forward. She recommended approval of the request with the stipulation that this would be the last extension.

Chairman Irwin opened the public hearing, asking if anyone wished to comment on the request for a two-year extension of the Final Plat.

There being no comment, Chairman Irwin closed the public hearing.

Chairman Irwin stated that she had met with Mr. Kunisch with the project, reiterating that the downturn in the economy caused some delay; and it was nice to see that they were “still here”.

CHAIRMAN IRWIN MOVED to approve Docket No. FP2009-001, Arroyos Preserve, Landway Development Corporation and Michael Denise Larson, APN: 302-32-012, for a two (2) year extension for a Final Plat for the development of up to 129 residential lots and additional tracts on forty (40) acres; located at 51626 Ave 23E, West of Highway 95 in La Paz Valley; with the stipulation that this would be the last extension. Motion seconded by Supervisor Wilson, passed unanimously.

Docket No. Z2016-001, Donna Angel, APN: 306-05-016B, requesting to rezone from Suburban Ranch Zoning District Minimum 4 Acres (SR-4) to Suburban Ranch Zoning District Minimum 1 Acre (SR-1), for the purpose of dividing the parcels for residential use; property located at 44511 Avenue 45E, in Salome – Community Development

Community Development Administrator Yackley presented Docket No. Z2016-001, Donna Angel, APN: 306-05-016B, requesting to rezone from Suburban Ranch Zoning District Minimum 4 Acres (SR-4) to Suburban Ranch Zoning District Minimum 1 Acre (SR-1), for the

purpose of dividing the parcels for residential use; property located at 44511 Avenue 45E, in Salome.

She stated that the rezone fit the County Comp Plan; six property owners were notified and there were no comments for or against the rezone request; and the review committee response was from Public Works stated that access would not be maintained by the County.

She added that one stipulation was required, requesting that an A.R.S. §12-1134 (207) Waiver be signed.

Chairman Irwin opened the public hearing and asked if anyone wished to comment on the rezone request.

There being no comment, Chairman Irwin closed the public hearing.

SUPERVISOR WILSON MOVED to approve Docket No. Z2016-001, Donna Angel, APN: 306-05-016B, to rezone from Suburban Ranch Zoning District Minimum 4 Acres (SR-4) to Suburban Ranch Zoning District Minimum 1 Acre (SR-1), for the purpose of dividing the parcels for residential use; property located at 44511 Avenue 45E, in Salome; with the stipulation that the applicant sign an A.R.S. §12-1134 (207) Waiver. Motion seconded by Chairman Irwin, passed unanimously.

Docket No. Z2016-002, Richard Daniels, APN: 310-35-167A, requesting to rezone from Transitional Residential Zoning District (TR) to Intermediate Density Residential Zoning District (R-2); property located at 4740 Highway 95, in Parker – Community Development

Community Development Administrator Yackley presented Docket No. Z2016-002, Richard Daniels, APN: 310-35-167A, requesting to rezone from Transitional Residential Zoning District (TR) to Intermediate Density Residential Zoning District (R-2); property located at 4740 Highway 95, in Parker.

She stated that twelve (12) property owners were notified of the rezone request and six responded in opposition, representing 50% of those that were notified.

She stated the request did not fit the Comprehensive Plan. She further explained that Mr. Daniels would not be able to obtain a Certificate of Occupancy until he could hook into the Buckskin sewer treatment plant, which had not reached to that location as of yet. He would need a clearance from the Arizona Department of Environmental Quality (ADEQ) to put in some kind of holding tank.

Community Development Administrator Yackley stated that Public Works, part of the review committee, wrote that easements would not be maintained by the County. In addition, the Building Official had concerns over the lack of off-street parking off the highway.

She further reported that the Planning & Zoning Board, as well as staff, recommended denial of the rezone request, noting that a reason was not given for the rezone; there could be “lot coverage issues”; there were parking space issues; and water and sewer concerns. She asked that the applicant be required to obtain approval from ADEQ and to sign an A.R.S. §12-1134 (207) Waiver as a condition of approval by the Board.

Chairman Irwin opened the public hearing and asked if anyone wished to comment on the rezone request.

Wayne Posey, residing on Highway 95, stated that he protested the rezone request for reasons that it does not comply with the County’s Comprehensive Plan, nor the current zoning regulations. He added that he had concerns that the required off-street parking would not be enforced; and he had safety concerns entering and exiting their property from Highway 95. The application gave no reason for the requested rezone; the property is currently on the market for resale; the survey lists the square footage of the property at 11,545, not 13,000 as stated on the application; and there would be no sewer services in the area for three to five years.

He noted that other building is being done in the area by another person that is violating these regulations as well.

He asked that the Board would consider the Comprehensive Plans stated goal of “maintaining the care and lifestyle of La Paz County during the evaluation process”, noting other concerns, such as building heights, “spot zoning” changes that disrupt an area in various ways; safety considerations; and other reasons cited from the County’s zoning regulations.

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

Supervisor Clapperton stated that the Planning and Zoning minutes of April 7, 2016, indicated that a roll call vote on this item voted a unanimous denial of the rezone request; and the recommendation by Community Development staff was to deny the request.

He added that, in consideration of all the input in this hearing, he supported denial of the rezone request.

SUPERVISOR CLAPPERTON MOVED to deny Docket No. Z2016-002, Richard Daniels, APN: 310-35-167A, to rezone from Transitional Residential Zoning District (TR) to Intermediate Density Residential Zoning District (R-2); property located at 4740 Highway 95, in Parker.

Deputy County Attorney Buckelew stated that he recommended the addition of specific reasons the item was denied.

MOTION SECONDED by Supervisor Wilson, for discussion.

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Supervisor Clapperton stated that Mr. Posey's reasons as stated in the hearing, along with the statements made by Community Development Administrator Yackley concerning this item, as well as the denial by the Planning and Zoning Commission, were all sufficient reasons to deny the request.

Supervisor Wilson stated that Mr. Posey noted "key issues" relating to this item; namely, the lack of adherence to the Comprehensive Plan, and the issue of "spot zoning", which he felt were appropriate reasons for denying the rezone request, and concurred with Supervisor Clapperton's statement.

MOTION PASSED unanimously.

A brief discussion ensued noting that adequate reasons were verbalized in the hearing/meeting to satisfy Deputy County Attorney Buckelew's request for specifics.

Approve FY2016/2017 Schedule for Reimbursements of La Paz County Services to La Paz County Special Districts, pursuant to A.R.S. §§11-251.06 and 48-819, effective July 1, 2016 – Board of Supervisors

County Administrator Field reviewed the study enclosed with the Board's packet of information relating to the schedule for reimbursements of La Paz County services to La Paz County Special Districts, effective July 1, 2016.

He briefly explained the process and calculations, noting that the purpose of the charges were for financial services provided to special districts through the Assessor, Treasurer, Recorder, Attorney and Election Departments, as well as the costs of publications. He added that the Board, in previous years, had excluded the fire district and the hospital district for reciprocated services.

Supervisor Wilson stated that he had not seen the cost allocation plan that is to be approved for publication.

County Administrator Field stated the study was just completed before the meeting and sent to the Board office as it was on the agenda.

Discussion ensued on a convenient time to meet again for discussion of the schedule, noting that schedules would need to be checked first; and meeting held before the publication deadline.

SUPERVISOR WILSON MOVED to table the FY2016/2017 Schedule for Reimbursements of La Paz County Services to La Paz County Special Districts to reschedule another meeting for discussion and possible approval. Motion seconded by Supervisor Clapperton, passed unanimously.

Call to the Public

Ed Foster, from Quartzsite, expressed concern over the mosquito population in the County and news of the zika virus in this country. He wondered what the County would be doing about the eradication of mosquitoes.

County Administrator Field stated that he was recently in a meeting with the Health Department and learned that traps are being set out to determine what type of mosquito is in the area as there is a certain type of mosquito that carries the virus. He added that there have been no cases in the county. He explained that this virus is imported and carried by people, who in turn, are bitten by a mosquito which also carries it. He stated that the virus is sexually transmitted as well.

A brief discussion ensued on the abatement of sitting water, and the oversight of eliminating other viruses through health services in the county, as well as the state.

Pat Jones, from Parker, reported that he had observed masses of mosquitoes while working with his horses.

Adjournment

Chairman Irwin adjourned the meeting at 10:53 a.m.

APPROVED:

Holly Irwin, Chairman

ATTEST:

Dan Field, Clerk of the Board

La Paz County Board of Supervisors
Monday, May 2, 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: #11122595, A.D.O.T. \$8,664.00; #11122599, Apex Software \$1,640.00; #11122600, APS \$31,169.30; #11122602, Arizona Secretary of State \$1,485.65; #11122603, Atkins North America, Inc. \$10,161.30; #11122604, AZ Counties Insurance Pool \$6,178.82; #11122612, Carahsoft Technologies Corp. \$2,060.00; #11122616, Chuck's Air Conditioning \$3,634.00; #11122625, Emerald Canyon – Petty Cash \$1,753.63; #11122626, Empire Southwest \$1,311.36; #11122632, Grower's Oil Company \$2,992.35; #11122645, MCI \$1,766.99; #11122647, Mike's Contracting, Inc. \$2,200.00; #11122648, Motorola \$1,678.76; #11122656, Parker Tree Service \$2,475.00; #11122660, Priyanka Miller \$2,485.00; #11122667, Riverside Floors \$5,108.59; #11122671, Shamrock Foods \$1,274.74; #11122673, Simpson Norton Corp. \$1,053.13; #11122678, Staples Credit Plan \$2,766.11; #11122680, Steve Stanton Construction, LLC \$12,104.19; #11122681, Suncor Industries, Inc. \$1,349.86; #11122682, Sysco Food Services \$3,375.93; #11122683, T & C Seal Coating \$52,241.06; #11122685, Tiger Direct \$2,194.73; #11122689, Tyler Technologies \$3,154.89.