

**MINUTES
OF THE
LA PAZ COUNTY BOARD OF SUPERVISORS
Monday, May 4, 2015, 10:00 a.m.
Regular Meeting**

Chairman Irwin called the May 4, 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, Assessor Schuler, Public Defender Field, Golf Professional Benton, Grants Administrator/Resource Coordinator Taft, Health Director Shontz, School Superintendent Price, Elections Director Scholl, Community Development Administrator Yackley, Facilities Maintenance Supervisor Harder, Sheriff Drum; and Deputy Clerk of the Board Green.

Chairman Irwin led the Pledge of Allegiance followed by the Invocation given by Pastor Jose Garcia.

Presentation: “Sandy Dodge Employee Excellence Award”

Dorothy Fenech, Safety Committee Chairman, presented Lucero Gonzalez, Crime Victim Advocate for the County Attorney, with the Sandy Dodge Employee Excellence Award along with a \$25 gift certificate to Walmart.

Current Event Summary

County Administrator Field addressed what he termed “misconceptions” regarding the financing package the County is obtaining relating to the Buckskin Sanitary District’s sewer system project and its relation to La Paz County Park; and for the purchase of vehicles for the Sheriff’s Department.

He explained that the local newspaper misinformed the public, stating he was quoted as saying that Parker Motor Company did not want to do a lease purchase on vehicles that were ordered and already delivered to the County. He stated that information was incorrect; rather, the County Attorney’s office stated the County could not lease purchase vehicles from Ford Motor Credit under the terms of the previously approved contracts with them. He clarified that it was Wells Fargo Bank that refused to approve lease-purchase of the vehicles, not Parker Motor Company; which made it necessary for the County to seek other acceptable financing in the amount of approximately \$250,000.

He further explained that the Buckskin Sanitary District sewer project had been under discussion for a number of years. He stated the sewer trunk line would run along Highway B95 from the Sandpiper plant to Sundance, through the La Paz County Park and the Golf Course; and it was important to note that these County areas use septic tanks with leach lines to process sewage, and it was just a matter of time before those units fail. He added that there are already problems at the Golf Course, and sitting so close to the river, it requires that the Board, “from a public policy standpoint comply with an environmentally-sound option to treat sewage”.

He added the Arizona Department of Environmental Quality (ADEQ) maintains that these issues need to be addressed regionally along the river. ADEQ attempted to prevent continued development and threatened to condemn houses along the river that had failed septic systems.

Health Director Shontz commented that eight residences were “red-tagged” by ADEQ for such problems during those discussions.

County Administrator Field stated that two-thirds of the \$6 million project is being covered by a grant for the project; funds that do not need to be repaid; saving residents a substantial amount for the installation of sewer services; and providing environmental assurances against a failing sewage system.

He stated that the County’s responsibility includes the County Park and its concessionaire, which is Pirate’s Den; however, the Pirate’s Den will also provide its “fair share” of the cost and any associated financing.

He stated that any delay to the sewer project over the years has turned out to be “a positive”, due primarily to the substantial grant that was obtained towards its cost.

County Administrator Field encouraged the public to contact him with any questions. He stated that he had heard of a number of statements regarding the whole issue that were simply not true.

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

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

5(a) Approval of Minutes

Approve the minutes of the Monday, April 20, 2015, 10:00 a.m. regular meeting.

5(b) Approval of Payroll

Approve April 5, 2015, through April 18, 2015, gross payroll, as presented, in the amount of \$391,008.73, plus employer benefit contributions of \$83,801.99, for a total of \$474,810.72.

5(c) Approval of Demands

Approve the demands, as presented, for FY2014/2015, in the amount of \$569,830.64, including handwritten warrants.

5(d) Approve to appoint Medical Services Director, a vacant budgeted position – Sheriff (Replacement)

Appoint Brenda Vilorio to the position of Medical Services Director to fill a vacant and budgeted position, effective May 14, 2015, at an annual salary of \$72,529.60 (E031, Step 16), with a County six (6) months probation, and a Sheriff Department six (6) months probation period.

5(e) Approve to appoint Investigator, a vacant budgeted position – Sheriff (Replacement/Promotion)

Approve to promote Deputy Steven Maya to the position of Investigator retroactive to January 5, 2015, at an annual salary of \$45,843.20 (L09, Step 4).

5(f) Approve to appoint Senior Account Clerk, a vacant budgeted position – School Superintendent (Replacement)

Approve to appoint Terry Esquerra to the position of Senior Account Clerk for the La Paz County Education Services Agency (ESA), retroactive to April 27, 2015, at an annual salary of \$29,380.40 (NE072, Step 5), a vacant budgeted position; increasing to \$30,160 (NE072, Step 6) upon completion of a six (6) month probationary period, if deemed appropriate to the School Superintendent.

5(g) Approve to appoint Legal Assistant, a vacant budgeted position – Public Defender (Replacement/Transfer)

Approve transfer to Tina M. Rose, County Attorney Legal Assistant, to the Public Defender's office, effective May 4, 2015, at an annual salary of \$35,547.20 (NE042, Step 10), a vacant budgeted position.

5(h) Approve to appoint Groundskeeper I, a vacant budgeted position – Golf Course (Replacement)

Approve to appoint Mario Bernal to the position of Groundskeeper I, effective May 4, 2015, at an annual salary of \$22,713.60 (NE058, Step 6), a vacant budgeted position.

5(i) Approve to ratify renewal and appointment of Commissioners to the La Paz County Food Bank Advisory Commission – Community Resources

Approve to ratify renewal and appointment of Commissioners to the La Paz County Food Bank Advisory Commission as follows: Amanda Flores, to be renewed June 1, 2014, term to expire May 31, 2018; Nora Yackley to be renewed June 1, 2013, term to expire May 31, 2017; and Sharon Marchbanks appointed in 2014 to complete the term of Jamee Price, term to expire May 31, 2016.

5(j) Approve to modify Arizona Supreme Court Administrative Office (AOC) of the court Drug, Gang and Violent Crime Control Program agreement for FY 2014/2015 to allocate an increase in the County General Fund match, and authorize the Superior Court Judge to sign the change form – Probation

Approve to modify Arizona Supreme Court Administrative Office (AOC) of the court Drug, Gang and Violent Crime Control Program agreement for FY 2014/2015 to allocate an increase in the County match funds from \$3,573 to \$3,678, an increase of \$105 from the Adult General Fund (100-26); and authorize the Superior Court Judge to sign the change form.

5(k) Approve City of Tucson High Intensity Drug Trafficking Area (HIDTA) Grant Agreement No. HT-15-2512, providing for overtime, travel, facilities services, and other expenses; retroactive to January 1, 2015, to December 31, 2016 – Sheriff

Approve City of Tucson High Intensity Drug Trafficking Area (HIDTA) Grant Agreement No. HT-15-2512, providing for overtime, travel, facilities services, and other expenses, in the amount of \$51,336; retroactive to January 1, 2015, to December 31, 2016.

5(l) Approve Association of Arizona Food Banks (AAFB) Agency Capacity Grant application, providing \$5,000 towards a matching grant for the purpose of repairing the walk-in freezer at the Parker Food Bank – Community Resources

Approve Association of Arizona Food Banks (AAFB) Agency Capacity Grant application, providing \$5,000 towards a matching grant for the purpose of repairing the walk-in freezer at the Parker Food Bank, and authorize the Chairman to sign the letter.

5(m) Approve submittal of Arizona Department of Transportation (ADOT) 2016 Coordinated Mobility Program Section 5310 grant application to provide for operating expenses to service special needs transportation; with a 50% required match from in-kind services and other funding sources that would incur no cost to the County; and authorize the Health Director to sign related documents – Health

Approve submittal of Arizona Department of Transportation (ADOT) 2016 Coordinated Mobility Program Section 5310 grant application to provide for operating expenses to service special needs transportation; with a 50% required match from in-kind services and other funding sources that would incur no cost to the County; and authorize the Health Director to sign related documents.

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

Chairman Irwin recessed the Board of Supervisors and convened the Jail District Board of Directors at 10:17 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 5, 2015, through April 18, 2015, gross payroll, as presented, in the amount of \$54,347.09, plus employer benefit contributions of \$11,323.71, for a total of \$65,670.80, including handwritten warrants.

6(b) Approval of Jail District Demands

Approve the Jail District demands for FY2014/2015, in the amount of \$54,369.86, 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 10:18 a.m.

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

PUBLIC HEARING(S):

Community Development Administrator Yackley requested that Item #8, a request for rezoning on the agenda, be discussed prior to Item #7, from the same applicant.

Approve Docket No. Z2015-003, Julian & Diane Barbara, APN: 307-17-018A, requesting to rezone from General Commercial Zoning District (C-2) to High Industrial Zoning District (HI), for the purpose of placing a pyrotechnic plant to manufacture indoor fireworks; property located at 28556 Highway 72, in Bouse – Community Development

Community Development Administrator presented Docket No. Z2015-003, Julian & Diane Barbara, APN: 307-17-018A, requesting to rezone from General Commercial Zoning District (C-2) to High Industrial Zoning District (HI), for the purpose of placing a pyrotechnic plant to manufacture indoor fireworks; property located at 28556 Highway 72, in Bouse.

She described the surrounding properties, stating that 15 property owners were notified of the rezone request and there was no communication received for or against the rezoning.

She stated the project fit the County’s Comprehensive Plan, although not “an ideal fit”. She explained that the Review Committee had no objections or comments; however, staff recommended the rezoning should be for light industry rather than heavy industry; a better fit for the project and for the Conditional Use Permit request that followed on the agenda.

Chairman Irwin opened the public hearing and asked if anyone wished to make comments regarding the request for a rezone.

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

SUPERVISOR CLAPPERTON MOVED to approve Docket No. Z2015-003, Julian & Diane Barbara, APN: 307-17-018A, to rezone from General Commercial Zoning District (C-2) to Light Industrial Zoning District (LI), for the purpose of placing a pyrotechnic plant to manufacture indoor fireworks; property located at 28556 Highway 72, in Bouse, with the stipulations that: 1) the rezone request be changed from High Industrial to Light Industrial; 2) approval of the Conditional Use Permit must coincide with approval of the rezone request; and 3) the applicant must sign an A.R.S. §12-1134 (207) waiver. Motion seconded by Supervisor Wilson, passed unanimously.

Docket No. CU2015-001, Julian & Diane Barbara, APN: 307-17-018A, requesting a Conditional Use Permit, for the purpose of placing a pyrotechnic plant to manufacture indoor fireworks; property located at 28556 Highway 72, in Bouse – Community Development

Community Development Administrator Yackley presented Docket No. CU2015-001, Julian & Diane Barbara, APN: 307-17-018A, requesting a Conditional Use Permit, for the purpose of placing a pyrotechnic plant to manufacture indoor fireworks; property located at 28556 Highway 72, in Bouse.

She stated the location of the property was in Flood Zone X; 15 notices were mailed out to the surrounding property owners, with no response; and the project fit the County's Comprehensive Plan.

She stated the Review Committee recommended that: the applicant comply with the 2006 International Fire Code and Building Code; provide copies of the Arizona Department of Environmental (ADEQ) and State Fire Marshal permits; all building/structure plans be reviewed by Willdan Engineering; applicant must provide a storm water prevention plan; the building process must start within two (2) years from the date of final approval; and applicant must sign an A.R.S. §12-113 (207) waiver.

Chairman Irwin opened the public hearing and asked if anyone wished to comment on the request for a Conditional Permit.

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

Supervisor Wilson stated his concern about approving specific fire and building codes in the event the County approved other codes in the future.

Community Development Administrator Yackley suggested that the verbiage be changed to "current building codes".

SUPERVISOR WILSON MOVED to approve Docket No. CU2015-001, Julian & Diane Barbara, APN: 307-17-018A, for a Conditional Use Permit, for the purpose of placing a pyrotechnic plant to manufacture indoor fireworks with the stipulations that: 1) applicant must sign an A.R.S. §12-1134 (207) Waiver; 2) comply with the current International Fire and Building Codes; 3) provide copies of ADEQ and State Fire Marshal permits required and obtained; 4) have all building/structure plans reviewed by Willdan Engineering; 5) provide a storm water prevention plan; and 6) applicant must start the building process within two (2) years from the date after final approval; property located at 28556 Highway 72, in Bouse. Motion seconded by Chairman Irwin, passed unanimously.

La Paz County Board of Supervisors
Monday, May 4, 2015, 10:00 a.m. Regular Meeting

Adopt Proclamation No. 2015-05, proclaiming May 4 – 8, 2015, as La Paz County Education Week and jointly, May 8, 2015, as National Teacher Day – School Superintendent

School Superintendent Price presented for approval Proclamation No. 2015-05, proclaiming May 4 – 8, 2015, as La Paz County Education week and jointly, May 8, 2015, as National Teacher Day.

She stated that there were over 500 education employees in the County, and she felt it was a good thing to recognize them.

Supervisor Clapperton read the proclamation in its entirety.

SUPERVISOR CLAPPERTON MOVED to adopt Proclamation No. 2015-05, proclaiming May 4 – 8, 2015, as La Paz County Education Week and jointly, May 8, 2015, as National Teacher Day. Motion seconded by Supervisor Wilson, passed unanimously.

Adopt Resolution No. 2015-06, authorizing participation in the Juvenile Family Counseling Program for FY 2015-2016, allocating 25% matching funds in the amount of \$1,209.00 from the General Fund – Probation

County Administrator/Clerk of the Board Field present on behalf of Chief Probation Officer Greene, Resolution No. 2015-06, authorizing participation in the Juvenile Family Counseling Program for FY 2015-2016, allocating 25% matching funds in the amount of \$1,209.00 from the General Fund.

CHAIRMAN IRWIN MOVED to adopt Resolution No. 2015-06, authorizing participation in the Juvenile Family Counseling Program for FY 2015-2016, allocating 25% matching funds in the amount of \$1,209.00 from the General Fund. Motion seconded by Supervisor Clapperton, passed unanimously.

Tax Roll Corrections – Assessor

Assessor Schuler presented five (5) tax roll corrections as follows with the net result of -\$1,189.32:

#2012.TRC.435S2	-\$328.98	#2013.TRC.435S3	-\$332.34
#2013.TRC.436S1	-\$4.84	#2013.TRC.435S3	-\$423.20
#2014.TRC.436S2	-\$99.96		

SUPERVISOR WILSON MOVED to approve five (5) tax roll corrections for the net amount of -\$1,189.32, as presented by Assessor Schuler. Motion seconded by Supervisor Clapperton, passed unanimously.

Approve Option and License Agreement with Verizon Wireless (VAW) LLC, d/b/a Verizon Wireless for use of a 18' x 54' parcel of land at the County administrative complex in Parker, together with the non exclusive right of ingress and egress, for the purpose of constructing, installing, maintaining, repairing, operating, modifying and removing a communications facility and uses incidental thereto – Board of Supervisors

Supervisor Wilson explained that the County has a 65-foot latticework tower between a County Supervisor's building and the maintenance building. He stated that Verizon is proposing to replace the existing tower with a 75-foot pole and install a modular building to store equipment. He added that Verizon would pay the County on an annual basis for this location; and location will provide increased reception coverage/service to the Parker area.

He further added that Gov.Net, which provides broad band throughout rural areas with Federal funds, often co-locate with Horizon towers; therefore, this would provide a base location in the licensed are of the Town of Parker.

He stated the Town of Parker had already approved the Conditional Use Permit, with Verizon's agreement to reduce the "profile" as much as possible.

Supervisor Clapperton asked if Smith Peak was involved with this arrangement.

Supervisor Wilson answered by clarifying that Gov.Net is responsible for primarily providing broadband to such entities as libraries, County and Town buildings, as well as backup services for broadband and cell phone emergency services. He added the Ehrenberg and Cibola areas continue to be difficult areas to provide communication; however, efforts to do so still continue.

SUPERVISOR WILSON MOVED to approve the Option and License Agreement with Verizon Wireless (VAW) LLC, d/b/a Verizon Wireless for use of a 18' x 54' parcel of land at the County administrative complex in Parker, together with the non exclusive right of ingress and egress, for the purpose of constructing, installing, maintaining, repairing, operating, modifying and removing a communications facility and uses incidental thereto. Motion seconded by Supervisor Clapperton, passed unanimously.

Authorize Public Works Department to collaborate with Fondomonte Arizona LLC, in the acquisition of right-of-way from the Arizona State Land Department for North McVay Road from State Route 72 North to the Butler Valley Farms though Townships 5, 6, & 7 North in Range 15 West, Gila and Salt River Meridian – Public Works

Right of Way Agent Bennett stated that the Public Works Department had received a letter on behalf of Fondomonte Arizona L.L.C requesting collaboration in the acquisition of a right-of-way from the Arizona State Land Department for North McVay Road in order to secure full legal access to the farming operation in Butler Valley.

She stated that North McVay Road runs from Highway 72 to Butler Valley and is currently maintained by La Paz County as a primitive road; the State land yet to be acquired for a right-of-way.

She further stated that Fondomonte Arizona L.L.C. has proposed that they will prepare the application forms, surveys, studies, and all materials required by Arizona State Land Department, as well as any costs associated with the application or the right-of-way itself. La Paz County would act as the applicant, submit the application, and it would be La Paz County that would acquire the right-of-way.

She stated that La Paz County will not provide any maintenance or construction to the road; and it will remain a primitive road. She added that the County may authorize Fondomonte Arizona L.L.C. to provide additional maintenance to the road “if deemed appropriate” at their own cost, i.e., for truck traffic maintenance.

Right of Way Agent Bennett stated that accepting the proposal would benefit La Paz County by obtaining total access for a road the County maintains, and acquire legal access for Fondomonte Arizona, L.L.C.

She asked for the Board’s approval to give authorization for Public Works Director Simmons to sign all the documents related to this item as opposed to bringing them repeatedly back before the Board.

Supervisor Clapperton asked for clarification of the request, stating that McVay Road has always been open for Butler Valley Farms.

Right of Way Agent Bennett agreed, adding that most of the primitive roads were put in long ago for ranching, etc.; however, there is no “legal” access, and this company has requested legal access and is willing to fund the process.

La Paz County Board of Supervisors
Monday, May 4, 2015, 10:00 a.m. Regular Meeting

SUPERVISOR CLAPPERTON MOVED to authorize Public Works Department to collaborate with Fondomonte Arizona LLC, in the acquisition of right-of-way from the Arizona State Land Department for North McVay Road from State Route 72 North to the Butler Valley Farms through Townships 5, 6, & 7 North in Range 15 West, Gila and Salt River Meridian. Motion seconded by Supervisor Wilson, passed unanimously.

Call to the Public

Lee Mahoney, from Bouse, expressed his approval of the Butler Valley Farms request. He also thanked the Board of Supervisors for the County's work improving the golf course at Centennial Park. He reported input from winter visitors that they would plan on staying in the area because of the improvements, and he felt it would continue to be a "plus".

He suggested that the road in which trucks frequently travel needed speed controls and widened with turn lanes, especially as anticipated growth occurs.

Adjournment

Chairman Irwin adjourned the meeting at 10:50 a.m.

_____/s/_____
Holly Irwin, Chairman

ATTEST:

_____/s/_____
Dan Field, Clerk of the Board

La Paz County Board of Supervisors
Monday, May 4, 2015, 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: #11116376, AHCCCS State Treasurer \$17,675.00; #11116380, APS \$29,311.17; #11116385, AZ Dept. of Economic Security \$18,337.26; #11116386, AZLGEBT \$181,866.99; #11116387, Bankcard Center \$8,048.62; #11116390, Betty Hunter \$1,418.00; #11116395, Bob Barker Company \$1,466.47; #11116403, Dell Marketing L.P. \$2,727.51; #11116405, Ecology Auto Parts \$41,847.17; #11116407, Emerald Canyon-Petty Cash \$2,384.42; #11116408, Empire Southwest \$3,900.60; #11116421, Internal Revenue Service \$5,913.50; #11116424, Johnstone Supply \$1,723.76; #11116427, La Paz County Treasurer \$1,846.34; #11116431, LR Anderson, LLC \$2,490.00; #11116432, MacFarland, Kenneth \$1,251.00; #11116434, MCI Mega Preferred \$1,590.38; #11116435, Mike's Contracting, Inc. \$7,267.10; #11116440, Office of the Auditor General \$12,700.00; #11116445, Parker Office Supply \$1,542.82; #11116448, Pima County Treasurer \$4,900.00; #11116449, Precision Striping, Inc. \$3,650.00; #11116450, Printing Plus \$1,242.67; #11116451, Quill \$1,888.53; #11116454, Radford, Michael \$3,755.60; #11116455, Reddy Ice \$1,385.48; #11116465, Shamrock Food Co., \$3,843.18; #11116469, Simpson Norton Corp. \$2,668.99; #11116473, St. Mary's Food Bank Alliance \$1,515.47; #11116474, Staples Dept. 00-04056735 \$1,740.73; #11116475, Stotz Equipment \$1,887.12; #11116479, Sysco Food Services \$4,477.98; #11116481, Taser International \$3,778.25; #11116485, Tires@wholesale \$5,845.88; #11116489, U.S. Foodservice, Inc. \$3,871.61; #11116492, Waxie Sanitary Supply \$1,845.62; #11116493, West Payment Center \$1,980.26; #11116495, White Sheet Free Shopping Gde. \$1,212.27; #11116498, Yavapai County Sheriff's Office \$4,850.00; #11116499, Zion Bank/Public Financial Services \$4,463.48; #11116505, Amber L. Hill \$3,600.00; #11116508, Atkins North America, Inc. \$63,219.50; #11116517, Cintas FAS Lockbox 636525 \$1,425.34; #11116518, Contech Engineered Solutions, LLC \$2,693.15; #11116524, Ecivis Inc. (Lockbox) \$8,700.00; #11116533, Gloria Hernandez \$1,330.00; #11116534, Growers Oil Company \$3,696.38; #11116539, Heinfield, Meech & Co., P.C. \$8,266.67; #11116540, Helm, Livesay & Worthington, Ltd. \$1,231.50; #11116545, La Paz County Landfill \$97,545.10; #11116546, La Paz Solar, LLC \$1,068.36; #11116553, Parker Oil Products, Inc. \$10,192.46; #11116559, PNC Equipment Finance, LLC \$1,457.50; #11116560, Priyanka Miller \$2,450.00; #11116568, Security Cameras Direct \$1,361.89; #11116570, Simplot Partners \$1,184.78; #11116571, Society for HR Management \$2,295.00; #11116573, Southwest Gas Corporation \$1,595.36; #11116580, Trak Engineering, Inc. \$5,062.55; #11116585, Waxie Sanitary Supply \$1,616.32; #11116586, West Coast Sand & Gravel \$1,136.21; #11116588, Western States Petroleum \$1,698.61; #11116592, Xsquared Southwest, Inc. \$3,022.46; #11116594, Yuma County Juvenile \$1,680.00.