

**MINUTES
OF THE
LA PAZ COUNTY BOARD OF SUPERVISORS
Monday, May 5, 2014, 10:00 a.m.
Regular Meeting**

Chairman Wilson called the May 5, 2014, 10:00 a.m. 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 Wilson, Supervisor Clapperton, Supervisor Irwin, County Administrator/Clerk of the Board Field, Deputy County Attorney Buckelew, Finance Director Hill, Interim Public Works Director Simmons, Parks Director Bennett, Community Development Administrator Yackley, Recorder Baker, Sheriff Drum, Public Defender Field, Superior Court Clerk Spielman, Assessor Schuler, Animal Control Officer Taft; and Deputy Clerk of the Board Green.

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

Chairman Wilson stated that the Sandy Dodge Employee Excellence Award presentation item would be addressed later in the meeting.

Current Event Summary

County Administrator Field stated that the County will soon be considering its budget, with a letter shortly out to the Departments asking for their individual budgets to be received at the end of May. He stated that budget worksessions will occur on June 16 – 18, and June 23 – 26, 2014, if needed, with a tentative budget adoption on July 7, 2014, with a final budget adoption and first levy figure on July 24, 2014, with final levy figures set on August 4, 2014.

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

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

5(a) Approval of Minutes

Approve the minutes of Monday, April 21, 2014, 10:00 a.m. regular meeting, and Wednesday, April 23, 2014, 10:00 a.m. special meeting.

5b) Approval of Payroll

Approve April 6, 2014, through April 19, 2014, gross payroll, as presented, in the amount of \$379,611.54, plus employer benefit contributions of \$81,948.49, for a total of \$461,560.03, including hand written warrants.

5(c) Approval of Demands

Approve the demands, as presented, in the amount of \$707,170.25, including handwritten warrants.

5(d) Appoint Park Ranger, a vacant budgeted position – Parks (Replacement)

Appoint Patrick Wilson as Park Ranger I, effective May 5, 2014, at an annual salary of \$19,448 (NE053, Step 1), a vacant budgeted position.

5(e) Appoint Court Clerk, a vacant budgeted position – Quartzsite Justice Court (Replacement)

Appoint Konny Crane as Court Clerk to the Quartzsite Justice Court, retroactive to April 21, 2014, at an annual salary of \$22,443.20 (NE014, Step 1), a vacant budgeted position.

5(f) Appoint Maintenance Worker II, a vacant budgeted position – Public Works (Replacement/Promotion)

Approve to promote Ricardo Molina, Public Works Maintenance Worker I, to the position of Maintenance Worker II, effective May 5, 2014, at a salary of \$25,251.20 (NE046, Step 1), a vacant budgeted position.

5(g) Appoint Maintenance Worker I, a vacant budgeted position – Public Works (Replacement)

Approve to appoint John Strait as Public Works Maintenance Worker I, effective May 5, 2014, at a salary of \$22,921.60 (NE034, Step 1), a vacant budgeted position.

5(h) Appoint Administrative Secretary, a vacant budgeted position – Community Development (Reclassified Position)

Approve to appoint Renee Nelson as Community Development Administrative Secretary, effective May 12, 2014, at an annual salary of \$26,666 (Step 4), a vacant budgeted position.

5(i) Appoint Building Inspector/Code Enforcement Officer – Community Development (Reclassified Position)

Approve to appoint Spencer Arnold as Building Inspector/Code Enforcement Officer, effective May 12, 2014, at an annual salary of \$29,661 (Step 1), a vacant budgeted position.

5(j) Appoint Amanda Lilly as Pro Tem Justice of the Peace for the period of July 1, 2014 through June 30, 2015, without compensation; pursuant to A.R.S. §22-121A – Superior Court

Approve appointment of Amanda Lilly as Pro Tem Justice of the Peace for the period of July 1, 2014 through June 30, 2015, without compensation; pursuant to A.R.S. §22-121A.

5(k) Appoint Nora Yackley, Community Development Administrator, as representative on the La Paz Economic Development Corporation's Board of Directors; term ending June 30, 2017 – Board of Supervisors

Appoint Nora Yackley, Community Development Administrator, as representative on the La Paz Economic Development Corporation's Board of Directors; term ending June 30, 2017.

5(l) Approve Intergovernmental Agreement contract #ADHS13-040482, Amendment #1 with the Arizona Department of Health Services, for HIV Care and Services; and authorize the Health Director to sign the document – Health

Approve Intergovernmental Agreement contract #ADHS13-040482, Amendment #1 with the Arizona Department of Health Services, for HIV Care and Services; and authorize the Health Director to sign the document.

5(m) Approve Arizona State Forester's Cooperative Intergovernmental Agreement, Contract No. CTY 14-0007-ASF-SFO – Emergency Services

Approve Arizona State Forester's Cooperative Intergovernmental Agreement, Contract No. CTY 14-0007-ASF-SFO, for the protection of forests and wild lands, and assistance with fire and non-fire national, state, and county emergencies and multi-agency logistical support.

5(n) Approve Engagement Letter with C. Steven Crandall of SC Audit & Accounting Solutions, LLC, for account and internal auditing services for the review, analysis and reporting on internal transactions and procedures within the financial systems of La Paz County – Finance

Approve Engagement Letter with C. Steven Crandall of SC Audit & Accounting Solutions, LLC, for account and internal auditing services for the review, analysis and reporting on internal transactions and procedures within the financial systems of La Paz County.

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

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

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

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

6(a) Approval of Jail District Payroll

Approve April 6, 2014, through April 19, 2014, gross payroll, as presented, in the amount of \$55,430.74, plus employer benefit contributions of \$11,562.25, for a total of \$66,992.99, including handwritten warrants.

6(b) Approval of Jail District Demands

Approve the Jail District demands in the amount of \$57,777.97, including handwritten warrants.

6(c) Appoint Detention Support Specialist, a vacant budgeted position (Replacement)

Approve to appoint Nelson Wells as Detention Support Specialist, effective May 5, 2014, at an annual salary of \$23,337.60 (NE018, Step 1), a vacant budgeted position.

SUPERVISOR CLAPPERTON MOVED to approve Jail Consent Agenda Items #6(a) through #6(c). Motion seconded by Supervisor Irwin, passed unanimously.

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

Presentation: “Sandy Dodge Employee Excellence Award”

Dorothy Fenech, Safety Committee Chairman, presented Dianne Muniz, County Attorney Office Administrator, with the Sandy Dodge Employee Excellence Award along with a \$25 gift certificate to Walmart.

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

PUBLIC HEARING(S):

Docket No. Z2014-003, Ivory Sands, LLC, (future Project Mesa), APNs: 302-54-039/041, requesting to rezone from Recreational Vehicle Park (RVP) and Commercial (C-2) to Heavy Industrial (HI); property located at 14132 Flying J Road, in Ehrenberg - Community Development

Community Development Administrator Yackley presented Docket No. Z2014-003, Ivory Sands, LLC, (future Project Mesa), APNs: 302-54-039/041, requesting to rezone from

Recreational Vehicle Park (RVP) and Commercial (C-2) to Heavy Industrial (HI); property located at 14132 Flying J Road, in Ehrenberg.

She noted that Project Mesa will be the new owner and the two properties that make up the project will be combined. She further noted that seven (7) property owners within the required 300-foot distance were notified and no comments for or against the project were received. She added that no comments were received from the Review Committee; and the property is located in Flood Zone X.

Community Development Administrator Yackley stated that the Planning & Zoning Commission unanimously approved the rezoning with the stipulations that the property owner: 1) combine the two parcels; 2) provide a storm water prevention pollution plan; 3) provide a grading and drainage plan; 4) comply with the La Paz County Flood Plan Management Ordinance for the development of the property and structures; 5) sign an A.R.S. §12-1134 (207) Waiver; and 6) shall comply with the Aquifer Protection Plan.

She added that another stipulation was added requiring that all Federal, State and County permits be obtained prior to issuance of an occupancy certificate.

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

Amy Pendleton, with Cleancor Energy Solutions, stated that a liquid natural gas production facility is planned at this site that will produce 25,000 gallons per day used to serve the trucking industry for fuel. She explained that there will be two phases; the first creating four shift operator employment positions at an estimated salary range of \$60,000 per person. She stated the second phase will add an additional four positions, as well construction and development using local resources.

Community Development Administrator Yackley thanked the La Paz Economic Development Corporation (EDC) for bringing this project to the area. She noted that Skip Becker, President and CEO of the EDC, and Rebecca Hoffman, were present.

Mr. Becker stated that Cleanco has been a client of the EDC since July of 2013, and the EDC has assisted the company in every facet of development process; from finding the land; legal representation, engineering sources, as well as assisting them with the State agencies; pursuing outside funding resources; and will continue to assist them with every remaining step in the process until its completion. He added that this project creates many new jobs to the area and asked the Supervisors for their support.

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

SUPERVISOR IRWIN MOVED to approve Docket No. Z2014-003, Ivory Sands, LLC, (future Project Mesa), APNs: 302-54-039/041, to rezone from Recreational Vehicle Park (RVP) and Commercial (C-2) to Heavy Industrial (HI), with the stipulations that the property owner: 1) combine the two parcels; 2) provide a storm water prevention pollution plan; 3) provide a grading and drainage plan; 4) comply with the La Paz County Flood Plan Management Ordinance for the development of the property and structures; 5) sign an A.R.S. §12-1134 (207) Waiver; 6) comply with the Aquifer Protection Plan; and 7) obtain all Federal, State and County permits prior to issuance of an occupancy certificate; property located at 14132 Flying J Road, in Ehrenberg. Motion seconded by Chairman Wilson, passed unanimously.

Tax Roll Corrections – Assessor

Chief Deputy Assessor Jones presented nine (9) tax roll corrections as follows with the net amount of -\$12,001.06:

#2011.TRC.394S1	-\$176.40	#2011.TRC.405S1	-\$76.90
#2012.TRC.405S2	-\$94.48	#2012.TRC.405S1	-\$121.30
#2013.TRC.406S3	-\$120.48	#2013.TRC.412S2	-\$184.30
#2013.TRC.412S1	-\$11,882.74	#2013.TRC.405S2	-\$190.88
#2013.TRC.405S1	\$846.42		

SUPERVISOR IRWIN MOVED to approve nine (9) tax roll corrections with the net amount of -\$12,001.06, as presented by Chief Deputy Jones on behalf of Assessor Schuler. Motion seconded by Supervisor Irwin, passed unanimously.

Approve Reciprocal Non-Exclusive License Agreement with GovNET, enabling co-location of communications equipment and sharing of resources, including site-specific individual Supplemental Agreements – Board of Supervisors

Chairman Wilson presented for approval a Reciprocal Non-Exclusive License Agreement with GovNET, enabling co-location of communications equipment and sharing of resources, including site-specific individual Supplemental Agreements.

He explained that GovNet LLC has received a federal grant of approximately \$40 million to provide infrastructure for high speed internet service for schools, libraries, health care providers and government facilities. He stated the network would also be open to provide access to commercial internet providers to serve local businesses and homes, and will be a support network for the SACCNet communication system that provides for emergency services communication in the County.

He explained briefly that separate agreements with the different entities would provide for rooftop antennas and whatever infrastructure needed at the particular locations to provide affordable high speed internet.

He noted a comparison in rates from a proposal to service the Bouse Library at three megabytes from Frontier Communications at \$800 a month; whereas, the GovNet rate would be \$135 a month.

CHAIRMAN WILSON MOVED to approve the Reciprocal Non-Exclusive License Agreement with GovNET, an Arizona Corporation, (enabling co-location of communications equipment and sharing of resources, including site-specific individual Supplemental Agreements). Motion seconded by Supervisor Clapperton, passed unanimously.

Ratify advertisement of Request for Proposals for the McMullen Valley Food Bank Construction, Community Development Block Grant (CDBG) Project #125-13 – Board of Supervisors

Finance Director Hill stated that a Request for Proposals for the McMullen Valley Food Bank Construction, a Community Development Block Grant (CDBG) Project, was advertised with a closing date of May 5, 2014, at 2:00 p.m. for those proposals.

She stated that four (4) addendums were made to the Request for Proposals, noting the changes; for a project total of \$160,000.

SUPERVISOR IRWIN MOVED to ratify advertisement of Request for Proposals for the McMullen Valley Food Bank Construction, Community Development Block Grant (CDBG) Project #125-13. Motion seconded by Supervisor Clapperton, passed unanimously.

Discussion and possible action to approve and execute the formal Settlement Agreement and Release of Claims in La Paz County Superior Court Case No. CV2013-00098, Towns of Parker and Quartzsite v. La Paz County, et al. relating to the 2004 and 2007 Intergovernmental Agreements entered between the parties to establish the former La Paz County Task Force (“LPCTF”) and the former County Anti-Drug and Racketeering Enforcement Task Force (“CADRE”); dissolving and terminating said IGAs and distributing described assets – Board of Supervisors

County Administrator Field explained that the Settlement Agreement and Release of Claims relates to the “Drug Taskforce Case” filed in Court by the Town of Quartzsite and Town of Parker against La Paz County. He stated that this settlement seeks to put away those issues relating to the agreements; dissolving and terminating the agreements of 2004 and 2007; and the distribution of the assets involved.

He briefly reviewed the settlement document, noting some of the terms. He stated that the assets include land, vehicles, equipment, and funds relating to Task Force operations, indicating the amounts that would go to both the Towns of Quartzsite and Parker. He noted that the County Sheriff would acquire any High Intensity Drug Trafficking Areas (HIDA) equipment and vehicles; as well as the building, property and fixtures at 1400 S. Desert, in Parker. He added that the attorney fees would be absorbed by each party.

He clarified that the current Task Force Intergovernmental Agreement approved in 2013 is not affected by this ruling.

He stated that the following items on the agenda would allow County staff to take and document the necessary steps to formally fulfill the Settlement Agreement and Release of Claims.

SUPERVISOR IRWIN MOVED to approve and execute the formal *Settlement Agreement and Release of Claims* in La Paz County Superior Court Case No. CV2013-00098, Towns of Parker and Quartzsite v. La Paz County, et al. relating to the 2004 and 2007 Intergovernmental Agreements entered between the parties to establish the former La Paz County Task Force (“LPCTF”) and the former County Anti-Drug and Racketeering Enforcement Task Force (“CADRE”); dissolving and terminating said IGAs and distributing described assets. Motion seconded by Supervisor Clapperton, passed unanimously.

Discussion and possible action to authorize the County staff to take the necessary steps to distribute the assets outlined in Paragraphs 2-5 of the formal *Settlement Agreement and Release of Claims* entered into by the parties, including the payment of funds to each Town and distribution/transfer of two vehicles and miscellaneous equipment (four body cameras)

CHAIRMAN WILSON MOVED to approve County staff to take the necessary steps to distribute the assets outlined in Paragraphs 2-5 of the formal *Settlement Agreement and Release of Claims* entered into by the parties, including the payment of funds to each Town and distribution/transfer of two vehicles and miscellaneous equipment (four body cameras). Motion seconded by Supervisor Irwin, passed unanimously.

Discussion and possible action to authorize the County staff to take the necessary steps to formally accept the distribution and/or return of assets outlined in Paragraphs 2-5 of the *Settlement Agreement and Release of Claims* entered into by the parties, including, but not exclusive of, the conveyance of the building, fixtures and real property located at 1400 South Desert Avenue, Parker, Arizona; the return of all remaining equipment; HIDTA vehicles; Non-HIDTA vehicles; “buy” monies; weapons; and any other equipment listed in the Agreement’s Inventory

CHAIRMAN WILSON MOVED to authorize County staff to take the necessary steps to formally accept the distribution and/or return of assets outlined in Paragraphs 2-5 of the *Settlement Agreement and Release of Claims* entered into by the parties, including, but not exclusive of, the conveyance of the building, fixtures and real property located at 1400 South Desert Avenue, Parker, Arizona; the return of all remaining equipment; HIDTA vehicles; Non-HIDTA vehicles; “buy” monies; weapons; and any other equipment listed in the Agreement’s Inventory. Motion seconded by Supervisor Clapperton, passed unanimously.

Call to the Public

George Nault expressed that he felt that the Bureau of Land Management (BLM) had control over too much land, which affects the recreational industry in this area; and should answer to the people.

Patrick Jones stated that he had ongoing issues with Arizona Game & Wildlife, who restricted his access to a County road by a locked gate at Bill Williams Road with his horses, although he presented to them documentation that contradicted their authority to do so.

Adjournment

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

APPROVED:

/s/
D. L. Wilson, Chairman

ATTEST:

/s/
Dan Field, Clerk of the Board

The following La Paz County demands have been audited, approved and ordered paid by the La Paz County Board of Supervisors: #11109754, Steve Huffman, \$1,290.30; #11109755, \$2,550.53; #11109757, AHCCCS State Treasurer, \$17,675; #11109758, Amazon, \$1,734.42; #11109759, APS, \$30,410.01; #11109763, Arizona Counties Insurance Pool, \$72,122.44; #11109765 Bankcard Center, \$5,662.23; #11109767, Betty Hunter (2), \$1,173; #11109771, Bob Barker Company, \$2,272.02; #11109790, E Poly Star, Inc., \$3,822.15; #11109791, Emerald Canyon-Petty Cash, \$3,822.15; #11109792, Empire Southwest, \$11,661.53; #11109797, Frontier, \$11,616.73; #11109801, Gloria Hernandez, \$1,174.49; #11109802, David I. Goldberg, \$1,054; #11109803, Gregory Waugh, Psy. D., \$1,944; #11109810, Jessica L. Quickle, \$8,047.50; #11109811, Jet Printing & Stationary, \$1,895.92; #11109816, Jones, Skelton & Hochuli, \$1,963.34; #11109818, Phillip Krueger, \$3,635.50; #1109820, La Paz County Co. Op. Ext., \$25,547.34; #11109822, La Paz County Landfill, \$24,357.64; #11109825, Lexisnexus Matthew Bender, \$1,504.47; #11109832, National Business Furniture, \$1,126.53; #11109833, Matthew G. Newman, \$6,418.38; #11109838, Parker Center, \$1,298.44; #11109839, Parker Motor Co., Inc., \$249,493.69; #11109840, Parker Office Supply, \$2,586.89; #11109841, Parker Oil Products, Inc., \$10,549.36;

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#11109842, Pima County Treasurer, \$2,200; #11109843, Pitney Bowes Purchase, \$1,872.44; #11109845, Precision Striping, Inc., \$11,114; #11109848, Michael Radford, \$3,316.72; #11109849, Reddy Ice, \$1,150.90; #11109851, Salome Justice Court, \$1,822.91; #11109852, Laurence Schiff, M.D., \$3,047.91; #11109854, Shamrock Roods Co., \$4,101.20; #11109859, Simpson Norton Corp., \$2,188.88; #1110963, Staples, \$4,038.44; #11109865, Sysco Food Services, \$4,588.90; #11109866, T & C Seal Coating, Inc., \$33,394.79; #11109867, TASC, Inc., \$1,072; #11109868, TDS Telecom, \$1,418.15; #11109874, Tri-State Reporting (2), \$4,875.50; #11109876, U. S. Foodservice, Inc., \$3,691.73; #11109878, Verizon Wireless, \$2,608.39; #11109879, Walker & Armstrong, \$29,362; #11109880, Walmart Business, \$1,078.56; #11109881, Waxie Sanitary Supply, \$1,609.87; #11109882, West Payment Center, \$3,126.29; #11109885, Whitney & Whitney, PLLC, \$1,680; #11109887, Yuma County Juvenile, \$2,880; #11109888, Zion Bank/Public Financial Services, \$4,463.48; #11109889, Parker Motor Co., Inc., \$249,357.31; #11109902, Steve Benton, \$1,041.15; #11109925, Greenfield Logistics, \$18,753.68; #11109930, JWC Environmental, LLC, \$8,787.97; #11109934, La Paz County Treasurer, \$5,959.29; #11109943, Office of Administrative Hearings, \$2,993.67; #11109949, PNC Equipment Finance, LLC, \$1,457.50; #11109966, SMMHC, Inc., \$12,400; #11109967, Southwest Gas Corporation, \$1,375.08; #11109968, Flora B. Spiller, \$1,248.50; #11109973, Taser International (2), \$38,992.69; #11109980, Walmart Business, \$1,131.45; #11109984, Western States Petroleum, \$1,479.30.