

**PROCEEDINGS OF THE
COCHISE COUNTY BOARD OF SUPERVISORS SPECIAL MEETING
HELD ON TUESDAY, JUNE 7, 2011 @ 10:30 A.M.
IN THE BOARD OF SUPERVISORS EXECUTIVE CONFERENCE ROOM
LOCATED AT 1415 MELODY LANE, BUILDING G, BISBEE ARIZONA**

Chairman Call called the Special Meeting of the Board of Supervisors to order at 10:34 a.m. All three supervisors were present: Pat Call, Chairman; Vice-Chairman, Ann English and Richard Searle, Supervisor. Also attending were Mike Ortega, County Administrator; Jim Vlahovich, Deputy County Administrator; Mike Evans, Emergency Manager; several representatives from the Incident Command Team; Dave Fifer, Deputy County Attorney; Terry Bannon, Deputy County Attorney and Katie Howard, Clerk of the Board.

ACTION

Board of Supervisors

ITEM 1

Discussion and possible action regarding the possibility of declaring an emergency due to the Horseshoe Fire near Portal, Arizona.

Mr. Ortega announced that today's conversation would be broken down in 3 parts:

- Incident Command Team update on fire
- Mike Evans: Emergency Management update
- County Attorney's Office input regarding a declaration of emergency

The Incident Command Team presenter (there were several during the course of the meeting), highlighted the boundaries of the fire and adjacent communities. The fire began on May 8, 2011 in the canyon. He described the history of the fire and its various stages, efforts at fire suppression and structure protection. He also discussed the difficulties encountered because of the wind. He then talked about the major goals of the fire suppression effort including protection from loss of life and structures; private land and Cave Creek protection; protection of habitat.

Last Thursday, he said, there was a run in the fire that cost structures (Forest Service buildings and a communication tower, some private cabins). At that point, the fire fighting priorities shifted to protecting Paradise and East Whitehall with burnout operations around those areas. There were twenty-five residences, (mostly seasonal, some year-round) in Whitehall and the park facilities at stake.

Supervisor Searle commented that the power had been turned off in Paradise. Columbus Electric power had to turn off the power to a large area so there are many residents outside of the fire area that are currently without power and without water. The presenter said they were trying to restore power today; some of the power poles were burned. He added that they had had two requests for re-entry into the area (one a request to water a vineyard and another to care for farm animals that need water). He said they are trying to address special needs on a case by case basis.

The presenter displayed infrared imagery from 30,000', which was being done nightly to locate hotspots. The solid black lines on the map are controls (containment area), control status is determined by airplanes. The red line is active fire. The winds and the topographical features are making it very difficult to fight the fire and the safety of fire personnel is paramount. The dashed black lines are control lines that are being built now (to the north). He said they had a good day yesterday (wind-wise) and are hoping for the same today. He said there is a 50/50 chance to hold the fire at these control lines. He told the Board that meteorologists and a fire behavior expert are on site; working at night because they have had good success at night. The next two days will tell us if we're able to hold fire. Planes are flying out of Bisbee-Douglas International, Libby and Rodeo airports.

Vice-Chairman English asked regarding the BEAR Team's relationship to incident command. Jim responded that the incident command supports the BEAR team; incident command comes and goes; BEAR team stays. Incident Command, he explained, tells the BEAR team where it is safe to go. Their efforts are to rehabilitate the area and to avoid flood impact. At Cave Creek, he said, the BEAR team is going in and clearing debris under bridges to keep them open for water flow, etc. The BEAR team is limited in its activities; they cannot be spending Forest Service money on private land but they can do work on the forest.

He explained that the intensity of the burns has been uneven with more hot fire at the northern edge of the fire. There are low, moderate and hot intensity classifications on this fire. Low is in the grasslands at lower levels. High intensity burns are where there are more trees and brush; steep slopes and wind. This depletes the water in the ground for some time; in extreme cases a high intensity burn can change the chemical composition of soils. He stated that they have not seen extreme cases with this fire. Turkey Creek residents have not been evacuated at this time.

Vice-Chairman English observed that one of the reasons we're having meeting today is because of a request from one of our State Representatives and some of the residents in Portal area to declare an emergency in that area. Primary concerns are fear of flooding, damage to the watershed, water wells, etc. Bill responded saying that they don't know what to expect following this fire. In the Schultz Fire, the after-effects were devastating. Supervisor Searle stated that fences have been destroyed and there is the threat of flooding in the next couple of months. The only recourse residents have is federal money. If the County doesn't declare an emergency, FEMA won't help.

Chairman Call said if the County were to declare an emergency relative to the possible threat of flooding in the future, it goes to the Governor for approval. He asked, can the County apply to the federal government directly, or must it go through the Governor?

Mr. Ortega stated that Mike Evans is going to go over the County's involvement (deputies, GIS assistance, road folks out there). He stated that County administration has had a little dialogue with the County Attorney's Office as to how we can help the residents?

Deputy County Attorney Dave Fifer stated that there are two ways to go: By Resolution, you would have a statement that this is an incident of concern to the County with the danger of flooding, etc. which is a

threat to residents. The second is a Declaration of Emergency. That is a Declaration of extreme emergency that imperils residents and/or property. He said he did not know if we've met that standard.

Supervisor Searle stated that Graham and Greenlee counties did that yesterday.

Terry Bannon, Deputy County Attorney commented that the County has to exhaust its resources, then can appeal to the State (to the Director of Department of Emergency Management, then to Governor); if the State exhausts its resources, they appeal to the federal government.

Supervisor Searle stated that the fire is estimated to be 55% contained today and has burned 106,000 acres. We don't know whether we can keep the fire out of the Chiricahua, Whitehall, Turkey Creek, etc. The fire is not contained—it is still ongoing.

Vice-Chairman English asked if there is a downside to declaring an emergency.

Ms. Bannon responded that she doesn't really see a downside to asking the State – there are many forms to complete and it must meet their requirements to be approved. English replied: We can't spend our funds on private property, so we have to ask, if this will open up an avenue of funding for individuals.

Mike Evans, Emergency Manager stated that any declaration the Board gives, if approved by either the State or Federal agencies, is for government services—not for private use. He said it is up to the Small Business Administration to determine whether to offer assistance to private citizens. The Natural Resource Conservation District can go onto private property, however and if the County does not declare an emergency, they can't move forward. Supervisor Searle agreed, saying he is hearing the same thing from ranchers and residents up there.

Ms. Bannon reported that there are two methods of assistance at the federal level: one is for the County, the other is for residents. Either way you must make a declaration of emergency. However, Mr. Evans reminded the Board that they cannot go directly to the federal agencies, but must go through the State. There is a dollar amount per threshold per resident before we can apply for assistance. The best thing for residents to do to protect themselves is to get flood insurance from FEMA he said.

Supervisor Searle made a motion that we declare an emergency due to the Horseshoe 2 Fire in Cochise County. The motion was seconded by Vice-Chairman English.

Mr. Fifer stated that statutorily, the Board passes a Resolution that authorizes the Chairman to do a Proclamation that allows the Chairman to govern during the emergency.

Supervisor Searle amended his motion to adopt a Resolution to declare an emergency due to the Horseshoe 2 Fire in Cochise County.

The motion was further amended by Vice-Chairman English to authorize the County Attorney's Office and Mr. Ortega to prepare a Resolution, to be signed by Chairman.

Mr. Fifer said he would create a Resolution and the Board could approve it at a future meeting.

Mr. Ortega clarified that if the Board decides today to declare an emergency and authorizes the Chairman to sign the Resolution, there would be no need to have another meeting.

The motion, as amended, was called for a vote and approved 3-0.

Chairman Call thanked the Incident Command Team.

There being no further business before the Board, Chairman Call adjourned the meeting at 11:31 a.m.

APPROVED: _____
Patrick G. Call, Chairman

ATTEST: _____
Katie A. Howard, Clerk of the Board