

**PROCEEDINGS OF THE
COCHISE COUNTY BOARD OF SUPERVISORS SPECIAL MEETING
HELD ON TUESDAY, JUNE 14, 2011 @ 1:15 P.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 1:18 p.m. Two of the three supervisors were present: Pat Call, Chairman; Richard Searle, Supervisor. Vice-Chairman English was absent. Also attending were Mike Ortega, County Administrator; Jim Vlahovich, Deputy County Administrator; Dave Fifer, Deputy County Attorney, Commander Marc Denney and Lieutenant Ken Buckner representing the Sheriff's Office, and Katie Howard, Clerk of the Board.

ACTION

Board of Supervisors

ITEM 1

Adopt Resolution 11-24 temporarily prohibiting the use of "permissible consumer fireworks" in the unincorporated areas of Cochise County and specifying criminal penalties and financial responsibility for the violation of this prohibition.

Supervisor Searle stated that in light of the fire in the Chiricahuas (Horseshoe 2) and the new fire in the Huachucas, emergency resources are spread thin and the County needs to do anything it can to help our firefighters. He made a motion to adopt Resolution 11-24 temporarily prohibiting the use of "permissible consumer fireworks" in the unincorporated areas of Cochise County and specifying criminal penalties and financial responsibility for the violation of this prohibition. Chairman Call seconded the motion and added that the Resolution sends a clear message across the County about the danger of fire. He suggested efforts be made to stress that the prohibition is temporary and that the Board will reconsider as soon as possible.

Attorney Dave Fifer explained that the first three paragraphs of the Resolution are factual, referencing the two fires, what statutes we are working under and what the punishments are during the period of prohibition (30 days in jail plus up to a \$500 fine and any penalties tacked on by the court, if convicted). He elaborated, telling the Board that someone could be required to serve up to 180 days in jail, if an actual fire is started, as well as additional fines and potentially an award of any costs of fire fighting.

Commander Marc Denney asked why the prohibition is set to expire in only 45 days. Mr. Fifer explained that if it is still in a dry season in July, the Board could extend the prohibition. He added that mere possession of fireworks is not illegal, but use is. He also pointed out that this prohibition applies only to unincorporated areas within the County because the Board has no jurisdiction within the cities.

Chairman Call stated that people should check with their respective cities regarding any applicable city prohibitions or restrictions.

Mr. Ortega stated that Vice-Chairman English expressed to him that she is supportive of the measure and asked him to relay that message to the Board.

Chairman Call called for the vote and the motion carried 2-0-1 (English absent).

There being no further business before the Board, Chairman Call adjourned the meeting at 1:24 p.m.

APPROVED:

Patrick G. Call, Chairman

ATTEST:

Katie A. Howard, Clerk of the Board