Board of Supervisors

Richard R. Searle
Chairman
District 3

Patrick G. Call
Vice-Chairman
District 1

Ann English
Supervisor
District 2

Michael J. Ortega
County Administrator

James E. Vlahovich
Deputy County Administrator

Katie A. Howard
Clerk

AGENDA FOR REGULAR BOARD MEETING
Tuesday, April 10, 2012 at 10:00 AM
BOARD OF SUPERVISORS HEARING ROOM
1415 MELODY LANE, BUILDING G, BISBEE, AZ 85603

ANY ITEM ON THIS AGENDA IS OPEN FOR DISCUSSION AND POSSIBLE ACTION

PLEDGE OF ALLEGIANCE

THE ORDER OR DELETION OF ANY ITEM ON THIS AGENDA IS SUBJECT TO MODIFICATION AT THE MEETING

ROLL CALL
Members of the Cochise County Board of Supervisors will attend either in person or by telephone, video or internet conferencing.

Note that some attachments may be updated after the agenda is published. This means that some presentation materials displayed at the Board meeting may differ slightly from the attached version.

CALL TO THE PUBLIC

This is the time for the public to comment. Members of the Board may not discuss items that are not specifically identified on the agenda.

CONSENT

Board of Supervisors

1. Approve the Minutes of the regular meeting of the Board of Supervisors of March 27, 2012.

Community Development

2. Appoint Ms. Kelly Glenn-Kimbro to the Public Lands Advisory Committee (PLAC) through June 30, 2012 to fill the vacancy created by Ed Monzingo's resignation and simultaneously extend Ms. Glenn-Kimbro's appointment from July 1, 2012 to June 30, 2014.

3. Authorize sending the attached letter which supports the National Park Service's proposed invasive plant species control efforts in the Chiricahua National Monument, Ft. Bowie National Historic Site and the Coronado National Memorial.

County Attorney

4. Approve the Arizona Automobile Theft Authority Grant Agreement, Vertical Prosecution Program Fiscal Year 2011/2012, between the Arizona Automobile Theft Authority and the Cochise County Attorney's Office from July 1, 2011 to June 30, 2012 in the amount of $41,958.74.

Elections & Special Districts

5. Accept certification of canvass for the March 13, 2012 Consolidated Palominas Fire District Recall Election.

Facilities

6. Approve a Fair Housing Proclamation and proclaim April 2012 as Fair Housing Month in Cochise County.

Finance

7. Approve demands and budget amendments for operating transfers.

Heavy Fleet

8. Approve the renewal of Contract No. 11-34-HFM-04 for Heavy Equipment Rental to various vendors in the not to exceed amount of $85,000 for the period of April 1, 2012 through March 31, 2013 for the Heavy Fleet Management Department.

PUBLIC HEARINGS

Board of Supervisors

9. Approve a new liquor license application for a series #3 (microbrewery) liquor license submitted by Mr. Sean Paul McGurk for 3 Canyons Brewery located at 7302 E Silvercreek Road, Hereford, 85615.

10. Approve a new liquor license application for a series #12 (restaurant) liquor license submitted by Ms. Marybeth for MBeez located at 4301 S. Hwy 92, Sierra Vista, 85635.

Community Development

11. Adopt Resolution 12-10 authorizing the abandonment of a portion of Cactus Lane public right-of-way south of Sierra Vista.

ACTION

Community Development

12. Adopt Resolution 12-11 to abandon the Bachmann Springs Phase One Final Subdivision Plat, the Assurance Agreement, and the Final Plan.

Human Resources

13. Approve the Cochise Combined Trust schedule of benefits and rates for FY 2012-2013.

Indigent Defense

14. Approve the transfer of funds in the amount of $500,000 from General Fund Contingency Account to Indigent Defense Coordinator (IDC) budget accounts.

STATE & FEDERAL LEGISLATION

15. Discussion and possible action regarding state and federal legislative matters, including but not limited to the items in the attached County Supervisors Association Legislative Policy Committee Agenda.

REPORT BY MICHAEL J. ORTEGA, COUNTY ADMINISTRATOR -- RECENT AND PENDING COUNTY MATTERS

SUMMARY OF CURRENT EVENTS

Report by District 1 Supervisor, Patrick Call

Report by District 2 Supervisor, Ann English

Report by District 3 Supervisor, Richard Searle

Pursuant to the Americans with Disabilities Act (ADA), Cochise County does not, by reason of a disability, exclude from participation in or deny benefits or services, programs or activities or discriminate against any qualified person with a disability. Inquiries regarding compliance with ADA provisions, accessibility or accommodations can be directed to Chris Mullinax, Safety/Loss Control Analyst at (520) 432-9720, FAX (520) 432-9716, TDD (520) 432-8360, 1415 Melody Lane, Building F, Bisbee, Arizona 85603.

Consent 1.

Regular Board of Supervisors Meeting **Board of Supervisors**

Meeting Date: 04/10/2012

Minutes

Submitted By: Arlethe Rios, Board of Supervisors

Department: Board of Supervisors

Presentation:	No A/V Presentation	**Recommendation:**	
Document Signatures:		**# of ORIGINALS Submitted for Signature:**	
NAME of PRESENTER:	n/a	**TITLE of PRESENTER:**	n/a
Mandated Function?:		**Source of Mandate or Basis for Support?:**	

Information

Agenda Item Text:

Approve the Minutes of the regular meeting of the Board of Supervisors of March 27, 2012.

Background:

Minutes

Department's Next Steps (if approved):

Signed minutes routed for processing and posted on the internet.

Impact of NOT Approving/Alternatives:

n/a

To BOS Staff: Document Disposition/Follow-Up:

Send to the Recorder's Office for microfiche purposes.

Attachments

Minutes

PROCEEDINGS OF THE COCHISE COUNTY BOARD OF SUPERVISORS
REGULAR BOARD MEETING HELD 0N
TUESDAY, MARCH 27, 2012

A regular board meeting of the Cochise County Board of Supervisors was held on Tuesday, March 27, 2012 at 10:00 a.m. in the Board of Supervisors' Hearing Room, 1415 Melody Lane, Building G, Bisbee, Arizona. In attendance were Richard Searle, Chairman; Patrick Call, Vice-Chairman; Ann English, Supervisor; Michael Ortega, County Administrator; Jim Vlahovich, Deputy County Administrator; Britt Hanson, Chief Civil Deputy County Attorney; and Katie Howard, Clerk of the Board.

Chairman Searle called the meeting to order at 10:00 a.m.

ANY ITEM ON THIS AGENDA IS OPEN FOR DISCUSSION AND POSSIBLE ACTION

PLEDGE OF ALLEGIANCE

THE ORDER OR DELETION OF ANY ITEM ON THIS AGENDA IS SUBJECT TO MODIFICATION AT THE MEETING

ROLL CALL – All three supervisors present

Chairman Searle said Item 11 needs to be removed from the Consent Agenda as requested by Mr. Michael Ortega, County Administrator.

CONSENT

Board of Supervisors
1. Approve the Minutes of the regular meeting of the Board of March 13, 2012.

2. Appoint Michael Cerepanya to the Board of Adjustment for District 1 effective immediately and ending December 31, 2013.

Community Development
3. Adopt Zoning Ordinance 12-05, to approve Docket Z-12-02 rezoning parcel 403-23-008A from TR-36 to GB, pursuant to the application by Mary Jones.

County Sheriff
4. Approve the Fiscal Year 2011 Adult Detention Per Diem Rate Study by MGT of America, and set the daily jail per diem rates at $224.10 for the first day, and $65.56 for each day thereafter as determined by the study, effective immediately.

Elections & Special Districts
5. Adopt Resolution 12-06 appointing the Election Boards for the Special Primary and Special General Elections to be held on April 17, 2012 and June 12, 2012.

Finance
6. Approve demands and budget amendments for operating transfers.

Warrant No. 56576-56584, 56587-57009, 57046-57179 were issued in the amount of $ $1,137,889.82.

Pursuant to A.R.S. §11-217(C), the published minutes shall include all demands and warrants approved by the Board in excess of one thousand dollars except that multiple demands and warrants from a single supplier or individual under one thousand dollars whose cumulative total exceeds one thousand dollars in a single reporting period shall also be published.

Issued warrants are listed as an attachment at the end of the minutes

Health

7. Approve Amendment 7 to IGA #: ADHS12-016610, Tuberculosis Control Program, between the Arizona Department of Health Services and Cochise Health & Social Services, in the amount of $18,500 for the period of 7/1/2011 through 06/30/2012.

8. Approve Modification #2, under Purchase Order #: Y553670, to the subcontract, Acción Para La Salud, between the Arizona Board of Regents, University of Arizona, and Cochise Health & Social Services in the amount of $24,000 for the period of 10/1/11 through 9/29/12.

9. Approve Purchase Order # HG854245:1, for IGA# HG854245, Reproductive Health/Family Planning Program, between the Arizona Department of Health Services and Cochise Health & Social Services, in the amount of $45,640 for the period of 1/1/12 through 12/31/12.

10. Approve Purchase Order #HG854282:1, for IGA# HG854282, Immunization Program, between the Arizona Department of Health Services and Cochise Health & Social Services, in the annual amount of $86,273, received in two separate purchase orders, for the period of 1/1/12 through 12/31/12.

Human Resources
11. Adopt Resolution 12-07 amending the provisions of the Alternative Work Schedules section of the Human Resources Policy Manual for Elected Offices.

Item 11 was removed from the consent agenda.

Supervisor English made a motion to approve items 1-10 of the Consent Agenda. Vice-Chairman Call seconded the motion and it carried unanimously.

ITEM 11: Adopt Resolution 12-07 amending the provisions of the Alternative Work Schedules section of the Human Resources Policy Manual for Elected Offices.

Vice-Chairman Call made a motion to adopt Resolution 12-07 amending the provisions of the Alternative Work Schedules section of the Human Resources Policy Manual for Elected Offices. Supervisor English seconded the motion.

Mr. Michael Ortega, County Administrator, presented this item. Mr. Ortega reported that the Board held a Work Session with the Elected Officers and the recommendation was to authorize Elected Officers to set alternative work schedules for their staff pursuant to statutes regarding the number of hours those offices must be open. This specific action from the Board is an amendment to the Human Resources Policy Manual and will be effective April 1, 2012.

Chairman Searle called for the vote and it carried 3-0.

PUBLIC HEARINGS

Community Development
12. Adopt Zoning Ordinance 12-06, to approve Docket Z-12-01 (Hodai), rezoning parcels 401-37-262 and 263 from TR-36 to RU-4, pursuant to the application of Bo Hodai.

Supervisor English made a motion to adopt Zoning Ordinance 12-06, to approve Docket Z-12-01 (Hodai), rezoning parcels 401-37-262 and 263 from TR-36 to RU-4, pursuant to the application of Bo Hodai. Vice-Chairman Call seconded the motion.

Mr. Keith Dennis, Senior Planner, presented the item using a PowerPoint presentation (available on the County's website). Mr. Dennis stated that the applicant was unable to make it to the hearing because of transportation problems. On March 14, 2012, the Planning and Zoning Commission (PZC) voted unanimously to approve this application. He showed the location map, photos of the property and area and described it as a very rural and undeveloped area. The applicant is living in a temporary shelter pending the outcome of this rezoning request. He also showed location of supporters and protestors (two each) and their arguments in favor or against. Mr. Dennis said staff's recommendation is to approve.

Chairman Searle opened the public hearing. No one wished to address the Board and Chairman Searle closed the public hearing.

Chairman Searle called for the vote and it carried 3-0.

ACTION

Board of Supervisors
13. Approve over-the-counter sales of tax deed properties remaining unsold following the March 1, 2012 tax deed land auction and subsequent over-the-counter sales, as set forth in the attached Exhibit A, plus related administrative fees.

Vice-Chairman Call made a motion to approve over-the-counter sales of tax deed properties remaining unsold following the March 1, 2012 tax deed land auction as set forth in the attached Exhibit A, plus related administrative fees. Supervisor English seconded the motion.

Chairman Searle asked if there were any additional bids and there were none.

Chairman Searle called for the vote and it carried 3-0.

Community Development
14. Adopt Resolution 12-09, to authorize the addition of 0.25 miles of Frontage Road in Sunsites to the Cochise County Maintained Road System.

Supervisor English made a motion to adopt Resolution 12-09, to authorize the addition of 0.25 miles of Frontage Road in Sunsites to the Cochise County Maintained Road System. Vice-Chairman Call seconded the motion.

Mr. Carlos De La Torre, Director, presented the item using a PowerPoint presentation (available on the County's website). Mr. De La Torre stated that this is a proposal to add a section of frontage road to the County's maintenance system and showed location map. Staff looked at policy and the addition meets all criteria and the road provides access to some businesses in the area.

Supervisor Searle explained that this was his request and that road had not been maintained in several years and that it would be good for the community. He explained that this leaves 1/4 mile that is not maintained, but there are no businesses there. Mr. Jones is present to address the Board on this matter.

Mr. Francis Jones said he appreciates the Board's consideration of this matter. He runs a self storage business and there is also a machine shop business; water/drainage issues when it rains have impacted businesses along that stretch of road.

Chairman Searle called for the vote and it carried 3-0.

Facilities
15. Adopt Resolution 12-08 to authorize the Arizona Department of Transportation (ADOT) to execute a Joint Project Agreement (JPA) between the State of Arizona and Cochise County for a pavement preservation project at the Cochise County Airport, designating ADOT as agent for Cochise County.

Vice-Chairman Call made a motion to adopt Resolution 12-08 to authorize the Arizona Department of Transportation (ADOT) to execute a Joint Project Agreement (JPA) between the State of Arizona and Cochise County for a pavement preservation project at the Cochise County Airport, designating ADOT as agent for Cochise County. Supervisor English seconded the motion.

Ms. Patty Lewis, Grants Administrator, presented this item. Ms. Lewis stated that they have reestablished their airport pavement program and ADOT is the lead agency in the state for the program. She described the pavement treatments Cochise County will receive for this fiscal year. In previous years ADOT asked for a cash match based on construction bids; now the rules have changed and the cost match is 10% of estimates provided by their contract engineer. The County's up-front cash match is equal to $53,883. If the costs for the project are lower than estimated, the County will be reimbursed any overpayment. This JPA authorizes ADOT to execute and proceed with the runway pavement project only.

Supervisor English asked about the traffic at airport and observed that this airport does not make the County any money.

Vice-Chairman Searle asked if monies have been budgeted.

Mr. Ortega said not for the current fiscal year. The County will take money out of contingency reserve; the 1/2 cent sales tax.

Chairman Searle called for the vote and it carried 3-0.

STATE & FEDERAL LEGISLATION

Discussion and possible action regarding state and federal legislative matters, including but not limited to the items in the attached agenda.

County Supervisors Association Legislative Policy Committee Agenda for March 23, 2012 *(see attached)*.

Mr. Ortega stated that he and Supervisor English were on the conference call last week. SB1302 was introduced and modified. The basic gist of the bill is that the County would be required to perform post-fire flood mitigation on private property. Mr. Gowan introduced legislation after hearing from residents that the County did not provide sandbags or assist residents in the aftermath of the fire, which is not accurate; the County provided in excess of 20,000 sandbags. He has drafted a letter for Board consideration; however he spoke with the County Supervisors Association (CSA) this morning and they suggested not sending the letter yet. He did request the Board take the position of opposition to SB1302.

Vice-Chairman Call commented on the inaccurate representation about the County's "inaction" during and after the fire that was reported at the legislative hearing and recounted many of the County's proactive actions during that time.

Mr. Ortega commented that one of the issues needing to be clarified has to do with the Governor's allocations during that time (discussed what had been reported at legislative hearing versus what had actually occurred). He also pointed out that even if this bill were to go through, there is no funding associated with it; the County would be on the hook for any costs.

Supervisor English commented that she is disappointed that two people who are supposed to be representing us are saying to us that we are supposed to go out and take care of their properties with or without their knowledge or consent and it is very troubling.

Vice-Chairman Call stated that he thinks the bill may have been well-intentioned but to blame the County for not doing its job is just wrong.

Chairman Searle agreed and stated that the Board had discussed all of these issues with their representatives this past Fall. He thinks it is important that the County correct the record with both a letter and probably some photographs.

Mr. Ortega will work with Mr. Craig Sullivan at CSA to send message to correct the record. He commented that he suspects that the bill's language may be changed to be permissive, from "shall" to "may" and that would create an expectation on the part of the public and put the Board in a spot. He will recommend opposition to the bill even if that language change is suggested.

Chairman Searle clarified that there were two issues: 1) to oppose the bill and 2) to correct the record regarding the County's response during the fire.

Supervisor English reported that the electronic billboard bill; Cochise County has stated they do not want them and now the legislature wants to allow them. The bill passed, but an amendment allows cities and counties to opt out. She did send a letter to the Governor asking her to veto the bill in favor of dark skies in rural areas. She also sent a note to Senator Allen, thanking her for her opposition to HB2570. The Arizona Association of Counties (AACo) wants to oppose HB 2826 regarding consolidated elections moving only to every two years; the CSA wants to support. She requested the Board's direction as to position she should take, given that she sits on both organizations.

Mr. Ortega observed that the Board discussed previously and the bottom line was that legislature is usurping local control. Even though on the surface it seems to be a cost-savings measure, it would impact local cities and special districts.

No action was taken on this agenda item.

REPORT BY MICHAEL J. ORTEGA, COUNTY ADMINISTRATOR -- RECENT AND PENDING COUNTY MATTERS

Mr. Ortega reported that he had conversation with Pima County and with our current Medical Examiner, Dr. Flores, who is retiring in June, regarding replacing those services. A meeting has been set with the County Attorney's Office, the Sheriff, and Pima County to discuss the logistics. There will be a dramatic increase of costs with the possibility of using contract workers, but the structure and funding for this service will be changing.

CALL TO THE PUBLIC

Chairman Searle opened the Call to the Public. Mr. Jack Cook addressed the Board on matters of personal concern. No one else wished to address the Board and Chairman Searle closed the Call to the Public.

SUMMARY OF CURRENT EVENTS BY BOARD MEMBERS

REPORT BY SUPERVISOR PAT CALL, DISTRICT NO. 1
Vice-Chairman Call deferred.

REPORT BY SUPERVISOR ANN ENGLISH, DISTRICT NO. 2
Supervisor English deferred.

REPORT BY SUPERVISOR RICHARD SEARLE, DISTRICT NO. 3
Chairman Searle stated that he attended a reception last night of the Arizona Commerce Authority regarding the unmanned aerial system and designating Arizona as a testing site. This Thursday he will be attending the AZ/NM Coalition of Counties annual all day meeting at Cochise College in Benson.

Chairman Searle adjourned the meeting at 10:54 a.m.

_____
Richard Searle, Chairman

ATTEST:

_____
Katie Howard, Clerk of the Board

((SUPPORTING DOCUMENTATION IS AVAILABLE AT THE BOARD OF SUPERVISORS' OFFICE) at (520) 432-9200, FAX (520) 432-5016, TDD (520) 432-8360, 1415 Melody Lane, Building G, Bisbee, Arizona 85603.

56341	03/08/2012	Benson Hospital Corporation	$251.68
56342	03/08/2012	Cochise County Dialysis & Kidney	$24.64
56343	03/08/2012	EmCare-PNX Emergency Physicians	$44.36
56344	03/08/2012	Laboratory Corporation of America	$11.17
56345	03/08/2012	Life Care Center of Sierra Vista	$3.50
56346	03/08/2012	Millennium Medical Supply, Inc	$63.37
56347	03/08/2012	Radiology Ltd	$3.72
56348	03/07/2012	AOC Corrections Officer Retire	$17,452.20
56349	03/07/2012	Arizona Department of Revenue	$50.00
56350	03/07/2012	Aron & Associates, P.C.	$293.60
56351	03/07/2012	Bursey & Associates, P.C.	$253.24
56352	03/07/2012	Citibank (South Dakota), N.A.	$19.40
56353	03/07/2012	CitiFinancial-Chandler	$48.94
56354	03/07/2012	Colonial Suppemental Insurance	$29.50
56355	03/07/2012	Correction Officers	$12,938.10
56356	03/07/2012	Correction Officers	$250.53
56357	03/07/2012	Davenport, Joubert W.	$305.04
56358	03/07/2012	DCS	$352.27
56359	03/07/2012	DeConcini McDonald Yetwin	$320.60
56360	03/07/2012	GMAC, c/o Jennifer A. Christie	$115.37
56361	03/07/2012	Guglielmo, Paul D.	$570.86
56362	03/07/2012	JP Morgan Chase	$929,171.51
56363	03/07/2012	JP Morgan Chase	$37,884.46
56364	03/07/2012	JP Morgan Chase	$299,912.68
56365	03/07/2012	NACO West	$25,422.40
56366	03/07/2012	National Bank	$5,970.92
56367	03/07/2012	NYS Child Support Processing Center	$48.00
56368	03/07/2012	NYS Child Support Processing Center	$461.21
56369	03/07/2012	Opal Financial, LLC	$215.00
56370	03/07/2012	Public Safety Retirement Syst	$16,975.84
56371	03/07/2012	Public Safety Retirement Syst	$57,585.94
56372	03/07/2012	Public Safety Retirement Syst	$199.46
56373	03/07/2012	Public Safety Retirement Syst	$758.56
56374	03/07/2012	QC Financial Services	$232.93
56375	03/07/2012	Seidberg Law Offices, P.C.	$268.47
56376	03/07/2012	Seidberg Law Offices, P.C.	$320.31
56377	03/07/2012	Sheakley Pension Administratio	$484.50
56378	03/07/2012	Support Payment Clearinghouse	$7,235.17
56379	03/07/2012	TIAA-CREF as agent for JPMorgan Chase	$2,245.00
56380	03/07/2012	U.S. Department of Education	$159.91
56381	03/07/2012	United States Treasury	$100.00
56382	03/07/2012	United Way	$95.00
56383	03/07/2012	Arizona Public Service (APS)	$26,470.49
56384	03/07/2012	Arizona Public Service (APS)	$264.38
56385	03/07/2012	Bella Vista Water Company-Liberty Water	$1,224.71
56386	03/07/2012	Bisbee Observer	$217.49
56387	03/07/2012	Bisbee, City of	$7,346.95
56388	03/07/2012	Bowie Water Improvement District	$79.58
56389	03/07/2012	Bowie Water Improvement District	$39.79
56390	03/07/2012	CenturyLink	$152.91
56391	03/07/2012	CenturyLink	$31.03
56392	03/07/2012	CenturyLink	$60.60
56393	03/07/2012	Clear Springs Utility, Inc.	$91.10
56394	03/07/2012	Cochise County Farmers Association	$1,732.05
56395	03/07/2012	Copygraphix Inc.	$22,423.67
56396	03/07/2012	Douglas, City of	$213.69
56397	03/07/2012	Douglas, City of	$297.57
56398	03/07/2012	Elfrida Water Improvement	$28.10
56399	03/07/2012	Marroquin, Eufronio Martinez	$31.20
56400	03/07/2012	Pacific Bulletproof Company	$5,204.00
56401	03/07/2012	Sierra Vista Herald/Bisbee Daily Review	$76.80
56402	03/07/2012	Southwest Disposal LC	$68.37
56403	03/07/2012	Southwest Gas Corporation	$1,858.05
56404	03/07/2012	Sparkletts	$151.50
56405	03/07/2012	Sulphur Springs Valley Elec Cooperative, Inc.	$272.03
56406	03/07/2012	Sulphur Springs Valley Elec Cooperative, Inc.	$288.52
56407	03/07/2012	Sulphur Springs Valley Elec Cooperative, Inc.	$242.59
56408	03/07/2012	Thompson West	$1,278.16
56409	03/07/2012	Valley Telephone Cooperative, Inc.	$472.55
56410	03/07/2012	Valley Telephone Cooperative, Inc.	$2,019.42
56411	03/07/2012	Waste Mgmt of AZ - Sierra Vista Hauling	$201.60
56412	03/07/2012	Waste Mgmt of AZ - Sierra Vista Hauling	$215.81
56413	03/07/2012	Whetstone Water Improvement District	$81.94
56414	03/07/2012	Willcox, City of	$1,753.09
56415	03/07/2012	Willcox, City of	$676.43
56416	03/08/2012	ACE Hardware - Bisbee	$151.47
56417	03/08/2012	Alternative Counseling Service, Inc	$264.00
56418	03/08/2012	Aqua Life	$67.50
56419	03/08/2012	ARAMARK Services, Inc.	$8,790.10
56420	03/08/2012	Arizona Correctional Educators, Inc.	$550.00
56421	03/08/2012	Arizona Department of Corrections - Douglas	$48.75
56422	03/08/2012	Arizona Department of Corrections - Douglas	$63.75
56423	03/08/2012	Arizona Department of Corrections - Douglas	$75.00
56424	03/08/2012	Arizona Department of Corrections - Douglas	$809.25
56425	03/08/2012	Arizona Department of Corrections - Douglas	$630.00
56426	03/08/2012	Arizona Department of Corrections - Douglas	$119.00
56427	03/08/2012	Arizona Department of Corrections - Douglas	$29.75
56428	03/08/2012	Arizona Department of Transportation	$45,700.00
56429	03/08/2012	Arizona Department of Transportation	$1,930.25
56430	03/08/2012	Arizona Department of Weights & Measures	$30.00
56431	03/08/2012	Arizona Range News	$46.50
56432	03/08/2012	Arizona State Prison Complex - Fort Grant	$2,348.80
56433	03/08/2012	Arizona State Prison Complex - Fort Grant	$201.50
56434	03/08/2012	Arizona State Prison Complex - Fort Grant	$1,954.08
56435	03/08/2012	Arizona State Prison Complex - Fort Grant	$469.74
56436	03/08/2012	AZBO Registrar	$300.00
56437	03/08/2012	B & D Lumber & Hardware	$572.61
56438	03/08/2012	Baker & Taylor, Inc.	$334.70
56439	03/08/2012	Bisbee Observer	$58.94
56440	03/08/2012	Bisbee, City of (Ambulance)	$3,026.14
56441	03/08/2012	Bug-Wiser Exterminating, Inc.	$690.00
56442	03/08/2012	Cable One	$299.85
56443	03/08/2012	Cardinal Health Inc.	$1,115.41
56444	03/08/2012	Catholic Community Services	$224.00
56445	03/08/2012	Central Transport	$269.00
56446	03/08/2012	CenturyLink	$482.02
56447	03/08/2012	CenturyLink	$141.54
56448	03/08/2012	CenturyLink	$61.22
56449	03/08/2012	CenturyLink	$30.15
56450	03/08/2012	Certified Folder Display Services, Inc.	$420.00
56451	03/08/2012	Chicanos Por La Causa	$18.75
56452	03/08/2012	Chiricahua Community Health Centers, Inc.	$326.75
56453	03/08/2012	Chivers North America, Inc. dba AudioGO	$423.52
56454	03/08/2012	Cochise County Assoc for the Handicapped	$27.40
56455	03/08/2012	Cochise Enterprises, LLC	$8,584.00
56456	03/08/2012	Copper Queen Community Hospital	$31,288.08
56457	03/08/2012	Crafco, Inc.	$23,522.78
56458	03/08/2012	Crafco, Inc.	$60.55
56459	03/08/2012	Delgado, Irene	$200.00
56460	03/08/2012	Dell Marketing L.P.,	$939.47
56461	03/08/2012	Desert Hawk Publications, Inc.	$2,400.00
56462	03/08/2012	Diamond Drugs Inc.	$3,661.33
56463	03/08/2012	Diamond Drugs Inc.	$3,349.37
56464	03/08/2012	Dirks, Richard	$26.32
56465	03/08/2012	Dobson, Donna J.	$250.00
56466	03/08/2012	Douglas, City of	$97.72
56467	03/08/2012	Ellis Towing LLC	$152.00
56468	03/08/2012	Elm Haven Interpreting	$86.00
56469	03/08/2012	Estes Express Lines	$116.99
56470	03/08/2012	Farmers Investment Co.	$431.25
56471	03/08/2012	Farwest Pump Company	$875.00
56472	03/08/2012	FasPsych, LLC	$2,632.50
56473	03/08/2012	Federal Express Corporation	$13.66
56474	03/08/2012	Federal Express Corporation	$36.01
56475	03/08/2012	Five Star Publishing	$61.05
56476	03/08/2012	Fleet Management Special Services Section	$31.20
56477	03/08/2012	Gale Group	$23.99
56478	03/08/2012	Globetrotter Travel Agency	$758.20
56479	03/08/2012	Gonzales, Mario A.	$143.68
56480	03/08/2012	Gonzales, Mario A.	$43.68
56481	03/08/2012	HealthCare Systems Development	$12,000.00
56482	03/08/2012	Hillyard Inc.	$464.71
56483	03/08/2012	Innocorp, Ltd.	$1,060.00
56484	03/08/2012	Kathy N. Bell, N.P.	$3,600.00
56485	03/08/2012	Keefe Supply Company	$5,829.04
56486	03/08/2012	Kone Inc.	$423.13
56487	03/08/2012	KTAN- AM RADIO	$91.58
56488	03/08/2012	KZMK-FM Cherry Creek Radio	$183.16
56489	03/08/2012	Language Line Services, Inc.	$110.66
56490	03/08/2012	Little Caesars	$95.94
56491	03/08/2012	Long, Jerrod D. DDS	$1,406.00
56492	03/08/2012	Lorenz, Nellie	$78.90

56493	03/08/2012	Lowry Computer Products, Inc.	$305.64
56494	03/08/2012	Manring, Donald Gene	$100.00
56495	03/08/2012	Manring, Donald Gene	$43.68
56496	03/08/2012	Mattson, Luanne	$5,755.29
56497	03/08/2012	Merle's Automotive Supply, Inc.	$1,787.36
56498	03/08/2012	MME Consulting Services LLC	$1,237.50
56499	03/08/2012	Mr Shed Inc	$405.25
56500	03/08/2012	Mundt, Lester E.	$25.76
56501	03/08/2012	Net Transcripts, Inc.	$550.20
56502	03/08/2012	Norment Security Group Inc.	$1,002.84
56503	03/08/2012	Northern Cochise Community Hospital, Inc.	$2,262.88
56504	03/08/2012	Panayiotis A. Ellinas, MD MPH	$625.00
56505	03/08/2012	Portal Rescue, Inc.	$18.75
56506	03/08/2012	Presidio Distribution	$45.00
56507	03/08/2012	Pro Petroleum, Inc.	$12,477.38
56508	03/08/2012	Quill Corporation	$5.48
56509	03/08/2012	Radiologists of Sierra Vista	$314.50
56510	03/08/2012	Recorded Books, LLC	$889.24
56511	03/08/2012	Reed, Cynthia - Court Reporter	$750.00
56512	03/08/2012	Reinhart, Lowenid B.	$49.00
56513	03/08/2012	Reinhart, Lowenid B.	$49.00
56514	03/08/2012	Safeway Stores Inc	$145.05
56515	03/08/2012	Scott, Ronald	$200.00
56516	03/08/2012	Sendero Plumbing	$50.00
56517	03/08/2012	SHI International Corp.	$6,035.26
56518	03/08/2012	Sierra Suites	$93.42
56519	03/08/2012	Southern AZ Children's Advocacy Ctr-SACAC	$600.00
56520	03/08/2012	Southwest Gas Corporation	$148.52
56521	03/08/2012	Sparkletts	$22.50
56522	03/08/2012	State of Arizona	$2,698.99
56523	03/08/2012	Stericycle Inc.	$256.17
56524	03/08/2012	Texas Canyon Rock & Sand	$1,339.52
56525	03/08/2012	Tres Rios Consulting Engineers	$6,020.00
56526	03/08/2012	Tucson Tallow Co., Inc.	$375.00
56527	03/08/2012	United Fire Equipment Co	$140.82
56528	03/08/2012	United Fire Equipment Co	$866.33
56529	03/08/2012	United Laboratories, Inc.	$739.31
56530	03/08/2012	United Pathology Inc.	$15,000.00
56531	03/08/2012	University Medical Center	$736.60
56532	03/08/2012	University Physicians, Inc.	$250.00
56533	03/08/2012	Valley Telephone Cooperative, Inc.	$731.84
56534	03/08/2012	Verizon Wireless	$413.09
56535	03/08/2012	Verizon Wireless	$252.09
56536	03/08/2012	Verizon Wireless	$39.00
56537	03/08/2012	Verizon Wireless	$22.81
56538	03/08/2012	Verizon Wireless	$90.11
56539	03/08/2012	Voyager Fleet System, Inc.	$2,468.94
56540	03/08/2012	Wernette, Christina Lynn	$70.00
56541	03/08/2012	West Press	$760.59
56542	03/08/2012	Willcox Rock & Sand Inc.	$2,275.88
56543	03/08/2012	Williams, Nancy N.	$24.64
56544	03/08/2012	Williams, Nancy N.	$24.64
56545	03/08/2012	WR Ryan Company	$803.78
56546	03/08/2012	Aegis Communications	$1,000.00
56547	03/08/2012	Arizona Fuels	$5.50
56548	03/08/2012	Call, Pat	$53.99
56549	03/08/2012	Circle K Store	$188.79
56550	03/08/2012	Cochise County Finance Revolving Fund	$50.00
56551	03/08/2012	Cochise County Justice Court #2	$68.02
56552	03/08/2012	English, Ann	$845.05
56553	03/08/2012	Flannigan, Ana	$75.00
56554	03/08/2012	Gojkovich, Theresa	$225.00
56555	03/08/2012	Home Depot	$100.00
56556	03/08/2012	Pacific Rim Capital Corp.	$70.00
56557	03/08/2012	PBW Fire District	$140.00
56558	03/08/2012	Searle, Richard	$721.84
56559	03/08/2012	US Customs & Border Protection	$80.00
56560	03/08/2012	US Postal Service	$10,000.00
56561	03/08/2012	Williams, Cody	$100.00
56562	03/08/2012	Anderson, Elizabeth	$182.84
56563	03/08/2012	Gilligan, Judith	$87.36
56564	03/08/2012	Gomez, Mary	$356.64
56565	03/08/2012	Graeme, Nina Sue	$157.08
56566	03/08/2012	Honorable Joseph Knoblock	$32.48
56567	03/08/2012	Honorable Trevor L. Ward	$116.37
56568	03/08/2012	Lueck, Elizabeth	$44.00
56569	03/08/2012	Patterson, Jenna L.	$31.36
56570	03/08/2012	Philhower, Elizabeth C.	$102.00
56571	03/08/2012	Porter, Radi Ann	$178.64
56572	03/08/2012	Romero, Tracey	$25.76
56573	03/08/2012	Steiger, Jennifer	$256.76
56574	03/08/2012	Villarreal, Elizabeth	$37.07
56575	03/08/2012	Welch, Catherine	$67.20
56576	03/15/2012	Agave Surgical Associates, PC	$37.55
56577	03/15/2012	Arizona Family Care Associates (AFCA)	$20.63
56578	03/15/2012	Benson Hospital Corporation	$414.53
56579	03/15/2012	Fresenius Medical Care Tuscon West	$1,148.92
56580	03/15/2012	Gila Valley Orthopaedics - Rex D. Bryce, M.D.	$30.08
56581	03/15/2012	Kindred Nursing Centers West, LLC	$1,698.00
56582	03/15/2012	Sierra Vista Regional Health Center	$386.01
56583	03/15/2012	Southwestern Eye Center, Ltd	$665.16
56584	03/15/2012	Tucson Medical Center	$590.03
56585	03/14/2012	AZ Dept of Administration-Risk Managemt	$5,702.12
56586	03/14/2012	JP Morgan Chase	$212,796.15
56587	03/14/2012	Arizona Public Service (APS)	$885.82
56588	03/14/2012	Arizona Range News	$215.30
56589	03/14/2012	Arizona Water Company	$653.96
56590	03/14/2012	Arizona Water Company	$6,142.94
56591	03/14/2012	Benson, City of	$34.07
56592	03/14/2012	Benson, City of	$293.14
56593	03/14/2012	CenturyLink	$134.24
56594	03/14/2012	CenturyLink	$3,659.01
56595	03/14/2012	CenturyLink	$4,559.29
56596	03/14/2012	Culligan of Tucson	$109.07
56597	03/14/2012	Douglas, City of	$64.79
56598	03/14/2012	Sierra Vista Herald/Bisbee Daily Review	$453.73
56599	03/14/2012	Sierra Vista, City of	$1,973.36
56600	03/14/2012	Southwest Gas Corporation	$514.14
56601	03/14/2012	Sprint	$67.53
56602	03/14/2012	Sulphur Springs Valley Elec Cooperative, Inc.	$933.10
56603	03/14/2012	Sulphur Springs Valley Elec Cooperative, Inc.	$559.72
56604	03/14/2012	Sulphur Springs Valley Elec Cooperative, Inc.	$196.52
56605	03/14/2012	Sulphur Springs Valley Elec Cooperative, Inc.	$3,506.95
56606	03/14/2012	Valley Telephone Cooperative, Inc.	$106.14
56607	03/14/2012	Verizon Wireless	$32.75
56608	03/14/2012	Verizon Wireless	$716.12
56609	03/14/2012	Wick Communications	$288.00
56610	03/14/2012	Willcox, City of	$263.42
56611	03/14/2012	Longfellow, Thomas	$1,550.00
56612	03/14/2012	Rocky Mountain Holdings, LLC	$15,250.84
56613	03/15/2012	Able Ribbon Technology, Inc.	$323.04
56614	03/15/2012	Alternative Counseling Service, Inc	$1,543.00
56615	03/15/2012	AmeriPride Linen and Apparel Service	$394.09
56616	03/15/2012	Apple Time, Inc.	$469.53
56617	03/15/2012	Arizona Department of Corrections	$1,320.00
56618	03/15/2012	Arizona Department of Corrections - Douglas	$1,240.50
56619	03/15/2012	Arizona Department of Corrections - Douglas	$3,040.05
56620	03/15/2012	AZ Department of Corrections ASPC-Tucson	$365.00
56621	03/15/2012	Arizona Department of Revenue	$69.85
56622	03/15/2012	Arizona Department of Revenue	$982.68
56623	03/15/2012	Arizona Machinery Company, LLC	$1,006.90
56624	03/15/2012	Arizona Range News	$14,236.80
56625	03/15/2012	Arizona Range News	$31.00
56626	03/15/2012	Arizona Range News	$454.78
56627	03/15/2012	Arizona State Prison Complex - Fort Grant	$145.00
56628	03/15/2012	Arizona State Prison Complex - Fort Grant	$84.25
56629	03/15/2012	Arizona State Treasurer	$184,567.00
56630	03/15/2012	Arizona Supreme Court	$616.00
56631	03/15/2012	August, Kimberly Ann	$200.00
56632	03/15/2012	B&S Supply Co, Inc	$1,436.42
56633	03/15/2012	Baker & Taylor, Inc.	$24.31
56634	03/15/2012	Baker & Taylor, Inc.	$231.95
56635	03/15/2012	Bank of America	$122,550.41
56636	03/15/2012	Beal Investigations	$1,163.96
56637	03/15/2012	Becker, Judith V. PH.D.	$1,500.00
56638	03/15/2012	Benson Police Department	$803.40
56639	03/15/2012	Bisbee Observer	$42.79
56640	03/15/2012	Bug-Wiser Exterminating, Inc.	$180.00
56641	03/15/2012	California Contractors Supply	$359.40
56642	03/15/2012	Capital Service Investigation	$837.90
56643	03/15/2012	Carondelet Health Care Corp	$1,033.67
56644	03/15/2012	CEMEX Construction Materials South, LLC	$944.63
56645	03/15/2012	CenturyLink	$592.32
56646	03/15/2012	CenturyLink	$273.42

56647	03/15/2012	CenturyLink	$421.59
56648	03/15/2012	Cochise County Assoc for the Handicapped	$80.20
56649	03/15/2012	Cochise Enterprises, LLC	$6,616.00
56650	03/15/2012	Cochise Private Industry Councel	$38,088.00
56651	03/15/2012	Coleman Technologies, Inc.	$2,376.00
56652	03/15/2012	Copper Queen Community Hospital	$621.82
56653	03/15/2012	Copper Queen Community Hospital	$1,885.83
56654	03/15/2012	Copper Queen Community Hospital	$1,831.50
56655	03/15/2012	Copygraphix Inc.	$3,295.73
56656	03/15/2012	CRM of America LLC	$15,288.79
56657	03/15/2012	Direct TV	$23.00
56658	03/15/2012	Durham Communication	$200.00
56659	03/15/2012	Durham Communication	$380.00
56660	03/15/2012	ECCO Equipment Corp.	$8,377.85
56661	03/15/2012	EcoWater of Sierra Vista	$195.93
56662	03/15/2012	ESRI, Inc.	$3,288.00
56663	03/15/2012	Gerdes, Barbara	$100.00
56664	03/15/2012	Good News Jail/Prison Ministry	$13,500.00
56665	03/15/2012	Hillyard Inc.	$240.19
56666	03/15/2012	Hodges Glass Co Inc	$811.50
56667	03/15/2012	HP Iron, Inc. dba Hitchin Post Iron	$1,537.11
56668	03/15/2012	Instrument Development Corporation	$103.65
56669	03/15/2012	Keefe Supply Company	$3,392.68
56670	03/15/2012	Kennedy Partners, LLC	$8,507.00
56671	03/15/2012	Key Government Finance, Inc.	$46,036.55
56672	03/15/2012	Kuttner, Barbara L	$48.16
56673	03/15/2012	Laboratory Corporation of America	$36.00
56674	03/15/2012	Laboratory Corporation of America	$358.00
56675	03/15/2012	Language Line Services, Inc.	$51.89
56676	03/15/2012	Legend Technical Services, Inc.	$2,359.00
56677	03/15/2012	Manring, Donald Gene	$114.98
56678	03/15/2012	Marshall & Swift/Boeckh, LLC	$1,042.50
56679	03/15/2012	Merle's Automotive Supply, Inc.	$1,082.43
56680	03/15/2012	Merle's Automotive Supply, Inc.	$1,111.34
56681	03/15/2012	Merle's Automotive Supply, Inc.	$53.53
56682	03/15/2012	Misita Enterprises LLC	$796.23
56683	03/15/2012	MME Consulting Services LLC	$1,125.00
56684	03/15/2012	OCLC Online Computer Library Center, Inc.	$678.69
56685	03/15/2012	Office Max	$26.49
56686	03/15/2012	Palmer Investigative Services	$4,764.08
56687	03/15/2012	Palominas Public School District #49	$136.58
56688	03/15/2012	Panayiotis A. Ellinas, MD MPH	$525.00
56689	03/15/2012	Panayiotis A. Ellinas, MD MPH	$100.00
56690	03/15/2012	Parent, Carol	$31.36
56691	03/15/2012	Porta-Pot	$787.50
56692	03/15/2012	Precise Digital	$3,288.67
56693	03/15/2012	Pro Petroleum, Inc.	$31,353.76
56694	03/15/2012	Pro Petroleum, Inc.	$79,362.93
56695	03/15/2012	Puff, Diane M. (Dee)	$386.84
56696	03/15/2012	Purcell's Western State Tire Company	$9,687.35
56697	03/15/2012	Radiology Ltd	$20.11
56698	03/15/2012	Radiology Ltd	$1,350.73
56699	03/15/2012	Recorded Books, LLC	$92.47
56700	03/15/2012	RSC Equipment Rental, Inc.	$81.64
56701	03/15/2012	RSC Equipment Rental, Inc.	$4,071.66
56702	03/15/2012	Ryan, William F	$44.80
56703	03/15/2012	Sierra Vista Public Schools District #68	$8.00
56704	03/15/2012	Sierra Vista Regional Health Center	$118.66
56705	03/15/2012	Sierra Vista, City of	$5,000.00
56706	03/15/2012	Simmons, Sylvia	$390.00
56707	03/15/2012	Solid Waste Assoc of North America (SWANA)	$233.00
56708	03/15/2012	Southeastern AZ Behavioral Health Svs-SEABHS, Inc.	$29,380.00
56709	03/15/2012	Southern AZ Children's Advocacy Ctr-SACAC	$200.00
56710	03/15/2012	Southern AZ Children's Advocacy Ctr-SACAC	$600.00
56711	03/15/2012	Southwest Disposal LC	$136.74
56712	03/15/2012	Southwest Laboratories, Inc.	$29.25
56713	03/15/2012	Southwest Polygraph Services, Inc.	$260.00
56714	03/15/2012	Sparkletts	$42.00
56715	03/15/2012	Sparkletts	$83.00
56716	03/15/2012	Sparkletts	$6.75
56717	03/15/2012	Sparkletts	$22.50
56718	03/15/2012	Sparkletts	$13.50
56719	03/15/2012	Sparkletts	$36.00
56720	03/15/2012	Speakman, Harry	$200.00
56721	03/15/2012	Stamback Septic Service	$447.32
56722	03/15/2012	Stantec Consulting Services, Inc.	$4,958.00
56723	03/15/2012	Streitfeld, Stephen V. MD PC	$500.00
56724	03/15/2012	T-Netix Telecom	$2,400.00
56725	03/15/2012	Tech Depot an Office Depot Company	$4,450.20
56726	03/15/2012	Tex-Net, Inc.	$396.16
56727	03/15/2012	Tombstone Unified School District #01	$58,008.00
56728	03/15/2012	UniFirst Corporation	$1,431.60
56729	03/15/2012	Union Distributing Company of Tucson	$1,770.68
56730	03/15/2012	USDA, APHIS	$19,182.00
56731	03/15/2012	Valley Telephone Cooperative, Inc.	$32.42
56732	03/15/2012	Verhelst Recovery House	$7,200.00
56733	03/15/2012	Verizon Wireless	$175.21
56734	03/15/2012	Verizon Wireless	$1,033.89
56735	03/15/2012	Verizon Wireless	$941.36
56736	03/15/2012	Verizon Wireless	$47.50
56737	03/15/2012	Verizon Wireless	$244.67
56738	03/15/2012	Verizon Wireless	$4,318.04
56739	03/15/2012	Waxie Sanitary Supply	$585.61
56740	03/15/2012	West Press	$1,490.85
56741	03/15/2012	WR Ryan Company	$1,719.29
56742	03/15/2012	Bonham, Marsha	$5,328.76
56743	03/15/2012	Call, Pat	$77.52
56744	03/15/2012	Cochise County Finance Revolving Fund	$5.00
56745	03/15/2012	Cochise County Finance Revolving Fund	$52.00
56746	03/15/2012	Cochise County Sheriff / Contingency	$234.18
56747	03/15/2012	Cochise County Sheriff / Contingency	$761.77
56748	03/15/2012	Holden, John	$180.00
56749	03/15/2012	Hunter, Jackie Lynn	$44.80
56750	03/15/2012	Prince, Jodi	$16.81
56751	03/15/2012	Sharp, Marshall	$700.00
56752	03/15/2012	Sierra Vista Electric, Inc.	$284.29
56753	03/15/2012	Skibinski, William R.	$83.30
56754	03/15/2012	US Postmaster	$25.67
56755	03/15/2012	Abrams, Edward	$224.00
56756	03/15/2012	Acton, Monica	$174.72
56757	03/15/2012	Cook, Travis W.	$78.00
56758	03/15/2012	Cooper, Renee	$184.10
56759	03/15/2012	Flannigan, Ana	$223.80
56760	03/15/2012	Honorable David Morales	$28.27
56761	03/15/2012	Jefferson, Brandie	$78.00
56762	03/15/2012	Kennedy, Megan R	$78.00
56763	03/15/2012	Mazanek, Tim	$205.99
56764	03/15/2012	Miner, Tom	$75.04
56765	03/15/2012	Morris, Carole	$28.00
56766	03/15/2012	Quarto, Tim	$217.28
56767	03/15/2012	Valentin, Trinidad	$33.60
56768	03/16/2012	Acuna, Cathy	$100.00
56769	03/16/2012	Aguilar, Ricardo Palomo	$45.00
56770	03/16/2012	Alvarez, Frances N	$30.00
56771	03/16/2012	Alvarez, Jesus R.	$51.00
56772	03/16/2012	Alvarez, Stephanie	$123.40
56773	03/16/2012	Ames, Rhonda	$35.10
56774	03/16/2012	Arevalos, Sandra	$30.00
56775	03/16/2012	Arreola, Alfred	$205.00
56776	03/16/2012	Ballou, Nancy	$100.00
56777	03/16/2012	Banister, Bess Fritz	$115.00
56778	03/16/2012	Beam, Joseph R	$115.00
56779	03/16/2012	Benoit, Minnie	$122.14
56780	03/16/2012	Bernal, Sherri	$123.40
56781	03/16/2012	Bernard, Donna G.	$150.00
56782	03/16/2012	Bethel, Jonnie Belle	$165.00
56783	03/16/2012	Bickel, Susan	$50.00
56784	03/16/2012	Blake, Pamela	$40.00
56785	03/16/2012	Bone, William	$165.00
56786	03/16/2012	Borgnaes, Edward	$144.40
56787	03/16/2012	Brady, Shon M.	$100.00
56788	03/16/2012	Bredeson, Clemens	$140.00
56789	03/16/2012	Brofer, Duane R	$165.00
56790	03/16/2012	Brooks, Jean	$120.00
56791	03/16/2012	BrowneLL, Rich	$50.00
56792	03/16/2012	Carbajal, Belen	$120.00
56793	03/16/2012	Carberry, Lucinda	$115.00
56794	03/16/2012	Cardona, Joan M.	$56.54
56795	03/16/2012	Celaya, Antonio A	$138.44
56796	03/16/2012	Celaya, Vickie	$140.00
56797	03/16/2012	Chavez, Isidro	$235.42
56798	03/16/2012	Chess-Burns, Linda M.	$157.56
56799	03/16/2012	Christiernsson, Florina	$135.16

56800	03/16/2012	Cisneros, Juan	$426.72
56801	03/16/2012	Cleveland, Jennie R.	$143.56
56802	03/16/2012	Cloudt, Nancy E.	$115.00
56803	03/16/2012	Cohorn, Katherine A.	$115.00
56804	03/16/2012	Cohorn, Phyllis	$115.00
56805	03/16/2012	Contreras, Lupe	$132.64
56806	03/16/2012	Cope, Judy C.	$115.00
56807	03/16/2012	Corey, Karen R. MS	$220.00
56808	03/16/2012	Daniel, Veronica	$100.00
56809	03/16/2012	Davis III, Arnold	$115.00
56810	03/16/2012	Davis, Betty	$115.00
56811	03/16/2012	Davis, Jeanette H.	$100.00
56812	03/16/2012	de la Cruz, Judy	$115.00
56813	03/16/2012	Decker, Audie Dale	$100.00
56814	03/16/2012	DeVine, Louisa M.	$115.00
56815	03/16/2012	Diaz, Aritta Kaye	$115.00
56816	03/16/2012	Dillingham, Bruce	$115.00
56817	03/16/2012	Dillingham, Patricia	$140.20
56818	03/16/2012	Ditmore, Donald	$115.00
56819	03/16/2012	Ditmore, Rosemary	$115.00
56820	03/16/2012	Doane, Cynthia	$87.46
56821	03/16/2012	Doane, Duane Earle	$40.00
56822	03/16/2012	Doty,Rosalie	$77.70
56823	03/16/2012	Earnest, Robert M.	$42.68
56824	03/16/2012	Escobedo, Cesar M	$198.36
56825	03/16/2012	Estrada, Humberto J.	$205.00
56826	03/16/2012	Evans, Bessie M.	$165.00
56827	03/16/2012	Evans, Michael	$115.00
56828	03/16/2012	Evans, Tara A	$165.00
56829	03/16/2012	Ferguson, C A	$115.00
56830	03/16/2012	Fernandez, Delia	$115.00
56831	03/16/2012	First Christian Church	$50.00
56832	03/16/2012	Florer, Ralph	$115.00
56833	03/16/2012	Fowler, Robert	$165.00
56834	03/16/2012	Freeland, Carl E.	$115.00
56835	03/16/2012	Freeland, Iris E	$115.00
56836	03/16/2012	Fyffe, Nancy B	$115.00
56837	03/16/2012	George, Nancy	$115.00
56838	03/16/2012	Gilbert, Charlotte B.	$115.00
56839	03/16/2012	Giles, Vanessa	$131.00
56840	03/16/2012	Girdler, Anne R.	$115.00
56841	03/16/2012	Girdler, Louis T.	$115.00
56842	03/16/2012	Glenn, Joyce	$115.00
56843	03/16/2012	Gonzales, Devon	$139.42
56844	03/16/2012	Grady, Carolyn J.	$115.00
56845	03/16/2012	Grady, Michael H.	$115.00
56846	03/16/2012	Graham, Margaret A	$140.00
56847	03/16/2012	Guilmette, Debra A.	$115.00
56848	03/16/2012	Hady, Nora	$115.00
56849	03/16/2012	Hallsted, Nannie Sue	$120.00
56850	03/16/2012	Hansen, Karla F	$115.00
56851	03/16/2012	Hardwick, Jeanie	$165.00
56852	03/16/2012	Hardwick, Russell	$100.00
56853	03/16/2012	Harris, Kara	$115.00
56854	03/16/2012	Heideman, Cynthia	$147.34
56855	03/16/2012	Heisner, Ina Mae	$120.00
56856	03/16/2012	Hess, Dennis Dean	$137.68
56857	03/16/2012	Higgins, Betty L.	$115.00
56858	03/16/2012	Hollis, Ursula A	$115.00
56859	03/16/2012	Howard, Nancy	$136.00
56860	03/16/2012	Hylsky, Edward	$115.00
56861	03/16/2012	Hylsky, James B.	$50.00
56862	03/16/2012	Hylsky, Vera	$50.00
56863	03/16/2012	Jansen, Keith M	$165.00
56864	03/16/2012	Jennings, Edith	$115.00
56865	03/16/2012	Johnson, Michelle	$140.00
56866	03/16/2012	Kenny, Margaret J	$122.14
56867	03/16/2012	Kindt, Kay M.	$165.00
56868	03/16/2012	Kirkley, Linda	$152.60
56869	03/16/2012	Klein, Jody	$115.00
56870	03/16/2012	Kuttner, Lou G. (Ludwig)	$140.00
56871	03/16/2012	LaRue, Rhonda	$113.09
56872	03/16/2012	Ligon, Jeraldine J.	$115.00
56873	03/16/2012	Lopez, Gabe	$42.64
56874	03/16/2012	Lopez, Heather	$25.00
56875	03/16/2012	Love, Glenda M.	$115.00
56876	03/16/2012	Lovette, Ruth	$100.00
56877	03/16/2012	Lujan Robert	$115.00
56878	03/16/2012	Lujan, Charlene	$115.00
56879	03/16/2012	Magnusson, Susana	$185.16
56880	03/16/2012	Marshall, Linda Eloise	$430.00
56881	03/16/2012	Marshall, Steve J.	$250.00
56882	03/16/2012	Martin, Norm J.	$115.00
56883	03/16/2012	Martzke, James	$140.00
56884	03/16/2012	Martzke, Vicki	$165.00
56885	03/16/2012	Marvin, Kathleen	$115.00
56886	03/16/2012	Masters, Susan	$165.00
56887	03/16/2012	McAvoy, Nancy	$165.00
56888	03/16/2012	McCaa, Julia	$115.00
56889	03/16/2012	Melies, William Robert	$220.00
56890	03/16/2012	Meneses, Jesus A	$272.20
56891	03/16/2012	Merriett, Loretta	$115.00
56892	03/16/2012	Micheau, Frances W.	$50.00
56893	03/16/2012	Micheau, Phillip C	$50.00
56894	03/16/2012	Miller, Deborah	$100.00
56895	03/16/2012	Monson, Clarence	$138.94
56896	03/16/2012	Monson, Marcia	$132.64
56897	03/16/2012	Montgomery, Robert	$50.00
56898	03/16/2012	Moon, Charlotte K	$108.40
56899	03/16/2012	Moses, Carol A.	$115.00
56900	03/16/2012	Munoz, Ana	$140.00
56901	03/16/2012	Munoz, Fernando	$55.00
56902	03/16/2012	Murray, Brian	$220.00
56903	03/16/2012	Nash, Arthur E.	$115.00
56904	03/16/2012	Naugle Sr, James R	$115.00
56905	03/16/2012	Neisler, Roberta	$115.00
56906	03/16/2012	Noyloa, Kenny	$115.00
56907	03/16/2012	Osborn, Marie Elena	$115.00
56908	03/16/2012	Pace, Regina	$490.00
56909	03/16/2012	Padia, Valerie	$140.00
56910	03/16/2012	Padia, Virginia R.	$115.00
56911	03/16/2012	Parizek, Sue C.	$115.00
56912	03/16/2012	Parks, Peggy E.	$136.84
56913	03/16/2012	Pearson, Stacey	$45.00
56914	03/16/2012	Phillips, Dorothy Lee	$135.16
56915	03/16/2012	Portal Fire Station	$50.00
56916	03/16/2012	Pressler, Janet	$115.00
56917	03/16/2012	Puckle, Donne E	$115.00
56918	03/16/2012	Quinonez, Magdalena	$115.00
56919	03/16/2012	Rand, R.	$123.40
56920	03/16/2012	Redding, Joye L	$115.00
56921	03/16/2012	Reyes, Alfred	$140.00
56922	03/16/2012	Rivera, Lupe	$165.00
56923	03/16/2012	Robbs, Rose Mary	$152.60
56924	03/16/2012	Rodriguez, Edna M.	$140.00
56925	03/16/2012	Rosadilla, Victor	$45.20
56926	03/16/2012	Rosenberg, Eve	$140.20
56927	03/16/2012	Rossow, Lucinda	$115.00
56928	03/16/2012	Rudd, Judith A.	$115.00
56929	03/16/2012	Salcido, Anna	$131.80
56930	03/16/2012	Schelling, Thomas	$185.00
56931	03/16/2012	Schmitt, Susan R.	$115.00
56932	03/16/2012	Schoder-Ehri, Ruth Ellen	$141.80
56933	03/16/2012	Seagren, Lillian	$100.00
56934	03/16/2012	Sills, Lorna Elizabeth	$115.00
56935	03/16/2012	Silva, William	$63.98
56936	03/16/2012	Simmons, Deborah	$196.50
56937	03/16/2012	Sin, Louise V	$165.00
56938	03/16/2012	Sine, Evie M.	$165.00
56939	03/16/2012	Smith, JoAnn A.	$148.60
56940	03/16/2012	Smith, Stephen, B.	$115.00
56941	03/16/2012	Stennis, Anthony	$25.00
56942	03/16/2012	Stout, Marty	$131.80
56943	03/16/2012	Stroud, William N. Jr.	$115.00
56944	03/16/2012	Stuppi, Ida	$115.00
56945	03/16/2012	Suarez, Vincent A. Jr.	$115.00
56946	03/16/2012	Sullivan, Jean	$181.80
56947	03/16/2012	Swaggerty, Loretta L.	$115.00
56948	03/16/2012	Sztuk, Mary	$141.04
56949	03/16/2012	Tedla, Frances	$115.00
56950	03/16/2012	Teran, Lupita	$100.00
56951	03/16/2012	Thompson, Michael A.	$50.00
56952	03/16/2012	Tingle, Joyce	$165.00
56953	03/16/2012	Titus, Wanda	$215.00

56954	03/16/2012	Tritz, Judith Linda	$115.00
56955	03/16/2012	Urbalejo, Edward	$165.00
56956	03/16/2012	Valencia, Lydia G.	$100.00
56957	03/16/2012	Valencia, Rosemary	$115.00
56958	03/16/2012	Vander-Heyden, Laura T.	$140.00
56959	03/16/2012	Vander-Heyden, Leon J.	$140.00
56960	03/16/2012	Vargas, Henry	$140.00
56961	03/16/2012	Viverto, John	$115.00
56962	03/16/2012	Walker, David B.	$121.72
56963	03/16/2012	Walker-Earnest, Clara	$20.00
56964	03/16/2012	Wallace, Kenneth	$165.00
56965	03/16/2012	Wangsness, Peter	$165.00
56966	03/16/2012	Weiner, Violet M.	$115.00
56967	03/16/2012	Weisberger, Arthur	$115.00
56968	03/16/2012	Weston, Robert W.	$106.72
56969	03/16/2012	White, Lillian	$115.00
56970	03/16/2012	Wilhoit, Mary	$125.00
56971	03/16/2012	Wisniewski, Anthony	$161.00
56972	03/16/2012	Wysong, Lorenza L	$100.00
56973	03/16/2012	Ybarra, Vicente	$84.44
56974	03/16/2012	Zona Busselle	$115.00
56975	03/16/2012	Aguilar, Ricardo Palomo	$30.00
56976	03/16/2012	Arreola, Alfred	$130.00
56977	03/16/2012	Cohorn, Katherine A.	$115.00
56978	03/16/2012	Cohorn, Phyllis	$125.00
56979	03/16/2012	Diaz, Aritta Kaye	$115.00
56980	03/16/2012	Doane, Cynthia	$35.12
56981	03/16/2012	Doane, Duane Earle	$20.00
56982	03/16/2012	Estrada, Humberto J.	$130.00
56983	03/16/2012	Gilbert, Charlotte B.	$115.00
56984	03/16/2012	Giles, Vanessa	$110.00
56985	03/16/2012	Hess, Dennis Dean	$124.24
56986	03/16/2012	Hindbaugh, Julia P.	$123.40
56987	03/16/2012	Howard, Nancy	$115.00
56988	03/16/2012	Lopez, Gabe	$43.92
56989	03/16/2012	Lopez, Heather	$22.50
56990	03/16/2012	Martinez,Kathy	$115.00
56991	03/16/2012	Murray, Brian	$40.00
56992	03/16/2012	Pearson, Stacey	$45.00
56993	03/16/2012	Rocco, Tracey	$69.72
56994	03/16/2012	Rosadilla, Victor	$144.10
56995	03/16/2012	Rowden, Terry D.	$100.00
56996	03/16/2012	Stout, Marty	$100.00
56997	03/16/2012	Stout, Michael W.	$115.00
56998	03/16/2012	Stroud, William N. Jr.	$115.00
56999	03/16/2012	Sullivan, Jean	$165.00
57000	03/16/2012	Tedla, Frances	$115.00
57001	03/16/2012	Wachendorf, Patricia	$124.24
57002	03/16/2012	Walker, David B.	$140.00
57003	03/16/2012	Wisniewski, Anthony	$150.92
57004	03/16/2012	Ybarra, Vicente	$40.00
57010	03/20/2012	AOC Corrections Officer Retire	$17,453.96
57011	03/20/2012	Arizona Department of Revenue	$50.00
57012	03/20/2012	Aron & Associates, P.C.	$210.21
57013	03/20/2012	Bursey & Associates, P.C.	$253.25
57014	03/20/2012	Citibank (South Dakota), N.A.	$19.40
57015	03/20/2012	CitiFinancial-Chandler	$48.94
57016	03/20/2012	Colonial Suppemental Insurance	$29.50
57017	03/20/2012	Correction Officers	$12,717.10
57018	03/20/2012	Correction Officers	$250.53
57019	03/20/2012	Davenport, Joubert W.	$283.79
57020	03/20/2012	DCS	$352.27
57021	03/20/2012	DeConcini McDonald Yetwin	$280.62
57022	03/20/2012	GMAC, c/o Jennifer A. Christie	$97.01
57023	03/20/2012	Guglielmo, Paul D.	$453.90
57024	03/20/2012	JP Morgan Chase	$954,596.92
57025	03/20/2012	JP Morgan Chase	$39,247.24
57026	03/20/2012	JP Morgan Chase	$308,886.97
57027	03/20/2012	NACO West	$25,497.40
57028	03/20/2012	National Bank	$5,970.92
57029	03/20/2012	NYS Child Support Processing Center	$48.00
57030	03/20/2012	NYS Child Support Processing Center	$461.21
57031	03/20/2012	Opal Financial, LLC	$211.97
57032	03/20/2012	Public Safety Retirement Syst	$16,975.84
57033	03/20/2012	Public Safety Retirement Syst	$55,419.07
57034	03/20/2012	Public Safety Retirement Syst	$199.32
57035	03/20/2012	Public Safety Retirement Syst	$758.56
57036	03/20/2012	QC Financial Services	$24.77
57037	03/20/2012	Seidberg Law Offices, P.C.	$438.24
57038	03/20/2012	Seidberg Law Offices, P.C.	$365.07
57039	03/20/2012	Sheakley Pension Administratio	$484.50
57040	03/20/2012	Support Payment Clearinghouse	$7,032.34
57041	03/20/2012	TIAA-CREF as agent for JPMorgan Chase	$2,245.00
57042	03/20/2012	U.S. Department of Education	$159.91
57043	03/20/2012	United States Treasury	$100.00
57044	03/20/2012	United Way	$95.00
57045	03/20/2012	Westlake Services, Inc.	$201.42

Consent 2.

Regular Board of Supervisors Meeting **Community Development**

Meeting Date: 04/10/2012

Appoint Kelly Glenn-Kimbro to the Public Lands Advisory Committee (PLAC)

Submitted By: Mike Turisk, Community Development

Department:	Community Development	**Division:**	Planning
Presentation:	No A/V Presentation	**Recommendation:**	Approve
Document Signatures:	BOS Signature NOT Required	**# of ORIGINALS Submitted for Signature:**	0
NAME of PRESENTER:	N/A	**TITLE of PRESENTER:**	N/A
Docket Number (If applicable):			
Mandated Function?:	Not Mandated	**Source of Mandate or Basis for Support?:**	

Information

Agenda Item Text:

Appoint Ms. Kelly Glenn-Kimbro to the Public Lands Advisory Committee (PLAC) through June 30, 2012 to fill the vacancy created by Ed Monzingo's resignation and simultaneously extend Ms. Glenn-Kimbro's appointment from July 1, 2012 to June 30, 2014.

Background:

Mr. Ed Monzingo resigned from the PLAC as a representative for District 2, and Supervisor English selected Kelly Glenn-Kimbro to fill the vacant seat for the duration of Mr. Monzingo's term. Mr. Monzingo's term expires on June 30, 2012 so this action also extends Ms. Glenn-Kimbro's appointment for the full new term from July1, 2012 to June 30, 2014.

Department's Next Steps (if approved):

Send Ms. Glenn-Kimbro a letter of appointment, the Oath of Office, and OML summary.

Impact of NOT Approving/Alternatives:

District 2 will have only one appointed member on the PLAC.

To BOS Staff: Document Disposition/Follow-Up:

Please file the notarized Oath of Office.

Consent 3.

Regular Board of Supervisors Meeting **Community Development**

Meeting Date: 04/10/2012

Response to National Park Service's Proposed Invasive Plant Species Control Efforts in the County

Submitted By: Mike Turisk, Community Development

Department:	Community Development	**Division:**	Planning
Presentation:	No A/V Presentation	**Recommendation:**	Approve
Document Signatures:	BOS Signature Required	**# of ORIGINALS Submitted for Signature:**	1
NAME of PRESENTER:	N/A	**TITLE of PRESENTER:**	N/A
Docket Number (If applicable):			
Mandated Function?:	Not Mandated	**Source of Mandate or Basis for Support?:**	

Information

Agenda Item Text:

Authorize sending the attached letter which supports the National Park Service's proposed invasive plant species control efforts in the Chiricahua National Monument, Ft. Bowie National Historic Site and the Coronado National Memorial.

Background:

The National Park Service is soliciting comments regarding that agency's proposed implementation of an invasive plant species control program at the Chiricahua National Monument, Ft. Bowie National Historic Site and the Coronado National Memorial. The NPS proposes to use an integrated Pest Management ("IPM") program which is a comprehensive control approach considered more effective than single-control strategies. The NPS intends to conduct post-treatment assessments to determine the effectiveness of this control strategy.

We support this integrated and multi-faceted approach to invasive plant species management within Cochise County, as doing so would help improve wildlife habitat and forage, improve the integrity of riparian areas, and increase rangeland productivity. Well-managed, proactive and comprehensive invasive plant species control regimes such as is being proposed by the NPS are effective in discouraging the proliferation of invasive plants; this is especially important in the aftermath of significant fire events to ensure invasive plants do not become established in fire-affected areas.

Department's Next Steps (if approved):

Have the Chairman sign and send the letter.

Impact of NOT Approving/Alternatives:

The County would not provide comments.

To BOS Staff: Document Disposition/Follow-Up:

Please send the letter directly to the National Park Service by April 19, 2012 to:

Mr. Robert Love, Acting Superintendent
Chiricahua National Monument/Ft. Bowie National Historic Site/Coronado National Memorial
12856 E. Rhyolite Creek Rd.
Willcox, AZ 85643

Ms. Danielle Foster, Natural Resource Program Manager
Chiricahua National Monument/Ft. Bowie National Historic Site/Coronado National Memorial
12856 E. Rhyolite Creek Rd.
Willcox, AZ 85643

Attachments

Letter From NPS 3-12-12

Letter to NPS (RE: Invasive Plants Control Program)

United States Department of the Interior
NATIONAL PARK SERVICE
SOUTHEAST ARIZONA GROUP
Chiricahua National Monument
Coronado National Memorial
Fort Bowie National Historic Site
12856 East Rhyolite Creek Road
Willcox, AZ 85643

RECEIVED
COCHISE COUNTY
BOARD OF SUPERVISORS
2012 MAR 22 A 11:56

In Reply Refer To:
File Code 7617

March 21, 2012

Dear Friends and Neighbors:

In 2009 the National Park Service (NPS) proposed to treat invasive plant species at Chiricahua National Monument in Willcox, AZ, Fort Bowie National Historic Site in Bowie, AZ, and Coronado National Memorial in Hereford, AZ. At that time we asked for your input as we worked to assess the potential environmental impacts from invasive plant treatments. Respondents asked to be kept informed as we finalized the proposal and analysis. Unfortunately, we were not able to complete the assessment process in a timely manner.

Due to the changed conditions in the park units, and that time that has passed since we previously requested your comments, we are reinitiating the environmental assessment and are asking for any additional public input. Any comments previously submitted have been retained and will be considered. If you have any new comments on the proposal shown below, please follow the comment process described at the end of this letter.

Invasive plant inventories have been completed by the NPS Sonoran Desert Inventory and Monitoring Network, Tucson, AZ, and identified a number of invasive plant species in all three park units. During the summer of 2011 the Horseshoe 2 Fire burned across Chiricahua National Monument, and the Monument Fire across Coronado National Memorial. Post-fire conditions are often susceptible to the colonization and spread of invasive plant species. Invasive plant surveys were conducted immediately following the fires and additional early detection surveys are planned to continue to identify invasive populations in need of treatment.

In response to known invasive plant issues and the potential for increased infestations following the wildfires, we are assessing the impacts of implementing integrated pest management practices to treat non-native and native plants that become invasive (or out of balance) with the natural plant communities, primarily due to disturbance. Treatments to invasive species that are present in the monuments or become established over the next 10 years will be assessed.

Treatments will be specific to the biology of the invasive species and will be based on the best research available. Treatments to be considered would include:

Mechanical – mowing, pulling, smothering, and tilling
Chemical – herbicides
Biological – organisms or pathogens specific to target invasive plants
Cultural – prescribed fire, grazing and restoration

Herbicides will be applied under the supervision of a licensed applicator according to label directions. Restoration following treatments may be implemented to restore native plant communities and to prevent re-colonization by invasive plants. Research projects may be implemented to help determine the best treatment methods for specific species.

An Environmental Assessment will be prepared in compliance with the National Environmental Policy Act (NEPA) to provide the decision-making framework that 1) analyzes a reasonable range of alternatives to meet project objectives, 2) evaluates issues and impacts to park resources and values, and 3) identifies mitigation measures to lessen the degree or extent of these impacts.

The park encourages public participation throughout the planning process. There will be two opportunities to comment formally on the project; once during initial project scoping and again following release of the Environmental Assessment. The park is currently in the scoping phase of this proposed project, and invites the public to submit written suggestions, comments, and concerns regarding the proposed project online at the NPS Planning, Environment, and Public Comment (PEPC) website at: http://parkplanning.nps.gov/chir.

If you are not able to submit comments electronically through this website, you may submit written comments to the address on this letterhead. Please provide comments by April 23, 2012. These comments will be considered during preparation of the Environmental Assessment.

It is the practice of the NPS to make all comments, including names and addresses of respondents who provide that information, available for public review following the conclusion of the environmental assessment process. Individuals may request that the NPS withhold their name and/or address from public disclosure. If you wish to do this, you must state this prominently at the beginning of your comment. Commentators using the website can make such a request by checking the box "keep my contact information private." NPS will honor such requests to the extent allowable by law, but you should be aware that NPS may still be required to disclose your name and address pursuant to the Freedom of Information Act. We will make all submissions from organizations, businesses, and from individuals identifying themselves as representatives or officials of organizations or businesses available for public inspection in their entirety.

We look forward to hearing from you.

Sincerely,

Robert Love
Acting Superintendent

Consent 4.

Regular Board of Supervisors Meeting **County Attorney**

Meeting Date: 04/10/2012

2011/2012 Arizona Automobile Theft Authority Grant - Vertical Prosecution

Submitted By: Sue Blanchard, County Attorney

Department: County Attorney

Presentation:	No A/V Presentation	**Recommendation:**	Approve
Document Signatures:	BOS Signature Required	**# of ORIGINALS Submitted for Signature:**	3
NAME of PRESENTER:	N/A	**TITLE of PRESENTER:**	N/A
Mandated Function?:	Federal or State Mandate	**Source of Mandate or Basis for Support?:**	A.R.S. §11-532(A)(1)

REMINDER: You will use this Agenda Item template if your item involves a Grant (whether a new or renewal grant). You also must attach the Grant Approval Form to the item before Finance will approve it. Select the SPECIAL LINKS on your left-hand menu and Click on "Grant Approval Form". Then complete the form, save it and attach it to your item (on the Attachments tab).

Information

Agenda Item Text:

Approve the Arizona Automobile Theft Authority Grant Agreement, Vertical Prosecution Program Fiscal Year 2011/2012, between the Arizona Automobile Theft Authority and the Cochise County Attorney's Office from July 1, 2011 to June 30, 2012 in the amount of $41,958.74.

Background:

This grant provides the funding for continued enhanced prosecution of auto theft cases in Cochise County. From 2003 through 2009 we received grant funding from the Arizona Auto Theft Authority. These awards were focused on vertical prosecution, one attorney in the office was funded solely to prosecute auto theft cases. We were not awarded funding for 2009-2010 or 2010-2011. March of last fiscal year the Arizona Automobile Theft Authority contacted us to offer grant money for us to prosecute auto theft cases. With implementation of the Early Resolution Court, the vertical prosecution concept does not fit. Therefore, the Auto Theft Authority modified their requirements to allow us to prosecute auto theft cases through the Early Resolution Court process and agreed to fund one prosecutor at 50%. We were awarded funding for a 50% prosecutor for FY 11-12.

Fiscal Impact & Funding Sources: Arizona Automobile Theft Authority is providing funding in the amount of $41,958.74, which will fund 50% of Dan Aker’s salary and EREs.

Department's Next Steps (if approved):

Arizona Automobile Theft Authority is providing funding in the amount of $41,958.74, which will fund 50% of Dan Aker’s salary and EREs for the period July 1, 2011 thru June 30, 2012, generating a savings to the general fund.

Impact of NOT Approving/Alternatives:

The general fund would have to fund 50% of Mr. Aker’s salary.

To BOS Staff: Document Disposition/Follow-Up:

Please: 1) sign the agreements (x3) and return two (2) of the originals to the County Attorney's Office after Board approval; and 2) send a certified copy, upon Board approval, of the Board Minutes approving ththis agreement to the County Attorney's Office.

Fiscal Impact

Fiscal Year:	2011/2012
One-time Fixed Costs? ($$$):	
Ongoing Costs? ($$$):	
County Match Required? ($$$):	-0-
A-87 Overhead Amt? (Co. Cost Allocation $$$):	11,354.04
Source of Funding?:	Grant

Fiscal Impact & Funding Sources (if known):

Funding Source: Arizona Automobile Theft Authority Vertical Prosecution Grant

---

Attachments

Request for Grant Approval form

AZ Automobile Theft Authority Grant Agreement

COCHISE COUNTY GRANT APPROVAL FORM

Form Initiator: GLORIA G. GERMAN Department/Division: ATTORNEY

Date Prepared: MARCH 20, 2012 Telephone: (520) 432-8700

Grantor: ARIZONA AUTO THEFT AUTHORITY Grant Title: AUTO THEFT GRANT

Grant Term From: July 1, 2011 To: June 30, 2012

Fund No/Dept. No: FUND 579 Note: Fund No. will be assigned by the Finance Department if new.

New Grant ☐ Yes ☒ No Amendment No. _____ Increase $ _____ Decrease $ _____

Briefly describe purpose of grant:

Fund a 50% FTE position to prosecute vehicle theft cases.

If amendment, provide reason:

If this is a mandated service, cite source. If not mandated, cite indications of local customer support for this service:

A.R.S. §11-532(A)(1)

Funding Sources	Federal Funds 332.100	State Funds 336.100	County Funds 391.000	Other	Total
Current Fiscal Year		41,958.74			$41,958.74
Remaining Years					
Total Revenue		$41,958.74			$41,958.74

Is County match required? ☐ Yes ☒ No If yes, dollar amount $ _____

Has this amount been budgeted? ☒ Yes ☐ No Identify Funding Source: Fund 579

Federal Catalog of Federal Domestic Assistance (CFDA) No: _____

Method of collecting grant funds: Lump sum payment ☐ Quarterly payments ☒ Draw ☐ Reimbursement ☐

Is revertment of unexpended funds required at end of grant period? ☒ Yes ☐ No

a) Total A-87 cost allocation 27.06%

b) Amount of overhead allowed by grant $11,354.04 County subsidy (a-b) _____

Does Grantor accept indirect costs as an allowable expenditure? ☐ Yes ☒ No

If yes, dollar amount $ _____ OR percentage allowed _____ %

Number of new positions that will be funded from grant: .5 Number of existing positions funded from grant: .5

ARIZONA AUTOMOBILE THEFT AUTHORITY

2011/2012 VERTICAL PROSECUTION PROGRAM

GRANT AGREEMENT

This Agreement awarding **$41,958.74** for Vertical Prosecution is made effective the **1st day of July 2011**, by and between the Arizona Automobile Theft Authority, hereinafter referred to as the AATA, and Cochise County Attorney's Office, hereinafter referred to as the GRANTEE. The AATA enters into this agreement pursuant to its authority under the provision of ARS § 41-3451 and having satisfied itself as to the qualifications of the GRANTEE.

Vertical Prosecution, for the purposes of this agreement shall mean that unless impossible or impractical, the grant funded prosecutor(s) shall maintain functional control of and responsibility for all aspects of vehicle theft cases including but not limited to reviewing case submittals, making charging decisions, preparing grand jury presentation instructions, engaging in motion practice, determining plea resolutions, and taking auto theft cases to trial.

The grant funded attorney(s) shall give priority to, prosecute and maintain functional control of all cases submitted by the Vehicle Theft Task Force.

50% DBB 3/20/12

The grant funded attorney shall devote 100% of his or her time to the vertical prosecution of vehicle theft suspects, assisting law enforcement in on-going auto theft investigations, supporting and participating in programs or events to increase public awareness and community education in vehicle theft prevention and supporting the programs of the Automobile Theft Authority.

NOW, THEREFORE, it is agreed between the parties as follows:

1. This agreement will commence on July 1, 2011, and terminate on June 30, 2012. This agreement is subject to cancellation pursuant to the provision of ARS §38-511. This AATA grant expires at the end of the agreement period, unless prior written approval for an extension has been obtained from the AATA. The GRANTEE agrees to return all unexpended funds to the AATA within 60 days of the expiration date of this grant or within 60 days of termination of this grant should termination occur prior to original expiration date, unless a grant extension is agreed to and an approved carry forward is authorized. Grant funds are intended to be used exclusively for reimbursement of expenditures related to 1.00 FTE prosecutor positions dedicated solely to vertical prosecution, as defined above. Grant funds will not be used to supplant Federal, State, County, or local funds that would otherwise be made available to the GRANTEE for prosecution purposes, but to supplement funds already existing for the prosecution of vehicle theft. Grant funding of 50% FTE positions will be considered exempt from the supplanting provision of this grant contract. Grant funds that are

distributed pursuant to this agreement are not to be expended for any indirect costs incurred by the GRANTEE for the administration of this grant.

2. The grant award is to fund a prosecutor(s) who will execute their duties in accordance with the intended purpose and spirit of this agreement and the above definition of vertical prosecution. The funded prosecutor shall maintain functional control of and responsibility for all aspects of vehicle theft cases referred to the Cochise County Attorney's Office's office by the Arizona Vehicle Theft Task Force. The grant funded attorney shall devote his or her time to the vertical prosecution of vehicle theft suspects, assisting law enforcement in on-going auto theft investigations, supporting and participating in programs or events to increase public awareness and community education in vehicle theft prevention and supporting the programs of the Arizona Automobile Theft Authority. In addition, the funded prosecutor will work with law enforcement officers to improve the quality of vehicle theft cases submitted for prosecution. The prosecutor should to the extent possible, and practicable, share criminal justice prosecution information with other authorized criminal justice agencies.

3. The GRANTEE shall operate in a manner consistent with, and in compliance with, the provisions and stipulations of the approved AATA grant application letter and this agreement. If the AATA finds non-compliance, the GRANTEE will receive a formal written notice that identifies the area of non-compliance and the appropriate corrective action to be taken. If the GRANTEE does not respond within thirty calendar days to this notice, and does not provide sufficient information concerning the steps that are being taken to correct the problem, the AATA may suspend funding or permanently terminate the agreement or revoke the grant. Any deviation or failure to comply with the purposes and/or conditions of this agreement without written permission from the AATA may constitute sufficient reason for the AATA to terminate the agreement. The revocation of the grant will require the return of all unspent funds, require that an audit of expended funds be performed at GRANTEE'S expense. It will also require the return of any previously expended funds that may have been spent in violation of the purposes and conditions of the grant.

4. The final funding schedule will be determined by the AATA and will be based on funding availability.

5. Requests for budget adjustments and/or reprogramming must be submitted in writing to the AATA.

APPROVED FY2012 GRANT REQUEST:

Title	Total
Personal Services	$32,573.93
Employee Related Expenses (ERE)	$9,384.81
Total AATA Approved	**$41,958.74**

PERFORMANCE MEASURE AND FINANCIAL REPORTING REQUIREMENTS

Measure Group	Performance Measure	Reporting Period
Vertical Prosecutor(s)	Number of Positions Funded	Quarterly
	Number of Positions Filled	Quarterly
Number of Vehicle Theft Cases (Charged)	Task Force Cases	Quarterly
	Other Agency Cases	Quarterly
Number of Vehicle Theft Cases Declined (Unpublished)	Task Force Cases	Quarterly
	Other Agency Cases	Quarterly
Open Vehicle Theft Cases	Task Force Cases Open	Quarterly
	Other Agency Cases Open	Quarterly
Number of Vehicle Theft Convictions	Task Force Cases	Quarterly
	Other Agency Cases	Quarterly
Cost Per Case (Charged)	Grant Amount Current Quarter	Quarterly
	Total Spent-Task Force Cases	Quarterly
	Total Spent-Other Cases	Quarterly
	Total Cost Per Case	Quarterly
Cost Per Conviction	Grant Amount Current Quarter	Quarterly
	Total Cost-Task Force Convictions	Quarterly
	Total Cost-Other Convictions	Quarterly
	Total Cost Per Conviction	Quarterly
Other Conviction Data (Total of other categories)	Number of Repeat Offenders-Vehicle Theft	Quarterly
	Number of Repeat Offenders-Other Felonies	Quarterly
	Violence or Weapons Involved	Quarterly
	Possesion of Drugs/Drug Parahernalia	Quarterly

	Transportation of Drugs	Quarterly
	Illegal Alien Suspects	Quarterly
	Illegal Alien Smuggling	Quarterly
	Bait Car Convictions	Quarterly
	Mobile License Plate Reader (LPR) Convictions	Quarterly
Number of Vehicle Theft Cases Closed	Task Force Cases Closed	Quarterly
	Other Agency Cases Closed	Quarterly
Conviction Rate (YTD Average)	Conviction Rate (YTD Average)	Quarterly
Sentencing First Offenders (YTD Average)	Average Length of Probation (months)	Quarterly
	Average Prison Sentence (months)	Quarterly
Sentencing Repeat Offenders (YTD Average)	Average Length of Probation (months)	Quarterly
	Average Prison Sentence (months)	Quarterly
Restitution Ordered	Restitution Ordered	Quarterly
Public Awareness/Training	Number of Public Awareness Events Sponsored	Quarterly
	Number of Training Sessions Conducted	Quarterly
Vertical Prosecutor(s) Funded	Number of Positions Funded	Quarterly
Vertical Prosecution Positions Filled	Number of Positions Filled	Quarterly
Grant Amount Expended Current Quarter	Grant Amount Expended	Quarterly
Task Force (TF) Total Expended-Cases Charged	Total (TF cases charged/grant amt expended)	Quarterly
	Total: (Total cost per case X TF cases charged)	Quarterly
Total Expended-Other Cases (Charged)	Total: (Total cost per case X other cases charged)	Quarterly
Total Cost Per Case (Charged)	Total (Grant amt expended/total cases charged)	Quarterly
Total Cost Per Conviction	Total: (Grant amt expended/ # of convictions)	Quarterly
Cost Task Force Convictions	Total: (Cost per conviction X TF convictions)	Quarterly
Cost Other Convictions	Total: (Cost per conviction X other convictions)	Quarterly

6. The grant funds awarded under this agreement are conditioned upon the availability of funds appropriated or allocated for the cash payment of such obligation. If funds are not allocated, are reverted or otherwise unavailable for the continuance of this agreement, the AATA may terminate this agreement at the end of the period for which funds are available. No liability shall accrue to the AATA in the event this provision is exercised, and the

AATA shall not be obligated or liable for any future payments or for any damages as a result of termination under this paragraph.

7. The GRANTEE agrees to track and report quarterly the performance criteria as specified and defined by the Arizona Automobile Theft Authority. Specific performance measures and report formats effective for this grant award will be mailed and/or available on AATA's website under Grants Page.

8. The GRANTEE agrees to comply with the financial and administrative requirements set forth in this agreement and to comply with the organizational audit requirements of OMB Circular A-128, *Audits of State and Local Governments*. The GRANTEE agrees to account for the interest earned on AATA grant funds, use interest only for the purpose of paying AATA approved grant expenditures, and shall remit interest earned to the AATA within 60 days of the expiration of this grant, unless a prior written request justifying the uses of such funds is submitted and approved by the AATA.

9. The GRANTEE agrees that it will provide accounting, auditing, and monitoring procedures to safeguard AATA grant funds and keep such records to assure proper fiscal controls, management, and the efficient disbursement of AATA grant funds.

10. Pursuant to the provisions of ARS § 35-214 and ARS § 35-215, GRANTEE shall retain all books, account reports, files, and other records relating to this agreement and performance of this agreement for a period of five (5) years after the completion of this agreement. All such documents shall be subject to inspection and audit at reasonable times.

11. The GRANTEE agrees to submit quarterly financial and performance reports to the AATA, documenting the activities supported by the AATA grant funds and providing an assessment of the impact of those activities on the criminal justice system.

12. This agreement may be modified only by a written amendment signed by persons duly authorized to enter into agreements on behalf of the AATA and GRANTEE. Any notice given pursuant to this agreement shall be in writing and shall be considered to have been given when actually received by the following addressees or their agents or employees.

13. The GRANTEE agrees that it will comply with applicable nondiscrimination requirements of ARS § 41-1463, applicable State and Federal civil rights laws, and Executive Order 99-4.

14. The GRANTEE agrees that in the event that a Federal or State court, or Federal or State administrative agency, after a due process hearing, makes a finding of discrimination on the grounds of race, color, religion, national origin, sex, age, or disability against the GRANTEE regarding the program or activities supported by this grant, the GRANTEE will forward a copy of such findings to the AATA.

15. The GRANTEE agrees that in the event that a Federal or State court, or Federal or State administrative agency, after a due process hearing, makes a finding of discrimination on the grounds of race, color, religion, national origin, sex, age, or handicap against the GRANTEE regarding the program or activities supported by this grant, the GRANTEE will forward a copy of such findings to the AATA.

16. The GRANTEE certifies it will comply with the Drug-Free Workplace Act of 1988 as delineated in 28 CFR Part 67, Subpart F, for grantees, as defined in 28 CFR Part 67 Sections 67.615 and 67.620.

17. GRANTEE and the AATA agree to use arbitration in the event of disputes in accordance with the provisions of ARS § 12-1501 et seq.

18. The laws of the State of apply to questions arising under this agreement and any litigation regarding this agreement must be maintained in courts, except as provided in paragraph 14 of this agreement pertaining to disputes which are subject to arbitration.

19. The GRANTEE agrees that it is acting as an independent contractor and agrees to hold the AATA harmless from the actions of the GRANTEE AND GRANTEE'S employees.

20. No right or interest in this agreement shall be assigned by GRANTEE without prior written approval of the AATA. No delegation of any duty of GRANTEE shall be made without the prior written approval of the AATA.

IN WITNESS WHEREOF, the parties have made and executed this agreement the day and year first above written.

FOR THE GRANTEE:

_____ **Date:** 3/21/12
Cochise County Attorney's Office

_____ **Date:** _____

_____ **Date:** _____

_____ **Date:** _____
ATTEST:

_____ **Date:** _____
Clerk

FOR THE AUTOMOBILE THEFT AUTHORITY:

_____ **Date:** _____
Brian R. Salata, AATA Executive Director

APPROVED AS TO FORM:

_____
Britt W. Hanson, CHief Civil Deputy
Cochise County Attorney's Office

If to the AATA:

AUTOMOBILE THEFT AUTHORITY
1400 W. Washington Street, Suite 270
Phoenix, Arizona 85007
Attn: Brian R. Salata, Executive Director

If to the GRANTEE:

Cochise County Attorney's Office
P.O Drawer CA
Bisbee, AZ 85603
Attn: Ann Armstrong

Consent 5.

Regular Board of Supervisors Meeting **Elections and Special Districts**

Meeting Date: 04/10/2012

Accept Election Certification Canvass of the Palominas Fire District Recall Election

Submitted By: Juanita Simmons, Elections & Special Districts

Department: Elections & Special Districts

Presentation:	No A/V Presentation	**Recommendation:**	Approve
Document Signatures:	BOS Signature NOT Required	**# of ORIGINALS Submitted for Signature:**	0
NAME of PRESENTER:	N/A	**TITLE of PRESENTER:**	N/A
Docket Number (If applicable):			
Mandated Function?:	Federal or State Mandate	**Source of Mandate or Basis for Support?:**	A,.R.S 16-642 (b)

Information

Agenda Item Text:

Accept certification of canvass for the March 13, 2012 Consolidated Palominas Fire District Recall Election.

Background:

On March 13, 2012 the consolidated election included the recall of Debbie Stoner from the Palominas Fire District Board. Ms. Stoner and Mr. Starnes were the two candidates on the ballot. Ms. Stoner won the election with 390 votes (57.69%) compared to Mr. Starnes 283 votes (41.86%). On March 29, 2012, the Palominas Fire District Governing Board canvassed and certified the election results.

A.R.S. 16-642 (b) states that the governing board of a special district shall present to the BOS a certified copy of the official canvass of the election.

Department's Next Steps (if approved):

None

Impact of NOT Approving/Alternatives:

Cochise County would not be in compliance with A.R.S. 16-642 (b)

To BOS Staff: Document Disposition/Follow-Up:

None

Attachments

PFD Election

Palominas Fire District

10202 S. Hwy 92, Palominas Arizona 85615 Phone 520-803-9919

CERTIFICATION OF CANVASS
March 13, 2012 CONSOLIDATED ELECTION
PALOMINAS FIRE DISTRICT RECALL

We, the undersigned, being Elected Officials of the Palominas Fire District Governing Board, do hereby certify, that the attached six page document was received from the Election Officer of Cochise County, Juanita Simmons, and is hereby accepted as the true and correct copy of the Official Results for the March 13, 2012 Palominas Fire District Recall election.

Abstain

Debbie Stoner — Board Chair — Date

Tommy Stoner — Board Clerk — 29 MARCH 2012 — Date

Lloyd Trachtenberg — Board Treasurer — 3/29/12 — Date

Thomas Davis — Board Member — 3-29-12 — Date

Absent

Chuck Mullens — Board Member — Date

COCHISE COUNTY ELECTIONS / SPECIAL DISTRICTS

P.O. Box 223 Bisbee, Arizona 85603 FAX: (520) 432-8995

CERTIFICATION OF CANVASS
MARCH 13, 2012 CONSOLIDATED ELECTION
PALOMINAS FIRE DISTRICT RECALL

I, the undersigned, being an Election Officer of Cochise County, do hereby certify, that attached hereto is a true and correct copy of the Official Results for the March 13, 2012 Palominas Fire District Recall election that has been filed in the records of the Cochise County Elections/Special Districts Office.

	Voter Registration:	Ballots Processed:	Ballots Rejected: Early & Precinct
Poll 0007 Palominas	2336	679	5
TOTAL	2336	679	5

State of Arizona
County of Cochise

Juanita M Simmons, Election Officer

OFFICIAL SEAL
MARTHA L. DOMANN
NOTARY PUBLIC - State of Arizona
COCHISE COUNTY
My Comm. Expires Oct. 14, 2014

This instrument was acknowledged before me this 16th day of MARCH, 2012 by JUANITA M SIMMONS

Martha L. Domann
Notary Public

My commission will expire: OCT 14, 2014

JUANITA SIMMMONS
Elections Director
(520) 432-8975
jsimmons@cochise.az.gov

MARTHA L. DOMANN
Elections Technician
(520) 432-8972
mdomann@cochise.az.gov

PATRICIA A. VIVERTO
Voter Outreach / Special Districts Coordinator
(520) 432-8974
pviverto@cochise.az.gov

	TOTAL VOTES	%	PRECINCT	EARLY
PRECINCTS COUNTED (OF 1)	1	100.00		
REGISTERED VOTERS - TOTAL	2,336			
BALLOTS CAST - TOTAL.	679		268	411
VOTER TURNOUT - TOTAL		29.07		
Palominas Fire Dist.				
Vote for not more than 1				
STARNES, JOHN E. "EDDIE"	283	41.86	128	155
STONER, DEBBIE.	390	57.69	140	250
WRITE-IN.	3	.44	0	3
Over Votes	0		0	0
Under Votes	3		0	3

0007 Palominas Fire Dist.

	TOTAL VOTES	%	PRECINCT	EARLY
REGISTERED VOTERS - TOTAL	2,336			
BALLOTS CAST - TOTAL	679		268	411
VOTER TURNOUT - TOTAL		29.07		

Palominas Fire Dist.
Vote for not more than 1

STARNES, JOHN E. "EDDIE"	283	41.86	128	155
STONER, DEBBIE	390	57.69	140	250
WRITE-IN	3	.44	0	3
Over Votes	0		0	0
Under Votes	3		0	3

COCHISE COUNTY

EARLY BALLOT REPORT

MARCH 13, 2012
CONSOLIDATED ELECTION

Number/Name		# Of Early Ballots	# Rejected	Verified for Tally
PALOMINAS		413	2	411
WILLCOX		176	0	176
TOMBSTONE		203	0	203
DOUGLAS				
WARD 1		116	0	116
WARD 2		178	0	178
WARD 3		261	0	261
WARD 4		184	1	183
WARD 5		153	0	153
WARD 6		130	1	129
TOTAL		1814	4	1810

Rejected Ballots

Blank Ballot	1
PPE Ballot	2
Nov Ballot 2011	1
	4

COCHISE COUNTY

PROVISIONAL
BALLOT REPORT

MARCH 13, 2012
CONSOLIDATED ELECTION

Number/Name		# Of Provisional Ballots	# Rejected	Verified for Tally
PALOMINAS		15	3	12
WILLCOX		2	1	1
TOMBSTONE		15	2	13
DOUGLAS				
WARD 1		9	1	8
WARD 2		5	0	5
WARD 3		13	3	10
WARD 4		7	1	6
WARD 5		10	0	10
WARD 6		4	1	3
TOTAL		80	12	68

Rejected Ballots

Voted Early Ballot	4
Not registered	1
Registration Purged	1
Wrong jurisdiction	1
Wrong Precinct	3
Late Registration and Name Change	2
	12

COCHISE COUNTY
CONSOLIDATED ELECTION
MARCH 13, 2012

BALLOT REPORT	PRECINCT BALLOTS					EARLY BALLOTS										PROVISIONAL BALLOTS				
POLLING LOCATION	TOTAL BALLOTS	BALLOTS ISSUED TO PRECINCT	SPOILED BALLOTS	UNUSED BALLOTS	REGULAR BALLOTS COUNTED	TOTAL BALOTS ISSUED TO COUNTY RECORDER	BALLOTS DISRIBUTED FOR EARLY VOTING	EARLY BALLOTS RETURNED	SPOILED	REJECTED BALLOTS BY RECORDER	UNUSED BALLOTS RETURNED TO BOARD OF SUPERVIORS	BALLOTS TURNED OVER TO EARLY BOARD FROM COUNTY RECORDER	BALLOTS REJECTED BY EARLY BOARD AS INCOMPLETE OR INSUFFICIENT	EARLY BALLOTS TO BE COUNTED (CAST)	TOTAL EARLY BALLOTS COUNTED	PROVISIONAL BALLOTS TO BE COUNTED (CAST)	PROVISIONAL BALLLOTS REJECTED	PROVISIONAL BALLOTS COUNTED	TOTAL PRECINCT BALLOTS CAST	TOTAL ALL BALLOTS CAST
PALOMINAS	1650	1640	2	1367	256	760	747	415	0	5	13	413	2	411	411	15	3	12	268	679
TOTALS	1650	1640	2	1367	256	760	747	415	0	5	13	413	2	411	411	15	3	12	268	679

Consent 6.

Regular Board of Supervisors Meeting **Facilities**

Meeting Date: 04/10/2012

Fair Housing Proclamation April 2012

Submitted By: Patty Lewis, Facilities

Department: Facilities

Presentation:	No A/V Presentation	**Recommendation:**	Approve
Document Signatures:	BOS Signature Required	**# of ORIGINALS Submitted for Signature:**	2
NAME of PRESENTER:	Patty Lewis	**TITLE of PRESENTER:**	Grants Administrator
Docket Number (If applicable):			
Mandated Function?:	Federal or State Mandate	**Source of Mandate or Basis for Support?:**	24 CFR Part 100

Information

Agenda Item Text:

Approve a Fair Housing Proclamation and proclaim April 2012 as Fair Housing Month in Cochise County.

Background:

The Fair Housing Proclamation ensures compliance with certifications to affirmatively further fair housing in relation to State housing funds (CDBG, HOME, etc.) that are received on a regular basis by Cochise County.

Department's Next Steps (if approved):

Post proclamation appropriately at the Board of Supervisors bulletin board and at the Housing Authority office.

Impact of NOT Approving/Alternatives:

The County will not be compliant with federal law or CDBG Affirmatively Furthering Fair Housing requirements.

To BOS Staff: Document Disposition/Follow-Up:

Two originals of the Fair Housing Proclamation will be provided to the Clerk of the Boad. After formal Board approval and appropriate signatures, please post one original on the Board of Supervisors bulletin Board and return the other original to my office. Thank you for your assistance.

Attachments

Fair Housing April 2012

Consent 7.

Regular Board of Supervisors Meeting **Finance**

Meeting Date: 04/10/2012

Demands

Submitted By: Arlethe Rios, Board of Supervisors

Department: Board of Supervisors

Presentation:	No A/V Presentation	**Recommendation:**	
Document Signatures:		**# of ORIGINALS Submitted for Signature:**	
NAME of PRESENTER:	n/a	**TITLE of PRESENTER:**	n/a
Mandated Function?:		**Source of Mandate or Basis for Support?:**	

Information

Agenda Item Text:

Approve demands and budget amendments for operating transfers.

Background:

Auditor-General's requirement for Board of Supervisors to approve.

Department's Next Steps (if approved):

Return to Finance after BOS approval.

Impact of NOT Approving/Alternatives:

Board of Supervisors will not be in compliance with State law.

To BOS Staff: Document Disposition/Follow-Up:

Return to Finance after BOS approval.

Consent 8.

Regular Board of Supervisors Meeting **Heavy Fleet**

Meeting Date: 04/10/2012

Contract Renewal - Heavy Equipment Rental

Submitted By: Dave Seward, Procurement

Department: Procurement

Presentation:	No A/V Presentation	**Recommendation:**	Approve
Document Signatures:	BOS Signature NOT Required	**# of ORIGINALS Submitted for Signature:**	0
NAME of PRESENTER:	N/A	**TITLE of PRESENTER:**	N/A
Mandated Function?:	Federal or State Mandate	**Source of Mandate or Basis for Support?:**	

Docket Number (If applicable):

Information

Agenda Item Text:

Approve the renewal of Contract No. 11-34-HFM-04 for Heavy Equipment Rental to various vendors in the not to exceed amount of $85,000 for the period of April 1, 2012 through March 31, 2013 for the Heavy Fleet Management Department.

Background:

On March 15, 2011 the Board of Supervisors approved the award of Invitation for Bids No. 11-34-HFM-04 for the rental of heavy equipment. This will be the first renewal of Contract No. 11-34-HFM-04. The various vendors have agreed to hold their pricing firm for the contract renewal period except Volvo Rents who has requested a slight increase in their rental rates. The Heavy Fleet Management Department is satisfied with the services provided by the vendors who were awarded contracts:

RSC Equipment Rental, Inc., Scottsdale, AZ
Hertz Equipment Rental Corp., Tucson, AZ
ECCO Equipment Corp., Phoenix, AZ
B&B Equipment Rental, Tucson, AZ
Empire Machinery, Tucson, AZ
Volvo Rents, Tucson, AZ
Tucson Tractor Co., Tucson, AZ
H&E Equipment Services, Tucson, AZ
Road Machinery Phoenix, AZ
Neff Rental Tucson, AZ
Sunbelt Rentals Inc., Fort Mills, SC
United Rentals, Tucson AZ
Earhart Equipment Corp., Tucson, AZ

Department's Next Steps (if approved):

Process purchase orders as needed. Monitor performance of contracts.

Impact of NOT Approving/Alternatives:

Procurement would be required to obtain quotes every time there was a need for heavy equipment rental which would most likely result in higher rental prices and additional workload for both the Procurement and Heavy Fleet Management Departments.

To BOS Staff: Document Disposition/Follow-Up:

No action required.

Fiscal Impact

Fiscal Year:

One-time Fixed Costs? ($$$):

Ongoing Costs? ($$$):

County Match Required? ($$$):

A-87 Overhead Amt? (Co. Cost Allocation $$$):

Source of Funding?:

Fiscal Impact & Funding Sources (if known):

Heavy Fleet Management has budgeted $5,000.00 from fund line 600-1710-1730-428.900 and $80,000.00 from 600-1710-1740-428.900 for expenditures for the contract period of April 1, 2012 through March 31, 2013

Public Hearings 9.

Regular Board of Supervisors Meeting **Board of Supervisors**

Meeting Date: 04/10/2012

New Liquor License

Submitted By: Arlethe Rios, Board of Supervisors

Department: Board of Supervisors

Presentation:	No A/V Presentation	**Recommendation:**	
Document Signatures:		**# of ORIGINALS Submitted for Signature:**	
NAME of PRESENTER:	Katie Howard	**TITLE of PRESENTER:**	Clerk of the Board
Mandated Function?:		**Source of Mandate or Basis for Support?:**	

Information

Agenda Item Text:

Approve a new liquor license application for a series #3 (microbrewery) liquor license submitted by Mr. Sean Paul McGurk for 3 Canyons Brewery located at 7302 E Silvercreek Road, Hereford, 85615.

Background:

Mr. Sean Paul McGurk has applied for a series #3 (microbrewery) new liquor license for 3 Canyons Brewery located at 7302 E Silvercreek Road, Hereford, 85615. The Sheriff's Office and the Planning and Zoning Department have recommended approval of the application. There have been no formal protests to this liquor license.

The Environmental Health Division noted that the applicant, Mr. McGurk is working with the Environmental Health Specialists in Sierra Vista to ensure compliance with the Cochise County Sanitary Code, Arizona Food Code, Prop 201 and all necessary requirements prior to opening the facility. The Treasurer's Office noted that all property taxes for the location are current.

Mr. McGurk has paid the $100.00 processing fee. Supporting documentation regarding this liquor license is attached.

Department's Next Steps (if approved):

Board staff will forward the Board's decision to the Arizona Department of Liquor License and Control.

Impact of NOT Approving/Alternatives:

A hearing on this application will be scheduled with the State Liquor Board.

To BOS Staff: Document Disposition/Follow-Up:

Send packet to ADLLC and copy of letter w/out attachments to applicant.

Attachments

Application
Completed Review Forms
Affidavit of Posting

Notice of Posting

MAR 2 Liqr. Dept PM12:56
2012 MAR -7 A 11:5

Arizona Department of Liquor Licenses and Control
800 West Washington, 5th Floor
Phoenix, Arizona 85007
www.azliquor.gov
602-542-5141

APPLICATION FOR LIQUOR LICENSE

TYPE OR PRINT WITH BLACK INK

Notice: Effective Nov. 1, 1997, All Owners, Agents, Partners, Stockholders, Officers, or Managers actively involved in the day to day operations of the business must attend a Department approved liquor law training course or provide proof of attendance within the last five years. See page 5 of the Liquor Licensing requirements.

SECTION 1 This application is for a:

- ☐ MORE THAN ONE LICENSE
- ☐ INTERIM PERMIT ***Complete Section 5***
- ☒ NEW LICENSE ***Complete Sections 2, 3, 4, 13, 14, 15, 16***
- ☐ PERSON TRANSFER (Bars & Liquor Stores ONLY) ***Complete Sections 2, 3, 4, 11, 13, 15, 16***
- ☐ LOCATION TRANSFER (Bars and Liquor Stores ONLY) ***Complete Sections 2, 3, 4, 12, 13, 15, 16***
- ☐ PROBATE/WILL ASSIGNMENT/DIVORCE DECREE ***Complete Sections 2, 3, 4, 9, 13, 16*** (fee not required)
- ☐ GOVERNMENT ***Complete Sections 2, 3, 4, 10, 13, 15, 16***

SECTION 2 Type of ownership:

- ☐ J.T.W.R.O.S. ***Complete Section 6***
- ☐ INDIVIDUAL ***Complete Section 6***
- ☐ PARTNERSHIP ***Complete Section 6***
- ☐ CORPORATION ***Complete Section 7***
- ☒ LIMITED LIABILITY CO. ***Complete Section 7***
- ☐ CLUB ***Complete Section 8***
- ☐ GOVERNMENT ***Complete Section 10***
- ☐ TRUST ***Complete Section 6***
- ☐ OTHER (Explain) _____

SECTION 3 Type of license and fees LICENSE #(s): 03023007

1. Type of License(s): 03

2. Total fees attached: $ (Department Use Only)

APPLICATION FEE AND INTERIM PERMIT FEES (IF APPLICABLE) ARE NOT REFUNDABLE.

The fees allowed under A.R.S. 44-6852 will be charged for all dishonored checks.

SECTION 4 Applicant

1. Owner/Agent's Name: (Mr) Ms. McGurk (Last) Seán Paul (First Middle)
(Insert one name ONLY to appear on license)

2. Corp./Partnership/L.L.C.: 3 Canyons Brewery LLC B1047794
(Exactly as it appears on Articles of Inc. or Articles of Org.)

3. Business Name: 3 Canyons Brewery
(Exactly as it appears on the exterior of premises)

4. Principal Street Location 7302 E Silvercreek Rd (Do not use PO Box Number) Hereford (City) Cochise (County) 85615 (Zip)

5. Business Phone: ~~571-239-8700~~ pending Daytime Contact: ~~Seán McGurk~~ 5712398700

6. Is the business located within the incorporated limits of the above city or town? ☐YES ☒NO

7. Mailing Address: PO Box 1660 (City) Hereford (State) AZ (Zip) 85615

8. Price paid for license only bar, beer and wine, or liquor store: Type _____ $_____ Type _____ $_____

DEPARTMENT USE ONLY

Fees: 100. (Application) _____ (Interim Permit) _____ (Agent Change) _____ (Club) 96.00 (Finger Prints $) 196.00 TOTAL OF ALL FEES

Is Arizona Statement of Citizenship & Alien Status For State Benefits complete? ☑ YES ☐ NO

Accepted by MC Date: 3/5/2012 Lic. # 03023007

July 2010

*Disabled individuals requiring special accommodation, please call (602) 542-9027.

SECTION 5 Interim Permit:

1. If you intend to operate business when your application is pending you will need an Interim Permit pursuant to A.R.S. 4-203.01.
2. There **MUST** be a valid license of the same type you are applying for currently issued to the location.
3. Enter the license number currently at the location._____
4. Is the license currently in use? ☐ YES ☐ NO If no, how long has it been out of use?_____

ATTACH THE LICENSE CURRENTLY ISSUED AT THE LOCATION TO THIS APPLICATION.

I, _____, declare that I am the CURRENT OWNER, AGENT, CLUB MEMBER, PARTNER,
(Print full name)
MEMBER, STOCKHOLDER, OR LICENSEE (circle the title which applies) of the stated license and location.

X_____
(Signature)

My commission expires on: _____

State of _____ County of_____

The foregoing instrument was acknowledged before me this

_____day of _____, _____
Day Month Year

_____
(Signature of NOTARY PUBLIC)

SECTION 6 Individual or Partnership Owners:

EACH PERSON LISTED MUST SUBMIT A COMPLETED QUESTIONNAIRE (FORM LIC0101), AN "APPLICANT" TYPE FINGERPRINT CARD, AND $24 PROCESSING FEE FOR EACH CARD.

1. Individual:

Last	First	Middle	% Owned	Mailing Address	City State Zip

Partnership Name: (Only the first partner listed will appear on license) _____

General-Limited	Last	First	Middle	% Owned	Mailing Address	City State Zip
☐ ☐						
☐ ☐						
☐ ☐						
☐ ☐						

(ATTACH ADDITIONAL SHEET IF NECESSARY)

2. Is any person, other than the above, going to share in the profits/losses of the business? ☐ YES ☐ NO
If Yes, give name, current address and telephone number of the person(s). Use additional sheets if necessary.

Last	First	Middle	Mailing Address	City, State, Zip	Telephone#

SECTION 7 Corporation/Limited Liability Co.:

EACH PERSON LISTED MUST SUBMIT A COMPLETED QUESTIONNAIRE (FORM LIC0101), AN "APPLICANT" TYPE FINGERPRINT CARD, AND $24 PROCESSING FEE FOR EACH CARD.

☐ CORPORATION - ***Complete questions 1, 2, 3, 5, 6, 7, and 8.***

☒ L.L.C. ***Complete 1, 2, 4, 5, 6, 7, and 8.***

1. Name of Corporation/L.L.C.: 3 Canyons Brewery LLC
   (Exactly as it appears on Articles of Incorporation or Articles of Organization)
2. Date Incorporated/Organized: 12-27-2011 State where Incorporated/Organized: AZ
3. AZ Corporation Commission File No.: _____ Date authorized to do business in AZ: _____
4. AZ L.L.C. File No: L- 17258294 Date authorized to do business in AZ: 12-27-2011
5. Is Corp./L.L.C. Non-profit? ☐ YES ☒ NO
6. List all directors, officers and members in Corporation/L.L.C.:

Last	First	Middle	Title	Mailing Address	City State Zip
McGurk	Sean	Paul	Manager	Box 1660	Hereford AZ 85615
McGurk	Sheryl	Marie	member	Box 1660	Hereford AZ 85615
McNab	Michael	william	member	Box 643	Hereford AZ 85615
McNab	Peggy	Stallings	member	Box 643	Hereford AZ 85615

P10660733 P10660734 P10660735

(ATTACH ADDITIONAL SHEET IF NECESSARY)

7. List stockholders who are controlling persons or who own 10% or more:

Last	First	Middle	% Owned	Mailing Address	City State Zip
McGurk	Sean	Paul	26	Box 1660	Hereford AZ 85615
McGurk	Sheryl	Marie	24	Box 1660	Hereford AZ 85615
McNab	Michael	william	25	Box 643	Hereford AZ 85615
McNab	Peggy	Stallings	25	Box 643	Hereford AZ 85615

(ATTACH ADDITIONAL SHEET IF NECESSARY)

8. If the corporation/L.L.C. is owned by another entity, attach a percentage of ownership chart, and a director/officer/member disclosure for the parent entity. Attach additional sheets as needed in order to disclose personal identities of all owners.

SECTION 8 Club Applicants:

EACH PERSON LISTED MUST SUBMIT A COMPLETED QUESTIONNAIRE (FORM LIC0101), AN "APPLICANT" TYPE FINGERPRINT CARD, AND $24 PROCESSING FEE FOR EACH CARD.

1. Name of Club: _____ Date Chartered: _____
   (Exactly as it appears on Club Charter or Bylaws) (Attach a copy of Club Charter or Bylaws)
2. Is club non-profit? ☐ YES ☐ NO
3. List officer and directors:

Last	First	Middle	Title	Mailing Address	City State Zip

(ATTACH ADDITIONAL SHEET IF NECESSARY)

SECTION 9 Probate, Will Assignment or Divorce Decree of an existing Bar or Liquor Store License:

1. Current Licensee's Name: _____
(Exactly as it appears on license) Last First Middle

12 MAR 2 Liqr. Dept PM12:56

2. Assignee's Name: _____
Last First Middle

3. License Type: _____ License Number: _____ Date of Last Renewal: _____

4. ATTACH TO THIS APPLICATION A CERTIFIED COPY OF THE WILL, PROBATE DISTRIBUTION INSTRUMENT, OR DIVORCE DECREE THAT SPECIFICALLY DISTRIBUTES THE LIQUOR LICENSE TO THE ASSIGNEE TO THIS APPLICATION.

SECTION 10 Government: (for cities, towns, or counties only)

1. Governmental Entity: _____

2. Person/designee: _____ _____
Last First Middle Contact Phone Number

A SEPARATE LICENSE MUST BE OBTAINED FOR EACH PREMISES FROM WHICH SPIRITUOUS LIQUOR IS SERVED.

SECTION 11 Person to Person Transfer:

Questions to be completed by CURRENT LICENSEE (Bars and Liquor Stores ONLY-Series 06,07, and 09).

1. Current Licensee's Name: _____ Entity: _____
(Exactly as it appears on license) Last First Middle (Indiv., Agent, etc.)

2. Corporation/L.L.C. Name: _____
(Exactly as it appears on license)

3. Current Business Name: _____
(Exactly as it appears on license)

4. Physical Street Location of Business: Street _____
City, State, Zip _____

5. License Type: _____ License Number: _____

6. If more than one license to be transfered: License Type: _____ License Number: _____

7. Current Mailing Address: (Other than business) Street _____
City, State, Zip _____

8. Have all creditors, lien holders, interest holders, etc. been notified of this transfer? ☐ YES ☐ NO

9. Does the applicant intend to operate the business while this application is pending? ☐ YES ☐ NO If yes, complete Section 5 of this application, attach fee, and current license to this application.

10. I, _____, hereby authorize the department to process this application to transfer the
(print full name)
privilege of the license to the applicant, provided that all terms and conditions of sale are met. Based on the fulfillment of these conditions, I certify that the applicant now owns or will own the property rights of the license by the date of issue.

I, _____, declare that I am the CURRENT OWNER, AGENT, MEMBER, PARTNER
(print full name)
STOCKHOLDER, or LICENSEE of the stated license. I have read the above Section 11 and confirm that all statements are true, correct, and complete.

_____
(Signature of CURRENT LICENSEE)

State of _____ County of _____
The foregoing instrument was acknowledged before me this

_____ _____ _____
Day Month Year

My commission expires on: _____

_____
(Signature of NOTARY PUBLIC)

SECTION 12 Location to Location Transfer: (Bars and Liquor Stores ONLY)

APPLICANTS CANNOT OPERATE UNDER A LOCATION TRANSFER UNTIL IT IS APPROVED BY THE STATE

'12 MAR 2 Liq. Dept PM12:57

1. Current Business: (Exactly as it appears on license) Name _____
   Address _____
2. New Business: (Physical Street Location) Name _____
   Address _____
3. License Type: _____ License Number: _____
4. If more than one license to be transferred: License Type: _____ License Number: _____
5. What date do you plan to move? _____ What date do you plan to open? _____

SECTION 13 Questions for all in-state applicants excluding those applying for government, hotel/motel, and restaurant licenses (series 5, 11, and 12):

A.R.S. § 4-207 (A) and (B) state that no retailer's license shall be issued for any premises which are at the time the license application is received by the director, within three hundred (300) horizontal feet of a church, within three hundred (300) horizontal feet of a public or private school building with kindergarten programs or grades one (1) through (12) or within three hundred (300) horizonal feet of a fenced recreational area adjacent to such school building. The above paragraph DOES NOT apply to:

a) Restaurant license (§ 4-205.02)
b) Hotel/motel license (§ 4-205.01)
c) Government license (§ 4-205.03)
d) Fenced playing area of a golf course (§ 4-207 (B)(5))

1. Distance to nearest school: 7300 ft. Name of school Valley View 6549 E Hwy 92
   Address Hereford AZ 85615
   City, State, Zip
2. Distance to nearest church: 13000 ft. Name of church Huachuca Oaks Baptist Camp
   Address Hereford AZ 85615 4502 S Hwy 92
   City, State, Zip
3. I am the: ☐ Lessee ☐ Sublessee ☒ Owner ☐ Purchaser (of premises)
4. If the premises is leased give lessors: Name _____
   Address _____
   City, State, Zip

4a. Monthly rental/lease rate $_____ What is the remaining length of the lease __ yrs. ____mos.

4b. What is the penalty if the lease is not fulfilled? $_____ or other _____
(give details - attach additional sheet if necessary)

5. What is the total **business** indebtedness for this license/location excluding the lease? $ 0
   Please list lenders you owe money to.

Last	First	Middle	Amount Owed	Mailing Address	City State	Zip

(ATTACH ADDITIONAL SHEET IF NECESSARY)

6. What type of business will this license be used for (be specific)? Micro brewery

SECTION 13 - continued

7. Has a license or a transfer license for the premises on this application been denied by the state within the past one (1) year? ☐ YES ☒ NO If yes, attach explanation.

8. Does any spirituous liquor manufacturer, wholesaler, or employee have any interest in your business? ☐ YES ☒ NO

9. Is the premises currently licensed with a liquor license? ☐ YES ☒ NO If yes, give license number and licensee's name:

License #_____(exactly as it appears on license) Name _____

SECTION 14 Restaurant or hotel/motel license applicants:

1. Is there an existing restaurant or hotel/motel liquor license at the proposed location? ☐ YES ☒ NO
   If yes, give the name of licensee, Agent or a company name:

   _____ and license #: _____
   Last First Middle

2. If the answer to Question 1 is YES, you may qualify for an Interim Permit to operate while your application is pending; consult A.R.S. § 4-203.01; and complete SECTION 5 of this application.

3. All restaurant and hotel/motel applicants must complete a Restaurant Operation Plan (Form LIC0114) provided by the Department of Liquor Licenses and Control.

4. As stated in A.R.S. § 4-205.02.G.2, a restaurant is an establishment which derives at least 40 percent of its gross revenue from the sale of food. Gross revenue is the revenue derived from all sales of food and spirituous liquor on the licensed premises. By applying for this ☐ hotel/motel ☐ restaurant license, I certify that I understand that I must maintain a minimum of 40 percent food sales based on these definitions and have included the Restaurant Hotel/Motel Records Required for Audit (form LIC 1013) with this application.

   _____
   applicant's signature

   As stated in A.R.S § 4-205.02 (B), I understand it is my responsibility to contact the Department of Liquor Licenses and Control to schedule an inspection when all tables and chairs are on site, kitchen equipment, and, if applicable, patio barriers are in place on the licensed premises. With the exception of the patio barriers, these items are not required to be properly installed for this inspection. Failure to schedule an inspection will delay issuance of the license. If you are not ready for your inspection 90 days after filing your application, please request an extension in writing, specify why the extension is necessary, and the new inspection date you are requesting. To schedule your site inspection visit www.azliquor.gov and click on the "Information" tab.

   _____
   applicants initials

SECTION 15 Diagram of Premises: (Blueprints not accepted, diagram must be on this form)

1. Check **ALL** boxes that apply to your business:

   ☒ Entrances/Exits ☒ Liquor storage areas Patio: ☐ Contiguous
   ☐ Service windows ☐ Drive-in windows ☐ Non Contiguous

2. Is your licensed premises currently closed due to construction, renovation, or redesign? ☒ YES ☐ NO
   If yes, what is your estimated opening date? JAN 31 2012
   month/day/year

3. Restaurants and hotel/motel applicants are required to draw a detailed floor plan of the kitchen and dining areas including the locations of all kitchen equipment and dining furniture. Diagram paper is provided on page 7.

4. The diagram (a detailed floor plan) you provide is required to disclose only the area(s) where spiritous liquor is to be sold, served, consumed, dispensed, possessed, or stored on the premises unless it is a restaurant (see #3 above).

5. Provide the square footage or outside dimensions of the licensed premises. Please do not include non-licensed premises, such as parking lots, living quarters, etc.

As stated in A.R.S. § 4-207.01(B), I understand it is my responsibility to notify the Department of Liquor Licenses and Control when there are changes to boundaries, entrances, exits, added or deleted doors, windows or service windows,or increase or decrease to the square footage after submitting this initial drawing.

_____
applicants initials

SECTION 15 Diagram of Premises

4. In this diagram please show only the area where spirituous liquor is to be sold, served, consumed, dispensed, possessed or stored. It must show all entrances, exits, interior walls, bars, bar stools, hi-top tables, dining tables, dining chairs, the kitchen, dance floor, stage, and game room. Do not include parking lots, living quarters, etc. When completing diagram, North is up ↑.

If a legible copy of a rendering or drawing of your diagram of premises is attached to this application, please write the words "diagram attached" in box provided below.

diagram attached

SECTION 16 Signature Block

I, Sean Paul McGurk, hereby declare that I am the OWNER/AGENT filing this
(print full name of applicant)

application as stated in Section 4, Question 1. I have read this application and verify all statements to be true, correct and complete.

X _____
(signature of applicant listed in Section 4, Question 1)

FRANCISCA MILANTA
NOTARY PUBLIC - ARIZONA
COCHISE COUNTY
My Commission Expires
July 6, 2012

State of Arizona County of Cochise

The foregoing instrument was acknowledged before me this

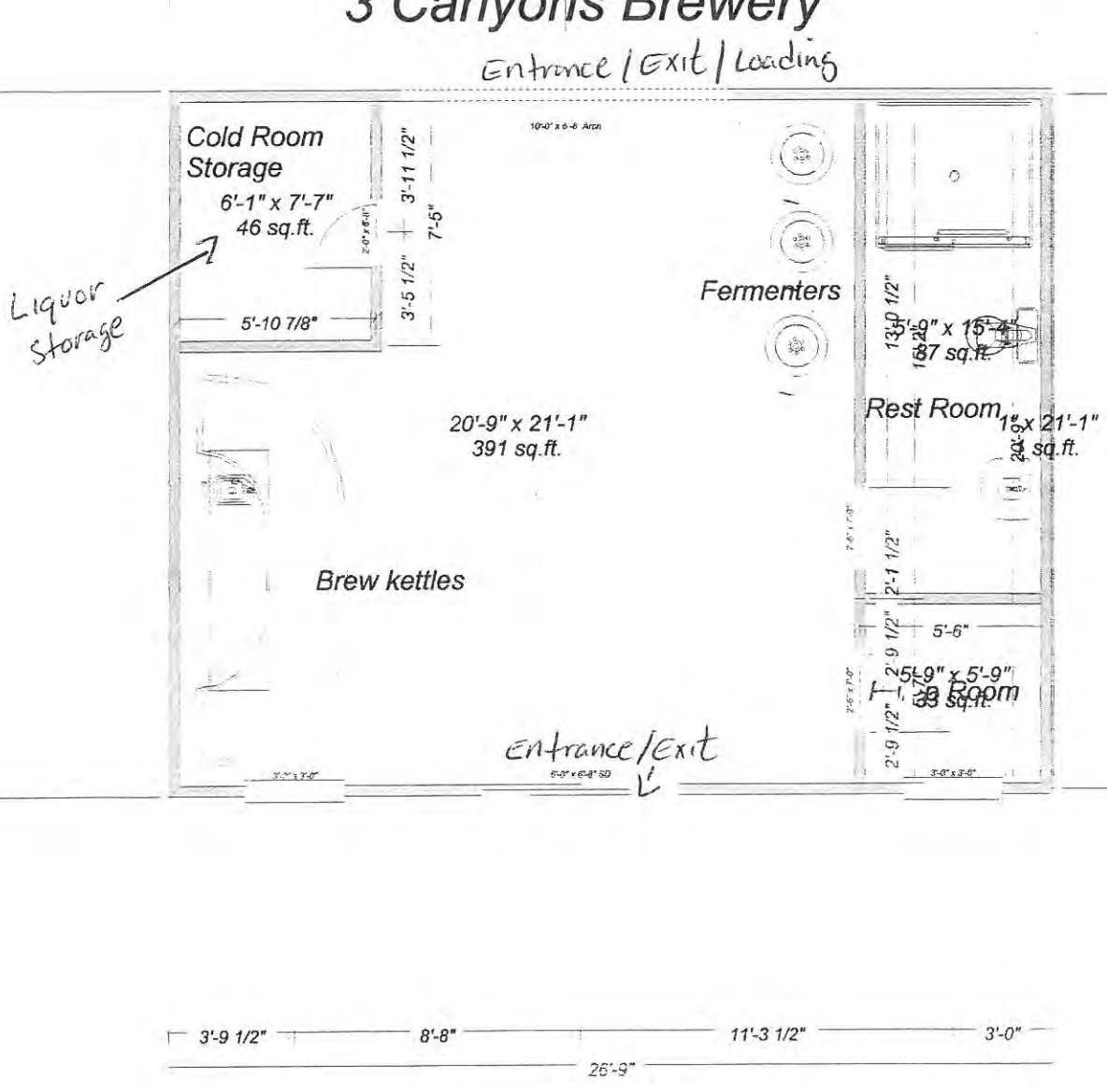
13 of January 2012
Day Month Year

My commission expires on : 8 July 2012
Day Month Year

Francisca Milanta
signature of NOTARY PUBLIC

'12 MAR 2 Liqr. Dept BR1257

3 Canyons Brewery



AZ Corp. Commission
03704168

AZ CORPORATION COMMISSION
FILED

'12 MAR 2 Liqr. Dept PM1257

DEC 27 2011

FILE NO. L1728383-9

DO NOT WRITE ABOVE THIS LINE, FOR ACC USE ONLY

ARTICLES OF ORGANIZATION

DO NOT PUBLISH THIS SECTION
NOTE: A professional limited liability company is an LLC organized for the purpose of rendering one or more categories of licensed professional service. Professional service is defined as a service that may be lawfully rendered only by a person licensed in this state to render the service.

1. The LLC name must contain the words "limited liability company or "limited company" or the abbreviations "L.L.C.", "L.C.", "LLC", or "LC". The Professional LLC name must contain the words "professional limited liability company or the abbreviations "P.L.L.C.", "P.L.C.", "PLLC", or "PLC"

2. Must be an Arizona address. DO NOT LEAVE THIS SECTION BLANK

3. See Section 3 of the instructions above. A statutory agent is a person you appoint that would receive lawsuit papers if the LLC is sued. A street or physical address is required even if the statutory agent has a P.O. Box.

The agent must sign the articles or provide written consent to the appointment.

Select one. This form may be used for:

☒ **ARIZONA LIMITED LIABILITY COMPANY** (A.R.S. §29-632)

☐ **ARIZONA PROFESSIONAL LIMITED LIABILITY COMPANY** (A.R.S. §29-641.01)

1. The name of the organization:

A. _____
LLC Name Reservation File Number (if one has been obtained – if not, leave this line blank).

B. 3 Canyons Brewery LLC
Limited Liability Company Name

2. Known place of business in Arizona (If address is the same as the street address of the statutory agent, write "same as statutory agent". DO NOT LEAVE THIS SECTION BLANK):

Address 7302 E Silver Creek Road Box 1660

City Hereford State AZ Zip 85615

3. The name and street address of the statutory agent in Arizona:

Name Sean Paul McGurk

Address 7302 E Silvercreek Road Box 1660

City Hereford State AZ Zip 85615

Acceptance of Appointment by Statutory Agent:

I Sean Paul McGurk (print name of the Statutory Agent), having been designated to act as Statutory Agent, hereby consent to act in that capacity until removed or resignation is submitted in accordance with the Arizona Revised Statute.

Agent Signature: _____

_____
If the statutory agent is an entity, please print the company name here.

'12 MAR 2 Liq. Dept PM12:57

DO NOT PUBLISH THIS SECTION
4. Only required for professional limited liability company. The professional services that the company is organized to perform must be described. Professional service is defined as a service that may be lawfully rendered only by a person licensed in this state to render the service.

5. Check only one box. If a dissolution date is stated, it should include the month, day and year. Perpetual means continuing forever or indefinitely.

6. Check A or B to show which management structure will be applicable to your company. Provide name, title and address for each person.

6A. If reserved to the members, check the Members box and provide the name and address of all members. NOTE: If reserved to the members you cannot list any manager.

6B. If vested in one or more managers check the Managers box and provide the name and address of each manager and of each member who owns a twenty percent (20%) or greater interest in the capital or profits of the LLC/ PLLC.

7. Signature. The person signing this document need not be a manager or member of the company.

4. Professional LLCs only – Professional Services - the Professional Limited Liability Company will provide the following professional services:

5. Life Period of the Limited Liability Company: check one:

☐ The LLC will dissolve on __/__/____ (Please enter month, day and four digit year)

☒ The Limited Liability Company life period is Perpetual.

6. Management Structure: (check one box only) A.R.S. §29-632(5)

A. ☐ **RESERVED TO THE MEMBERS**
IF RESERVED TO THE MEMBERS, DON'T CHECK ANY MANAGER BOXES.

B. ☒ **VESTED IN ONE OR MORE MANAGERS**
IF VESTED IN THE MANAGER(S), AT LEAST ONE NAME BELOW MUST HAVE THE MANAGER BOX CHECKED.

Name Sean Paul McGurk
☐ Member ☒ Manager (only if "B" is selected above)
Address: 7302 E Silvercreek Rd Box 1660
City, Hereford State, AZ Zip: 85615

Name Sheryl McGurk
☒ Member ☐ Manager (only if "B" is selected above)
Address: 7302 E Silvercreek Rd Box 1660
City, Hereford State, AZ Zip: 85615

Name Michael McNabb
☒ Member ☐ Manager (only if "B" is selected above)
Address: 7363 Bloomfield Rd Box 643
City, Hereford State, AZ Zip: 85615

Name Peggy McNabb
☒ Member ☐ Manager (only if "B" is selected above)
Address: 7363 Bloomfield Road Box 643
City, Hereford State, AZ Zip: 85615

IF YOU NEED MORE SPACE FOR LISTING MEMBERS / MANAGERS PLEASE ATTACH THE ADDITIONAL PAGE TO THE ARTICLES OF ORGANIZATION.

7. SIGNATURE

Signed on this date: 12/23/11 (mm/dd/yyyy).

Signature: [signature] Print Name Sean Paul McGurk

If signing on behalf of a company, please print the company name here.

Phone Number: 571 237 8700 Fax Number: 520 843 2977

COMMISSIONERS
GARY PIERCE - Chairman
BOB STUMP
SANDRA D. KENNEDY
PAUL NEWMAN
BRENDA BURNS

Liq. Dept PM1257

ARIZONA CORPORATION COMMISSION

ERNEST G. JOHNSON
Executive Director

PATRICIA L. BARFIELD
Director, Corporations Division

December 29, 2011

SEAN PAUL MCGURK
7302 E. SILVERCREEK RD
BOX 1660
HEREFORD, AZ 85615

RE: 3 CANYONS BREWERY LLC
File Number: L17258296

We are pleased to notify you that the Articles of Organization for the above-referenced entity HAVE BEEN APPROVED.

You must publish a Notice of the filing of your Articles of Organization or, alternatively, you may publish the Articles of Organization in their entirety. For your convenience, we have provided a Notice form that you can complete and submit to the newspaper of your choice. The publication must be in a newspaper of general circulation in the county of the known place of business in Arizona for three consecutive publications. Publication must be completed WITHIN 60 DAYS after December 29, 2011, which is the date the document was approved for filing by the Commission. A list of acceptable newspapers in each county is enclosed and is also available on the Commission website. The limited liability company may be subject to administrative dissolution if it fails to publish. You will receive an Affidavit of Publication from the newspaper, and you may file it with the Commission.

We strongly recommend that you periodically monitor your company's record with the Commission, which can be viewed at www.azcc.gov/Divisions/Corporations. If you have questions or need further information, please contact us at (602) 542-3026 in Phoenix, or Toll Free (Arizona Residents only) at 1-800-345-5819.

Sincerely,

Susan Hunt
Examiner
Corporations Division

LL:13
REV. 01/2009

NOTICE

(for publication) 12 DEC 2 P 1:47 Dept. PM1257

ARTICLES OF ORGANIZATION HAVE BEEN FILED IN THE OFFICE OF THE ARIZONA CORPORATION COMMISSION FOR

I. Name: 3 CANYONS BREWERY LLC
L-1725829-5

II. The address of the known place of business is: _____

III. The name and street address of the Statutory Agent is: _____

(Please check A or B)

A. [ ] Management of the limited liability company is vested in a manager or managers. The names and addresses of each person who is a manager AND each member who owns a twenty percent or greater interest in the capital or profits of the limited liability company are:

B. [ ] Management of the limited liability company is reserved to the members. The names and addresses of each person who is a member are:

(Please check appropriate box for each)

_____

_____

[ ] member [ ] manager

_____

_____

[ ] member [ ] manager

_____

_____

[ ] member [ ] manager

_____

_____

[ ] member [ ] manager

PARTNERSHIP AGREEMENT

'12 MAR 2 Liq. Dept PM12:57

THIS PARTNERSHIP AGREEMENT (the "Agreement") made and entered into this 27th day of February, 2012 (the "Execution Date"),
AMONGST

Seán McGurk of 7302 E Silver Creek Road, Hereford AZ 85615,
Sheryl McGurk of 7302 E Silver Creek Road, Hereford AZ 85615,
Peggy McNab of 7363 E Bloomfield Road, Hereford AZ 85615, and
Mike McNab of 7363 E Bloomfield Road, Hereford AZ 85615
(individually the "Partner" and collectively the "Partners").

BACKGROUND:

A. The Partners wish to associate themselves as partners in business.
B. The terms and conditions of this Agreement sets out the terms and conditions as to how they will be partners.

IN CONSIDERATION OF and as a condition of the Partners entering into this Agreement and other valuable consideration, the receipt and sufficiency of which consideration is acknowledged, the parties to this Agreement agree as follows:

Formation

1. By this Agreement the Partners enter into a general partnership (the "Partnership") in accordance with the laws of the State of Arizona. The rights and obligations of the Partners will be as stated in the applicable legislation of the State of Arizona (the 'Act') except as otherwise provided here.

Name

2. The firm name of the Partnership will be 3 Canyons Brewery LLC.

Purpose

3. The purpose of the Partnership will be: Make and sell beer.

Term

4. The Partnership will begin on February 27th, 2012 and will continue until terminated as provided in this Agreement.

Place of Business

5. The principal office of the business of the Partnership will be located at 7302 E Silver Creek Road or such other place as the Partners may from time to time designate.

Capital Contributions

'12 MAR 2 Liq. Dept PM12:57

6. The cost of improving the initial location at 7302 E Silver Creek Road will be the responsibility of the owners Seán and Sheryl McGurk. The cost of the equipment and any supplies for the operation of the brewery will be split evenly between all parties of this agreement.

7. The Partners will contribute their respective Capital Contributions as needed and agreed upon by all parties of this agreement.

8. In the event the business closes all existing equipment and inventory owned by the company will be sold and precedes split between all partners equally.

Withdrawal of Capital

9. No Partner will withdraw any portion of their Capital Contribution without the express written consent of the remaining Partners.

Additional Capital

10. Capital Contributions may be amended from time to time, according to the requirements of the Partnership provided that the interests of the Partners are not affected, except with the unanimous consent of the Partners. No one partner will be required to make Additional Capital Contributions. Whenever additional capital is determined to be required and an individual Partner is unwilling or unable to meet the additional contribution requirement within a reasonable period, as required by Partnership business obligations, remaining Partners may contribute in proportion to their existing Capital Contributions to resolve the amount in default. In such case the allocation of profits or losses among all the Partners will be adjusted to reflect the aggregate change in Capital Contributions by the Partners.

11. Any advance of money to the Partnership by any Partner in excess of the amounts provided for in this Agreement or subsequently agreed to as Additional Capital Contribution will be deemed a debt due from the Partnership and not an increase in Capital Contribution of the Partner. This liability will be repaid with interest at rates and times to be determined by a majority of the Partners within the limits of what is required or permitted in the Act. This liability will not entitle the lending Partner to any increased share of the Partnership's profits or to a greater voting power. Such debts may have preference or priority over any other payments to Partners as may be determined by a majority of the Partners.

Capital Accounts

12. An individual capital account (the "Capital Accounts") will be maintained for each Partner and their Initial Capital Contribution will be credited to this account. Any Additional Capital Contributions made by any Partner will be credited to that Partner's individual Capital Account.

Interest on Capital

'12 MAR 2 Lic. Dept PM12:58

13. No borrowing charge or loan interest will be due or payable to any Partner on their agreed Capital Contribution inclusive of any agreed Additional Capital Contributions.

Drawing Accounts

14. An individual drawing account will be maintained for each Partner. Each Partner will be entitled to draw against their share of the profits in such amounts and at such time as will be agreed by the Partners. Losses will also be credited to the individual drawing accounts and each Partner will be required to maintain a positive balance in their Drawing Account at all times. Failure to maintain a positive balance may be deemed an Involuntary Withdrawal of the offending Partner and may be treated accordingly by the remaining Partners.

Financial Decisions

15. Decisions regarding the distribution of profits, allocation of losses, and the requirement for Additional Capital Contributions as well as all other financial matters will be determined by a 75% (percent) vote of the Partners.

Profit and Loss

16. Subject to the other provisions of this Agreement, the net profits and losses of the Partnership, for both accounting and tax purposes, will accrue to and be borne by the Partners equally. Subject to the other provisions of this Agreement, the net profits and losses of the Partnership, for both accounting and tax purposes, will accrue to and be borne by the Partners according to the following schedule:

PARTNER	PROFIT/LOSS PERCENT
Seán McGurk	25%
Sheryl McGurk	25%
Peggy McNab	25%
Mike McNab	25%

Compensation for Services Rendered

17. No Partner will be compensated for services rendered to the Partnership, except reimbursement for expenses directly related to the operation of the Partnership as prior written agreed to by all partners.

Books of Account

18. Accurate and complete books of account of the transactions of the Partnership will be kept and at all reasonable times are available and open to inspection and examination by any Partner. The Books of Account will be kept on the cash basis method of accounting.

Annual Report

19. As soon as practicable after the close of each fiscal year, the Partnership will furnish to each Partner an annual report showing a full and complete account of the condition of the Partnership. This report will consist of at least the following documents:
    a. A statement of all information as will be necessary for the preparation of each Partner's income or other tax returns;
    b. A copy of the Partnership's federal income tax returns for that fiscal year;
    c. Supporting income statement;
    d. A balance sheet;
    e. A cash flow statement;
    f. A breakdown of the profit and loss attributable to each Partner; and
    g. Any additional information that the Partners may require.

Banking and Partnership Funds

20. The funds of the Partnership will be placed in such investments and banking accounts as will be designated by the Partners. Partnership funds will be held in the name of the Partnership and will not be commingled with those of any other person or entity.

Fiscal Year

21. The fiscal year will end on the 1st day of January of each year.

Audit

22. Any of the Partners will have the right to request an audit of the Partnership books. The cost of the audit will be borne by the Partnership. The audit will be performed by an accounting firm acceptable to all the Partners. Not more than one (1) audit will be required by any or all of the Partners for any fiscal year. The audit company and costs will be agreed upon up front by all partners.

Management

23. Except as all of the Partners may otherwise agree in writing, all actions and decisions respecting the management, operation and control of the Partnership and its business require the consent and agreement of not less than 75% (percent) of the Partnership voting interest.

'12 MAR 2 Liq. Dept PM1258

Contract Binding Authority

24. All actions and decisions with respect to binding the Partnership in contract requires the consent and agreement of Partners having total voting interest of not less than 75% (percent) of the total voting interest.

Intellectual property

25. All parties agree that all recipes, formulations, processes and techniques unique the business shall be kept secret from any person outside the business unless agreed upon by all partners.

2-27-12
Sean McGurk Date

Sheryl McGurk 2-27-12
Sheryl McGurk Date

Peggy McNab 2-27-12
Peggy McNab Date

2-27-12
Mike McNab Date

Print Form

ARIZONA DEPARTMENT OF LIQUOR LICENSES & CONTROL

'12 MAR 2 Liqr. Dept PM1258

800 W Washington 5th Floor
Phoenix AZ 85007-2934
(602) 542-5141

QUESTIONNAIRE

Attention all Local Governing Bodies: Social Security and Birthdate information is Confidential. This information may be given to local law enforcement agencies for the purpose of background checks only but must be blocked to be unreadable prior to posting or any public view.

Read carefully. This instrument is a sworn document. Type or print with BLACK INK. An extensive investigation of your background will be conducted. False or incomplete answers could result in criminal prosecution and the denial or subsequent revocation of a license or permit.

TO BE COMPLETED BY EACH CONTROLLING PERSON, AGENT, OR MANAGER. EACH PERSON COMPLETING THIS FORM MUST SUBMIT AN "APPLICANT" TYPE FINGERPRINT CARD WHICH MAY BE OBTAINED AT DLLC. FINGERPRINTING MUST BE DONE BY A BONA FIDE LAW ENFORCEMENT AGENCY OR A FINGERPRINTING SERVICE APPROVED BY DLLC. THE DEPARTMENT DOES NOT PROVIDE THIS SERVICE.

Effective 10/01/07 there is a $24.00 processing fee for each fingerprint card submitted.

The fees allowed by A.R.S. § 44-6852 will be charged for all dishonored checks. f 1044732

Liquor License # 03023007 (If the location is currently licensed)

1. **Check appropriate box** → ☒ **Controlling Person** ☒ **Agent** (Complete Questions 1-19) Controlling Person or Agent must complete #21 for a Manager | ☐ **Manager (Only)** (Complete All Questions except # 14, 14a & 21) Controlling Person or Agent must complete #21

2. Name: McGurk (Last) Sean (First) Paul (Middle) Date of Birth: [redacted] (NOT a Public Record)

3. Social Security Number: [redacted] (NOT a public record) Drivers License #: [redacted] (NOT a public record) State: AZ

4. Place of Birth: Philadelphia (City) Pa (State) USA (Country) (not county) Height: 72" Weight: 190 Eyes: Hzl Hair: Brn

5. Marital Status ☐ Single ☒ Married ☐ Divorced ☐ Widowed Daytime Contact Phone: 5712398700

6. Name of Current or Most Recent Spouse: McGurk (Last) Shelly (First) Maire (Middle) Jennings (Maiden) Date of Birth: 05/02/1967 (NOT a public record)
(List all for last 5 years - Use additional sheet if necessary)

7. You are a bona fide resident of what state? AZ If Arizona, date of residency: 09/24/2011

8. Telephone number to contact you during business hours for any questions regarding this document. 5712398700

9. If you have been an Arizona resident for less than three (3) months, submit a copy of your Arizona driver's license or voter registration card.

10. Name of Licensed Premises: 3 Canyons Brewery Premises Phone: ~~5712398700~~ Pending

11. Physical Location of Licensed Premises Address: 7302 E Silvercreek (Street Address) Hereford (City) Cochise (County) 85615 (Zip)
(Do not use PO Box #)

12. List your employment or type of business during the past five (5) years. If unemployed part of the time, list those dates. **List most recent 1st.**

FROM Month/Year	TO Month/Year	DESCRIBE POSITION OR BUSINESS	EMPLOYER'S NAME OR NAME OF BUSINESS (street address, city, state & zip)
01/08	CURRENT	Director Cyber	Dept. Homeland Security 1110N Glebe Rd Arlington VA 22202
06/07	01/08	Principle Engineer	NJVC LLC 8614 Westwood Center Vienna VA 22182
07/04	06/07	Regional Director	IDC Inc 2141 Rosecrans Ave El Segundo CA 90245

ATTACH ADDITIONAL SHEET IF NECESSARY FOR EITHER SECTION

13. Indicate your residence address for the last five (5) years:

FROM Month/Year	TO Month/Year	Rent or Own	RESIDENCE Street Address If rented, attach additional sheet with name, address and phone number of landlord	City	State	Zip
9/11	CURRENT	own	7302 E Silvercreek Rd ~~Hereford AZ~~	Hereford	AZ	85615
1/04	9/11	own	5610 Tower Hill Circle	Alexandria	VA	22311

Disabled individuals requiring special accommodations, please call the Department. (602) 542-9027

'12 MAR 2 Liqr. Dept PM1257

If you checked the Manager box on the front of this form skip to # 15 '12 JAN 17 Liqr. Dept PM 3:40

14. As a Controlling Person or Agent, will you be physically present and operating the licensed premises? If you answered YES, how many hrs/day? 8, and **answer #14a below**. If NO, skip to #15.	☒YES ☐NO
14a. Have you attended a DLLC-approved Liquor Law Training Course within the past 5 years? (Must provide proof) **If the answer to # 14a is "NO", course must be completed before issuance of a new license or approval on an existing license.**	☐YES ☒NO

15. Have you been detained, cited, arrested, indicted or summoned into court for violation of ANY law or ordinance, regardless of the disposition, even if dismissed or expunged, within the past ten (10) years (include only traffic violations that were alcohol and/or drug related)? ☐ YES ☒ NO

16. Are there ANY administrative law citations, compliance actions or consents, criminal arrest, indictments or summonses PENDING against you or ANY entity in which you are now involved? ☐ YES ☒ NO

17. Have you or any entity in which you have held ownership, been an officer, member, director or manager EVER had a business, professional or liquor application or license rejected, denied, revoked, suspended or fined in this or any other state? ☐YES ☒NO

18. Has anyone EVER filed suit or obtained a judgment against you, the subject of which involved fraud or misrepresentation? ☐YES ☒NO

19. Are you NOW or have you EVER held ownership, been a controlling person, been an officer, member, director or manager on any other liquor license in this or any other state? ☐YES ☒NO

If any answer to Questions 15 through 19 is "YES" YOU MUST attach a signed statement.
Give complete details including dates, agencies involved, and dispositions.
SUBSTANTIVE CHANGES TO THIS APPLICATION WILL NOT BE ACCEPTED

20. I, Sean Paul McGurk, hereby declare that I am the APPLICANT/REPRESENTATIVE
(print full name of Applicant)
filing this questionnaire. I have read this questionnaire and all statements are true, correct and complete.

X _____
(Signature of Applicant)

FRANCISCA MILIANTA
NOTARY PUBLIC - ARIZONA
COCHISE COUNTY
My Commission Expires
July 8, 2012

State of Arizona County of Cochise

The foregoing instrument was acknowledged before me this 13 day of January, 2012
Month Year

My commission expires on: 8 July 2012
Day Month Year

Francisca Milianta
(Signature of NOTARY PUBLIC)

COMPLETE THIS SECTION ONLY IF YOU ARE A CONTROLLING PERSON OR AGENT APPROVING A MANAGER'S APPLICATION

21. The applicant hereby authorizes the person named on this questionnaire to act as manager for the named liquor license The manager named must be at least 21 years of age.

State of _____ County of _____

The foregoing instrument was acknowledged before me this

X _____ _____ day of _____, _____
Signature of Controlling Person or Agent (circle one) Month Year

_____
(Signature of NOTARY PUBLIC)

_____
Print Name

My commission expires on: _____
Day Month Year

Print Form

'12 MAR 2 Liqr. Dept PM1257

ARIZONA STATEMENT OF CITIZENSHIP AND ALIEN STATUS FOR STATE PUBLIC BENEFITS

Professional License and Commercial License

Department of Liquor Licenses and Control

Liquor License #: 03023007

Ownership Name: 3 Canyons Brewery LLC
Sean Paul McGurk

(as listed on the current liquor license application or renewal application)

Title IV of the federal Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (the "Act"), 8 U.S.C. § 1621, provides that, with certain exceptions, only United States citizens, United States non-citizen nationals, non-exempt "qualified aliens" (and sometimes only particular categories of qualified aliens), nonimmigrants, and certain aliens paroled into the United States are eligible to receive state or local public benefits. With certain exceptions, a professional license and commercial license issued by a State agency is a State public benefit.

Arizona Revised Statutes § 1-501 requires, in general, that a person applying for a license must submit documentation to the licensing agency that satisfactorily demonstrates that the applicant is lawfully present in the United States.

Directions: All applicants must complete Sections I, II, and IV. Applicants who are not U.S. citizens or nationals must also complete Section III. Submit this completed form and copy of one or more documents that evidence your citizenship or alien status with your application for license or renewal.

SECTION I — APPLICANT INFORMATION

APPLICANT'S NAME (Print or type) Sean Paul McGurk DATE Jan 27, 2012

TYPE OF APPLICATION (check one) X INITIAL APPLICATION ___ RENEWAL

TYPE OF LICENSE 03

SECTION II — CITIZENSHIP OR NATIONAL STATUS DECLARATION

Directions: Attach a legible copy of the front, and the back (if any), of a document from the attached List A or other document that demonstrates U.S. citizenship or nationality. Name of document provided: US Passport

A. Are you a citizen or national of the United States? (check one) X Yes ___ No

B. If the answer is "Yes," where were you born? List city, state (or equivalent), and country.
City Philadelphia State (or equivalent) PA Country or Territory USA

If you are a citizen or national of the United States, go to Section IV. If you are not a citizen or national of the United States, please complete Sections III and IV.

'12 MAR 2 Liqr. Dept PM12:57

SECTION IV — DECLARATION

All applicants must complete this section. I declare under penalty of perjury under the laws of the state of Arizona that the answers I have given are true and correct to the best of my knowledge.

APPLICANT'S SIGNATURE

1/27/12
TODAY'S DATE

(2) Evidence of civil service employment by the U.S. government before June 1, 1976;
(3) Early school records (preferably from the first school) showing the date of admission to the school, the applicant's date and U.S. place of birth, and the name(s) and place(s) of birth of the applicant's parents(s);
(4) Census record showing name, U.S. nationality or a U.S. place of birth, and applicant's date of birth or age;
(5) Adoption finalization papers showing the applicant's name and place of birth in one of the 50 states, the District of Columbia, Puerto Rico (on or after January 13, 1941), Guam, the U.S. Virgin Islands (on or after January 17, 1917), American Samoa, or the Northern Mariana Islands (on or after November 4, 1986, Northern Mariana Islands local time) (unless the applicant was born to foreign diplomats residing in such a jurisdiction), or, when the adoption is not finalized and the state or other U.S. jurisdiction listed above will not release a birth certificate prior to final adoption, a statement from a State-or jurisdiction-approved adoption agency showing the applicant's name and place of birth in one of such jurisdictions, and stating that the source of the information is an original birth certificate;
(6) Any other document that establishes a U.S. place of birth or otherwise indicates U.S. nationality (e.g., a contemporaneous hospital record of birth in that hospital in one of the 50 states, the District of Columbia, Puerto Rico (on or after January 13, 1941), Guam, the U.S. Virgin Islands (on or after January 17, 1917), American Samoa, or the Northern Mariana Islands (on or after November 4, 1986, Northern Mariana Islands local time) (unless the applicant was born to foreign diplomats residing in such a jurisdiction);

c. Collective Naturalization

If the applicant cannot present one of the documents listed in (a) or (b) above, the following will establish U.S. citizenship for collectively naturalized individuals:

Puerto Rico:

- Evidence of birth in Puerto Rico on or after April 11, 1899 and the applicant's statement that he or she was residing in the U.S., a U.S. possession or Puerto Rico on January 13, 1941; or
- Evidence that the applicant was a Puerto Rican citizen and the applicant's statement that he or she was residing in Puerto Rico on March 1, 1917 and that he or she did not take an oath of allegiance to Spain.

U.S. Virgin Islands:

- Evidence of birth in the U.S. Virgin Islands, and the applicant's statement of residence in the U.S., a U.S. possession or the U.S. Virgin Islands on February 25, 1927;
- The applicant's statement indicating resident in the U.S. Virgin Islands as a Danish citizen on January 17, 1917 and residence in the U.S., a U.S. possession or the U.S. Virgin Islands on February 25, 1927, and that he or she did not make a declaration to maintain Danish citizenship; or
- Evidence of birth in the U.S. Virgin Islands and the applicant's statement indicating residence in the U.S., a U.S. possession or territory or the Canal Zone on June 28, 1932.

Northern Mariana Islands (NMI) (formerly part of the Trust Territory of the Pacific Islands (TTPI)):

- Evidence of birth in the NMI, TTPI citizenship and residence in the NMI, the U.S., or a U.S. territory or possession on November 3, 1986 (NMI local time) and the applicant's statement that he or she did not owe allegiance to a foreign state on November 4, 1986 (NMI local time);
- Evidence of TTPI citizenship, continuous residence in the NMI since before November 3, 1981 (NMI local time), voter registration prior to January 1, 1975 and the applicant's statement that he or she did not owe allegiance to a foreign state on November 4, 1986 (NMI local time); or
- Evidence of continuous domicile in the NMI since before January 1, 1974 and the applicant's statement that he or she did not owe allegiance to a foreign state on November 4, 1986 (NMI local time). Note: If a person entered the NMI as a nonimmigrant and lived in the NMI since January 1, 1974, this does not constitute continuous domicile and the individual is not a U.S. citizen

LIST B: QUALIFIED ALIENS, NONIMMIGRANTS, AND ALIENS PAROLED INTO U.S. FOR LESS THAN ONE YEAR

The documents listed below that are registration documents are indicated with an asterisk ("*").

a. "Qualified Aliens"

Evidence of "Qualified Alien" status includes the following:

Alien Lawfully Admitted for Permanent Residence

- *Form I-551 (Alien Registration Receipt Card, commonly known as a "green card"); or
- Unexpired Temporary I-551 stamp in foreign passport or on *I Form I-94.

Asylee

- * Form I-94 annotated with stamp showing grant of asylum under section 208 of the INA;
- *Form I-688B (Employment Authorization Card) annotated "274a.12(a)(5)";
- * Form I-766 (Employment Authorization Document) annotated "A5";
- Grant letter from the Asylum Office of the U.S. Citizenship and Immigration Service; or
- Order of an immigration judge granting asylum.

Refugee

- * Form I-94 annotated with stamp showing admission under § 207 of the INA;
- * Form I-688B (Employment Authorization Card) annotated "274a.12(a)(3)"; or
- * Form I-766 (Employment Authorization Document) annotated "A3"

Alien Paroled Into the U.S. for a Least One Year

- * Form I-94 with stamp showing admission for at least one year under section 212(d)(5) of the INA. (Applicant cannot aggregate periods of admission for less than one year to meet the one-year requirement.)

Alien Whose Deportation or Removal Was Withheld

- * Form I-688B (Employment Authorization Card) annotated "274a.12(a)(10)";
- * Form I-766 (Employment Authorization Document) annotated "A10"; or
- Order from an immigration judge showing deportation withheld under §243(h) of the INA as in effect prior to April 1, 1997, or removal withheld under § 241(b)(3) of the INA.

Alien Granted Conditional Entry

- * Form I-94 with stamp showing admission under §203(a)(7) of the INA;
- * Form I-688B (Employment Authorization Card) annotated "274a.12(a)(3)"; or
- * Form I-766 (Employment Authorization Document) annotated "A3."

Cuban/Haitian Entrant

- * Form I-551 (Alien Registration Receipt Card, commonly known as a "green card") with the code CU6, CU7, or CH6;
- Unexpired temporary I-551 stamp in foreign passport or on * Form I-94 with the code CU6 or CU7; or
- Form I-94 with stamp showing parole as "Cuba/Haitian Entrant" under Section 212(d)(5) of the INA.

Alien Who Has Been Declared a Battered Alien or Alien Subjected to Extreme Cruelty

- U.S. Citizenship and Immigration Service petition and supporting documentation

b. Nonimmigrant

Evidence of "Nonimmigrant" status includes the following:

- * Form I-94 with stamp showing authorized admission as nonimmigrant

c. Alien Paroled into U.S. for Less than One Year

Evidence includes:

- * Form I-94 with stamp showing admission for less than one year under section 212(d)(5) of the INA

Print Form

ARIZONA DEPARTMENT OF LIQUOR LICENSES & CONTROL

800 W. Washington 5th Floor '12 MAR 2 Liq. Dept PM1257 '12 MAR 2 Liq. Dept PM1257
Phoenix AZ 85007-2934
(602) 542-5141

QUESTIONNAIRE

Attention all Local Governing Bodies: Social Security and Birthdate Information is Confidential. This information may be given to local law enforcement agencies for the purpose of background checks only but must be blocked to be unreadable prior to posting or any public view.

Read carefully. This instrument is a sworn document. Type or print with BLACK INK.
An extensive investigation of your background will be conducted. False or incomplete answers could result in criminal prosecution and the denial or subsequent revocation of a license or permit.

TO BE COMPLETED BY EACH CONTROLLING PERSON, AGENT, OR MANAGER. EACH PERSON COMPLETING THIS FORM MUST SUBMIT AN "APPLICANT" TYPE FINGERPRINT CARD WHICH MAY BE OBTAINED AT DLLC. FINGERPRINTING MUST BE DONE BY A BONA FIDE LAW ENFORCEMENT AGENCY OR A FINGERPRINTING SERVICE APPROVED BY DLLC. THE DEPARTMENT DOES NOT PROVIDE THIS SERVICE.

Effective 10/01/07 there is a $24.00 processing fee for each fingerprint card submitted. $24.00 paid 3/2/12

The fees allowed by A.R.S. § 44-6852 will be charged for all dishonored checks.

Liquor License # 03023007
(If the location is currently licensed)

1. Check appropriate box → ☒ Controlling Person ☐ Agent (Complete Questions 1-19) Controlling Person or Agent must complete #21 for a Manager | ☐ Manager (Only) (Complete All Questions except # 14, 14a & 21) Controlling Person or Agent must complete # 21

2. Name: McGurk (Last) Sheryl (First) Marie (Middle) Date of Birth: [redacted] (NOT a Public Record)

3. Social Security Number [redacted] (NOT a public record) Drivers License #: [redacted] (NOT a public record) State: VA

4. Place of Birth: Victorville (City) CA (State) USA (Country) (not county) Height: 62" Weight: 120 Eyes: Blu Hair: Blnd

5. Marital Status ☐ Single ☒ Married ☐ Divorced ☐ Widowed Daytime Contact Phone: 571 217 8106

6. Name of Current or Most Recent Spouse: McGurk (Last) Sean (First) Paul (Middle) (Maiden) Date of Birth: 07/06/1961 (NOT a public record)
(List all for last 5 years - Use additional sheet if necessary)

7. You are a bona fide resident of what state? ARIZONA If Arizona, date of residency: 09/25/2011

8. Telephone number to contact you during business hours for any questions regarding this document. 571 217 8106

9. If you have been an Arizona resident for less than three (3) months, submit a copy of your Arizona driver's license or voter registration card.

10. Name of Licensed Premises: 3 Canyons Brewery LLC Premises Phone: ~~571 239 8700~~ pending

11. Physical Location of Licensed Premises Address: 7302 E. Silvercreek Rd (Street Address) Hereford (City) Cochise (County) 85615 (Zip)
(Do not use PO Box #)

12. List your employment or type of business during the past five (5) years. If unemployed part of the time, list those dates. **List most recent 1st.**

FROM Month/Year	TO Month/Year	DESCRIBE POSITION OR BUSINESS	EMPLOYER'S NAME OR NAME OF BUSINESS (street address, city, state & zip)
9/11	CURRENT	Director of Budget	HT-JCOE 821 Irwin St. Ft Huachuca AZ 85613
1/9	9/11	chief of cost	DOD ~~BTA~~ BTA 1851 South Bell Arlington Va 22240
5/5	1/9	Cost control chief	DOD 2000 Pentagon Arlington VA 22202

ATTACH ADDITIONAL SHEET IF NECESSARY FOR EITHER SECTION

13. Indicate your residence address for the last five (5) years:

FROM Month/Year	TO Month/Year	Rent or Own	RESIDENCE Street Address If rented, attach additional sheet with name, address and phone number of landlord	City	State	Zip
9/11	CURRENT	own	7302 E. Silvercreek Rd	Hereford	AZ	85615
01/04	9/11	own	5610 Tower Hill Circle	Alexandria	VA	22315

Disabled individuals requiring special accommodations, please call the Department. (602) 542-9027

Print Form

ARIZONA DEPARTMENT OF LIQUOR LICENSES & CONTROL

'12 MAR 2 Liq. Dept PM1257

800 W Washington 5th Floor
Phoenix AZ 85007-2934
(602) 542-5141

QUESTIONNAIRE

Attention all Local Governing Bodies: Social Security and Birthdate information is Confidential. This information may be given to local law enforcement agencies for the purpose of background checks only but must be blocked to be unreadable prior to posting for any public view.

Read carefully. This instrument is a sworn document. Type or print with BLACK INK.
An extensive investigation of your background will be conducted. False or incomplete answers could result in criminal prosecution and the denial or subsequent revocation of a license or permit.

TO BE COMPLETED BY EACH CONTROLLING PERSON, AGENT, OR MANAGER. EACH PERSON COMPLETING THIS FORM MUST SUBMIT AN "APPLICANT" TYPE FINGERPRINT CARD WHICH MAY BE OBTAINED AT DLLC. FINGERPRINTING MUST BE DONE BY A BONA FIDE LAW ENFORCEMENT AGENCY OR A FINGERPRINTING SERVICE APPROVED BY DLLC. THE DEPARTMENT DOES NOT PROVIDE THIS SERVICE.

Effective 10/01/07 there is a $24.00 processing fee for each fingerprint card submitted.

The fees allowed by A.R.S. § 44-6852 will be charged for all dishonored checks. $1,166.73

Liquor License # 0302 3007
(If the location is currently licensed)

1. **Check appropriate box →**

☐ Controlling Person ☒ Agent (Complete Questions 1-19) Controlling Person or Agent must complete #21 for a Manager	☐ Manager (Only) (Complete All Questions except # 14, 14a & 21) Controlling Person or Agent must complete # 21

2. Name: McNab (Last) Michael (First) William (Middle) Date of Birth: [redacted] (NOT a Public Record)

3. Social Security Number: [redacted] (NOT a public record) Drivers License #: [redacted] (NOT a public record) State: Arizona

4. Place of Birth: London (City) England (State) Country (not county) Height: 5'10" Weight: 210 Eyes: Blu Hair: Blk

5. Marital Status ☐ Single ☒ Married ☐ Divorced ☐ Widowed Daytime Contact Phone: 520 678-0880

6. Name of Current or Most Recent Spouse: McNab (Last) Peggy (First) Stallings (Middle) Stallings (Maiden) Date of Birth: 12/20/1958
(List all for last 5 years - Use additional sheet if necessary) (NOT a public record)

7. You are a bona fide resident of what state? Arizona If Arizona, date of residency: 1975

8. Telephone number to contact you during business hours for any questions regarding this document: 520 678-0880

9. If you have been an Arizona resident for less than three (3) months, submit a copy of your Arizona driver's license or voter registration card.

10. Name of Licensed Premises: 3 Canyons Brewery Premises Phone: ~~571-239-8700~~ pending

11. Physical Location of Licensed Premises Address: 7302 E Silver Creek Rd (Street Address) Hereford (City) Cochise (County) 85615 (Zip)
(Do not use PO Box #)

12. List your employment or type of business during the past five (5) years. If unemployed part of the time, list those dates. **List most recent 1st.**

FROM Month/Year	TO Month/Year	DESCRIBE POSITION OR BUSINESS	EMPLOYER'S NAME OR NAME OF BUSINESS (street address, city, state & zip)
2/2002	CURRENT	Agent	The McNabs Inc
			PO Box 643
			Hereford AZ 85615

ATTACH ADDITIONAL SHEET IF NECESSARY FOR EITHER SECTION

13. Indicate your residence address for the last five (5) years:

FROM Month/Year	TO Month/Year	Rent or Own	RESIDENCE Street Address If rented, attach additional sheet with name, address and phone number of landlord	City	State	Zip
9/2007	CURRENT	own	7363 Bloomfield Road	Hereford	AZ	85615
10/2005	9/2007	own	4556 Monarch	Sierra Vista	AZ	85635

Disabled individuals requiring special accommodations, please call the Department. (602) 542-9027

Print Form

ARIZONA DEPARTMENT OF LIQUOR LICENSES & CONTROL

800 W Washington 5th Floor
Phoenix AZ 85007-2934
(602) 542-5141

'12 MAR 2 Liq. Dept PM1257

QUESTIONNAIRE

Attention all Local Governing Bodies: Social Security and Birthdate Information is Confidential. This information may be given to local law enforcement agencies for the purpose of background checks only but must be blocked to be unreadable prior to posting or any public view.

Read carefully. This instrument is a sworn document. Type or print with BLACK INK.
An extensive investigation of your background will be conducted. False or incomplete answers could result in criminal prosecution and the denial or subsequent revocation of a license or permit.

TO BE COMPLETED BY EACH CONTROLLING PERSON, AGENT, OR MANAGER. EACH PERSON COMPLETING THIS FORM MUST SUBMIT AN "APPLICANT" TYPE FINGERPRINT CARD WHICH MAY BE OBTAINED AT DLLC. FINGERPRINTING MUST BE DONE BY A BONA FIDE LAW ENFORCEMENT AGENCY OR A FINGERPRINTING SERVICE APPROVED BY DLLC. THE DEPARTMENT DOES NOT PROVIDE THIS SERVICE.

Effective 10/01/07 there is a $24.00 processing fee for each fingerprint card submitted.

The fees allowed by A.R.S. § 44-6852 will be charged for all dishonored checks.

$ 10.00 735

Liquor License # 03023007
(If the location is currently licensed)

1. Check appropriate box → ☐ Controlling Person ☒ Agent (Complete Questions 1-19) Controlling Person or Agent must complete #21 for a Manager | ☐ Manager (Only) (Complete All Questions except # 14, 14a & 21) Controlling Person or Agent must complete # 21

2. Name: McNab (Last) Peggy (First) Stallings (Middle) Date of Birth: [redacted] (NOT a Public Record)

3. Social Security Number: [redacted] (NOT a public record) Drivers License #: [redacted] (NOT a public record) State: Arizona

4. Place of Birth: Phoenix (City) AZ (State) USA (Country (not county)) Height: 5'2" Weight: 125 Eyes: GRN Hair: BRN

5. Marital Status ☐ Single ☒ Married ☐ Divorced ☐ Widowed Daytime Contact Phone: 520 508-1660

6. Name of Current or Most Recent Spouse: McNab (Last) Michael (First) William (Middle) [Maiden] Date of Birth: 12/26/1968
(List all for last 5 years - Use additional sheet if necessary) (NOT a public record)

7. You are a bona fide resident of what state? Arizona If Arizona, date of residency: 6-20-1958

8 Telephone number to contact you during business hours for any questions regarding this document 520 508-1660

9. If you have been an Arizona resident for less than three (3) months, submit a copy of your Arizona driver's license or voter registration card.

10. Name of Licensed Premises: 3 Canyons Brewery Premises Phone: 571 239-8700 pending

11. Physical Location of Licensed Premises Address: 7302 E Silver Creek Rd (Street Address (Do not use PO Box #)) Hereford (City) Cochise (County) 85615 (Zip)

12. List your employment or type of business during the past five (5) years. If unemployed part of the time, list those dates. **List most recent 1st.**

FROM Month/Year	TO Month/Year	DESCRIBE POSITION OR BUSINESS	EMPLOYER'S NAME OR NAME OF BUSINESS (street address, city, state & zip)
2/2002	CURRENT	Agent	The McNabs Inc
			PO Box 643
			Hereford AZ 85615

ATTACH ADDITIONAL SHEET IF NECESSARY FOR EITHER SECTION

13. Indicate your residence address for the last five (5) years:

FROM Month/Year	TO Month/Year	Rent or Own	RESIDENCE Street Address If rented, attach additional sheet with name, address and phone number of landlord	City	State	Zip
9/2007	CURRENT	own	7363 Bloomfield	Hereford	AZ	85615
10/2005	9/2007	own	4556 Monarch Dr	Sierra Vista	AZ	85635

Disabled individuals requiring special accommodations, please call the Department. (602) 542-9027

COCHISE COUNTY BOARD OF SUPERVISORS

Telephone (520) 432-9200
Fax (520) 432-5016

APPLICANT INFORMATION

Applicant Name:	Sean Paul McGurk	Address:	7302 E. Silvercreek Road
Business Name:	3 Canyons Brewery	City/Zip:	Hereford/85615
Liquor License #:	03023007	Parcel #:	104-01-060F
Ownership Type:	Limited Liability Company	Liquor License ☒	Special Event Liquor License ☐
Partner(s):	3 Canyons Brewery		

TO BE COMPLETED BY THE ENVIRONMENTAL HEALTH DEPARTMENT

We would like to request your assistance in reviewing the attached application.

Please provide any pertinent information for the Board's consideration:

As of this date 3 Canyons Brewery has not applied for necessary permits for construction phase and does not have a permit to operate. The applicant, Sean Paul McGurk, has been instructed by the Environmental Health Specialist in Sierra Vista to contact the FDA to determine if 3 Canyons Brewery will be permitted by the FDA or if Cochise County Environmental Health will be the permitting agency. Also the septic system on this property must be adequate and a grease interceptor may be required. If Cochise County is the permitting agency there are no concerns or issues with approving Liquor License #03023007 for the applicant as long as the establishment meets the County Sanitary Code, Arizona Food Code, Prop 201 and all other necessary requirements prior to opening the facility

OTHER PERTINENT INFORMATION FOR THE BOARD'S CONSIDERATION:

☒ The Health Department will notify the applicant that he/she will be required to obtain the proper permits before operating the business.

☒ The Health Department is currently working with the property owner on health-related issues with the subject property.

Name:	Michael McGee	Title:	Director
Signature:	Michael McGee	Date:	March 15, 2012
Contact phone:	(520) 432-9444 or (520) 586-8206	Email:	mmcgee@cochise.az.gov

Return completed form with any attachments by: 03/15/12

COCHISE COUNTY BOARD OF SUPERVISORS

Telephone (520) 432-9200
Fax (520) 432-5016

APPLICANT INFORMATION

Applicant Name:	Sean Paul McGurk	Address:	7302 E Silvercreek Road
Business Name:	3 Canyons Brewery	City/Zip:	Hereford/85615
Liquor License #:	03023007	Parcel #:	104-01-060F
Ownership Type:	Limited Liability Company	Liquor License ☒	Special Event Liquor License ☐
Partner(s):	3 Canyons Brewery		

TO BE COMPLETED BY THE SHERIFF'S OFFICE

Please advise if:

1. The applicant, or any named partner(s), has had a felony conviction within five (5) years prior to the application or;
2. There have been a significant number of incidents at the named location within five (5) years prior to the application.

If so, please attach pertinent documentation.

Comments: Neither applicant/partner have had any felony convictions and there has been no activity at the name locatin in the previous five years.

Based on the above information, the Sheriff's Office recommendation to the Board of Supervisors is:	Approval	Disapproval
	☒	☐

Name:	Ken Buckner	Title:	Deputy Commander
Signature:		Date:	03-08-12
Contact phone:	520-432-9506	Email:	kbuckner@cochise.az.gov

Return completed form with any attachments by: 3/22/12

COCHISE COUNTY BOARD OF SUPERVISORS

Telephone (520) 432-9200
Fax (520) 432-5016

For internal use only:

___ Restaurant/Hotel-Motel
___ Club/Government
___ Transfer of Premises

APPLICANT INFORMATION

Applicant Name:	Sean Paul McGurk	Address:	7302 E Silvercreek Road
Business Name:	3 Canyons Brewery	City/Zip:	Hereford/85615
Liquor License #:	03023007	Parcel #:	104-01-060F
Ownership Type:	Limited Liability Company	Liquor License ☒	Special Event Liquor License ☐
Partner(s):	3 Canyons Brewery		

TO BE COMPLETED BY THE PLANNING & ZONING DEPARTMENT

Please advise if, at the time the application was filed:

1. The premises for which the license is being applied for is within 300 horizontal feet of a church; or
2. The premises for which the license is being applied for is within 300 horizontal feet of a public or private school, or a fenced recreation area adjacent to a school building.

If so, please attach pertinent documentation and drawings or maps.

Comments: Proposed site not within 300 horizontal feet of a church, public or private school, or fenced recreation area adjacent to a school building.

	Approval	Disapproval
Based on the above information, the Planning and Zoning Department's recommendation to the Board of Supervisors is:	☒	☐

OTHER PERTINENT INFORMATION FOR THE BOARD'S CONSIDERATION:

Proper Zoning?	Y ☒ N ☐	Zoning:	RU-4
Use permitted by P&Z?	Y ☒ N ☐	Permit#:	HO-12-07
Date Permit Issued:	March 13, 2012	Use Permitted:	Home Brewery
If use not permitted, is it LNC?	Y ☐ N ☒	Year LNC Established:	n/a

☐ The Planning Department will notify the applicant that if any construction is proposed, a Non-Residential Permit must first be submitted and approved by this Department, or if there is a lapse of 12 months of non-operation of the business, a Non-Residential Permit will be required to re-establish the use from this Department.

☐ The Planning Department will notify the applicant that he/she will be required to obtain the proper permits before operating the business.

☐ The Planning Department is currently working with the property owner on several zoning-related issues with the subject property.

☐ The Planning Department is currently working with the property owner on obtaining the proper permits to operate the business.

Name:	Dora V Flores	Title:	Permit and Customer Service Coordinator
Signature:	Dora V Flores	Date:	March 13, 2012
Contact phone:	520-432-9240	Email:	dflores@cochise.az.gov

Return completed form with any attachments by: 3/15/12

COCHISE COUNTY BOARD OF SUPERVISORS

Telephone (520) 432-9200
Fax (520) 432-5016

APPLICANT INFORMATION

Applicant Name:	Sean Paul McGurk	Address:	7302 E Silvercreek Road
Business Name:	3 Canyons Brewery	City/Zip:	Hereford/85615
Liquor License #:	03023007	Parcel #:	104-01-060F
Ownership Type:	Limited Liability Company	Liquor License ☒	Special Event Liquor License ☐
Partner(s):	3 Canyons Brewery		

TO BE COMPLETED BY THE TREASURER'S OFFICE

Please advise if the property taxes for the parcel in question are current.

☒ Yes ☐ No

If not, please attach pertinent documentation.

Comments:

Name:	PJ Green	Title:	Tax Specialist
Signature:		Date:	3/8/12
Contact phone:	432-8406	Email:	

Return completed form with any attachments by: 3/15/12

ARIZONA DEPARTMENT OF LIQUOR LICENSES AND CONTROL

800 W Washington 5th Floor
Phoenix AZ 85007-2934
www.azliquor.gov
(602) 542-5141

AFFIDAVIT OF POSTING

Date of Posting: March 9, 2012 Date of Posting Removal: March 28, 2012

Applicant Name: McGURK (Last) SEAN (First) PAUL (Middle)

Business Address: 7302 E SILVERCREEK RD. (Street) HEREFORD (City) 85615 (Zip)

License #: 03023007

I hereby certify that pursuant to A.R.S. § 4-201, I posted notice in a conspicuous place on the premises proposed to be licensed by the above applicant and said notice was posted for at least twenty (20) days.

JAMES MONTOYA (Print Name of City/County Official) BLM- Task 3 (Title) 803-3967 (Telephone #)

James Montoya (Signature) 3-28-12 (Date Signed)

Return this affidavit with your recommendation (i.e., Minutes of Meeting, Verbatim, etc.) or any other related documents.

If you have any questions please call (602) 542-5141 and ask for the Licensing Division.

Individuals requiring special accommodations please call (602) 542-9027

Lic0119 4/2009

NOTICE

APPLICATION TO SELL ALCOHOLIC BEVERAGES

DATE POSTED: MARCH 9, 2012

A HEARING ON A LIQUOR LICENSE APPLICATION SHALL BE HELD BEFORE THE

COCHISE COUNTY BOARD OF SUPERVISORS

PLACE 1415 NEDDY LN, BISBEE **DATE/TIME** APRIL 10, 2012 @ 10:00 A.M.

HEARING DATES SUBJECT TO CHANGE, TO VERIFY CALL: 520-432-9200

THE LOCAL GOVERNING BODY WILL RECOMMEND TO THE STATE LIQUOR BOARD WHETHER THE BOARD SHOULD GRANT OR DENY THE LICENSE. THE STATE LIQUOR BOARD MAY HOLD A HEARING TO CONSIDER THE RECOMMENDATION OF THE LOCAL GOVERNING BODY. ANY PERSON RESIDING OR OWNING OR LEASING PROPERTY WITHIN A ONE-MILE RADIUS MAY CONTACT THE STATE LIQUOR BOARD IN WRITING TO REGISTER AS A PROTESTER. TO REQUEST INFORMATION REGARDING PROCEDURES BEFORE THE BOARD AND NOTICE OF ANY BOARD HEARINGS REGARDING THIS APPLICATION, CONTACT THE **STATE LIQUOR BOARD**: **800 W. WASHINGTON, 5TH FLOOR, PHOENIX, AZ. 85007 (602) 542-9789**

INDIVIDUALS REQUIRING ADA ACCOMMODATIONS CALL - LOCAL GOVERNING BODY: STATE LIQUOR DEPT: (602) 542-9789

POST ONE COPY OF THE APPLICATION FORM BELOW THIS NOTICE.

Public Hearings 10.

Regular Board of Supervisors Meeting **Board of Supervisors**

Meeting Date: 04/10/2012

Liquor License

Submitted By: Arlethe Rios, Board of Supervisors

Department: Board of Supervisors

Presentation:	No A/V Presentation	**Recommendation:**	Approve
Document Signatures:	BOS Signature Required	**# of ORIGINALS Submitted for Signature:**	1
NAME of PRESENTER:	Katie Howard	**TITLE of PRESENTER:**	Clerk of the Board
Mandated Function?:	Not Mandated	**Source of Mandate or Basis for Support?:**	

Docket Number (If applicable):

Information

Agenda Item Text:

Approve a new liquor license application for a series #12 (restaurant) liquor license submitted by Ms. Marybeth for MBeez located at 4301 S. Hwy 92, Sierra Vista, 85635.

Background:

Ms. Marybeth Cox has applied for a series #12 (restaurant) new liquor license for MBeez located at 4301 S. Hwy 92, Sierra Vista, 85635. The Sheriff's Office and the Planning and Zoning Department have recommended approval of the application. There have been no formal protests to this liquor license.

The Environmental Health Division noted that the applicant, Ms. Cox is working with the Environmental Health Specialists in Sierra Vista to ensure compliance with the Cochise County Sanitary Code, Arizona Food Code, Prop 201 and all necessary requirements prior to opening the facility. The Treasurer's Office noted that all property taxes for the location are not current.

Ms. Marybeth Cox has paid the $100.00 processing fee. Supporting documentation regarding this liquor license is attached.

Department's Next Steps (if approved):

Board staff will forward the Board's decision to the Arizona Department of Liquor License and Control.

Impact of NOT Approving/Alternatives:

A hearing on this application will be scheduled with the State Liquor Board.

To BOS Staff: Document Disposition/Follow-Up:

Send packet to ADLLC and copy of letter w/out attachments to applicant.

Fiscal Impact

Fiscal Year:	11-12
One-time Fixed Costs? ($$$):	0

Ongoing Costs? ($$$):	0
County Match Required? ($$$):	0
A-87 Overhead Amt? (Co. Cost Allocation $$$):	0
Source of Funding?:	0

Fiscal Impact & Funding Sources (if known):

0

Attachments

Application
Notice of Posting
Completed Review Forms
Affidavit of Posting

FEB 17 Liq. Dept. Rec'd

Arizona Department of Liquor Licenses and Control

800 West Washington, 5th Floor
Phoenix, Arizona 85007
www.azliquor.gov
602-542-5141

APPLICATION FOR LIQUOR LICENSE

TYPE OR PRINT WITH BLACK INK

Notice: Effective Nov. 1, 1997, All Owners, Agents, Partners, Stockholders, Officers, or Managers actively involved in the day to day operations of the business must attend a Department approved liquor law training course or provide proof of attendance within the last five years. See page 5 of the Liquor Licensing requirements.

SECTION 1 This application is for a:

- ☐ MORE THAN ONE LICENSE
- ☐ INTERIM PERMIT *Complete Section 5*
- ☒ NEW LICENSE *Complete Sections 2, 3, 4, 13, 14, 15, 16*
- ☐ PERSON TRANSFER (Bars & Liquor Stores ONLY) *Complete Sections 2, 3, 4, 11, 13, 15, 16*
- ☐ LOCATION TRANSFER (Bars and Liquor Stores ONLY) *Complete Sections 2, 3, 4, 12, 13, 15, 16*
- ☐ PROBATE/WILL ASSIGNMENT/DIVORCE DECREE *Complete Sections 2, 3, 4, 9, 13, 16* (fee not required)
- ☐ GOVERNMENT *Complete Sections 2, 3, 4, 10, 13, 15, 16*

SECTION 2 Type of ownership:

- ☐ J.T.W.R.O.S. *Complete Section 6*
- ☐ INDIVIDUAL *Complete Section 6*
- ☐ PARTNERSHIP *Complete Section 6*
- ☐ CORPORATION *Complete Section 7*
- ☒ LIMITED LIABILITY CO. *Complete Section 7*
- ☐ CLUB *Complete Section 8*
- ☐ GOVERNMENT *Complete Section 10*
- ☐ TRUST *Complete Section 6*
- ☐ OTHER (Explain) _____

SECTION 3 Type of license and fees LICENSE #(s): 12023165

1. Type of License(s): SERIES 12 RESTAURANT

2. Total fees attached: $ 148 (Department Use Only)

APPLICATION FEE AND INTERIM PERMIT FEES (IF APPLICABLE) ARE NOT REFUNDABLE.

The fees allowed under A.R.S. 44-6852 will be charged for all dishonored checks.

SECTION 4 Applicant

1. Owner/Agent's Name: (Mr. / Ms.) COX (Last) MARYBETH (First) P10666029 (Middle)
(Insert one name ONLY to appear on license)

2. Corp./Partnership/L.L.C.: MBeez LLC B10476688
(Exactly as it appears on Articles of Inc. or Articles of Org.)

3. Business Name: MBeeZ
(Exactly as it appears on the exterior of premises)

4. Principal Street Location: 4301 S. Hwy 92 (Do not use PO Box Number) SIERRA VISTA (City) COCHISE (County) 85635 (Zip) B10097116

5. Business Phone: PENDING Daytime Contact: 520-559-0818

6. Is the business located within the incorporated limits of the above city or town? ☒ YES ☐ NO

7. Mailing Address: P.O. Box 552 (City) Sonoita (State) Az (Zip) 85637

8. Price paid for license only bar, beer and wine, or liquor store: Type _____ $_____ Type _____ $_____

DEPARTMENT USE ONLY

Fees: 100 (Application) _____ (Interim Permit) _____ (Agent Change) _____ (Club) 48 (Finger Prints) $ 148 TOTAL OF ALL FEES

Is Arizona Statement of Citizenship & Alien Status For State Benefits complete? ☒ YES ☐ NO

Accepted by: SS Date: 2/22/12 Lic. # 12023165

July 2010

*Disabled individuals requiring special accommodation, please call (602) 542-9027.

SECTION 5 Interim Permit:

1. If you intend to operate business when your application is pending you will need an Interim Permit pursuant to A.R.S. 4-203.01.
2. There **MUST** be a valid license of the same type you are applying for currently issued to the location.
3. Enter the license number currently at the location._____
4. Is the license currently in use? ☐ YES ☐ NO If no, how long has it been out of use?_____

ATTACH THE LICENSE CURRENTLY ISSUED AT THE LOCATION TO THIS APPLICATION.

I, _____, declare that I am the CURRENT OWNER, AGENT, CLUB MEMBER, PARTNER,
(Print full name)
MEMBER, STOCKHOLDER, OR LICENSEE (circle the title which applies) of the stated license and location.

X_____
(Signature)

My commission expires on: _____

State of _____ County of_____

The foregoing instrument was acknowledged before me this

_____day of _____, _____
Day Month Year

_____
(Signature of NOTARY PUBLIC)

SECTION 6 Individual or Partnership Owners:

EACH PERSON LISTED MUST SUBMIT A COMPLETED QUESTIONNAIRE (FORM LIC0101), AN "APPLICANT" TYPE FINGERPRINT CARD, AND $24 PROCESSING FEE FOR EACH CARD.

1. Individual:

Last	First	Middle	% Owned	Mailing Address	City State Zip

Partnership Name: (Only the first partner listed will appear on license) _____

General-Limited	Last	First	Middle	% Owned	Mailing Address	City State Zip
☐ ☐						
☐ ☐						
☐ ☐						
☐ ☐						

(ATTACH ADDITIONAL SHEET IF NECESSARY)

2. Is any person, other than the above, going to share in the profits/losses of the business? ☐ YES ☐ NO
If Yes, give name, current address and telephone number of the person(s). Use additional sheets if necessary.

Last	First	Middle	Mailing Address	City, State, Zip	Telephone#

SECTION 7 Corporation/Limited Liability Co.:

EACH PERSON LISTED MUST SUBMIT A COMPLETED QUESTIONNAIRE (FORM LIC0101), AN "APPLICANT" TYPE FINGERPRINT CARD, AND $24 PROCESSING FEE FOR EACH CARD.

☐ CORPORATION *Complete questions 1, 2, 3, 5, 6, 7, and 8.*

☒ L.L.C. *Complete 1, 2, 4, 5, 6, 7, and 8.*

1. Name of Corporation/L.L.C.: MBeez LLC
   (Exactly as it appears on Articles of Incorporation or Articles of Organization)
2. Date Incorporated/Organized: 1/4/12 State where Incorporated/Organized: AZ
3. AZ Corporation Commission File No.: _____ Date authorized to do business in AZ: _____
4. AZ L.L.C. File No: L17298520 Date authorized to do business in AZ: 1/6/12
5. Is Corp./L.L.C. Non-profit? ☐ YES ☒NO
6. List all directors, officers and members in Corporation/L.L.C.:

Last	First	Middle	Title	Mailing Address	City State Zip
COX	MARYBETH		Member	[redacted]	
NICHOLAS	TERRICK	SHATWAN	Member		

(ATTACH ADDITIONAL SHEET IF NECESSARY)

7. List stockholders who are controlling persons or who own 10% or more:

Last	First	Middle	% Owned	Mailing Address	City State Zip
Cox	MaryBeth		100%	[redacted]	

(ATTACH ADDITIONAL SHEET IF NECESSARY)

8. If the corporation/L.L.C. is owned by another entity, attach a percentage of ownership chart, and a director/officer/member disclosure for the parent entity. Attach additional sheets as needed in order to disclose personal identities of all owners.

SECTION 8 Club Applicants:

EACH PERSON LISTED MUST SUBMIT A COMPLETED QUESTIONNAIRE (FORM LIC0101), AN "APPLICANT" TYPE FINGERPRINT CARD, AND $24 PROCESSING FEE FOR EACH CARD.

1. Name of Club: _____ Date Chartered: _____
   (Exactly as it appears on Club Charter or Bylaws) (Attach a copy of Club Charter or Bylaws)
2. Is club non-profit? ☐ YES ☐ NO
3. List officer and directors:

Last	First	Middle	Title	Mailing Address	City State Zip

(ATTACH ADDITIONAL SHEET IF NECESSARY)

SECTION 9 Probate, Will Assignment or Divorce Decree of an existing Bar or Liquor Store License:

1. Current Licensee's Name: _____ (Exactly as it appears on license) Last First Middle
2. Assignee's Name: _____ Last First Middle
3. License Type: _____ License Number: _____ Date of Last Renewal: _____
4. ATTACH TO THIS APPLICATION A CERTIFIED COPY OF THE WILL, PROBATE DISTRIBUTION INSTRUMENT, OR DIVORCE DECREE THAT SPECIFICALLY DISTRIBUTES THE LIQUOR LICENSE TO THE ASSIGNEE TO THIS APPLICATION.

SECTION 10 Government: (for cities, towns, or counties only)

1. Governmental Entity: _____
2. Person/designee: _____ Last First Middle _____ Contact Phone Number

A SEPARATE LICENSE MUST BE OBTAINED FOR EACH PREMISES FROM WHICH SPIRITUOUS LIQUOR IS SERVED.

SECTION 11 Person to Person Transfer:

Questions to be completed by CURRENT LICENSEE (Bars and Liquor Stores ONLY-Series 06,07, and 09).

1. Current Licensee's Name: _____ Entity: _____ (Exactly as it appears on license) Last First Middle (Indiv., Agent, etc.)
2. Corporation/L.L.C. Name: _____ (Exactly as it appears on license)
3. Current Business Name: _____ (Exactly as it appears on license)
4. Physical Street Location of Business: Street _____ City, State, Zip _____
5. License Type: _____ License Number: _____
6. If more than one license to be transfered: License Type: _____ License Number: _____
7. Current Mailing Address: (Other than business) Street _____ City, State, Zip _____
8. Have all creditors, lien holders, interest holders, etc. been notified of this transfer? ☐ YES ☐ NO
9. Does the applicant intend to operate the business while this application is pending? ☐ YES ☐ NO If yes, complete Section 5 of this application, attach fee, and current license to this application.
10. I, _____ (print full name), hereby authorize the department to process this application to transfer the privilege of the license to the applicant, provided that all terms and conditions of sale are met. Based on the fulfillment of these conditions, I certify that the applicant now owns or will own the property rights of the license by the date of issue.

I, _____ (print full name), declare that I am the CURRENT OWNER, AGENT, MEMBER, PARTNER STOCKHOLDER, or LICENSEE of the stated license. I have read the above Section 11 and confirm that all statements are true, correct, and complete.

_____ (Signature of CURRENT LICENSEE)

State of _____ County of _____

The foregoing instrument was acknowledged before me this _____ Day _____ Month _____ Year

My commission expires on: _____

_____ (Signature of NOTARY PUBLIC)

SECTION 12 Location to Location Transfer: (Bars and Liquor Stores ONLY)

APPLICANTS CANNOT OPERATE UNDER A LOCATION TRANSFER UNTIL IT IS APPROVED BY THE STATE

'12 FEB 17 Liq. Dept. Rec'd

1. Current Business: (Exactly as it appears on license) Name _____
   Address _____
2. New Business: (Physical Street Location) Name _____
   Address _____
3. License Type: _____ License Number: _____
4. If more than one license to be transferred: License Type: _____ License Number: _____
5. What date do you plan to move? _____ What date do you plan to open? _____

SECTION 13 Questions for all in-state applicants excluding those applying for government, hotel/motel, and restaurant licenses (series 5, 11, and 12):

A.R.S. § 4-207 (A) and (B) state that no retailer's license shall be issued for any premises which are at the time the license application is received by the director, within three hundred (300) horizontal feet of a church, within three hundred (300) horizontal feet of a public or private school building with kindergarten programs or grades one (1) through (12) or within three hundred (300) horizonal feet of a fenced recreational area adjacent to such school building. The above paragraph DOES NOT apply to:

a) Restaurant license (§ 4-205.02)
b) Hotel/motel license (§ 4-205.01)
c) Government license (§ 4-205.03)
d) Fenced playing area of a golf course (§ 4-207 (B)(5))

1. Distance to nearest school: _____ ft. Name of school _____
   Address _____
   City, State, Zip
2. Distance to nearest church: _____ ft. Name of church _____
   Address _____
   City, State, Zip
3. I am the: ☒ Lessee ☐ Sublessee ☐ Owner ☐ Purchaser (of premises)
4. If the premises is leased give lessors: Name Bernard J. MacElhenny Jr.
   Address [redacted]
   City, State, Zip

4a. Monthly rental/lease rate $ 1600.00 What is the remaining length of the lease 4 yrs. 10 mos.

4b. What is the penalty if the lease is not fulfilled? $_____ or other SEE ATTACHED
(give details - attach additional sheet if necessary)

5. What is the total **business** indebtedness for this license/location excluding the lease? $ 0
   Please list lenders you owe money to. N/A

Last	First	Middle	Amount Owed	Mailing Address	City State	Zip

(ATTACH ADDITIONAL SHEET IF NECESSARY)

6. What type of business will this license be used for (be specific)? Lunch, Dinner / Entertainment - Bar
   Restaurant Bar

'12 FEB 17 Dept FM 1 17
case Agreement

amount payable to Tenant to Landlord under this lease if less than all of the Leased Premises is sublet, and (b) in the case either of an assignment or a sublease, any net payment (after deducting (i) all brokers fees and (ii) all other costs and expenses to the extent such other costs and expenses do not exceed an amount equal to two times the minimum monthly rent then in effect under this lease, paid or incurred by Tenant in securing the assignment or sublease) directly or indirectly received by the Tenant solely in exchange for entering into the sublease or assignment.

16.7.2 Rental Overages shall not include (a) reimbursement for any security deposit, (b) reimbursement of any improvements, fixtures or furnishings installed on the Leased Premises by Tenant, (c) any amounts paid for the business or assets of Tenant, other than the leasehold estate, or (d) any payment for personal property of Tenant, including payments made for goodwill, going concern value or similar intangible personal property.

16.7.3 As used herein, consideration shall include consideration in any form, including but not limited to, money, property, discounts, services, credits or any other item or thing of value. Irrespective of the form of such consideration, Landlord shall be entitled to be paid in cash in an amount equivalent to the aggregate of the cash portion of the Rental Overages and the value of any non-cash portion of the Rental Overages. If any Rental Overages are to be paid or given in installments, Tenant shall pay each such installment at the time the same is received by Tenant.

16.8 Reimbursement of Expenses. Concurrently with Landlord's consent to the proposed assignment of subletting, and as a condition thereto, Tenant shall reimburse Landlord for the reasonable costs and expenses, including accountant or attorneys' fees, incurred by Landlord in connection with the processing and documentation of the proposed transfer, assignment or sublease.

16.9 Continuing Obligation. No assignment or subletting by Tenant shall relieve Tenant of its obligations under this lease, and Tenant shall remain fully responsible to Landlord for the performance of all its obligations under this lease, regardless of any assignment or subletting. Any such transfer, assignment or subletting shall be subject to all of the terms and conditions of this lease, and each successive transfer, assignment or subletting shall be subject to all the terms and conditions of this lease, and each successive transfer, assignment or subletting shall be made only upon like conditions.

17. TENANT'S ASSOCIATION

Tenant agrees to join any Tenant's Association that may be formed by Landlord or by the Tenants of the building in which the Leased Premises are situated, and, during the entire term of this lease, to participate and maintain membership in good standing therein and to comply with the rules, regulations and by-laws thereof. Tenant further agrees to pay the minimum dues of any such Association, in the amount approved by the majority vote of its members.

18. DEFAULT BY TENANT

Each of the following events shall constitute an Event of Default within the meaning of this lease:

18.1 Insolvency of Tenant. If during the term of this lease (a) the Tenant shall make an assignment for the benefit of creditors; or (b) a voluntary or involuntary petition shall be

'12 FEB 17 Liqr. Dept PM 1 17

filed by or against the Tenant under any law having for its purpose the adjudication of the Tenant as bankrupt, or the extension of time of payment, composition, adjustment, modification, settlement or satisfaction of the liabilities of the Tenant, or to which any property of the Tenant may be subject and if the petition be involuntary, if said petition be granted; or (c) a receiver be appointed for the Leased Premises by reason of the insolvency or alleged insolvency of the Tenant and said receiver is not discharged within ten (10) days, or upon the hearing of a timely filed petition to dismiss, absolve or otherwise terminate the receivership, whichever shall later occur; or (d) any department of the state or federal government, or any officer thereof duly authorized shall take possession of the Leased Premises and the taking of possession shall be followed by a legal adjudication of the insolvency, or bankruptcy, or receivership of Tenant.

18.2 Breach of Covenant; Abandonment, Etc. If during the term of this lease, Tenant shall (a) default in fulfilling any of the covenants or conditions of this lease (other than the covenants for the payment of rent or other charges payable by the Tenant hereunder), or (b) shall abandon the Leased Premises; provided, however, that a default which is capable of being cured shall not constitute an Event of Default unless Landlord has given notice of such default to Tenant and Tenant has failed to cure such default within ten (10) days after its receipt of such notice or, in the case of a default which cannot with due diligence be cured within a period of ten (10) days, if the Tenant has failed to proceed promptly after the service of such notice to prosecute the curing of such default with all due diligence within a reasonable period of time.

18.3 Failure to Pay Rent, Etc. If the payment of the rent expressly reserved hereunder, or any part of the same, or any other rent or charge required to be paid by the Tenant hereunder or any part of the same, is not paid within ten (10) days of the date on which first due.

18.4 Chronic Delinquencies. Notwithstanding the provisions of paragraph 18.3 above, the chronic delinquency by Tenant in the payment of any monthly rental, or other periodic payment required to be paid by the Tenant under this Lease. "Chronic Delinquency" shall mean failure by the Tenant to pay monthly rental or other periodic payment required to be paid by the Tenant under this Lease, as required in paragraph 18.3 above, for any three (3) month (consecutive or nonconsecutive) during any twelve (12) month period. In the event of the Chronic Delinquency, at Landlord's option, Landlord shall have additional right to require monthly rental to be paid to the Landlord quarter-annually, in advance, for the remainder of the term.

18.5 Guarantor Defaults. Any guarantor of this Lease who revokes or other terminates, or purports to revoke or otherwise terminate (by operation of law or otherwise), any guaranty of all or a portion of the Tenant's obligations under this Lease.

19. LANDLORD'S REMEDIES

Upon the occurrence of any Event of Default:

19.1 Termination. Landlord may, at Landlord's election, terminate this lease by any lawful means. Termination of this Lease pursuant to this Section 19.1 shall not relieve Tenant from the payment of any sum then due to Landlord or from any claim for damages previously accrued or then accruing against Tenant.

19.2 Reentry Without Termination. Landlord may, at Landlord's election, reenter the Premises and, without terminating this lease, at any time, and from time to time relet the Premises

'12 FEB 17 Liq. Dept PM 1:17

and improvements or any part of them for the account and in the name of Tenant or otherwise. Any reletting may be for the remainder of the term or for a longer or shorter period. Landlord may execute any leases made under this provision either in Landlord's name or in Tenant's name and shall be entitled to all rents from the use, operation, or occupancy of the Premises or improvements or both. Tenant shall nevertheless pay to Landlord on the due date specified in this lease the equivalent of all sums required to be paid by Tenant under this lease, plus Landlord's expenses, but less the proceeds of any reletting or attornment. No act by or on behalf of Landlord under this provision shall constitute a termination of this lease unless Landlord gives notice of termination.

19.3 Recovery of Rent and Damages. Landlord shall be entitled at Landlord's election to each installment of rent or to any combination of installments for any period before termination, plus late charges and interest as provided by Section 3.6 above. The proceeds of any reletting or attornment shall be applied, when received, first to the out-of-pocket costs and expenses incurred by Landlord in recovering possession of the Leased Premises and/or effecting such reletting, including but not limited to attorneys' fees, court costs, brokerage commissions and any costs of remodeling or renovation, second to any amounts then due and unpaid by Tenant under this lease, to the extent that such proceeds for the period covered do not exceed the amount due from and charged to Tenant for the same period, and any remaining balance shall be held for the account of Tenant. The Landlord shall also be entitled to the "Worth in Time Award" established by the court having jurisdiction thereof of an amount by which the unpaid rent or other charges due for the balance of the term after the time of the Tenant's default exceeds the amount of such rental loss for the same period that the Tenant proves by clear and convincing evidence could have been reasonably avoided. In addition, if the Landlord has prepaid leasing commissions, the Landlord shall be entitled to the portion of the leasing commissions paid by the Landlord applicable to the unexpired term of this Lease.

19.4 Assignment of Sub rents. Tenant assigns to Landlord all sub rents and other sums becoming due from subtenants, licensees and concessionaries (referred to collectively herein as "sub rents") during any period in which Landlord has the right under this lease, whether exercised or not, to reenter the Premises on account of a default by Tenant, and Tenant shall not have any right to such sums during that period. This assignment is specifically subject and subordinate to any and all assignments of the same sub rents and other sums made to a leasehold mortgage under any leasehold mortgage permitted by the provisions of this lease. Landlord may at Landlord's election reenter the Premises and improvements, without terminating this lease and either collect these sums or bring an action for the recovery of such sums from the obligors.

19.5 Power of Receiver. Landlord shall have the right to obtain the appointment of a receiver to take possession of the Leased Premises and/or to collect the rents or profits derived there from, and Tenant irrevocably agrees that any such receiver may, if it be necessary or convenient in order to collect such rents and profits, conduct the Business then being carried on by Tenant on said Premises and that said receiver may take possession of any personal property belonging to Tenant and used in the conduct of such business, and may use the same in conducting such business on the Premises to Tenant for such use. Neither the application for nor the appointment of such a receiver shall be construed as an election on Landlord's part to terminate this lease unless a written notice of such intention is given by Landlord as provided in Section 19.1, above.

19.6 Remedies Cumulative and Not Exclusive. The rights, powers and remedies of Landlord hereunder shall be in addition to all rights, powers and remedies given by statute, rule of

law and in equity, and all such remedies shall be cumulative. The exercise of any one or more of such right, powers and remedies shall not be construed as a waiver or election by Landlord of any other right, powers or remedies of Landlord arising pursuant to any provision of law or this lease.

19.7 Rights and Remedies Not Waived. No course of dealing between the Tenant and the Landlord or any failure or delay on the part of the Landlord in exercising any rights or remedies pursuant to law or arising pursuant to this lease shall operate as a waiver of any rights or remedies of Landlord. Neither the subsequent acceptance by Landlord of any amounts paid to it on account of or with respect to amounts owed by Tenant pursuant to this lease, or the application of any such amounts in reduction of outstanding rent or other obligations due from Tenant shall constitute a waiver or cure of default, other than default in the timely payment of the amount so accepted, regardless of Landlord's knowledge of the preceding breach. Landlord's acceptance of rent or any other payment after termination of this lease shall not entitle the Tenant to have this lease reinstated. Any waiver, express or implied, by any party hereto, of any breach by any party of any covenant or provision of this lease, shall not be, nor be construed, to be, a waiver of any subsequent breach of the same or any other term or provision hereof.

20. LANDLORD'S RIGHT TO CURE DEFAULTS

Landlord, at any time after Tenant commits a default in the performance of any of Tenant's obligations under this lease, shall be entitled to cure such default, or to cause such default to be cured, at the sole cost and expense of Tenant. If, by reason of any default by Tenant, Landlord incurs any expense or pays any sum, or performs any act requiring Landlord to incur any expense or to pay any sum, including attorney's fees and reasonable costs and expenses paid or incurred by Landlord in order to prepare and post or deliver any notice permitted or required by the provisions of this lease or otherwise permitted or contemplated by law, to appear in any bankruptcy or insolvency proceedings, or otherwise to enforce any of its rights under this lease, then the amount so paid or incurred by Landlord shall be immediately due and payable to Landlord by Tenant as additional rent. Tenant hereby authorizes Landlord to deduct said sums from any security deposit held by Landlord. If there is no security deposit, or if Landlord elects not to use any such security deposit, then such sums shall be paid by Tenant immediately upon demand by Landlord, and shall bear interest at the highest rate then permitted by law from the date on which such demand is made until the entire amount due has been paid in full.

21. DEFAULT BY LANDLORD.

Landlord shall not be deemed in default unless Landlord fails to perform obligations required by the Landlord within a reasonable time, but in no event later than thirty (30) days after written notice by the Tenant to the Landlord and to the holder of the mortgage or deed of trust covering the Leased Premises whose name and address shall thereafter be furnished to Tenant in writing specifically wherein Landlord has failed to perform such obligations; provided, however, that if the nature of the Landlord's obligations is such that more than thirty (30) days are required for performance, then Landlord shall not be in default if the Landlord commences performance within said thirty (30) day period and thereafter diligently prosecutes the same to completion. If Landlord does not perform, Landlord's mortgagee may perform in the Landlord's place and the Tenant shall accept such performance. In no event shall Tenant have the right to terminate this Lease as a result of the Landlord's default, and Tenant's remedies shall be limited to damages and/or injunction. Any judgment taken against Landlord shall be limited to Landlord's equity in the project. In the event of any transfer of title or interest in the Leased Premises, by Landlord, Landlord herein named (and in the case of any subsequent transfers then the grantor) shall be

SECTION 13 - continued

7. Has a license or a transfer license for the premises on this application been denied by the state within the past one (1) year? ☐ YES ☒ NO If yes, attach explanation. 12 FEB 17 Liq. Dept PM 1:18

8. Does any spirituous liquor manufacturer, wholesaler, or employee have any interest in your business? ☐ YES ☒ NO

9. Is the premises currently licensed with a liquor license? ☐ YES ☒ NO If yes, give license number and licensee's name:

License #_____(exactly as it appears on license) Name _____

SECTION 14 Restaurant or hotel/motel license applicants:

1. Is there an existing restaurant or hotel/motel liquor license at the proposed location? ☐ YES ☒ NO
   If yes, give the name of licensee, Agent or a company name:

   _____ and license #: _____
   Last First Middle

2. If the answer to Question 1 is YES, you may qualify for an Interim Permit to operate while your application is pending; consult A.R.S. § 4-203.01; and complete SECTION 5 of this application.

3. All restaurant and hotel/motel applicants must complete a Restaurant Operation Plan (Form LIC0114) provided by the Department of Liquor Licenses and Control.

4. As stated in A.R.S. § 4-205.02.G.2, a restaurant is an establishment which derives at least 40 percent of its gross revenue from the sale of food. Gross revenue is the revenue derived from all sales of food and spirituous liquor on the licensed premises. By applying for this ☐ hotel/motel ☒ restaurant license, I certify that I understand that I must maintain a minimum of 40 percent food sales based on these definitions and have included the Restaurant Hotel/Motel Records Required for Audit (form LIC 1013) with this application.

   Mary Beth Cox
   applicant's signature

   As stated in A.R.S § 4-205.02 (B), I understand it is my responsibility to contact the Department of Liquor Licenses and Control to schedule an inspection when all tables and chairs are on site, kitchen equipment, and, if applicable, patio barriers are in place on the licensed premises. With the exception of the patio barriers, these items are not required to be properly installed for this inspection. Failure to schedule an inspection will delay issuance of the license. If you are not ready for your inspection 90 days after filing your application, please request an extension in writing, specify why the extension is necessary, and the new inspection date you are requesting. To schedule your site inspection visit www.azliquor.gov and click on the "Information" tab.

   MB
   applicants initials

SECTION 15 Diagram of Premises: (Blueprints not accepted, diagram must be on this form)

1. Check **ALL** boxes that apply to your business:

   ☒ Entrances/Exits ☒ Liquor storage areas Patio: ☐ Contiguous
   ☐ Service windows ☐ Drive-in windows ☐ Non Contiguous

2. Is your licensed premises currently closed due to construction, renovation, or redesign? ☒ YES ☐ NO
   If yes, what is your estimated opening date? MARCH 1, 2012
   month/day/year

3. Restaurants and hotel/motel applicants are required to draw a detailed floor plan of the kitchen and dining areas including the locations of all kitchen equipment and dining furniture. Diagram paper is provided on page 7.

4. The diagram (a detailed floor plan) you provide is required to disclose only the area(s) where spiritous liquor is to be sold, served, consumed, dispensed, possessed, or stored on the premises unless it is a restaurant (see #3 above).

5. Provide the square footage or outside dimensions of the licensed premises. Please do not include non-licensed premises, such as parking lots, living quarters, etc.

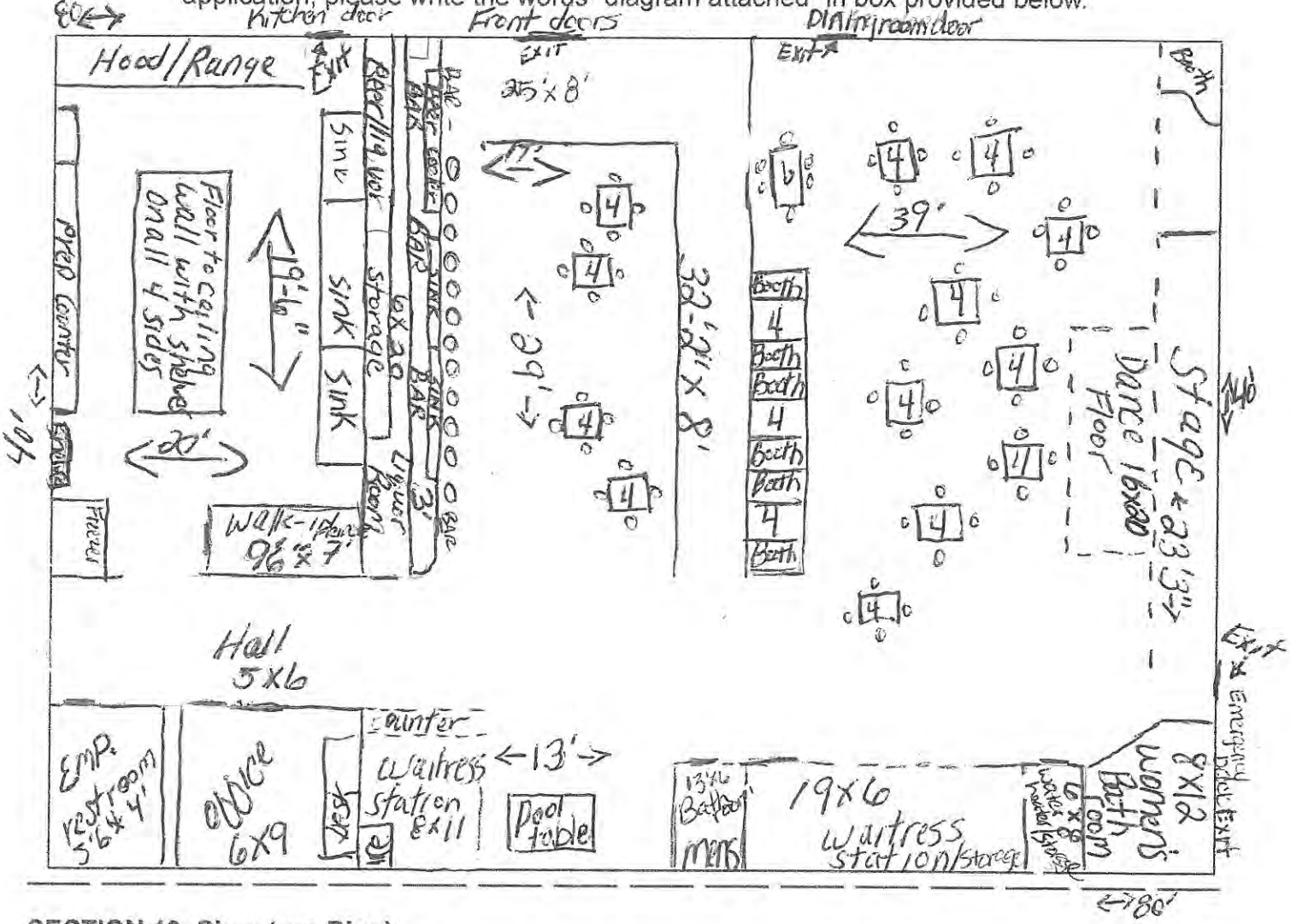
As stated in A.R.S. § 4-207.01(B), I understand it is my responsibility to notify the Department of Liquor Licenses and Control when there are changes to boundaries, entrances, exits, added or deleted doors, windows or service windows,or increase or decrease to the square footage after submitting this initial drawing.

MB
applicants initials

SECTION 15 Diagram of Premises

4. In this diagram please show only the area where spirituous liquor is to be sold, served, consumed, dispensed, possessed or stored. It must show all entrances, exits, interior walls, bars, bar stools, hi-top tables, dining tables, dining chairs, the kitchen, dance floor, stage, and game room. Do not include parking lots, living quarters, etc. When completing diagram, North is up ↑.

If a legible copy of a rendering or drawing of your diagram of premises is attached to this application, please write the words "diagram attached" in box provided below.



SECTION 16 Signature Block

I, MaryBeth Cox, hereby declare that I am the OWNER/AGENT filing this
(print full name of applicant)

application as stated in Section 4, Question 1. I have read this application and verify all statements to be true, correct and complete.

x MaryBeth Cox
(signature of applicant listed in Section 4, Question 1)

State of Arizona County of Cochise

The foregoing instrument was acknowledged before me this

10th of Jan 2012
Day Month Year

Julia L McBee
signature of NOTARY PUBLIC

JULIA L. MCBEE
NOTARY PUBLIC - ARIZONA
COCHISE COUNTY
My Commission Expires
August 16, 2014

My commission expires on 10 Jan 2014
Day Month Year

'12 FEB 17 ... PM 1:18

ARIZONA DEPARTMENT OF LIQUOR LICENSES & CONTROL

800 W Washington 5th Floor
Phoenix, AZ 85007-2934
www.azliquor.gov
(602) 542-5141

RECORDS REQUIRED FOR AUDIT
SERIES 11 (HOTEL/MOTELW/RESTAURANT AND SERIES 12 (RESTAURANT)

MAKE A COPY OF THIS DOCUMENT AND KEEP IT WITH YOUR DLLC RECORDS

In the event of an audit, you will be asked to provide to the Department any documents necessary to determine compliance with A.R.S. §4-205.02(G). Such documents requested may include however, are not limited to:

1. All invoices and receipts for the purchase of food and spirituous liquor for the licensed premises.
2. A list of ***all*** food and liquor vendors
3. The restaurant menu used during the audit period
4. A price list for alcoholic beverages during the audit period
5. Mark-up figures on food and alcoholic products during the audit period
6. A recent, ***accurate*** inventory of food and liquor (taken within two weeks of the Audit Interview Appointment)
7. Monthly Inventory Figures - beginning and ending figures for food and liquor
8. Chart of accounts (copy)
9. Financial Statements-Income Statements-Balance Sheets
10. General Ledger
    - A. Sales Journals/Monthly Sales Schedules
      1) Daily sales Reports (to include the name of each waitress/waiter, bartender, etc. with sales for that day)
      2) Daily Cash Register Tapes - Journal Tapes and Z-tapes
      3) Dated Guest Checks
      4) Coupons/Specials/Discounts
      5) Any other evidence to support income from food and liquor sales
    - B. Cash Receipts/Disbursement Journals
      1) Daily Bank Deposit Slips
      2) Bank Statements and canceled checks
11. Tax Records
    - A. Transaction Privilege Sales, Use and Severance Tax Return (copies)
    - B. Income Tax Return - city, state and federal (copies)
    - C. Any supporting books, records, schedules or documents used in preparation of tax returns
12. Payroll Records
    - A. Copies of all reports required by the State and Federal Government

B. Employee Log (A.R.S. §4-119)

C. Employee time cards (actual document used to sign in and out each work day)

D. Payroll records for all employees showing hours worked each week and hourly wages

13. Off-site Catering Records (must be complete and separate from restaurant records)

A. All documents which support the income derived from the sale of food off the license premises.

B. All documents which support purchases made for food to be sold off the licensed premises.

C. All coupons/specials/discounts

The sophistication of record keeping varies from establishment to establishment. Regardless of each licensee's accounting methods, the amount of gross revenue derived from the sale of food and liquor must be substantially documented.

REVOCATION OF YOUR LIQUOR LICENSE MAY OCCUR IF YOU FAIL TO COMPLY WITH A.R.S. §4-210(A)7 AND A.R.S. §4-205.02(G).

A.R.S. §4-210(A)7

The licensee fails to keep for two years and make available to the department upon reasonable request all invoices, records, bills or other papers and documents relating to the purchase, sale and delivery of spirituous liquors and, in the case of a restaurant or hotel-motel licensee, all invoices, records, bills or other papers and documents relating to the purchase, sale and delivery of food.

A.R.S. §4-205.02(G)

For the purpose of this section:

1. "Restaurant" means an establishment which derives **at least forty percent (40%)** of its gross revenue from the sale of food.
2. "Gross revenue" means the revenue derived from all sales of food and spirituous liquor on the licensed premises, regardless of whether the sales of spirituous liquor are made under a restaurant license issued pursuant to this section or under any other license that has been issued for the premises pursuant to this article.

I, (**print** licensee name):

Cox (Last) Mary Beth (First Middle)

have read and fully understand all aspects of this statement.

State of Arizona County of Cochise

The foregoing instrument was acknowledged before me this

x Mary Beth Cox (Signature of Licensee)

10 (Day) day of Jan (Month), 2013 (Year)

My commission Expires: 8/16 (Day Month) 2014 (Year)

Lisa M Bell (Signature of NOTARY PUBLIC)

LISA M BELL
NOTARY PUBLIC - ARIZONA
COCHISE COUNTY
My Commission Expires
August 16, 2014

MAKE A COPY OF THIS DOCUMENT AND KEEP IT WITH YOUR DLLC RECORDS

Print Form

ARIZONA DEPARTMENT OF LIQUOR LICENSES & CONTROL

800 W Washington 5th Floor
Phoenix, AZ 85007-2934
www.azliquor.gov
(602) 542-5141

RESTAURANT OPERATION PLAN

LICENSE # 12023165

1. List by Make, Model and Capacity of your :

Grill	RANKIN DELUX W: 2' H: 3'9" D: 1'10"
Oven	STOVE/OVEN MASTER CHEF LINE W: 3' H: 52" D: 22"
Freezer	2/ KENMORE STANDARD W: 3' H: 6' D: 3'
Refrigerator	WALK IN COOLER W: 6'11" - H: 7'½" - D: 9'
Sink	Standard 3 Dishwashing sinks 4'6" WIDE
Dish Washing Facilities	Produce washing sink - Standard 3 sinks
Food Preparation Counter (Dimensions)	W: 5 H: 4'8" D: 2FT - 3
Other	

2. Print the name ofyour restaurant: MBeez

3. Attach a copy of your menu (Breakfast, Lunch and Dinner including prices).

4. List the seating capacity for:

   a. Restaurant area of your premises [54]

   b. Bar area of your premises [+ 28]

   c. Total area of your premises [82]

5. What type of dinnerware and utensils are utilized within your restaurant?
   ☒ Reusable ☐ Disposable

6. Does your restaurant have a bar area that is distinct and separate from the restaurant seating? (If yes, what percentage of the public floor space does this area cover). ☒ Yes 40 % ☐ No

7. What percentage of your public premises is used primarily for restaurant dining? (Does not include kitchen, bar, cocktail tables or game area.) 60 %

*Disabled individuals requiring special accommodations, please call (602) 542-9027

8. Does your restaurant contain any games or television? ☑ Yes ☐ No
If yes, specify what types and how many of each type (Televisions, Pool tables, Video Games, Darts, etc).

1 Television
1 Pool Table
2 Dart Boards

9. Do you have live entertainment or dancing? ☒ Yes ☐ No
(If yes, what type and how often?)

2 NIGHTS live band/dancing per wk
1 NIGHT karaoke per wk

10. Use space below or attach a list of employee positions and their duties to fully staff your business.

COOK: - kitchen manager and cook for lunch + dinner/food prep/supply orders/account Mgmt
BAR MANAGER: - lead bar manager doing all staffing, liquor orders, bar management, staff management for bar (for bar)
PREP COOK: helps head cook with all prep kitchen work
WAITRESS & WAITER waiting tables, greeting customers
BARTENDER: fulfilling all drink orders in the bar
G. Manager: Responsible for all staffing, over seeing education for all bar employees, over seeing liquor orders, promotions, GENERAL OPERATION

I, MARYBETH COX, hereby declare that I am the APPLICANT filing this application. I have
(Print full name)
read this application and the contents and all statements true, correct and complete.

x MaryBeth Cox
(Signature of APPLICANT)

State of Arizona County of Cochise
The foregoing instrument was acknowledged before me this
10 day of Jan, 2017
Day of Month Month Year

My commission expires on: 08-16-2014

Julia L. McBee
(Signature of NOTARY PUBLIC)

JULIA L. MCBEE
NOTARY PUBLIC - ARIZONA
COCHISE COUNTY
My Commission Expires
August 16, 2014

'13 FEB 17 Lion Beer Pr 1 02 '12 JAN 19 Lion Beer Pr 1 05

MB

DOMESTICS

Amber Bock	*$3.50*
Bud Light	*$3.00*
Bud Light Lime	*$3.50*
Budweiser	*$3.00*
Coors	*$3.00*
Coors Light	*$3.00*
MGD	*$3.00*
Michelobe Ultra	*$3.50*
Miller Lite	*$3.00*

IMPORTS

Blue Moon	*$4.00*
Corona	*$4.00*
Dos Equis	*$4.00*
Guinness	*$4.00*
Heineken	*$4.00*
Modelo Especial	*$4.00*

TOP SHELF SPIRITS

BOURBON: *Knobb Creek, Makers Mark, Southern Comfort, SoCo Black*
GIN: *Beefeaters, Bombay Sapphire, Plymouth, Tanqueray*
RUM: *Bacardi, Captain Morgan, Malibu, Meyers, Parrot Bay*
SCOTCH: *Chivas, Glennlevit, Johnny Walker Red and Black*
TEQUILA: *1800, Don Julio, Hornitos, Jose Quervo, Patron Silver and Gold, Tequila Rose*
VODKA: *Grey Goose, Ketal One, Stolichnaya Vodka, Skky Vodka, Three Olives*
WHISKEY: *Canadian Club, Crown Royal, Jack Daniels, Jim Beam, Seagrams 7, Seagrams VO, Wild Turkey*

WELL SPIRITS

Bourbon, Gin, Scotch, Tequila, Vodka, Whiskey *Mixed Well Drinks $4.00*

TOP SHELF DRINKS $6.00
BEER ON TAP $3.00

MARTINIS $5.00
SMALL PITCHER $5.00

SPECIALTY DRINKS $6.00
LARGE PITCHER $8.00

WINE LIST	*Glass*	*Bottle*	*Carafe*
Cabernet	*$4.50*	*$21.00*	*$10.00*
Chardonnay	*$4.00*	*$18.00*	*$8.00*
Merlot	*$4.50*	*$21.00*	*$10.00*
Moscato	*$5.50*	*$22.00*	*$12.00*
White Zinfandel	*$4.00*	*$18.00*	*$8.00*

HAPPY HOUR MONDAY-FRIDAY 4PM-7PM

$2.00 Tap, $3.00 Well Drinks, $5.00 Specialty Drinks

'12 FEB 17 Liqu. Dept PM 1 15

'12 JAN 19 Liqu. Dept PM 1 36

APPETIZER MENU

(OUR FULL DINNER MENU IS ALSO AVAILABLE IN THE BAR)

BARBEQUED PORK NACHOS $11.50

Made with slow cooked pulled pork tossed in Mbeez barbeque sauce, served over freshly made tortilla chips, topped with our white pepper jack nacho sauce, shredded cheddar, and our creamy cilantro cole slaw; with house pepperonccini and pickled carrots

THAI MEATBALLS WITH SPICY PEANUT SAUCE $9.95

Mbeez Asian style ground beef meatballs, with ginger, cilantro, lemon grass, scallions, and a touch of fresh hot pepper; served with a fresh house peanut coconut sauce

FRIED MOZZARELLA BALLS $8.50

Our freshly made house mozzarella cheese, coated with panko crumbs, herbs and spices, then fried to perfection; served with fresh marinara sauce and homemade ranch dressing

CHICKEN WINGS FOUR WAYS $12.00

Our wings are freshly prepared never frozen
Try all four of our home made sauces on one platter
Traditional spicy buffalo, Asian sesame, Raspberry chipotle, Roasted mango chipotle-12 wings
HALF ORDER $7.00

TENDER BEEF ROULADES $9.95

Round steak rolled with chopped onions and bacon, slow simmered until tender, served on a skewer with our tomato-beef gravy

LUNCH MENU

BURGERS

All of our hamburgers are 1/2 lb. 100 percent fresh angus beef, are hand-pattied, and served with lettuce, tomato, onion & pickle (on the side), and your choice of homemade French fries, potato salad or cole slaw
Replace any side with cottage cheese (when available), a cup of today's soup, or a crisp garden salad- Add $1.00

MUSHROOM SWISS BURGER $8.95
With melted Swiss cheese and fresh grilled mushrooms

CHIPOTLE BBQ BURGER $9.25
Our signature burger with house chipotle bbq sauce, cheddar cheese, bacon, and topped with our jalapeno coleslaw

SALMON BURGER WITH SOY MAYO AND ASIAN SLAW $10.50
Chopped salmon, cilantro, green onions, soy and ginger flavor this patty dipped in panko crumbs and fried to a golden brown.
Topped with an Asian flavored cole slaw and soy mayo.

SANDWICHES

All sandwiches are served with fries, and on your choice of bread.
Choices are: Wheat, white, rye, or sour dough
To substitute fries with another side, ask your server. Replace any side with a cup of today's soup, or a garden salad: **Add $1.00**

GRILLED GREEN CHILE ROAST BEEF $8.75
Freshly sliced deli roast beef, topped with a grilled green chile and melted jack cheese; grilled to perfection
{Add grilled onions OR sautéed mushrooms} **$1.00** {Add horseradish} **$1.00**

BARBEQUED PULLED PORK $9.25
Slow roasted tender pulled pork roast seasoned with our house barbeque sauce, topped with homemade cole slaw. Add grilled onions $1.00

PHILLY CHEESESTEAK $9.75
Tender thin sliced roast beef, grilled onions, mushrooms, and peppers topped with melted cheese on a toasted French roll

SALADS

SOUTHWESTERN CHICKEN SALAD **$9.50**
Fresh greens topped with grilled chicken breast, black beans, corn, green bells, tomatoes, grated cheddar, and avocado (when available); topped with our homemade chipotle buttermilk ranch dressing, and crunchy tortilla strips.

TOMATO BASIL AND FRESH MOZZARELLA SALAD **$8.95**
Sliced fresh tomatoes, homemade mozzarella, fresh basil, topped with a house Balsamic olive oil dressing

CAESAR SALAD Fresh Romaine topped with grated parmesan and croutons- house Caesar dressing
SMALL $3.95 **LARGE $5.95**
ADD CHICKEN **$2.50**

GARDEN SALAD **$3.95**

SOUP OF THE DAY-ask your server-a CUP or BOWL
(served with crackers)

BEVERAGES

***COFFEE** House blend or decaf **$1.95**
HOT TEA **$1.95** free refills-fee for a new teabag
ICED TEA **$1.95** free refills

JUICE

Orange, cranberry, apple, tomato Small **$2.25** Large **$2.75**

MILK (add chocolate **$.50**) Small **$2.25** Large $**2.75**

HOT CHOCOLATE Perfectly steamed milk mixed with homemade house chocolate syrup, topped with homemade whipped cream **8 oz. $2.95 16 oz. $3.50 24 oz. $3.95**

***Our house coffee is made with a blend of dark and light beans, perfectly roasted the day before delivery. A heavily bodied coffee with a great balance of flavors; ranging from berry citrus to earthy tones. A perfect start to any day!**

SOFT DRINKS
PEPSI, DIET PEPSI, SIERRA MIST, MUG ROOT BEER, ORANGE TROPICANA TWISTER, PINK LEMONADE **$1.95**

Note: Raw or undercooked meats, poultry, shellfish, and eggs can increase the risk of food borne illness.

FOR YOUR CONVENIENCE, PARTIES OF 5 OR MORE WILL BE CHARGED A GRATUITY OF 20%

DINNER MENU

SALADS

SMALL GARDEN $4.25

CAESAR SMALL $4.25
LARGE $6.25
Add CHICKEN $3.00

TOMATO BASIL AND FRESH MOZZARELLA SALAD $9.50
Sliced fresh tomatoes, homemade mozzarella, fresh basil, topped with a house Balsamic olive oil dressing

SOUTHWESTERN CHICKEN SALAD $10.95
Fresh greens topped with grilled chicken breast, black beans, corn, green bells, tomatoes, grated cheddar, and avocado (when available); topped with our homemade chipotle buttermilk ranch dressing, and crunchy tortilla strips

SIDES

Mashed Potatoes
Baked Potato
Fresh Steamed Vegetables
House Broccoli Salad
Side Salad

French Fries
Rice Pilaf
Herb roasted red potatoes
Macaroni N' Cheese
Caesar Salad

Note: Raw or undercooked meats, poultry, shellfish, and eggs can increase the risk of food borne illness.

DINNER MENU

Served with your choice of two sides, and soup or salad

NEW YORK STEAK $18.50
12 OZ. Tender grilled to perfection
8 OZ. **$16.50**

PISTACHIO CRUSTED SALMON $ 15.95
A 6 oz. salmon steak glazed with lemon and stone ground mustard , topped with a panko and chopped pistachio crust, sautéed to golden in olive oil

CHICKEN ADOBO KABOBS $13.95
Chicken breast marinated in our southwestern blend, on two kabobs

MEXICAN LASAGNA $12.95
Lasagna noodles layered with a southwestern spiced tomato meat sauce, sour cream, cream cheese, monterey jack and cheddar cheeses, baked to melted perfection

MBEEZ "BIG EASY" BARBEQUE SHRIMP $16.95
"Not your traditional barbeque"- Sauteed shrimp in a creamy wine sauce reduction served with homemade rosemary biscuits

DAILY DINNER SPECIALS
DAILY FRESHLY BAKED OR CREATED DESSERTS
ASK YOUR SERVER

Print Form

12 FEB 17 Liqr. Dept PM 1 1B

ARIZONA DEPARTMENT OF LIQUOR LICENSES & CONTROL

800 W Washington 5th Floor
Phoenix AZ 85007-2934
(602) 542-5141

807.785

QUESTIONNAIRE

P106dde29 SC

Attention all Local Governing Bodies: Social Security and Birthdate Information is Confidential. This information may be given to local law enforcement agencies for the purpose of background checks only but must be blocked to be unreadable prior to posting or any public view.

Read carefully. This instrument is a sworn document. Type or print with BLACK INK.
An extensive investigation of your background will be conducted. False or incomplete answers could result in criminal prosecution and the denial or subsequent revocation of a license or permit.

TO BE COMPLETED BY EACH CONTROLLING PERSON, AGENT, OR MANAGER. EACH PERSON COMPLETING THIS FORM MUST SUBMIT AN "APPLICANT" TYPE FINGERPRINT CARD WHICH MAY BE OBTAINED AT DLLC. FINGERPRINTING MUST BE DONE BY A BONA FIDE LAW ENFORCEMENT AGENCY OR A FINGERPRINTING SERVICE APPROVED BY DLLC. THE DEPARTMENT DOES NOT PROVIDE THIS SERVICE.

Effective 10/01/07 there is a $24.00 processing fee for each fingerprint card submitted.

The fees allowed by A.R.S. § 44-6852 will be charged for all dishonored checks.

Liquor License # 12023165
(If the location is currently licensed)

1. Check appropriate box → ☐ Controlling Person ☒ Agent (Complete Questions 1-19) Controlling Person or Agent must complete #21 for a Manager | ☒ Manager (Only) (Complete All Questions except # 14, 14a & 21) Controlling Person or Agent must complete # 21

2. Name: Cox (Last) MARYBETH (First) (Middle) Date of Birth: [redacted] (NOT a Public Record)

3. Social Security Number: [redacted] (NOT a public record) Drivers License # [redacted] (NOT a public record) State: AZ

4. Place of Birth: BAKERSFIELD (City) CA (State) USA (Country) (not county) Height: 5'9" Weight: 190 Eyes: GRN Hair: BN

5. Marital Status ☒ Single ☐ Married ☐ Divorced ☐ Widowed Daytime Contact Phone: 520-559-0818

6. Name of Current or Most Recent Spouse: (List all for last 5 years - Use additional sheet if necessary) Last First Middle Maiden Date of Birth: ___/___/___ (NOT a public record)

7. You are a bona fide resident of what state? AZ If Arizona, date of residency: 1988

8. Telephone number to contact you during business hours for any questions regarding this document. 520 559 0818

9. If you have been an Arizona resident for less than three (3) months, submit a copy of your Arizona driver's license or voter registration card.

10. Name of Licensed Premises: MBeez Premises Phone: PENDING

11. Physical Location of Licensed Premises Address: 4301 S. Hwy 92 (Street Address (Do not use PO Box #)) Sierra Vista (City) Cochise (County) 85635 (Zip)

12. List your employment or type of business during the past five (5) years. If unemployed part of the time, list those dates. **List most recent 1st.**

FROM Month/Year	TO Month/Year	DESCRIBE POSITION OR BUSINESS	EMPLOYER'S NAME OR NAME OF BUSINESS (street address, city, state & zip)
2/5/2007	CURRENT	SELF EMPLOYED	CROSSROADS CAFE 3170 Hwy 83 Sonoita Az 85637
1/2/07	2/5/07	UNEMPLOYED - GETTING NEW BUSINESS STARTED	29 Apache Trail Sonoita AZ 85637
11/10/05	1/2/07	MANAGER	SONOITA FUEL STOP Hwy 82 Sonoita Az 85637

ATTACH ADDITIONAL SHEET IF NECESSARY FOR EITHER SECTION

13. Indicate your residence address for the last five (5) years:

FROM Month/Year	TO Month/Year	Rent or Own	RESIDENCE Street Address If rented, attach additional sheet with name, address and phone number of landlord	City	State	Zip
AUG 2011	CURRENT	Rent	29 Apache Trail Sonoita Az 85637	Sonoita	Az	85637
FEB 2010	AUG 2011	Rent	10A Black Oak Dr. Sonoita Az 85637	Sonoita	Az	85637
SEPT 2005	FEB 2010	Rent	29 Apache Trail Sonoita Az 85637	Sonoita	Az	85637

Disabled individuals requiring special accommodations, please call the Department. (602) 542-9027

If you checked the Manager box on the front of this form skip to # 15

14. As a Controlling Person or Agent, will you be physically present and operating the licensed premises? ☒YES ☐NO
If you answered YES, how many hrs/day? 10, and **answer #14a below**. If NO, skip to #15.

14a. Have you attended a DLLC-approved Liquor Law Training Course within the past 5 years? (Must provide proof) ☒YES ☐NO
If the answer to # 14a is "NO", course must be completed before issuance of a new license or approval on an existing license.

15. Have you been detained, cited, arrested, indicted or summoned into court for violation of ANY law or ordinance, regardless of the disposition, even if dismissed or expunged, within the past ten (10) years (include only traffic violations that were alcohol and/or drug related)? ☐YES ☒NO

16. Are there ANY administrative law citations, compliance actions or consents, criminal arrest, indictments or summonses PENDING against you or ANY entity in which you are now involved? ☐YES ☒NO

17. Have you or any entity in which you have held ownership, been an officer, member, director or manager EVER had a business, professional or liquor application or license rejected, denied, revoked, suspended or fined in this or any other state? ☐YES ☒NO

18. Has anyone EVER filed suit or obtained a judgment against you, the subject of which involved fraud or misrepresentation? ☐YES ☒NO

19. Are you NOW or have you EVER held ownership, been a controlling person, been an officer, member, director or manager on any other liquor license in this or any other state? ☐YES ☒NO

If any answer to Questions 15 through 19 is "YES" YOU MUST attach a signed statement
Give complete details including dates, agencies involved, and dispositions.
SUBSTANTIVE CHANGES TO THIS APPLICATION WILL NOT BE ACCEPTED

20. I, MARYBETH COX, hereby declare that I am the APPLICANT/REPRESENTATIVE
(print full name of Applicant)
filing this questionnaire. I have read this questionnaire and all statements are true, correct and complete.

x MaryBeth Cox
(Signature of Applicant)

State of Arizona County of Cochise

The foregoing instrument was acknowledged before me this
10 day of Jan, 2012
Day Month Year

Julia L. McBee
(Signature of NOTARY PUBLIC)

JULIA L. MCBEE
NOTARY PUBLIC - ARIZONA
COCHISE COUNTY
My Commission Expires
August 16, 2014

My commission expires on: 08 2014
Day Month Year

COMPLETE THIS SECTION ONLY IF YOU ARE A CONTROLLING PERSON OR AGENT APPROVING A MANAGER'S APPLICATION

21. The applicant hereby authorizes the person named on this questionnaire to act as manager for the named liquor license. The manager named must be at least 21 years of age.

State of _____ County of _____

The foregoing instrument was acknowledged before me this

x _____ _____ day of _____ , _____
Signature of Controlling Person or Agent (circle one) Month Year

_____
(Signature of NOTARY PUBLIC)

_____
Print Name

My commission expires on: _____
Day Month Year

29 Apache Tr. — Landlord info: Lynne Becraft
Sonoita AZ 85637 29 Apache Tr.
Sonoita Az 85637
PHONE: 1-520-455-5384

10A Black Oak Dr. Landlord info: Allan West
Sonoita Az 85637 12 Blackoak Dr.
Sonoita Az 85637
PHONE: UNKNOWN

Print Form

Arizona Department of Liquor Licenses and Control
800 West Washington, 5th Floor
Phoenix, Arizona 85007
www.azliquor.gov
602-542-5141

CERTIFICATE OF TITLE 4 TRAINING COMPLETION

Do Not Duplicate This Form
Certificates must be completed by a state-approved training course provider, in black ink, on an original form

Mary Beth Cox
Full Name (please print)

Mary Beth Cox
Signature

12-17-2011
Training Completion Date

12-17-2016
Certificate Expiration Date
(MANAGEMENT - 5 years from completion date)
(BASIC - 3 years from completion date)

Type of Training Completed (check Yes or No)

[X] Yes	[ ] No	BASIC	[X] Yes	[ ] No	ON SALE
[X] Yes	[ ] No	MANAGEMENT	[X] Yes	[ ] No	OFF SALE
[X] Yes	[ ] No	BOTH	[X] Yes	[ ] No	OTHER

If Trainee Is Employed By A Licensee

Name of Licensee | Business Name | Liquor License #

Alcohol Training Program Provider Information

Discovery Detective Group & Academy
Company or Individual Name (please print)

6501 E Greenway Pkwy #103-500
Address

Scottsdale (City) | AZ (State) | 85054 (Zip) | (480) 951-6545 (Daytime Contact Phone #)

I certify the above named individual has successfully completed the training specified above in accordance with Arizona Revised Statue, Arizona Administrative Code, and the training course curriculum approved by the Department of Liquor Licenses and Control:

Jacque Bell
Name of Trainer (please print)

Jacque Bell
Trainer Signature

12-17-2011
Date

Pursuant to A.R.S.§ 4-112(G)(2), mandatory Title 4 liquor law training is required prior to the issuance of all new liquor license applications submitted after November 1, 1997.

The persons(s) required to attend both the BASIC and MANAGEMENT Title 4 liquor law training, on- or off-sale, will include all of the following:
Owner(s)
Licensee/agent or manager(s) actively involved in daily business operation

A valid (not expired) Certificate of Title 4 Training Completion must be submitted to the Department of Liquor Licenses and Control before a liquor license application is considered complete.

Before acceptance of a manager's questionnaire and/or agent change for an existing liquor license, proof of attendance for the BASIC and MANAGEMENT Title 4 liquor law training (on- or off-sale) is required.

Disabled individuals requiring special accommodations, please call (602) 542-9027

Print Form

'12 FEB 17 Liqr. Dept. PM 1 18

'12 JAN 18 Liqr. Dept. PM 1 07

ARIZONA STATEMENT OF CITIZENSHIP AND ALIEN STATUS FOR STATE PUBLIC BENEFITS

Professional License and Commercial License

Department of Liquor Licenses and Control

Liquor License #: 12023165

Ownership Name: MBeez LLC

(as listed on the current liquor license application or renewal application)

Title IV of the federal Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (the "Act"), 8 U.S.C. § 1621, provides that, with certain exceptions, only United States citizens, United States non-citizen nationals, non-exempt "qualified aliens" (and sometimes only particular categories of qualified aliens), nonimmigrants, and certain aliens paroled into the United States are eligible to receive state or local public benefits. With certain exceptions, a professional license and commercial license issued by a State agency is a State public benefit.

Arizona Revised Statutes § 1-501 requires, in general, that a person applying for a license must submit documentation to the licensing agency that satisfactorily demonstrates that the applicant is lawfully present in the United States.

Directions: All applicants must complete Sections I, II, and IV. Applicants who are not U.S. citizens or nationals must also complete Section III. Submit this completed form and copy of one or more documents that evidence your citizenship or alien status with your application for license or renewal.

SECTION I — APPLICANT INFORMATION

APPLICANT'S NAME (Print or type) MARYBETH COX DATE 1-10-12

TYPE OF APPLICATION (check one) X INITIAL APPLICATION ___ RENEWAL

TYPE OF LICENSE SERIES 12 RESTAURANT

SECTION II — CITIZENSHIP OR NATIONAL STATUS DECLARATION

Directions: Attach a legible copy of the front, and the back (if any), of a document from the attached List A or other document that demonstrates U.S. citizenship or nationality. Name of document provided: BIRTH CERTIFICATE

A. Are you a citizen or national of the United States? (check one) X Yes ___ No

B. If the answer is "Yes," where were you born? List city, state (or equivalent), and country.
City Bakersfield State (or equivalent) Ca. Country or Territory USA

If you are a citizen or national of the United States, go to Section IV. If you are not a citizen or national of the United States, please complete Sections III and IV.

SECTION III — ALIEN STATUS DECLARATION

Directions: To be completed by applicants who are not citizens or nationals of the United States. Please indicate alien status by checking the appropriate box. Attach a legible copy of the front, and the back (if any), of a document from the attached List B or other document that evidences your status. A.R.S. § 1-501. Name of document provided: _____.

"Qualified Alien" Status (8 U.S.C.§§ 1621(a)(1), -1641(b) and (c))

☐ 1. An alien lawfully admitted for permanent residence under the Immigration and Nationality Act (INA).

☐ 2. An alien who is granted asylum under Section 208 of the INA.

☐ 3. A refugee admitted to the United States under Section 207 of the INA

☐ 4. An alien paroled into the United States for at least one year under Section 212(d)(5) of the INA.

☐ 5. An alien whose deportation is being withheld under Section 243(h) of the INA.

☐ 6. An alien granted conditional entry under Section 203(a)(7) of the INA as in effect prior to April 1, 1980.

☐ 7. An alien who is a Cuban and Haitian entrant (as defined in section 501(e) of the Refugee Education Assistance Act of 1980).

☐ 8. An alien who is, or whose child or child's parent is a "battered alien" or an alien subjected to extreme cruelty in the United States.

Nonimmigrant Status (8 U.S.C.§ 1621(a)(2))

☐ 9. A nonimmigrant under the Immigration and Nationality Act [8 U.S.C. § 1101 et seq.] Nonimmigrants are persons who have temporary status for a specific purpose. See 8 U.S.C. § 1101(a)(15).

Alien Paroled into the United States For Less Than One Year (8 U.S.C.§ 1621(a)(3))

☐ 10. An alien paroled into the United States for less than one year under Section 212(d)(5) of the INA

Other Persons (8 U.S.C.§ 1621(c)(2)(A) and (C))

☐ 11. A nonimmigrant whose visa for entry is related to employment in the United States, or

☐ 12. A citizen of a freely associated state, if section 141 of the applicable compact of free association approved in Public Law 99-239 or 99-658 (or a successor provision) is in effect [Freely Associated States include the Republic of the Marshall Islands, Republic of Palau and the Federate States of Micronesia, 48 U.S.C. § 1901 *et seq.*];

☐ 13. A foreign national not physically present in the United States.

Otherwise Lawfully Present (A.R.S. § 1-501)

☐ 14. A person not described in categories 1–13 who is otherwise lawfully present in the United States. PLEASE NOTE: The federal Personal Responsibility and Work Opportunity Reconciliation Act may make persons who fall into this category ineligible for licensure. See 8 U.S.C.§ 1621(a).

'12 FEB 17 Liv. Dept PM 1 18

'12 JAN 19 Liv. Dept PM 1 57

SECTION IV — DECLARATION

All applicants must complete this section. I declare under penalty of perjury under the laws of the state of Arizona that the answers I have given are true and correct to the best of my knowledge.

Mary Beth Cox

APPLICANT'S SIGNATURE

1-10-12

TODAY'S DATE

Print Form

'12 FEB 17 Liqr. Dept. PM 1

ARIZONA DEPARTMENT OF LIQUOR LICENSES & CONTROL

800 W Washington 5th Floor
Phoenix AZ 85007-2934
(602) 542-5141

802,785

QUESTIONNAIRE

P1016161030 SG

Attention all Local Governing Bodies: Social Security and Birthdate Information is Confidential. This information may be given to local law enforcement agencies for the purpose of background checks only but must be blocked to be unreadable prior to posting or any public view.

Read carefully. This instrument is a sworn document. Type or print with BLACK INK.
An extensive investigation of your background will be conducted. False or incomplete answers could result in criminal prosecution and the denial or subsequent revocation of a license or permit.

TO BE COMPLETED BY EACH CONTROLLING PERSON, AGENT, OR MANAGER. EACH PERSON COMPLETING THIS FORM MUST SUBMIT AN "APPLICANT" TYPE FINGERPRINT CARD WHICH MAY BE OBTAINED AT DLLC. FINGERPRINTING MUST BE DONE BY A BONA FIDE LAW ENFORCEMENT AGENCY OR A FINGERPRINTING SERVICE APPROVED BY DLLC. THE DEPARTMENT DOES NOT PROVIDE THIS SERVICE.

Effective 10/01/07 there is a $24.00 processing fee for each fingerprint card submitted.

The fees allowed by A.R.S. § 44-6852 will be charged for all dishonored checks.

Liquor License # 12023165
(If the location is currently licensed)

1. Check appropriate box → ☒ Controlling Person ☐ Agent (Complete Questions 1-19) Controlling Person or Agent must complete #21 for a Manager | ☐ Manager (Only) (Complete All Questions except # 14, 14a & 21) Controlling Person or Agent must complete # 21

2. Name: Nicholas (Last) Terrick (First) Shatman (Middle) Date of Birth: [redacted] (NOT a Public Record)

3. Social Security Number: [redacted] (NOT a public record) Drivers License #: [redacted] (NOT a public record) State: AZ

4. Place of Birth: Paterson (City) NJ (State) USA (Country) (not county) Height: 66" Weight: 205 Eyes: BRN Hair: BLK

5. Marital Status: Single ☐ Married ☑ Divorced ☐ Widowed Daytime Contact Phone: 520-255-4435

6. Name of Current or Most Recent Spouse: Nicholas (Last) Leanora (First) Liz (Middle) "Walker" (Maiden) Date of Birth: [redacted] (NOT a public record)
(List all for last 5 years - Use additional sheet if necessary)

7. You are a bona fide resident of what state? AZ If Arizona, date of residency: 2/2007

8. Telephone number to contact you during business hours for any questions regarding this document. 520-255-4435

9. If you have been an Arizona resident for less than three (3) months, submit a copy of your Arizona driver's license or voter registration card.

10. Name of Licensed Premises: MBeez Premises Phone: PENDING

11. Physical Location of Licensed Premises Address: 4301 S. Hwy 92 (Street Address) Sierra Vista (City) Cochise (County) 85635 (Zip)
(Do not use PO Box #)

12. List your employment or type of business during the past five (5) years. If unemployed part of the time, list those dates. **List most recent 1st.**

FROM Month/Year	TO Month/Year	DESCRIBE POSITION OR BUSINESS	EMPLOYER'S NAME OR NAME OF BUSINESS (street address, city, state & zip)
6/09	CURRENT	Traffic Mgmt Spec	Dept. of Army, Directorate of Logistics, Ft. Huachuca AZ, 85613
2/06	6/09	Transportation Asst.	" SAME "

ATTACH ADDITIONAL SHEET IF NECESSARY FOR EITHER SECTION

13. Indicate your residence address for the last five (5) years:

FROM Month/Year	TO Month/Year	Rent or Own	RESIDENCE Street Address (If rented, attach additional sheet with name, address and phone number of landlord)	City	State	Zip
10/08	CURRENT	R	SEE ATTACHED	Sierra Vista	AZ	85635
2/08	10/08	R	SEE ATTACHED	Sierra Vista	AZ	85635
4/06	10/08	R	SEE ATTACHED	Sierra Vista	AZ	85635

Disabled individuals requiring special accommodations, please call the Department. (602) 542-9027

If you checked the Manager box on the front of this form skip to # 15

14. As a Controlling Person or Agent, will you be physically present and operating the licensed premises? ☐YES ☒NO
If you answered YES, how many hrs/day?_____, and **answer #14a below**. If NO, skip to #15.

14a. Have you attended a DLLC-approved Liquor Law Training Course within the past 5 years? (Must provide proof) ☐YES ☐NO
If the answer to # 14a is "NO", course must be completed before issuance of a new license or approval on an existing license.

15. Have you been detained, cited, arrested, indicted or summoned into court for violation of ANY law or ordinance, regardless of the disposition, even if dismissed or expunged, within the past ten (10) years (include only traffic violations that were alcohol and/or drug related)? ☒YES ☐NO

16. Are there ANY administrative law citations, compliance actions or consents, criminal arrest, indictments or summonses PENDING against you or ANY entity in which you are now involved? ☐YES ☒NO

17. Have you or any entity in which you have held ownership, been an officer, member, director or manager EVER had a business, professional or liquor application or license rejected, denied, revoked, suspended or fined in this or any other state? ☐YES ☒NO

18. Has anyone EVER filed suit or obtained a judgment against you, the subject of which involved fraud or misrepresentation? ☐YES ☒NO

19. Are you NOW or have you EVER held ownership, been a controlling person, been an officer, member, director or manager on any other liquor license in this or any other state? ☐YES ☒NO

If any answer to Questions 15 through 19 is "YES" YOU MUST attach a signed statement.
Give complete details including dates, agencies involved, and dispositions.
SUBSTANTIVE CHANGES TO THIS APPLICATION WILL NOT BE ACCEPTED

20. I, Terrick Nicholas, hereby declare that I am the APPLICANT/REPRESENTATIVE
(print full name of Applicant)
filing this questionnaire. I have read this questionnaire and all statements are true, correct and complete.

X _____
(Signature of Applicant)

State of Arizona County of Cochise

The foregoing instrument was acknowledged before me this
10 day of Jan, 2012
Day Month Year

(Signature of NOTARY PUBLIC)

My commission expires on: 8 2014
Day Month Year

JULIA L. MCBEE
NOTARY PUBLIC - ARIZONA
COCHISE COUNTY
My Commission Expires
August 18, 2014

COMPLETE THIS SECTION ONLY IF YOU ARE A CONTROLLING PERSON OR AGENT APPROVING A MANAGER'S APPLICATION

21. The applicant hereby authorizes the person named on this questionnaire to act as manager for the named liquor license. The manager named must be at least 21 years of age.

State of _____ County of _____

The foregoing instrument was acknowledged before me this

X _____ _____ day of _____, _____
Signature of Controlling Person or Agent (circle one) Month Year

_____
(Signature of NOTARY PUBLIC)

_____
Print Name

My commission expires on: _____
Day Month Year

13.

'12 FEB 17 Liqr. Dept AM 1:09

West Wood Village
APARTMENTS

201 North Garden Avenue • Sierra Vista, AZ 85635
(520) 458-0480

Residence
10/08 - current

January 10, 2012

To Whom It May Concern:

Terrick Nicholas has been a resident here at West Wood Village apartments since 10/24/2008.

Any questions, please contact our management office at Westwood Village Apartments at 520-458-0480.

Sincerely,

Mary Garcia
Community Manager
Westwood Village Apartments
201 N. Garden Avenue
Sierra Vista, AZ 85635
520-458-0480

Residence
2/08 - 10/08

13.

'12 FEB 17 Liqr. Dept PM 1:19

Sierra Antigua Apartments

800 North Lenzner Avenue

Sierra Vista, Arizona 85635

January 10, 2012

RE: Residency Verification

To Whom It May Concern:

This letter shall serve as residency verification for,Terrick Nicholas, he was a resident at Sierra Antigua for the following period- 2-15-2008 thru 10-01-2008. Please feel free to contact the property at (520) 458-4228 if you have any questions.

Thank you,

Lupe Williams

Leasing Consultant

Sierra Antigua Apartments

801 Twighlight Drive
Sierra Vista Az 85635

LANDLORD INFO

CLOUD 9
Becki Jongeward
96 Bel Air Place Suite #140
Sierra Vista Az 85635
Phone: 520-458-1311

Residence
4/06 - 10/08

15.

To whom it may concern,

While I was in the Army stationed in Savannah, GA I received a DUI while on post in 2001, and also in Iraq in 2003 all actions remained on post so I don't believe it will show up in any civilian records.



Terrick Nicholas

AZ Corp. Commission
03704543

DO NOT PUBLISH THIS SECTION

AZ CORPORATION COMMISSION
FILED

JAN 04 2012

FILE NO. L-1729852-0

ARTICLES OF ORGANIZATION

OF

MBEEZ LLC

(An Arizona Limited Liability Company)

ARTICLE 1
The company name must contain an ending which may be "limited liability company," "limited company," or the abbreviations "L.L.C.", "L.C.", "LLC" or "LC". If you are the holder or assignee of a tradename or trademark, attach Declaration of Tradename Holder form.

1. Name. The name of the limited liability company is:
MBEEZ LLC

ARTICLE 2
May be in care of the statutory agent.

2. Registered Office. The address of the registered office in Arizona is:
4301 S. HWY 92 , SIERRA VISTA, AZ 85650

located in the County of COCHISE

ARTICLE 3
The statutory agent must provide both a physical and mailing address. If statutory agent has P.O. Box, then they must provide a physical description of their street address/location. The agent must sign the Articles or provide a consent to acceptance of appointment.

3. Statutory Agent. (In Arizona) The name and address of the statutory agent of the company is: MARYBETH COX
29 APACHE TRAIL, SONOITA, AZ 85637

ARTICLES 4
Complete this section only if you desire to select a date or occurrence when the company will dissolve. If perpetual duration is desired, leave this section blank.

4. Dissolution. The latest date, if any, on which the limited liability company must dissolve is N/A

ARTICLE 5.a.
Check which management structure will be applicable to your company.

5.a. Management.

[ ] Management of the limited liability company is vested in a manager or managers. The names and addresses of each person who is a manager AND each member who owns a twenty percent or greater interest in the capital or profits of the limited liability company are:

[✓] Management of the limited liability company is reserved to the members. The names and addresses of each person who is a member are:

DO NOT PUBLISH THIS SECTION

5.b.

'12 FEB 17 Liqr. Dept PM 1 18

Name:	MARYBETH COX	TERRICK NICHOLAS
	[✓] member [ ] manager	[✓] member [ ] manager
Address:	P.O. BOX 552 29 APACHE TRAIL	201 N. GARDEN AVE. APT. 21
City, State, Zip:	SONOITA, AZ 85637	SIERRA VISTA, AZ 85635
Name:		
	[ ] member [ ] manager	[ ] member [ ] manager
Address:		
City, State, Zip:		

ARTICLE 5.b. Depending upon your selection in 5.a., provide the names and addresses of the managers and members of the organization. Check the applicable title for each person. A member managed company cannot contain a manager or managers.

EXECUTED this 29th day of December, 2011.

Marsha Siha
[Signature]

[Signature]

MARSHA SIHA - ORGANIZER
[Print Name Here]

[Print Name Here]

PHONE 888-462-3453 FAX 713-893-6141

The person(s) executing this document need not be member(s) of the company.

Your fax and phone number is optional.

Acceptance of Appointment By Statutory Agent

I MARYBETH COX, having been designated to act as Statutory Agent, hereby consent to act in that capacity until removed or resignation is submitted in accordance with the Arizona Revised Statutes.

The agent must consent to the appointment by executing the consent.

Marybeth Cox
Signature of Statutory Agent

See A.R.S. §29-601 et seq. for more info.

MARYBETH COX
[Print name]

[If signing on behalf of a company serving as statutory agent, print company name here]

LL:0004
Rev. 01/04

'12 FEB 22 Liqr. Lic. AM 8:55

OPERATING AGREEMENT
1-6-2012

Mbeez LLC
L-1729852-0

Terrick Nicholas and Marybeth Cox are both shown as members on the LLC Articles of Organization, however Marybeth Cox is the 100% sole owner and manager of Mbeez LLC, and Terrick Nicholas has 0% ownership.

Marybeth Cox

Terrick Nicholas

NOTICE

APPLICATION TO SELL ALCOHOLIC BEVERAGES

DATE POSTED: MARCH 6, 2012

A HEARING ON A LIQUOR LICENSE APPLICATION SHALL BE HELD BEFORE THE

COCHISE COUNTY BOARD OF SUPERVISORS

PLACE 1415 Melody Ln, Bisbee **DATE/TIME** April 10, 2012 @ 10:00 a.m.

HEARING DATES SUBJECT TO CHANGE, TO VERIFY CALL: 520-432-9200

THE LOCAL GOVERNING BODY WILL RECOMMEND TO THE STATE LIQUOR BOARD WHETHER THE BOARD SHOULD GRANT OR DENY THE LICENSE. THE STATE LIQUOR BOARD MAY HOLD A HEARING TO CONSIDER THE RECOMMENDATION OF THE LOCAL GOVERNING BODY. ANY PERSON RESIDING OR OWNING OR LEASING PROPERTY WITHIN A ONE-MILE RADIUS MAY CONTACT THE STATE LIQUOR BOARD IN WRITING TO REGISTER AS A PROTESTER. TO REQUEST INFORMATION REGARDING PROCEDURES BEFORE THE BOARD AND NOTICE OF ANY BOARD HEARINGS REGARDING THIS APPLICATION, CONTACT THE

STATE LIQUOR BOARD: **800 W. WASHINGTON, 5TH FLOOR, PHOENIX, AZ. 85007 (602) 542-9789**

INDIVIDUALS REQUIRING ADA ACCOMMODATIONS CALL - LOCAL GOVERNING BODY: STATE LIQUOR DEPT: (602) 542-9789

POST ONE COPY OF THE APPLICATION FORM BELOW THIS NOTICE.

COCHISE COUNTY BOARD OF SUPERVISORS

Telephone (520) 432-9200
Fax (520) 432-5016

APPLICANT INFORMATION

Applicant Name:	Marybeth Cox	Address:	4301 S. Hwy 92
Business Name:	MBeez	City/Zip:	Sierra Vista/85635
Liquor License #:	12023165	Parcel #:	107-66-069
Ownership Type:	Limited Liability Company	Liquor License ☒	Special Event Liquor License ☐
Partner(s):	MBeez LLC		

TO BE COMPLETED BY THE SHERIFF'S OFFICE

Please advise if:

1. The applicant, or any named partner(s), has had a felony conviction within five (5) years prior to the application or;
2. There have been a significant number of incidents at the named location within five (5) years prior to the application.

If so, please attach pertinent documentation.

Comments: Neither applicant/partner have had any felony convictions and there has been no activity at the named location in the previous five years.

Based on the above information, the Sheriff's Office recommendation to the Board of Supervisors is:	Approval	Disapproval
	☒	☐

Name:	Ken Buckner	Title:	Deputy Commander
Signature:		Date:	03/08/12
Contact phone:	520-432-9506	Email:	kbuckner@cochise.az.gov

Return completed form with any attachments by: 3/12/12

COCHISE COUNTY BOARD OF SUPERVISORS

Telephone (520) 432-9200
Fax (520) 432-5016

APPLICANT INFORMATION

Applicant Name:	Marybeth Cox	Address:	4301 S. Hwy 92
Business Name:	MBeez	City/Zip:	Sierra Vista/85635
Liquor License #:	12023165	Parcel #:	107-66-069
Ownership Type:	Limited Liability Company	Liquor License ☒	Special Event Liquor License ☐
Partner(s):	MBeez LLC		

TO BE COMPLETED BY THE ENVIRONMENTAL HEALTH DEPARTMENT

We would like to request your assistance in reviewing the attached application.

Please provide any pertinent information for the Board's consideration:

As of this date MBeez is currently under a remodeling/construction phase and does not have a permit to operate. The applicant, Marybeth Cox, is working with the Environmental Health Specialists in Sierra Vista to ensure compliance with the Cochise County Sanitary Code, Arizona Food Code, Prop 201 and all necessary requirements prior to opening the facility. Once all conditions have been met and permits obtained the Environmental Health Division will have no objection to issuing Liquor License #12023165 to the applicant.

OTHER PERTINENT INFORMATION FOR THE BOARD'S CONSIDERATION:

☒ The Health Department will notify the applicant that he/she will be required to obtain the proper permits before operating the business.

☒ The Health Department is currently working with the property owner on health-related issues with the subject property.

Name:	Michael McGee	Title:	Director
Signature:	Michael McGee	Date:	March 8, 2012
Contact phone:	(520) 432-9444 or (520) 586-8206	Email:	mmcgee@cochise.az.gov

Return completed form with any attachments by: 03/12/12

COCHISE COUNTY BOARD OF SUPERVISORS

Telephone (520) 432-9200
Fax (520) 432-5016

For internal use only:

___ Restaurant/Hotel-Motel
___ Club/Government
___ Transfer of Premises

APPLICANT INFORMATION

Applicant Name:	Marybeth Cox	Address:	4301 S. Hwy 92
Business Name:	MBeez	City/Zip:	Sierra Vista/85635
Liquor License #:	12023165	Parcel #:	107-66-069
Ownership Type:	Limited Liability Company	Liquor License ☒	Special Event Liquor License ☐
Partner(s):	MBeez LLC		

TO BE COMPLETED BY THE PLANNING & ZONING DEPARTMENT

Please advise if, at the time the application was filed:

1. The premises for which the license is being applied for is within 300 horizontal feet of a church; or
2. The premises for which the license is being applied for is within 300 horizontal feet of a public or private school, or a fenced recreation area adjacent to a school building.

If so, please attach pertinent documentation and drawings or maps.

Comments: Proposed site not within 300 horizontal feet of a church, public or private school, or fenced recreation area adjacent to a school building.

	Approval	Disapproval
Based on the above information, the Planning and Zoning Department's recommendation to the Board of Supervisors is:	☒	☐

OTHER PERTINENT INFORMATION FOR THE BOARD'S CONSIDERATION:

Proper Zoning?	Y ☒ N ☐	Zoning:	GB
Use permitted by P&Z?	Y ☒ N ☐	Permit#:	2207
Date Permit Issued:	June 5, 1978	Use Permitted:	Retstaurant
If use not permitted, is it LNC?	Y ☐ N ☒	Year LNC Established:	n/a

☐ The Planning Department will notify the applicant that if any construction is proposed, a Non-Residential Permit must first be submitted and approved by this Department, or if there is a lapse of 12 months of non-operation of the business, a Non-Residential Permit will be required to re-establish the use from this Department.

☐ The Planning Department will notify the applicant that he/she will be required to obtain the proper permits before operating the business.

☐ The Planning Department is currently working with the property owner on several zoning-related issues with the subject property.

☐ The Planning Department is currently working with the property owner on obtaining the proper permits to operate the business.

Name:	Dora V Flores	Title:	Permit and Customer Service Coordinator
Signature:	Dora V Flores	Date:	March 6, 2012
Contact phone:	520-432-9240	Email:	dflores@cochise.az.gov

Return completed form with any attachments by: 3/12/12

Rios, Arlethe

From: Green, PJ
Sent: Monday, March 05, 2012 2:19 PM
To: Rios, Arlethe
Subject: RE:

NO I sent the review - they are delinquent & still owe $261.16 in 1st half tax plus $3.47 interest the 2nd half tax is due now & delinquent after May 1st

---

From: Rios, Arlethe
Sent: Monday, March 05, 2012 1:12 PM
To: Green, PJ
Subject: RE:

So are they current on their taxes?

Arlethe Rios

Assistant to the Clerk of the Board
Cochise County Board of Supervisors
1415 Melody Lane, Building G
Bisbee, AZ 85603
Phone: 520-432-9212
Fax:520-432-5016

From: Green, PJ
Sent: Monday, March 05, 2012 12:41 PM
To: Rios, Arlethe
Subject:

INQUIRY COCHISE COUNTY TAX INQUIRY TXPyInqRG
Cashier: PGR

Parcel: 107 66 069 00 4 **Yr: 2011** Roll#: 00-35337
Legal Desc: SIERRA VISTA EST N210' OF LOT 68 5-05 LV Area: 6870
Sec Code: 9R2Q42
Name 1 : MACELHENNY 1999 TRUST
Name 2 :
Name 3 :
C/O Name :
Address : 4141 STATE ST #E-10
City,St,Zip: SANTA BARBARA CA 93110

	Taxes Remaining	Fees Pd	Int Pd	Pen Pd	Taxes Paid
1st Half:	261.16	.00	261.16	.00	4,638.61
2nd Half:	4,899.77	.00	.00	.00	.00

1st Half Paid By: ALPINE VILLAGE Date Pd: 2.24.2012 PGR
2nd Half Paid By: Date Pd:
1st Half Int Due: $3.47 1st Half Pen Due: .00
2nd Half Int Due: .00 2nd Half Pen Due: .00

Print Form

ARIZONA DEPARTMENT OF LIQUOR LICENSES AND CONTROL

800 W Washington 5th Floor
Phoenix AZ 85007-2934
www.azliquor.gov
(602) 542-5141

AFFIDAVIT OF POSTING

Date of Posting: March 6, 2012 Date of Posting Removal: March 26, 2012

Applicant Name: Cox (Last) Marybeth (First) (Middle)

Business Address: 4301 S. Hwy 92 (Street) Sierra Vista (City) 85635 (Zip)

License #: 12023165

I hereby certify that pursuant to A.R.S. § 4-201, I posted notice in a conspicuous place on the premises proposed to be licensed by the above applicant and said notice was posted for at least twenty (20) days.

JAMES MONTOYA (Print Name of City/County Official) INSPECTOR III (Title) 803-3967 (Telephone #)

James Montoya (Signature) 3-26-12 (Date Signed)

Return this affidavit with your recommendation (i.e., Minutes of Meeting, Verbatim, etc.) or any other related documents.

If you have any questions please call (602) 542-5141 and ask for the Licensing Division.

Individuals requiring special accommodations please call (602) 542-9027

Lic0119 4/2009

Public Hearings 11.

Regular Board of Supervisors Meeting **Community Development**

Meeting Date: 04/10/2012

An Abandonment for a portion of Cactus Lane

Submitted By: Terry Couchenour, Community Development

Department:	Community Development	**Division:**	Right of Way
Presentation:	PowerPoint	**Recommendation:**	Approve
Document Signatures:	BOS Signature Required	**# of ORIGINALS Submitted for Signature:**	1
NAME of PRESENTER:	Carlos De La Torre	**TITLE of PRESENTER:**	Director
Mandated Function?:	Federal or State Mandate	**Source of Mandate or Basis for Support?:**	ARS 28-7201 thru 7215

Docket Number (If applicable):

Information

Agenda Item Text:

Adopt Resolution 12-10 authorizing the abandonment of a portion of Cactus Lane public right-of-way south of Sierra Vista.

Background:

Richard Aguirre, owner of APN 104-06-002C, -002E, & -007, has requested an abandonment of a portion of Cactus Lane in order to reconstruct his place of business, Ricardo's Restaurant which was destroyed by the Monument Fire. While the business will be reconstructed in its original location on APN -007 it is necessary to relocate the septic system to -002C. Regulations require that the septic system be a part of the same parcel that the septic system services and therefore it is necessary to abandon that portion of Cactus Lane which bisects these properties.

A review of the criteria for the abandonment was conducted as follows:
• The public right-of-way is not a section line or mid-section line road.
• Notification of the proposed abandonment was sent to the adjacent parcels owners and no objections were received. Please see attached letters. The proposed action will not deny legal access to any parcel as there are alternative private easements or a private easement will be retained along Cactus Lane as necessary.
• Utility companies that serve the area were notified and Qwest (also known as Century Link) and Sulphur Springs Valley Electric Co-op responded. After the fire Qwest installed lines within Cactus Lane and SSVEC intends to install services for the restaurant. While state statutes retain easements for existing utilities upon abandonment, staff and the applicant worked with both utilities to secure separate and more defined utility easements. Easements were recorded for SSVEC and easements for Qwest will be recorded at a later date.
• The Transportation Planner has no objections to the proposed abandonment and her comments are attached.
• A site review confirmed the proposed abandonment is open for use, but used as access for unauthorized dumping in the area.
• The Land Purchase Fee is $6,150 which is based upon an assessed value of $3/sq.ft. with a 50%

reduction due to a degree of fragmentation/marketability. The Fee has been received.

Department's Next Steps (if approved):

If abandoned, and once abandonment documents have been executed, no further Board action is required.

Impact of NOT Approving/Alternatives:

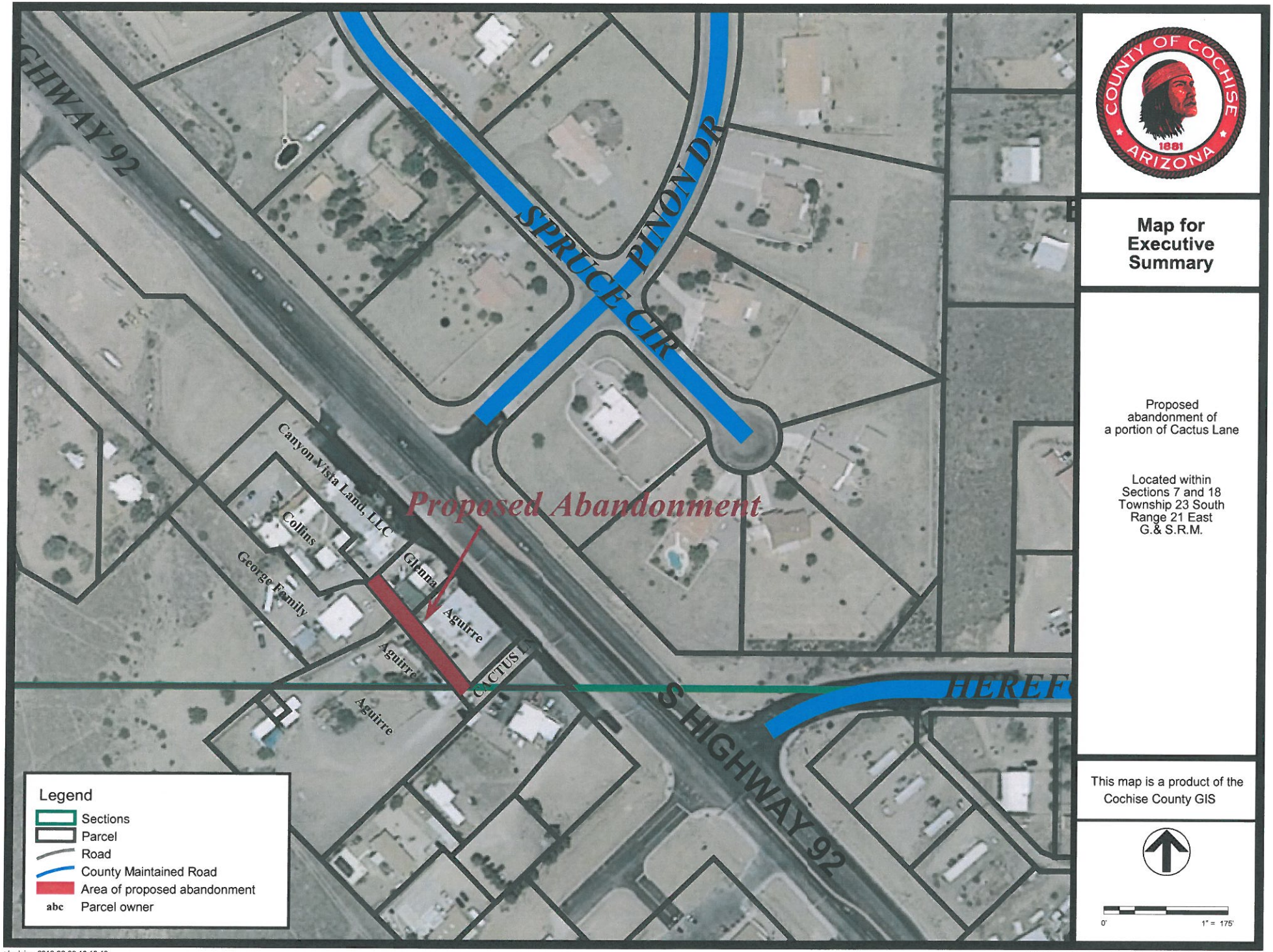
If the abandonment is not approved, the public right-of-way will remain public, and Mr. Aguirre will be unable to improve his property.

To BOS Staff: Document Disposition/Follow-Up:

Please put the Resolution number on the Quit Claim Deeds and record as separate documents. Please return a copy of the recorded documents to H&F, attn: Right-of-Way Division.

Attachments

MapForExecSummaryCactusLn
ResolutionCactusLn
QuitClaimDeedsCactusLn
ApplicationCactusLn
MemoTransportationPlannerCactusLn
LettersFromParcelOwnersCactusLn
PublicHearingNoticeCactusLn
LocationMapCactusLn
PresentationCactusLn



COUNTY OF COCHISE
1881
ARIZONA

Map for Executive Summary

Proposed abandonment of a portion of Cactus Lane

Located within Sections 7 and 18 Township 23 South Range 21 East G.& S.R.M.

This map is a product of the Cochise County GIS

0' 1" = 175'

phudgins, 2012-03-09 16:16:46
(\\ccappml3\Geodesy\Encompass\Admin\Personal\ROW.mdb)

This document is a graphic representation only of best available sources.
Cochise County assumes no responsibility for any errors.

RESOLUTION 12-___

AUTHORIZING THE ABANDONMENT OF A PORTION OF CACTUS LANE PUBLIC RIGHT-OF-WAY SOUTH OF SIERRA VISTA

WHEREAS, there has been presented to the Board of Supervisors of Cochise County Arizona, a formal request praying for the abandonment of that certain public right-of-way, more particularly described as follows:

A portion of that property dedicated to the public per Docket 790 page 419 and Docket 1170 page 79 as filed in the office of the Cochise County Recorder, also being a portion of Sections 7 and 18 of Township 23 South, Range 21 East of the Gila and Salt River Meridian, Cochise County, Arizona and more particularly described as follows:

COMMENCING at the intersection of the Southeasterly line of said property described in said Docket 790 page 419 and the Southwesterly right-of-way line of State Highway 92, as said Highway exists on July 18, 1977;

Thence following the courses of said property boundary as described in said Docket 790 page 419 and said Docket 1170 page 79 unless noted otherwise;

Thence North 44°34'30" West, a distance of 30.00 feet;

Thence South 45°25'30" West, a distance of 100.00 feet to the POINT OF BEGINNING;

Thence continuing South 45°25'30" West, along a boundary extension a distance of 20.06 feet to the intersection of said boundary extension and the Southwesterly boundary of said property described in said Docket 790 page 419;

Thence North 40°10'35" West, a distance of 229.23 feet;

Thence North 45°25'30" East, a distance of 20.06 feet;

Thence South 40°10'35" East, a distance of 229.23 feet to the POINT OF BEGINNING.

WHEREAS, the Board of Supervisors having considered all comments regarding this request at their meeting held March 27, 2012, and has determined that the public right-of-way described hereinabove is not necessary for public use as a roadway pursuant to A.R.S. § 28-7202; and

WHEREAS, Quit Claim Deeds for the vacated right-of-way will be issued to the adjacent property owners upon receipt of monies, in accordance with A.R.S. § 28-7208; and

WHEREAS, it is known that QWEST has an existing public utility and Sulphur Springs Valley Electric Co-op has a public utility interest within said right-of-way and other unknown public utilities may also exist within within said right-of-way and that any such rights-of-way are preserved therein pursuant to A.R.S. § 28-7210; and

WHEREAS, unknown public utilities may exist within said right-of-way,

NOW, THEREFORE, IT IS HEREBY RESOLVED that the petition for the abandonment as described and requested herein is hereby granted, and the public right-of-way is hereby vacated, in accordance with A.R.S. § 28-7201, *et seq*.

IT IS FURTHER RESOLVED that the interest of Cochise County in lands described above is hereby vacated and the issuance of Quit Claim Deeds vesting title in the adjacent property owners is hereby authorized pursuant to A.R.S. § 28-7205. The Chairman of the Board is hereby authorized to execute the Quit Claim Deeds and all other documents necessary to completion of this transaction.

IT IS FURTHER RESOLVED that any and all rights-of-way or easements for existing sewer, gas, water or similar pipelines and appurtenances and for canals, laterals or ditches and appurtenances and for electric, telephone, and similar lines and appurtenances shall continue as they existed prior to the disposals or abandonment thereof, pursuant to A.R.S. § 28-7210.

IT IS FINALLY RESOLVED that if necessary the roadway rights of ingress and egress for public or emergency vehicle, all property owners, their guests and invitees and persons lawfully conducting business on the land are hereby retained to the extent as described above, as authorized pursuant to A.R.S. § 28-7215.

PASSED AND ADOPTED by the Board of Supervisors of Cochise County, Arizona, this _____ day of _____, 2012.

_____
Richard R. Searle, Chairman
Board of Supervisors

ATTEST:

_____
Katie Howard
Clerk of the Board

APPROVED AS TO FORM:

_____
Britt W. Hanson, Chief Civil
Deputy County Attorney

Exempt pursuant to
A.R.S. 11-1134.A.3

QUIT CLAIM DEED

For full and fair consideration, Cochise County, State of Arizona, does hereby quit claim to **Canyon Vista Land, L.L.C. an Arizona Limited Liability Company**, heirs or assigns, all right, title, or interest in the following real property situated in Cochise County, Arizona.

See attached **"Exhibit A"**

Subject to the same encumbrances, liens, limitation, restriction, estates as exist on the land to which it accrues, pursuant to A.R.S. 28-7205.

Subject to easements for existing utilities, pursuant to A.R.S. 28-7210.

If necessary subject to continuing roadway rights, pursuant to A.R.S. 28-7215.

The undersigned is authorized to execute this document pursuant to Resolution No. 12-___ adopted by the Cochise County Board of Supervisors.

Dated this _____day of _____, 2012.

_____
Richard Searle, Chairman
Board of Supervisors

STATE OF ARIZONA)
) ss.
COUNTY OF COCHISE)

The foregoing instrument was acknowledged before me this _____ day of _____, 2012, by Richard Searle, for the purpose and consideration herein contained.

My Commission Expires:

_____

_____
Notary Public

QCD APN 104-06-015

EXHIBIT A

A portion of that property dedicated to the public per Docket 790 page 419 and Docket 1170 page 79 as filed in the office of the Cochise County Recorder, also being a portion of Sections 7 and 18 of Township 23 South, Range 21 East of the Gila and Salt River Meridian, Cochise County, Arizona and more particularly described as follows:

COMMENCING at the intersection of the Southeasterly line of said property described in said Docket 790 page 419 and the Southwesterly right-of-way line of State Highway 92, as said Highway exists on July 18, 1977;

Thence following the courses of said property boundary as described in said Docket 790 page 419 and said Docket 1170 page 79 unless noted otherwise;

Thence North 44°34'30" West, a distance of 30.00 feet;

Thence South 45°25'30" West, a distance of 100.00 feet;

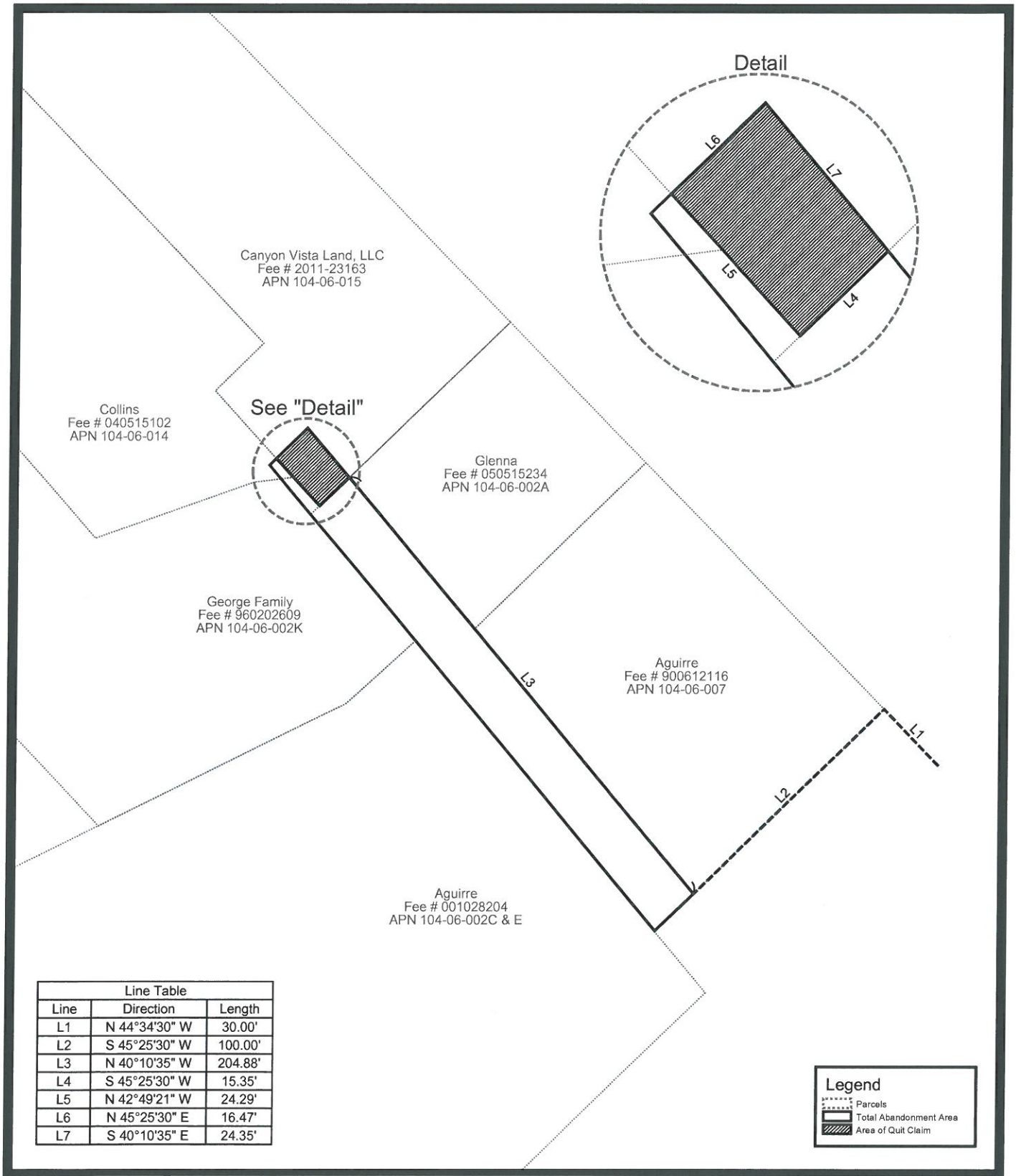
Thence North 40°10'35" West, a distance of 204.88 feet to a point of intersection of the Northeasterly line of said property described in said Docket 1170 page 79 and the Southeasterly line of that property conveyed to Canyon Vista Land LLC described in Fee # 2011-23163 as filed in the office of the Cochise County Recorder, said point also being the POINT OF BEGINNING;

Thence South 45°25'30" West, along said Southeasterly line a distance of 15.35 feet to an angle point of said property described in said Fee # 2011-23163;

Thence North 42°49'21" West, along a Southwesterly line of said property described in said Fee # 2011-23163 a distance of 24.29 feet to a point of intersection of said Southwesterly line and the Northwesterly line of said property described in said Docket 1170 page 79;

Thence North 45°25'30" East, a distance of 16.47 feet;

Thence South 40°10'35" East, a distance of 24.35 feet to the POINT OF BEGINNING.



Line Table		
Line	Direction	Length
L1	N 44°34'30" W	30.00'
L2	S 45°25'30" W	100.00'
L3	N 40°10'35" W	204.88'
L4	S 45°25'30" W	15.35'
L5	N 42°49'21" W	24.29'
L6	N 45°25'30" E	16.47'
L7	S 40°10'35" E	24.35'

Legend
- Parcels
- Total Abandonment Area
- Area of Quit Claim

Exhibit
Abandonment adjoining 104-06-015

This map is a product of the Cochise County GIS

0' 1" = 50'

tcouchenour, 2011-12-14 12:07:42
RicardoLegal15 (\\ccappml3\Geodesy\Encompass\Admin\Personal\tcouchenour.mdb)

This document is a graphic representation only of best available sources.
Cochise County assumes no responsibility for any errors.

Exempt pursuant to
A.R.S. 11-1134.A.3

QUIT CLAIM DEED

For full and fair consideration, Cochise County, State of Arizona, does hereby quit claim to **Robert R. Glenna and Denise Glenna**, husband and wife, heirs or assigns, all right, title, or interest in the following real property situated in Cochise County, Arizona.

See Attached "**Exhibit A**"

Subject to the same encumbrances, liens, limitation, restriction, estates as exist on the land to which it accrues, pursuant to A.R.S. 28-7205.

Subject to easements for existing utilities, pursuant to A.R.S. 28-7210.

If necessary subject to continuing roadway rights, pursuant to A.R.S. 28-7215.

The undersigned is authorized to execute this document pursuant to Resolution No. 12-___ adopted by the Cochise County Board of Supervisors.

Dated this _____day of _____, 2012.

_____
Richard Searle, Chairman
Board of Supervisors

STATE OF ARIZONA)
) ss.
COUNTY OF COCHISE)

The foregoing instrument was acknowledged before me this _____ day of _____, 2012, by Richard Searle, for the purpose and consideration herein contained.

My Commission Expires:

_____

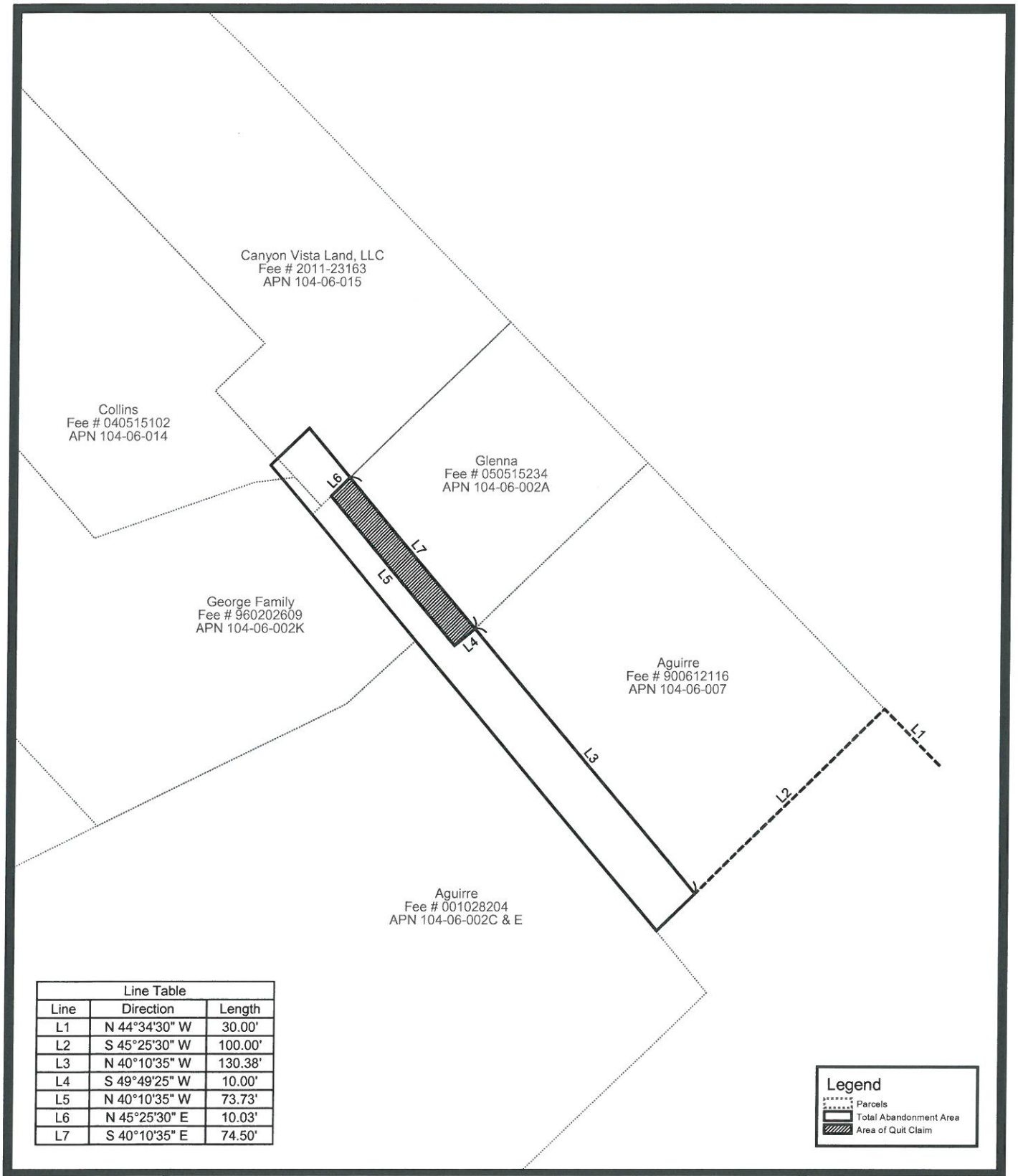
_____
Notary Public

QCD APN 104-06-002A

EXHIBIT A

A portion of that property dedicated to the public per Docket 790 page 419 and Docket 1170 page 79 as filed in the office of the Cochise County Recorder, also being a portion of Sections 7 and 18 of Township 23 South, Range 21 East of the Gila and Salt River Meridian, Cochise County, Arizona and more particularly described as follows:

COMMENCING at the intersection of the Southeasterly line of said property described in said Docket 790 page 419 and the Southwesterly right-of-way line of State Highway 92, as said Highway exists on July 18, 1977;
Thence following the courses of said property boundary as described in said Docket 790 page 419 and said Docket 1170 page 79 unless noted otherwise;
Thence North 44°34'30" West, a distance of 30.00 feet;
Thence South 45°25'30" West, a distance of 100.00 feet;
Thence North 40°10'35" West, a distance of 130.38 feet to the South corner of that property conveyed to Robert R. Glenna and Denise Glenna described in Fee # 050515234 as filed in the office of the Cochise County Recorder, said point also being the POINT OF BEGINNING;
Thence South 49°49'25" West, along a line perpendicular to the centerline of said property described in said Docket 790 page 419 and said Docket 1170 page 79, a distance of 10.00 feet;
Thence North 40°10'35" West, along said centerline a distance of 73.73 feet to the Southwesterly extension of the Northwesterly line of said property described in said Fee # 050515234;
Thence North 45°25'30" East, along said Southwesterly extension a distance of 10.03 feet to the Westerly corner of said property described in said Fee # 050515234;
Thence South 40°10'35" East, a distance of 74.50 feet to the POINT OF BEGINNING.



Line Table		
Line	Direction	Length
L1	N 44°34'30" W	30.00'
L2	S 45°25'30" W	100.00'
L3	N 40°10'35" W	130.38'
L4	S 49°49'25" W	10.00'
L5	N 40°10'35" W	73.73'
L6	N 45°25'30" E	10.03'
L7	S 40°10'35" E	74.50'

Legend
- Parcels
- Total Abandonment Area
- Area of Quit Claim

Exhibit
Abandonment adjoining 104-06-002A

This map is a product of the Cochise County GIS

0' 1" = 50'

tcouchenour, 2011-12-14 09:21:59
(\\ccappml3\Geodesy\Encompass\Admin\Personal\tcouchenour.mdb)

This document is a graphic representation only of best available sources.
Cochise County assumes no responsibility for any errors.

Exempt pursuant to
A.R.S. 11-1134.A.3

QUIT CLAIM DEED

For full and fair consideration, Cochise County, State of Arizona, does hereby quit claim to **Richard Aguirre and Irene Aguirre**, husband and wife, heirs or assigns, all right, title, or interest in the following real property situated in Cochise County, Arizona.

See Attached **"Exhibit A"** and **"Exhibit B"**

Subject to the same encumbrances, liens, limitation, restriction, estates as exist on the land to which it accrues, pursuant to A.R.S. 28-7205.

Subject to easements for existing utilities, pursuant to A.R.S. 28-7210.

If necessary subject to continuing roadway rights, pursuant to A.R.S. 28-7215.

Subject to a utility easement created per document fee number 2012-05445 as filed in the office of the County Recorder, Cochise County, Arizona and established pursuant to the conveyance described herein.

The undersigned is authorized to execute this document pursuant to Resolution No. 12-___ adopted by the Cochise County Board of Supervisors.

Dated this _____day of _____, 2012.

_____
Richard Searle, Chairman
Board of Supervisors

STATE OF ARIZONA)
) ss.
COUNTY OF COCHISE)

The foregoing instrument was acknowledged before me this _____ day of _____, 2012, by Richard Searle, for the purpose and consideration herein contained.

My Commission Expires:

_____

_____
Notary Public

EXHIBIT A

A portion of that property dedicated to the public per Docket 790 page 419 and Docket 1170 page 79 as filed in the office of the Cochise County Recorder, also being a portion of Sections 7 and 18 of Township 23 South, Range 21 East of the Gila and Salt River Meridian, Cochise County, Arizona and more particularly described as follows:

COMMENCING at the intersection of the Southeasterly line of said property described in said Docket 790 page 419 and the Southwesterly right-of-way line of State Highway 92, as said Highway exists on July 18, 1977;

Thence following the courses of said property boundary as described in said Docket 790 page 419 and said Docket 1170 page 79 unless noted otherwise;

Thence South 45°25'30" West, a distance of 122.37 feet;

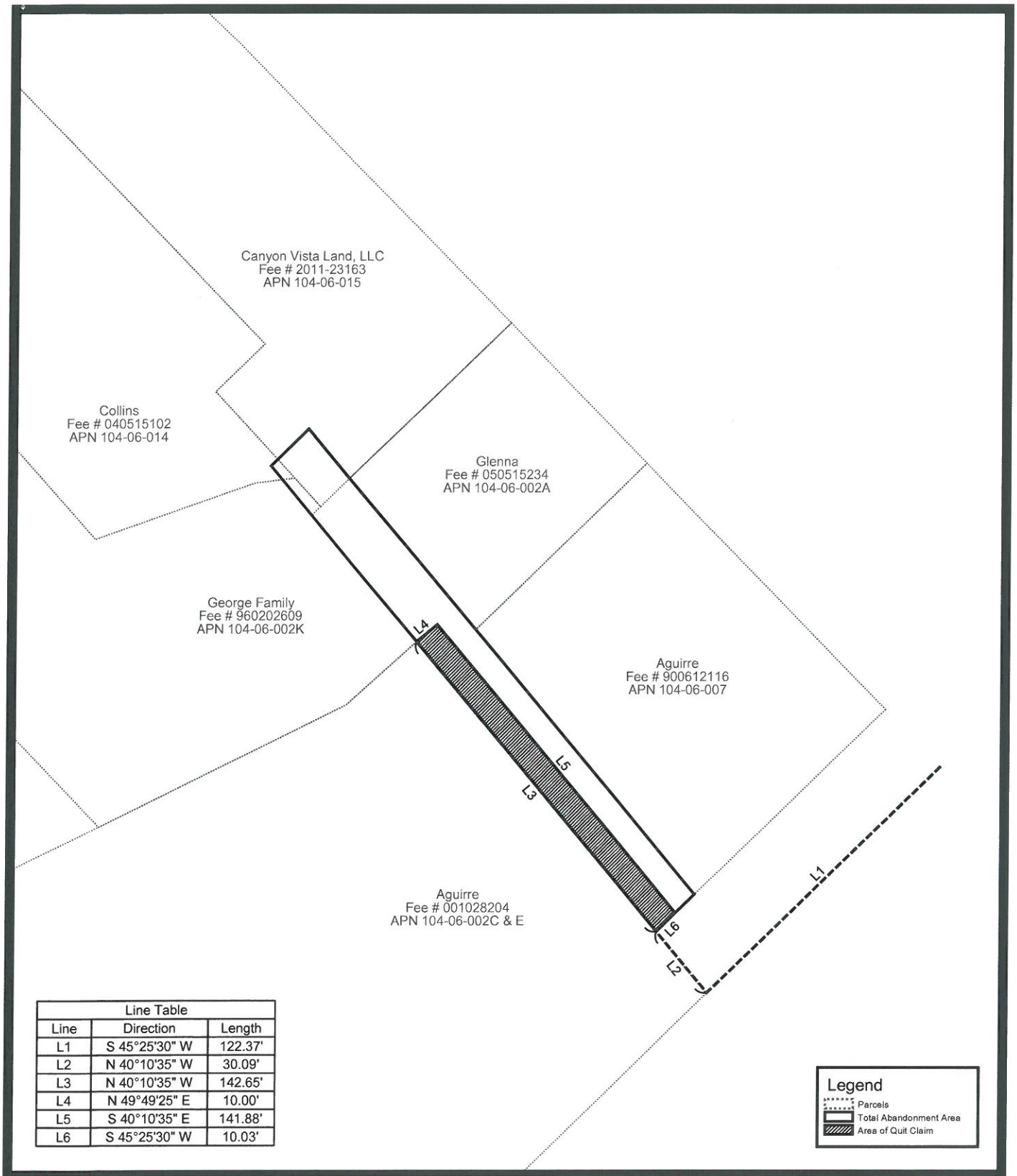
Thence North 40°10'35" West, a distance of 30.09 feet to a point of intersection of the Southwesterly line of said Docket 790 page 419 and the Southwesterly extension of the Southeasterly line of that property conveyed to Richard Aguirre and Irene Aguirre described in Fee # 900612116 as filed in the office of the Cochise County Recorder, said point also being the POINT OF BEGINNING;

Thence continuing North 40°10'35" West, a distance of 142.65 feet to the Northerly corner of that property conveyed to Richard Aguirre and Irene Aguirre described in said Fee # 001028204 as filed in the office of the Cochise County Recorder;

Thence North 49°49'25" East, along a line perpendicular to the centerline of said property described in said Docket 790 page 419 and said Docket 1170 page 79 a distance of 10.00 feet;

Thence South 40°10'35" East, along said centerline a distance of 141.88 feet to the Southwesterly extension of the Southeasterly line of said property described in said Fee # 900612116;

Thence South 45°25'30" West, along said Southwesterly extension a distance of 10.03 feet to the POINT OF BEGINNING.



Line Table		
Line	Direction	Length
L1	S 45°25'30" W	122.37'
L2	N 40°10'35" W	30.09'
L3	N 40°10'35" W	142.65'
L4	N 49°49'25" E	10.00'
L5	S 40°10'35" E	141.88'
L6	S 45°25'30" W	10.03'

Legend
- Parcels
- Total Abandonment Area
- Area of Quit Claim

Exhibit
Abandonment adjoining 104-06-002C & E

This map is a product of the Cochise County GIS

0' 1" = 50'

tcouchenour, 2011-12-14 09:54:20
RicardoLegal2c (\\ccappml3\Geodesy\Encompass\Admin\Personal\tcouchenour.mdb)

This document is a graphic representation only of best available sources.
Cochise County assumes no responsibility for any errors.

EXHIBIT B

A portion of that property dedicated to the public per Docket 790 page 419 and Docket 1170 page 79 as filed in the office of the Cochise County Recorder, also being a portion of Sections 7 and 18 of Township 23 South, Range 21 East of the Gila and Salt River Meridian, Cochise County, Arizona and more particularly described as follows:

COMMENCING at the intersection of the Southeasterly line of said property described in said Docket 790 page 419 and the Southwesterly right-of-way line of State Highway 92, as said Highway exists on July 18, 1977;

Thence following the courses of said property boundary as described in said Docket 790 page 419 and said Docket 1170 page 79 unless noted otherwise;

Thence North 44°34'30" West, a distance of 30.00 feet;

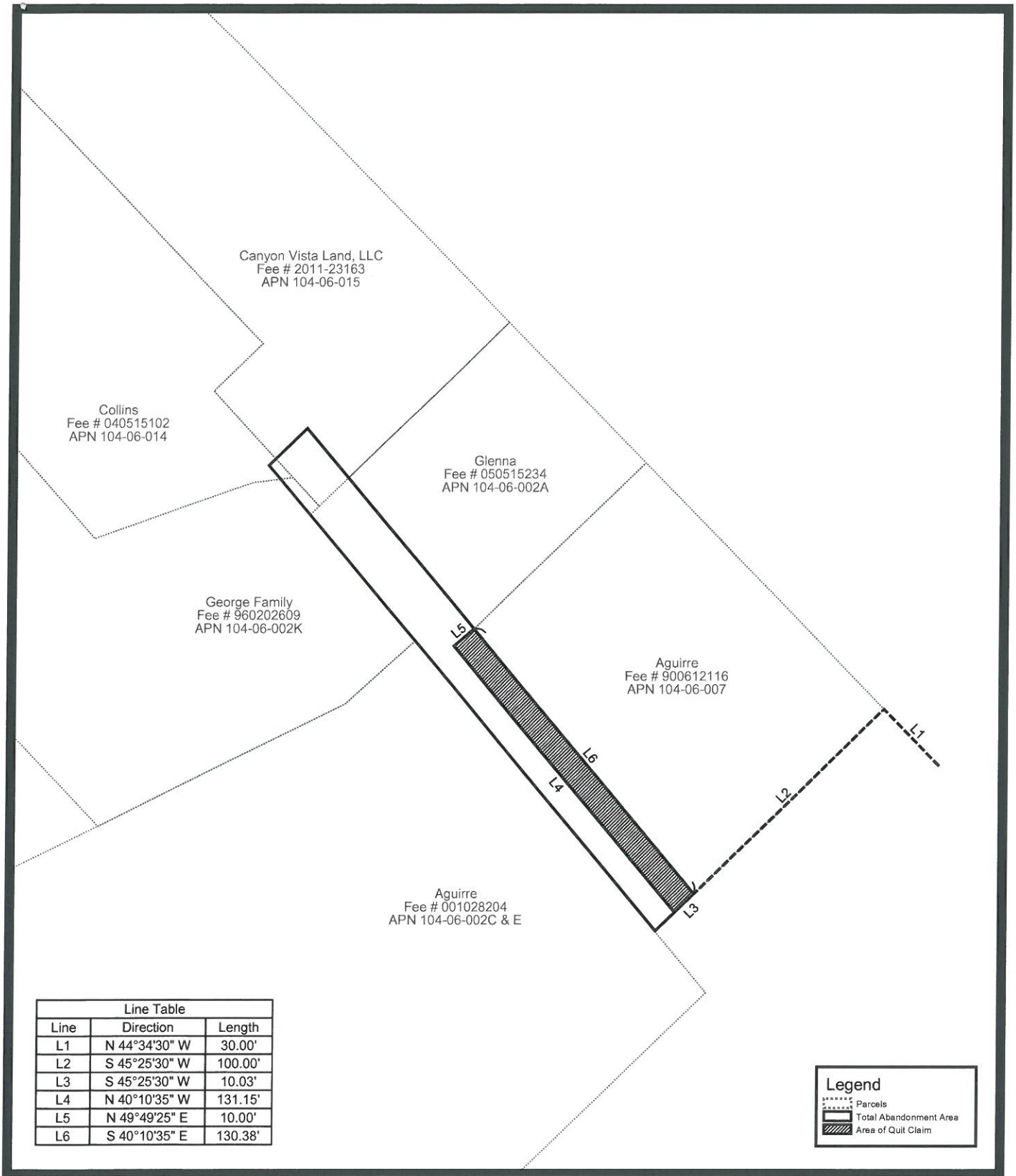
Thence South 45°25'30" West, a distance of 100.00 feet to the South corner of that property conveyed to Richard Aguirre and Irene Aguirre described in Fee # 900612116 as filed in the office of the Cochise County Recorder, said point also being the POINT OF BEGINNING;

Thence continuing South 45°25'30" West, a distance of 10.03 feet to the centerline of said property described in said Docket 790 page 419 and said Docket 1170 page 79;

Thence North 40°10'35" West, along said centerline a distance of 131.15 feet;

Thence North 49°49'25" East, along a line perpendicular to said centerline a distance of 10.00 feet to the West corner of said property described in said Fee # 900612116;

Thence South 40°10'35" East, along the Southwesterly line of said property described in said Fee # 900612116 a distance of 130.38 feet to the POINT OF BEGINNING.



Line Table		
Line	Direction	Length
L1	N 44°34'30" W	30.00'
L2	S 45°25'30" W	100.00'
L3	S 45°25'30" W	10.03'
L4	N 40°10'35" W	131.15'
L5	N 49°49'25" E	10.00'
L6	S 40°10'35" E	130.38'

Legend
- Parcels
- Total Abandonment Area
- Area of Quit Claim

Exhibit
Abandonment adjoining 104-06-007

This map is a product of the Cochise County GIS

0' 1" = 50'

tcouchenour, 2011-12-14 10:16:28
RicardoLegal7 (\\ccappml3\Geodesy\Encompass\Admin\Personal\tcouchenour.mdb)

This document is a graphic representation only of best available sources.
Cochise County assumes no responsibility for any errors.

Exempt pursuant to
A.R.S. 11-1134.A.3

QUIT CLAIM DEED

For full and fair consideration, Cochise County, State of Arizona, does hereby quit claim to **Karol E. George and Nancy L. George**, co-trustees of the George Family Irrevocable Trust Dated July 20, 1988, heirs or assigns, all right, title, or interest in the following real property situated in Cochise County, Arizona.

See Attached **"Exhibit A"**

Subject to the same encumbrances, liens, limitation, restriction, estates as exist on the land to which it accrues, pursuant to A.R.S. 28-7205.

Subject to easements for existing utilities, pursuant to A.R.S. 28-7210.

If necessary subject to continuing roadway rights, pursuant to A.R.S. 28-7215.

The undersigned is authorized to execute this document pursuant to Resolution No. 12-___ adopted by the Cochise County Board of Supervisors.

Dated this _____day of _____, 2012.

_____
Richard Searle, Chairman
Board of Supervisors

STATE OF ARIZONA)
) ss.
COUNTY OF COCHISE)

The foregoing instrument was acknowledged before me this _____ day of _____, 2012, by Richard Searle, for the purpose and consideration herein contained.

My Commission Expires:

_____

_____
Notary Public

QCD APN 104-06-002K

EXHIBIT A

A portion of that property dedicated to the public per Docket 790 page 419 and Docket 1170 page 79 as filed in the office of the Cochise County Recorder, also being a portion of Sections 7 and 18 of Township 23 South, Range 21 East of the Gila and Salt River Meridian, Cochise County, Arizona and more particularly described as follows:

COMMENCING at the intersection of the Southeasterly line of said property described in said Docket 790 page 419 and the Southwesterly right-of-way line of State Highway 92, as said Highway exists on July 18, 1977;

Thence following the courses of said property boundary as described in said Docket 790 page 419 and said Docket 1170 page 79 unless noted otherwise;

Thence South 45°25'30" West, a distance of 122.37 feet;

Thence North 40°10'35" West, a distance of 172.74 feet to the Easterly corner of that property conveyed to the George Family Irrevocable Trust described in Fee # 960202609 as filed in the office of the Cochise County Recorder, said point also being the POINT OF BEGINNING;

Thence continuing North 40°10'35" West, a distance of 79.83 feet to a point of intersection of the Southwesterly line of said property described in said Docket 1170 page 79 and the Northerly line of said property described in said Fee # 960202609;

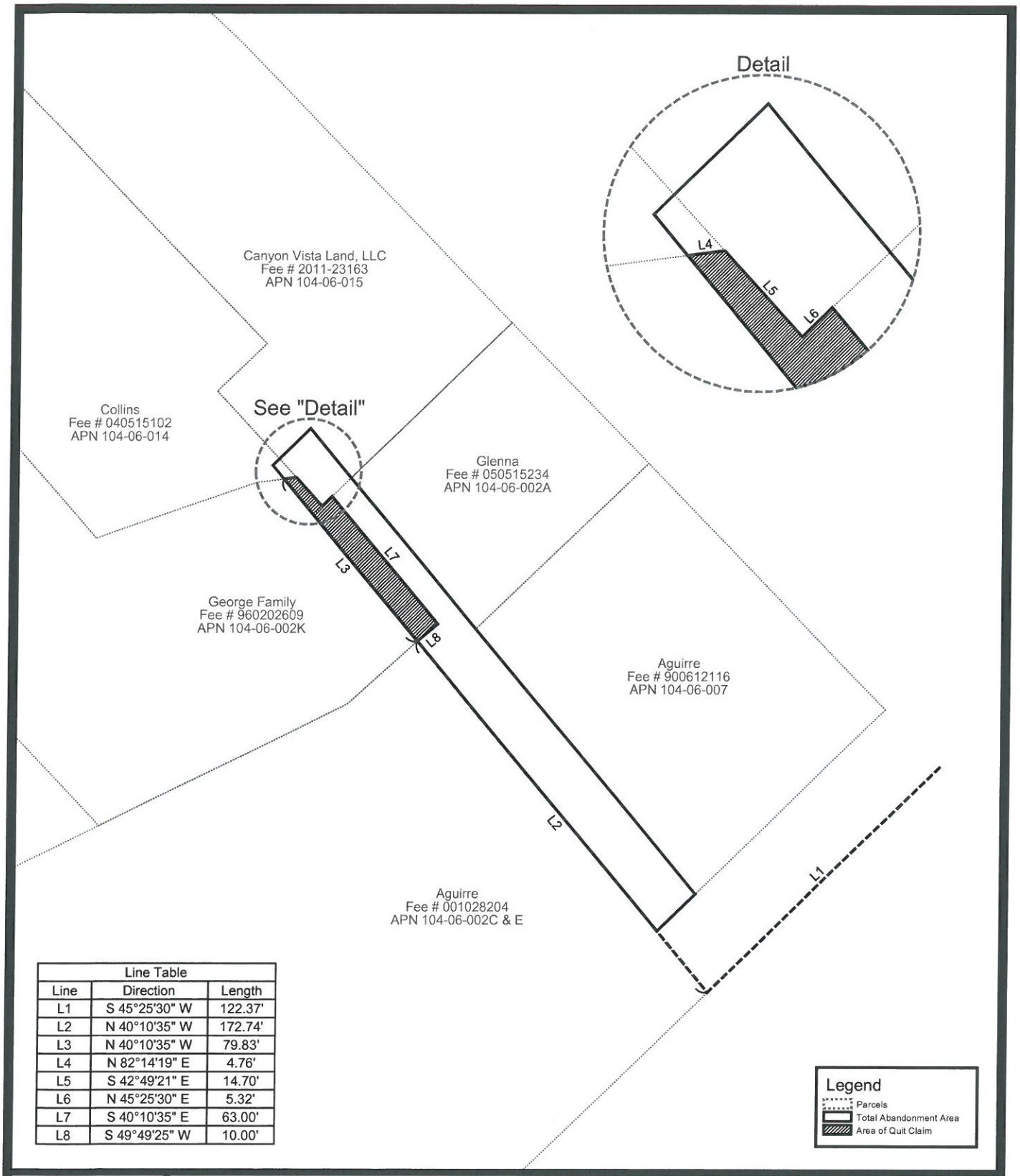
Thence North 82°14'19" East, along the Northerly line of said Fee # 960202609 a distance of 4.76 feet to an angle point in said property described in said Fee # 960202609;

Thence South 42°49'21" East, along a Northeasterly line of said Fee # 960202609 a distance of 14.70 feet to an angle point in said property described in said Fee # 960202609, said point also being the Southerly corner of that property conveyed to Canyon Vista Land LLC described in Fee # 2011-23163 as filed in the office of the Cochise County Recorder;

Thence North 45°25'30" East, along the Southeasterly line of said property described in said Fee # 2011-23163 a distance of 5.32 feet to a point in the centerline of said property described in said Docket 1170 page 79;

Thence South 40°10'35" East, along said centerline a distance of 63.00 feet;

Thence South 49°49'25" West, along a line perpendicular to the Southwesterly line of said property described in said Docket 1170 page 79 a distance of 10.00 feet to the POINT OF BEGINNING.



Line Table		
Line	Direction	Length
L1	S 45°25'30" W	122.37'
L2	N 40°10'35" W	172.74'
L3	N 40°10'35" W	79.83'
L4	N 82°14'19" E	4.76'
L5	S 42°49'21" E	14.70'
L6	N 45°25'30" E	5.32'
L7	S 40°10'35" E	63.00'
L8	S 49°49'25" W	10.00'

Legend
Parcels
Total Abandonment Area
Area of Quit Claim

Exhibit
Abandonment adjoining 104-06-002K

This map is a product of the Cochise County GIS

0' 1" = 50'

tcouchenour, 2011-12-14 11:09:12
RicardoLegal2K (\\ccappml3\Geodesy\Encompass\Admin\Personal\tcouchenour.mdb)

This document is a graphic representation only of best available sources.
Cochise County assumes no responsibility for any errors.

Exempt pursuant to
A.R.S. 11-1134.A.3

QUIT CLAIM DEED

For full and fair consideration, Cochise County, State of Arizona, does hereby quit claim to **Ronald F. Collins and Jackie S. Collins**, husband and wife, heirs or assigns, all right, title, or interest in the following real property situated in Cochise County, Arizona.

See attached **"Exhibit A"**

Subject to the same encumbrances, liens, limitation, restriction, estates as exist on the land to which it accrues, pursuant to A.R.S. 28-7205.

Subject to easements for existing utilities, pursuant to A.R.S. 28-7210.

If necessary subject to continuing roadway rights, pursuant to A.R.S. 28-7215.

The undersigned is authorized to execute this document pursuant to Resolution No. 12-___ adopted by the Cochise County Board of Supervisors.

Dated this _____day of _____, 2012.

_____
Richard Searle, Chairman
Board of Supervisors

STATE OF ARIZONA)
) ss.
COUNTY OF COCHISE)

The foregoing instrument was acknowledged before me this _____ day of _____, 2012, by Richard Searle, for the purpose and consideration herein contained.

My Commission Expires:

_____

_____
Notary Public

EXHIBIT A

A portion of that property dedicated to the public per Docket 790 page 419 and Docket 1170 page 79 as filed in the office of the Cochise County Recorder, also being a portion of Sections 7 and 18 of Township 23 South, Range 21 East of the Gila and Salt River Meridian, Cochise County, Arizona and more particularly described as follows:

COMMENCING at the intersection of the Southeasterly line of said property described in said Docket 790 page 419 and the Southwesterly right-of-way line of State Highway 92, as said Highway exists on July 18, 1977;

Thence following the courses of said property boundary as described in said Docket 790 page 419 and said Docket 1170 page 79 unless noted otherwise;

Thence South 45°25'30" West, a distance of 122.37 feet;

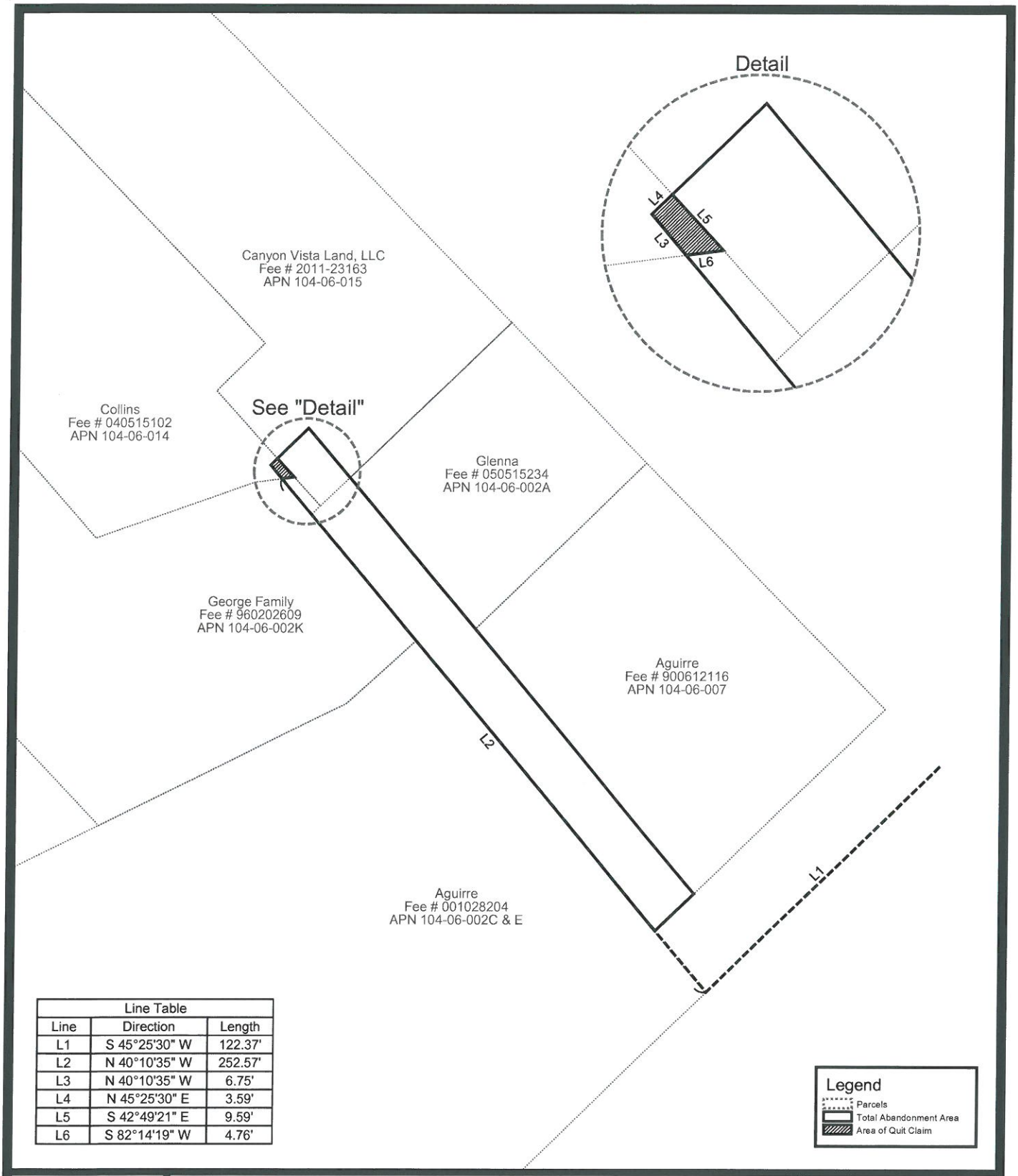
Thence North 40°10'35" West, a distance of 252.57 feet to a point of intersection of the Southwesterly line of said property described in said Docket 1170 page 79 and the Southerly line of said property conveyed to Ronald F. Collins and Jackie S. Collins described in Fee # 040515102 as filed in the office of the Cochise County Recorder, said point also being the POINT OF BEGINNING;

Thence continuing North 40°10'35" West, a distance of 6.75 feet;

Thence North 45°25'30" East, a distance of 3.59 feet to a point of intersection of the Northwesterly line of said property described in said Docket 1170 page 79 and the Northeasterly line of said property described in said Fee # 040515102;

Thence South 42°49'21" East, along the Northeasterly line of said Fee # 040515102 a distance of 9.59 feet to an angle point in said property described in said Fee # 040515102;

Thence South 82°14'19" West, along a Southerly line of said Fee # 040515102 a distance of 4.76 to the POINT OF BEGINNING.



Line Table		
Line	Direction	Length
L1	S 45°25'30" W	122.37'
L2	N 40°10'35" W	252.57'
L3	N 40°10'35" W	6.75'
L4	N 45°25'30" E	3.59'
L5	S 42°49'21" E	9.59'
L6	S 82°14'19" W	4.76'

Legend
- Parcels
- Total Abandonment Area
- Area of Quit Claim

Exhibit
Abandonment adjoining 104-06-014

This map is a product of the Cochise County GIS

0' 1" = 50'

tcouchenour, 2011-12-14 11:35:35
RicardoLegal14 (\\ccappml3\Geodesy\Encompass\Admin\Personal\tcouchenour.mdb)

This document is a graphic representation only of best available sources.
Cochise County assumes no responsibility for any errors.

Telephone: (520) 432-9300
Fax: (520) 432-9337
Fax: (520) 432-9337
Toll Free: 1-(800) 752-3745

COCHISE COUNTY

HIGHWAY AND FLOODPLAIN DEPARTMENT
1415 W. MELODY LANE, BISBEE, AZ 85603
Your County Questions answered: www.cochise.az.gov

ROADWAY ABANDONMENT APPLICATION

Name: Richard Aguirre

Mailing Address: 8177 Downey ST City: Hereford State: AZ ZIP: 85615

Daytime Telephone: (520) 378-0562 **FAX:** (520) 378-0562

Assessor's Parcel Number: 104-06-007 & 104-06-002C

Cell phone 249-5166

1. Physical Description of Request and/or attach Map:
(ex: Abandonment of 30' of Right-of-Way bordering the South side of parcel ___)

2. Reason for Request / Comments / Concerns:

Cactus lane is no longer needed by anyone, Since the fire burnt all building next to it. I Ricardo owen the property on each side of strip and would be helpful for me in rebuilding Ricardo's Restaurant.

3. List any known utilities located in the requested abandonment area:

Qwest Cable peraelle under strip.

4. Attach and include any other information deemed necessary.

Richard Aguirre
Signature of Applicant*

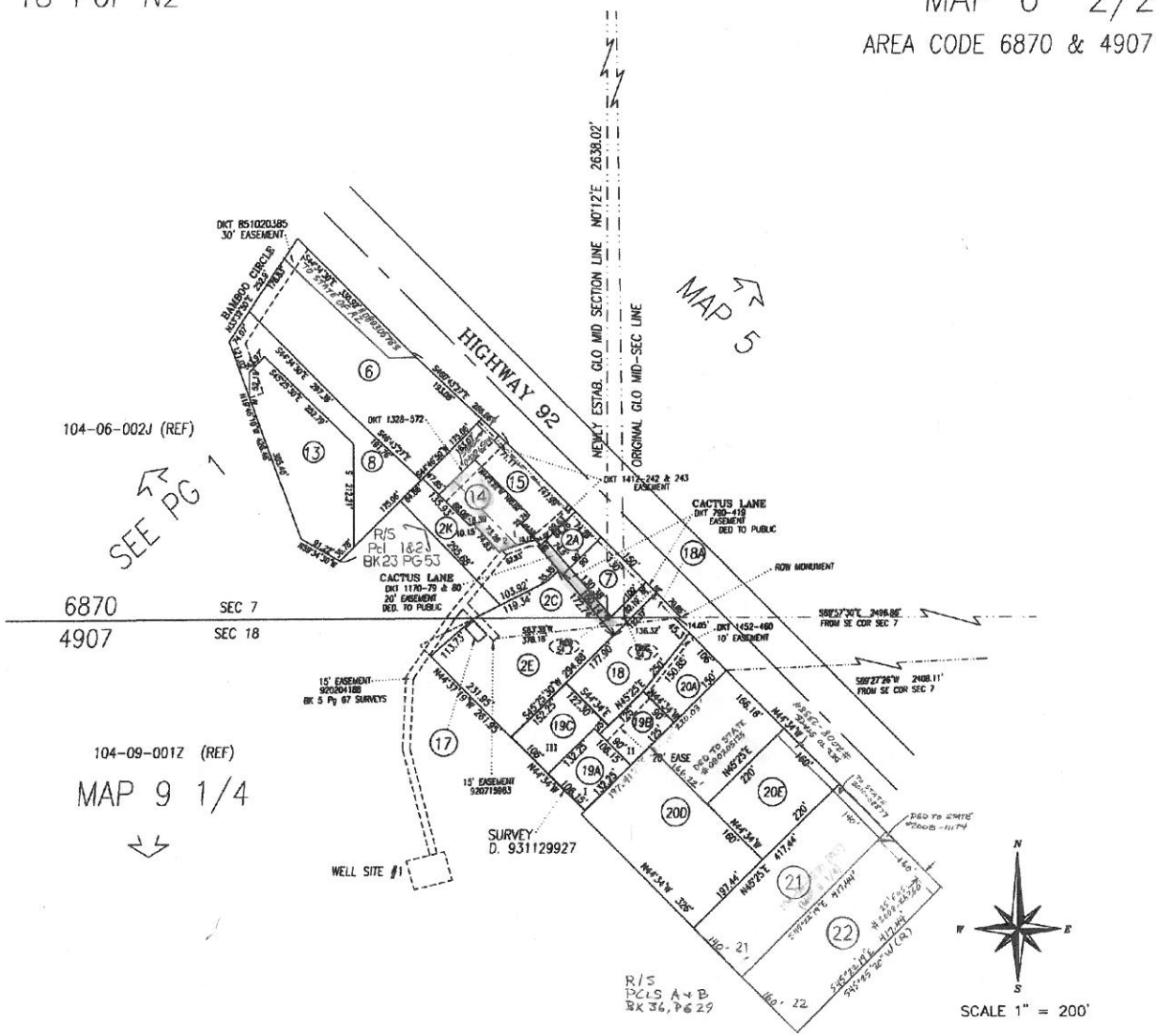
8-19-11
Date

*Applicant is required to be the current owner (or a legally authorized representative of the owner, proof of which must be submitted with this form) of a property adjacent to the requested roadway.

FOR DEPARTMENTAL USE ONLY				
Application Processing Fee = $75	Total $ Received:	Date:	Receipt #:	Received By:

SEC 7 Por S2 T 23 RG 21
SEC 18 Por N2

BOOK 104
MAP 6 2/2
AREA CODE 6870 & 4907



THIS INFORMATION IS TAKEN
FROM OUR WORKING RECORDS
FOR ASSESSING PURPOSES ONLY
COCHISE COUNTY

COMMUNITY DEVELOPMENT DEPARTMENT

Planning, Zoning and Building Safety
1415 Melody Lane, Bisbee, Arizona 85603

(520) 432-9240
Fax 432-9278

Carlos de la Torre, Community Development Director

MEMORANDUM

TO: Pam Hudgins, Right-of-Way Agent I

FROM: Karen L. Lamberton, County Transportation Planner

SUBJECT: Proposed Abandonment of Cactus Lane/Parcel #104-06-002C and 2007

DATE: September 26, 2011

This application proposes abandonment of a 1972 dedication of right-of-way, known as Cactus Lane. Although the portion to the south of parcel #104-06-007 is currently an unused primitive surfaced roadway, it does have 1) direct access via the state highway and across the newly developed frontage road and 2) provide access to parcels and buildings adjacent of further west of the highway. It also appears that several parcels take access from Cactus Lane: 104-06-014; 104-06-002K. However, apparently, this is not the sole access to these other parcels (although a clear access point from the highway was not obvious given the fire-related damage in the surrounding area) and my understanding is that all adjacent parcel owners have indicated support for the abandonment of the entire length of Cactus Lane.

That being the case, I am not opposed to the abandonment request; however, such abandonment would be only to the ADOT Right-of-Way line. The change of ownership of this existing driveway (from the County to a private owner) would be required to be filed with ADOT as Mr. Aguirre would then be the new encroachment owner for the access driveway that currently now exists from the ADOT highway to the private property. This access point serves more than one parcel owner and in discussion with ADOT about this potential abandonment we were advised that a multi-use encroachment permit would be appropriate (which requires that all parcel owners taking access jointly submit the permit request).

Changing the ownership of the driveway itself has future implication for the owners in terms of a duty to maintain the ADOT apron and/or the potential of closing off that driveway access point sometime in the future as the area is served by the frontage road and the access was placed specifically for Cactus Lane.

I would advise the applicant to consider the implications of fully abandoning all public rights-of-way for the proposed section of Cactus Lane from the ADOT highway to the -002E parcel line. Fifty (50) feet of dedicated right-of-way is generally considered needed for a local road; however, as a privately maintained public roadways as little as 25 feet would be adequate in this case.

Recommendation:
We have no objections to abandoning that portion of Cactus Lane that lies directly behind the identified parcels if the parcel owners noted above have no objections and adequate, legal access is available through other roadways to their parcels. I also have no objections to the concept of abandoning that portion of Cactus Lane south of the identified parcels; however, if the property owner(s) are not willing and able to take on the ADOT access driveway that some adjustment to the proposed abandonment area should be made.

If the full abandonment does move forward as presented and is approved the applicant should then contact Armando Membrila, ADOT Permit Division and submit an Joint Encroachment Permit notifying ADOT of the new owners of this access apron. Permit information is available on-line at: http://www.dot.state.az.us/Highways/Districts/Safford/index.asp or the applicant may contact the Permits Office at Safford District, at 2082 US Hwy 70, Safford, AZ 85546; or call 928.432.4915. There is no fee for this permit.

Please let me know if you have any questions about my review of this proposed abandonment.

To Cochise County

Re: the Abandonment of Cactus Lane

I am the owner of parcel #104-06-014 and approve of abandoning Cactus Lane, Hereford, AZ

Jackie Collins 9-28-4

Jackie Collins
Owner/Broker
Hereford Realty

Formerly located at 7148 S, Hwy 92

Currently at
6164 S, Hwy 92
Hereford, AZ

August 9, 2011

TO WHOM IT MAY CONCERN:

I, Karol George, have no objections to eliminating the alley/roadway between my property, Flying V Ranch at Hereford, and Ricardo's Restaurant.

Sincerely,

Karol George

APN 104-06-002K

ROBERT AND DENISE GLENNA
7188 S HWY 92
HEREFORD, AZ. 85615
deniseflooring@q.com

TO WHOM IT MAY CONCERN:

ROBERT AND DENISE GLENNA WAS JUST INFORMED BY RICARDO'S RESTAURANT THAT CACTUS LANE IN HEREFORD, AZ. 85615 WHICH IS RIGHT BEHIND OUR PROPERTY AT 7188 S HWY 92, HEREFORD AZ. 85615 WOULD LIKE FOR THE COUNTY OF COCHISE TO ABANDON CACTUS LANE, WE HAVE NO PROBLEM WITH THIS REQUEST WE DO NOT USE CACTUS LANE AS A DRIVE THROUGH ACCESS TO OUR PROPERTY.

IF YOU HAVE ANY QUESTIONS PLEASE CALL US AT 520-266-1321.

THANK YOU ROBERT AND DENISE

Robert L Glenna Date 8-9-2011

Denise Glenna Date 8-9-2011

APN 104-06-002A

Hudgins, Pam

From: Jessica Davies [jessyedavies@gmail.com]
Sent: Wednesday, September 28, 2011 4:59 PM
To: Hudgins, Pam
Subject: Easement behind Ricardo's property

Dear Pam Hudgins,

My name is Jessica Nuding and I own the property where Nick's Place was located, 7156 S Hwy 92, Hereford. I have been informed that Richard Aguirre would like to acquire the easement known as Cactus Lane that runs directly behind where his restaurant used to be. The right of way that runs perpendicular to Hwy 92 would still remain a right of way. This is acceptable to me and poses no problem. If you need any further information from me please email me or call me at 520-366-1535.

Thank you
Jessica Nuding

Renter on Aguirre's property

Ernesto Martinez, CMR 447 Box 167, APO AE 09020
e-mail: ernesto_martinez34@yahoo.com

Date: 15 August 2011

TO WHOM IT MAY CONCERN:

The abandoned property in Hereford, AZ, known as E. Cactus Lane adjacent to Ricardos Restaurant is hereby ackowledged as abandoned.

There is no objection property ownership be transferred to Ricardos Restaurant.

Ernesto Martinez

Board of Supervisors

Ann English
Supervisor
District 2

Patrick G. Call
Vice-Chairman
District 1

Richard R. Searle
Chairman
District 3

Michael J. Ortega
County Administrator

James E. Vlahovich
Deputy County Administrator

Katie A. Howard
Clerk

PUBLIC HEARING

ABANDONMENT OF PUBLIC RIGHT-OF-WAY

There has been filed with the Board of Supervisors of Cochise County, Arizona, a petition/application requesting the abandonment of a public right-of-way, more particularly described as follows:

A portion of that property dedicated to the public per Docket 790 page 419 and Docket 1170 page 79 as filed in the office of the Cochise County Recorder, also being a portion of Sections 7 and 18 of Township 23 South, Range 21 East of the Gila and Salt River Meridian, Cochise County, Arizona and more particularly described as follows:

COMMENCING at the intersection of the Southeasterly line of said property described in said Docket 790 page 419 and the Southwesterly right-of-way line of State Highway 92, as said Highway exists on July 18, 1977;
Thence following the courses of said property boundary as described in said Docket 790 page 419 and said Docket 1170 page 79 unless noted otherwise;
Thence North 44°34'30" West, a distance of 30.00 feet;
Thence South 45°25'30" West, a distance of 100.00 feet to the POINT OF BEGINNING;
Thence continuing South 45°25'30" West, along a boundary extension a distance of 20.06 feet to the intersection of said boundary extension and the Southwesterly boundary of said property described in said Docket 790 page 419;
Thence North 40°10'35" West, a distance of 229.23 feet;
Thence North 45°25'30" East, a distance of 20.06 feet;
Thence South 40°10'35" East, a distance of 229.23 feet to the POINT OF BEGINNING.

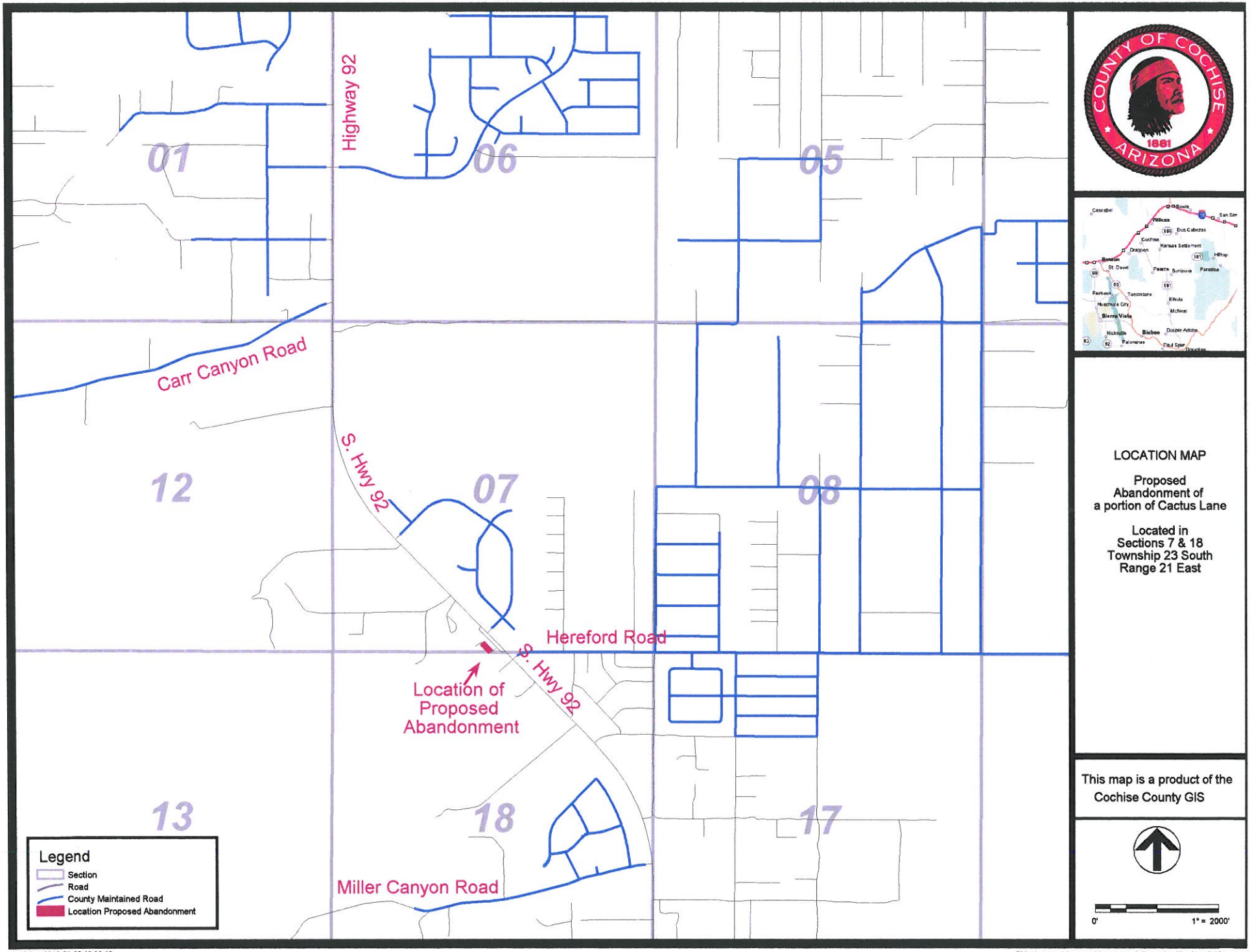
Notice is hereby given that Tuesday, April 10, 2012 at the hour of 10:00 a.m., at the Office of the Board of Supervisors in Building G, 1415 W. Melody Lane, Bisbee, Arizona, is hereby set as the time and place for Hearing on said Petition/application and all objections thereto, and all persons wishing to object to the action prayed for in the petition/application are directed to file with the Board, a statement in writing setting forth any objections, or opposition and to show cause why said petition/application should not be granted; and

That notice of said hearing be published in the Arizona Range News fifteen (15) days prior to the date of said hearing.

Dated this 21st day of March, 2012.

Katie Howard, Clerk of the Board

Richard R. Searle, Chairman
Board of Supervisors



COUNTY OF COCHISE
1881
ARIZONA

LOCATION MAP

Proposed
Abandonment of
a portion of Cactus Lane

Located in
Sections 7 & 18
Township 23 South
Range 21 East

This map is a product of the
Cochise County GIS

0' 1" = 2000'

phudgins, 2012-02-28 16:09:12
LocationMapForCactusLane (\\ccappmi3\Geodesy\Encompass\Admin\PersonalROW.mdb)

This document is a graphic representation only of best available source
Cochise County assumes no responsibility for any error

Action 12.

Regular Board of Supervisors Meeting **Community Development**

Meeting Date: 04/10/2012

Request to Abandon Bachmann Springs Phase One Subdivision Plat

Submitted By: Beverly Wilson, Community Development

Department:	Community Development	**Division:**	Planning
Presentation:	PowerPoint	**Recommendation:**	Approve
Document Signatures:	BOS Signature Required	**# of ORIGINALS Submitted for Signature:**	2
NAME of PRESENTER:	Beverly Wilson	**TITLE of PRESENTER:**	Senior Planner
Docket Number (If applicable):			
Mandated Function?:	Federal or State Mandate	**Source of Mandate or Basis for Support?:**	

Information

Agenda Item Text:

Adopt Resolution 12-11 to abandon the Bachmann Springs Phase One Final Subdivision Plat, the Assurance Agreement, and the Final Plan.

Background:

MEMORANDUM

TO: BOARD OF SUPERVISORS
For: Michael Ortega, County Administrator

FROM: Beverly Wilson, Senior Planner
For: Carlos De La Torre, Community Development Director

SUBJECT: Bachmann Springs Plat Abandonment Docket S-05-13

DATE: March 28, 2012 for April 10, 2012 Board of Supervisors Meeting

NATURE OF THE REQUEST

This is a request, initiated by Staff, asking the Board of Supervisors to formally abandon the Bachmann Springs Subdivision Final Plat (FP) including the Assurance Agreement and the Final Plan. It is the finalizing step in a process begun on June 29, 2010, when the Board of Supervisors denied a request from the Developer for a time extension of a project that began in the late 1990's. With the unanimous denial from the Board for a 3-year time extension for Dockets CP-22-04 and Z-99-12, Parcels 108-20-001, 007, 008A, 008C, 008D and 008F, 121-15-034A, 035 and 036 and 121-47-001, located at 2738 N. Middlemarch Road in Tombstone, AZ, were reverted from a Category "C" Comprehensive Plan Growth Area to a Category "D" Comprehensive Plan Growth Area, from a "Developing" Comprehensive Plan land use designation to a "Rural" Comprehensive Plan land use designation, and from a "Planned Development–PD" Zoning District designation to a "Rural–RU-4" Zoning District designation. The abandonment of the subdivision plat will correct the Assessor's maps of Cochise County to reflect the original configuration of the parcels by deleting the lot lines.

HISTORY OF THE PROJECT

The Bachmann Springs Master Development Plan was approved on May 1, 2000 by the Board of Supervisors, and included a proposed Resort Community consisting of 1,709.43-acres. A Final Plan was also recorded in Book 14 of Maps, page 66A, which divided the parcels into 'Tracts', and Common Areas. The MDP included a 322-acre golf course, 1,125 custom home sites, 400 Hospitality rooms, and 74-acres of open space. The density of this development was 0.66 dwelling units per acre, with the golf course and the 120-lot subdivision planned as Phase 1. The original MDP was conditionally approved to include time frames for completion, along with definitive repercussions as stated in Condition #1:

1. "If there is no substantial progress towards completion of Phase 1 as described in the MDP, within 48 months of final approval, then the rezoning will revert to RU-4 and all subsequent approvals, modification and conditions will be null and void."

On December 16, 2003, a time extension request was approved by the Board, changing the original condition as follows:

1. If there is no substantial progress towards completion of Phase 1 as described in the MDP, by May 1, 2008, then the rezoning will revert to RU-4 and all subsequent approvals, modifications and conditions will be null and void."

In addition, three building permit applications were issued, including a permit for the golf course (expired 3/2/09), the comfort station and pump house (expired 4/23/09) and a manufactured home (expired 10/23/07). Our records also indicate that there are two voided permits for a septic system (voided 11/9/09) and a change of use for a laundry and break room (voided 11/9/09).

At some point, the golf course was installed, including irrigation from the on-site wells; however, the Bachmann Springs Subdivision, Phase 1 was not started, and no evidence of roadways, lot lines, or infrastructure exists (See photos below).

In 2010, the successor to the developer requested an extension of the Assurance Agreement. Due to lack of progress on the development, the Board denied the request, reverted the zoning to RU-4 and reverted the Comprehensive Plan designation to Category "D" Developing Land Use. As a result, the parcels no longer can be developed in accordance with the Final Plat. Pursuant to the Assurance Agreement, the County is entitled to abandon the Plat by replatting the parcels to the state in which they existed before the Plat was recorded.

This 120-lot subdivision FP was recorded on July 24, 2007, along with the Assurance Agreement, which is the contractual document that guarantees that all improvements will be completed prior to the lots being released for sale. The Assurance Agreement was recorded by Fee No. 070724528. Currently, this FP exists only on the Assessor Maps and the lots are unbuildable because they are well under the 4-acre minimum required for building in the RU-4 Zoning District. Additionally, tax liens have been sold on these 'paper' parcels—a matter that will be corrected by the Treasurer's Office when the 'Abandonment Plat', returning the subject parcels to their pre-development status, is recorded. As mentioned above, the improvements for the Subdivision have not been undertaken in accordance with the assurance agreement, thereby leading to this request to abandon the plat.

The Subdivision Plat was recorded after the Final Plan (mentioned above), but did not extinguish some of the 'Block' lines. The proposed Abandonment Plat consists of three sheets which will extinguish all Blocks, designated lot lines, proposed roadways and common areas. It will abandon the Final Plan as recorded in Book 14 of Maps at page 66A, and the subdivision as originally recorded in Book 15 of Maps at page 80 A – 80 J, Office of the Cochise County Recorder.

After the plat has been abandoned, the property owner is entitled per State law to again subdivide the property and sell no more than five parcels without a subdivision review by the County.

RECOMMENDATION

Staff recommends that the Board of Supervisors approve the plat abandonment of the Bachmann Springs, Phase 1 Subdivision Plat and authorize the Chairman to sign the Resolution and Abandonment Plat for recordation.

ATTACHMENTS: As You Are Aware Letters dated 5.2.00; 12.18.03; 7.2.10
Assurance Agreement

Department's Next Steps (if approved):

Community Development Department will record the Abandonment Maps which consist of three mylars, and the Resolution which will authorize such abandonment.

Impact of NOT Approving/Alternatives:

Currently, the Subdivision Plat is dividing the land into lots, each parcel shown on the Assessor's maps. These arcels have been included on the Treasurer's listing of parcels owing taxes. Liens have been sold on these parcels for the taxes due. These parcels are illegal under the Cochise County Zoning Regulations, as the zoning was reverted to RU-4 and the parcels are much smaller in area. If the lot lines are not deleted by filing the Abandonment Plat, they will result in unbuildable parcels being sold to the Public.

To BOS Staff: Document Disposition/Follow-Up:

Community Development Staff will provide the original recorded Resolution for BOS Staff records.

Attachments

Assurance Agreement
As You Are Aware Letters
Abandonment Plat Sheet 1
Abandonment Plat Sheet 2
Abandonment Plat Sheet 3
PowerPoint
Staff Memo
Resolution
RequestForContinuance

JUL 24 2007
4pm10

ASSURANCE AGREEMENT
FOR COMPLETION OF SUBDIVISION IMPROVEMENTS

THIS AGREEMENT ("Agreement") is made and entered as of this 7th day of MARCH, 2007, between FIDELITY NATIONAL TITLE AGENCY, INC., an Arizona Corporation, as Trustee under Trust no. 60,255, hereinafter referred to as "Trustee", BACHMANN SPRINGS HOLDINGS, LLC., an Arizona limited liability company, as Beneficiary(ies) of Trust no. 60,255, hereinafter referred to as "Beneficiary", and COCHISE COUNTY, Arizona, hereafter referred to as "County."

RECITALS :

A. Trustee is owner of a certain parcel of property located in Cochise County, Arizona, and described in paragraph 1 below.

B. Beneficiary has established Trust no. 60,255 for the purpose of developing a subdivision of Cochise County and has conveyed legal title to the Trustee.

C. The parties hereto wish to establish specific terms, conditions and guidelines for compliance with the provision of A.R.S. Section 11-806.01 and the Cochise County Subdivision Regulations.

AGREEMENT :

In consideration of the County approving a final plat for the property which is the subject matter of this Agreement, the parties mutually agree that:

1. Definition. The following words and phrases used in this Agreement:

1.1 Property. The term "Property" means that certain real property located in Cochise County, Arizona which is legally described on Exhibit "A".

1.2 Plat. The term "Plat" means the Final Plat for Phase I of Bachmann Springs, Lots 1-120 and Block A (Open Space/Recreational Area), as recorded in the Office of the Recorder of Cochise County, Arizona in Book 15 of Maps and Plats at Page 80-80J.

070724528

1.3 New Access Road. The term "New Access Road" means the roadway linking the Property to Arizona Highway 80 near the town of Tombstone, Arizona, as generally depicted upon the Plat.

1.4 Phase 1A. The term "Phase 1A" means Lots 23 through 42 and 45 through 62 and adjacent roadway connecting to the New Access Road at the boundary line of the Property as depicted on the Plat.

1.5 Phase 1B. The term "Phase 1B" means Lots 43 and 44 and 63 through 109 and adjacent roadway connecting Phase 1B to Phase 1A at the boundary line of Phase 1B as depicted on the Plat.

1.6 Phase 1C. The term "Phase 1C" means Lots 110 through 120 and 1 through 22 and adjacent roadway connecting Phase 1C to Phase 1B at the boundary line of Phase 1C as depicted on the Plat.

1.7 Aquifer Protection Permit. The term "Aquifer Protection Permit" means the permit to be issued in connection with the sewerage treatment system to serve the Property presently under review by applicable governmental entities.

1.8 Water Certification. The term "Water Certification" means a Certificate of Adequate Potable Water Supply for the Property, or water service providers to serve the Property, issued by the Arizona Department of Water Resources.

1.9 Onsite Utilities. The term "Onsite Utilities" means conveyance facilities for potable water, sanitary sewer, telephone, cable and electric service.

1.10 Water System Improvements. The term "Water System Improvements" means wells, pumps, treatment systems, storage tanks and pressure tanks to serve the Property consistent with the Water Certification constructed in accordance with applicable governmental approvals.

1.11 Major Drainage Structures. The term "Major Drainage Structures" means all drainage improvements required in connection with the

07072452S

construction of the Access Road necessary to convey storm and surface water across or under the Access Road in order to prevent surface flow upon the Access Road at levels greater than one (1) foot in depth.

2. Assurances. This Agreement is submitted as a means of assuring the completion of the subdivision improvements required by A.R.S. Section 11-806.01, the Cochise County Subdivision Regulations, all Plans and Specifications approved and on file with the County, and any special conditions, if applicable, on Exhibit "B" attached hereto and made a part hereof. These subdivision improvements include but are not limited to, streets, alleys, sidewalks, curbs and gutters, sanitary sewer systems, water supply, lot staking and monuments, traffic and street signs, and drainage and flood control improvements, as applicable.

3. Conveyances and Transfers of Title. The Trustee shall not transfer title to, enter into contracts for sale of any portion of the Property, lease, or in any way convey, in whole or in part, any of the Property without obtaining prior written approval from the County, except as authorized in this Agreement. A Release of Assurances shall only be given by the County upon satisfactory completion as verified by County inspections of the required improvements, in accordance with the provisions hereof.

4. Bulk Sales. Notwithstanding paragraph 3, the Trustee may sell or convey all of the Property in one transaction to a single successor to the beneficiary's interests, provided that such successor, prior to the conveyance, shall have entered into an appropriate agreement with the County to assure completion of the improvements, and the County has approved, in writing, the transfer.

5. Conveyance Out of Trust for the Purpose of Encumbrance; Condition on Other Interests. Notwithstanding paragraph 3, the Trustee may convey the Property to the Beneficiary of the Trust for the limited purposes of allowing any obligations of the Trust, other than those which are the subject of this

070724528

Agreement with Cochise County, to be subordinated to subsequent loans or modifications of existing loans for the purpose of constructing improvements on the subject land or to create security for additional loans for the purchase, refinancing or improvement of the Property. In such event, the Property shall immediately thereafter be reconveyed to the Trustee. This Agreement shall be deemed to be a condition on and restriction on the rights and interests of any third party whose interest in the Property arises after the date of this Agreement, however such interest is created.

6. Substitution of Assurances. Subdivider or Beneficiary may offer substitute assurances at any time during the term of this Agreement in accordance with the provisions of the Cochise County Subdivision Regulations. The Assurance shall be in a form and amount acceptable to the County, and shall to the extent applicable, partially or wholly replace the Assurances in this Agreement.

7. Completion of Improvements. The required improvements shall be completed by the Subdivider within three (3) years from the date of this Agreement. This date for completion of improvements may be extended by separate agreement of the parties where Subdivider or Beneficiary is prevented from completing the improvements by act of God, strike or similar event or circumstances beyond its control, or at the discretion of the County.

8. Inspection and Approval of Improvements. The Subdivider shall arrange for the inspection of all improvements required for this project, to ensure satisfactory completion. Satisfactory completion of all such improvements, in conformance with the required standards and specifications, shall be confirmed by a written statement, signed and sealed by the project engineer. Until these improvements have been satisfactorily completed, the County will not release the Property, except as otherwise provided herein.

070724528

9. Payment of Applicable Property Taxes. The County shall not release, in whole or in part, any of the Property until all taxes and assessments due and owing on the portion of the Property to be released have been paid in full.

10. Partial Release of Assurances by Approved Phases. The County, in its discretion, and upon receipt of a written request from Trustee, may give the Trustee a Release of Assurances for a portion of the Lots by approved phases only created by the subdivision plat described in paragraph 1, provided that all of the improvements required in connection with such lots have been satisfactorily completed and accepted, and provided further that the lots released and improvements associated with such lots can function independently on a permanent basis in the event the remaining portion of the subdivision is never developed.

11. Release of Assurances. Upon completion of all improvements required under this Agreement or upon receipt of acceptable substitute assurances replacing this Agreement, the County shall release the Assurances provided for in this Agreement.

12. Failure to Complete Improvements. Trustee and Beneficiary hereby agree that in the event that the required improvements are not completed within the time period provided by paragraph 7, the County may replat that portion of the Property for which a release of assurances has not been given. The purpose of the new plat will be to abandon the subdivision and return the Property to approximately the same boundary configurations of record as existed before the subdivision plat was recorded. Prior to initiating any action to replat, the County shall provide Trustee and Beneficiary with thirty (30) days written notice of the intent to replat. The County, by this Agreement, is expressly authorized to replat such portions of the Property after the required notice has been provided. All expenses of the County, including legal costs if applicable, in executing a replat shall be paid for by Beneficiary, and shall, if unpaid, become a lien on the Property.

070724528

13. Effect on Trust Agreement. Trustee and Beneficiary agree that any provision of Trust no. 60,255 that is incompatible or inconsistent with this Agreement shall be null and void and not enforceable. The Trust shall not be revoked prior to a full Release of Assurances without prior written consent of County. No amendment which would alter this Assurance Agreement shall be effective until the County has approved such amendment.

14. Incorporation or Annexation. In the event the Property is incorporated into or annexed by a city or town, the city or town shall automatically become the successor in interest to all of the County's rights and obligations under this Agreement.

15. Purpose of Agreement. The purpose and intent of this Agreement is to prohibit the sale of individual subdivision lots to the public prior to the completion of adequate subdivision improvements that are associated with such lots with appropriate assurance for the completion of all such improvements being provided to the County. The sale or conveyance of such lots without adequate improvements is harmful to the public and places excessive burdens on the County. The terms and conditions of this Agreement shall be construed and interpreted as broadly as necessary to accomplish this purpose.

070724528

IN WITNESS WHEREOF, the parties have executed this Assurance Agreement this 24th day of July, 2007.

COCHISE COUNTY:

Richard Searle
Chairman, Cochise County Board of Supervisors

ATTEST:

Jessie Motter, Deputy
Clerk of the Board

APPROVED AS TO FORM:

Deputy County Attorney

TRUSTEE:

Fidelity National Title Agency, Inc.
an Arizona corporation, as Trustee under
Trust no. 60,255 only and not in its corporate
capacity

By: Martha L. Hill
Trust Officer

STATE OF ARIZONA)
) ss.
COUNTY OF Pima)

On this the 7th day of March, 2007, before me, the undersigned officer, personally appeared MARTHA L. HILL, who acknowledged ~~himself~~/herself to be the TRUST OFFICER of

070724528

Fidelity National Title Agency, Inc., an Arizona corporation, and that he/she as such officer being authorized so to do, executed the foregoing instrument for the purposes therein contained by signing the name of the corporation by himself/herself as such officer.

In witness whereof, I have hereunto set my hand and official seal.

Laura E. Martinez
Notary Public

OFFICIAL SEAL
LAURA E. MARTINEZ
NOTARY PUBLIC - STATE OF ARIZONA
PIMA COUNTY
My Comm. Expires June 1, 2009

My Commission Expires: June 1, 2009

BENEFICIARY

Bachmann Springs Holdings, LLC, an
Arizona limited liability company

By: J Jay Boland
Title: President

STATE OF ARIZONA)
) ss.
COUNTY OF Cochise)

The foregoing instrument was acknowledged before me this 6 day of March, 2007, by J Jay Boland as President of Bachmann Springs Holdings, LLC.

Tracy L Morelock
Notary Public

TRACY L. MORELOCK
Notary Public - Arizona
Cochise County
My Commission Expires
January 31, 2010

My Commission Expires: Jan 31, 10

070724528

EXHIBIT "A"

LEGAL DESCRIPTION OF THE PROPERTY

BLOCKS A, B, C, E, G, H, I, J, K, L, M, N, T, U and W and Common Areas A, B, and C of BACHMANN SPRINGS FINAL PLAN, according to Book 14 of Maps, page 66 and 66A, records of Cochise County, Arizona.

EXCEPT from portions of Blocks K, M, N, and T and Common Areas A and B lying within the Southwest quarter of the Southwest quarter of Section 5, within the Southeast quarter of the Southeast quarter of Section 6, and within the East half of the Northeast quarter of Section 7 and within the Northwest quarter of Section 8, all in Township 19 South, Range 23 East, Gila and Salt River Base and Meridian, Cochise County, Arizona, all the coal and other minerals as reserved in Patent from the United States of America; and

EXCEPT from that portion of Block K lying with the Southeast quarter of the Southeast quarter of Section 4, Township 19 South, Range 23 East, Gila and Salt River Base and Meridian, Cochise County, Arizona, all the oil, gas and minerals rights as reserved in Deed recorded in Docket 1740, page 82 records of Cochise County, Arizona; and

EXCEPT from that portion of Blocks A, B, and I and Common Area A lying within Lot 33, TOMBSTONE TERRITORY RANCHES, according to Book 8 of Maps, page 15, records of Cochise County, Arizona, all oil, coal, gas and other minerals as reserved in Deed recorded in Document No. 8902-03788, records of Cochise County, Arizona; and

EXCEPT from that portion of Blocks A, B, H, and I and Common Areas A and C, lying within Lot 37, TOMBSTONE TERRITORY RANCHES, according to Book 8 of Maps, page 15, records of Cochise County, Arizona, all oil, coal, gas and other minerals and rights thereto as reserved in Deed recorded in Document No. 9711-29536, records of Cochise County, Arizona; and

EXCEPT from that portion of Blocks A and I and Common Areas A and C, lying within Lot 32, TOMBSTONE TERRITORY RANCHES, according to Book 8 of Maps, page 15, records of Cochise County, Arizona, all oil, coal, gas and minerals and rights thereto as reserved in Deed recorded in Document No. 9903-07917, records of Cochise County, Arizona.

TO BE PARTIALLY SUBDIVIDED AND KNOWN AS:

LOTS 1-120 and Block A, PHASE 1, BACHMANN SPRINGS

070724528

EXHIBIT "B"

Phase 1A, defined as Lots 23 through 42 and 45 through 62 shall be released upon the following:

1. Completion of grading and construction over the New Access Road to afford "All Weather Access" defined as the road surface being able to support vehicles, provide reasonable traction, and overtopping water has to be conveyed within the dip section with a depth of 1 foot or less; and
2. Completion of all roadways and other improvements necessary to serve the lots in Phase 1A, as depicted on the plat.

Phase 1B, defined as Lots 43, 44 and 63 through 109 shall be released upon the following:

1. Completion of the paving and all associated improvements for New Access Road; and
2. Completion of all roadways and other improvements necessary to serve the lots in Phase 1B, as depicted on the plat.

Phase 1C, defined as Lots 1through 22 and 110 through 120 shall be released upon the completion of the remaining adjacent roadways and improvements

FEE # 070724528
OFFICIAL RECORDS
COCHISE COUNTY
DATE HOUR
07/24/07 4
REQUEST OF
COCHISE COUNTY PLANNING DEPT
CHRISTINE RHODES-RECORDER
FEE : PAGES : 10

COCHISE COUNTY PLANNING DEPARTMENT

Planning, Zoning and Building Safety

1415 Melody Lane, Bisbee, Arizona 85603

(520) 432-9240
Fax 432-9278

July 2, 2010

Certified First Class Mail
Mark E. Hall, ESQ
Law Firm of Mark E. Hall
7150 East Camelback Road, Suite 333
Scottsdale, AZ 85251

Certified First Class Mail
Jack Lassen, Manager
Green Life Springs Holdings, LLC
601 Fremont St.
Tombstone, AZ 85638

Certified First Class Mail
Fidelity National Title Agency, Trust #60255
Trust Officer Martha Hill
6245 E. Broadway, Suite 200
Tucson, AZ 85711

RE: Green Life Springs Holdings, LLC Development Approvals Time Extensions, Dockets CP-99-04 (Green Life Springs Comprehensive Plan Amendment) and Z-99-12 (Green Life Springs Rezoning) for Parcels 108-20-001, 007, 008A, 008C, 008D and 008F, 121-15-034A, 035 and 036 and 121-47-001 located on 1,710-acres north and east of Tombstone, AZ at 2738 N. Middle March Road east of State Route 80; Township 19S, Range 23E, Sections 4 through 9 and Township 18S, Range 23E and Section 33.

Dear Ms and/or Sirs:

As you are aware, at their regular meeting on June 29, 2010, the Cochise County Board of Supervisors (Board) voted unanimously (3 - 0) to deny your request for a three-year time extension for Dockets CP-99-04 and Z-99-12 for Parcels 108-20-001, 007, 008A, 008C, 008D and 008F, 121-15-034A, 035 and 036 and 121-47-001 located on 1,710-acres at 2738 N. Middle March Road in Tombstone, AZ. The Board's revocation of the aforementioned approvals reverted the affected properties from a Category "C" Comprehensive Plan Growth Area to a Category "D" Comprehensive Plan Growth Area, from a "Developing" Comprehensive Plan land use designation to a "Rural" Comprehensive Plan land use designation, and from a "Planned Development – PD" Zoning District designation to a "Rural – RU-4" Zoning District designation.

Should you have any questions, please feel free to contact me at (520) 432-9253 or by email at mturisk@cochise.az.gov.

Sincerely,

Michael Turisk, Interim Planning Manager

C: Mike Ortega, County Administrator
Jim Vlahovich, Deputy County Administrator
Benny Young, Community Development Director
Patricia Morris, Deputy Director, Highway and Floodplain
Rick Corley, Zoning Administrator
Dora Flores, Permit Coordinator
Rick Carey, Financing Agent
Docket File, Black Bear, Parcel Files

COCHISE COUNTY PLANNING DEPARTMENT

1415 Melody Lane, Bisbee, Arizona 85603

(520) 432-9240
Fax 432-9278

James E. Vlahovich, Director

December 18, 2003

Jim Heid
Executive Vice President
Bachmann Springs
PO Box 9
Tombstone, Arizona 85638

Re: Request for Extension on the Bachmann Springs Master Development Plan (CP-99-04(A))

Dear Jim:

As you are aware, the Board of Supervisors at their regular meeting of December 16, 2003 approved your request for an extension of the Bachmann Springs Master Development Plan and PD (Planned Development) Zoning. The condition approved in 2000 is now modified as follows:

> If there is no substantial progress towards completion of Phase 1 as described in the MDP, by **May 1, 2008**, then the rezoning will revert to RU-4 and all subsequent approvals, modifications and conditions will be null and void.

Please don't hesitate to call should you have any further questions.

Sincerely,

Mark B. Apel

Mark B. Apel
Senior Planner

Xc: James Vlahovich, Planning Director
John MacKinnon, Deputy County Attorney
Patricia Morris, Highway and Floodplain
Bachmann File

COCHISE COUNTY PLANNING DEPARTMENT

1415 W. Melody Lane, Bisbee, Arizona 85603

(520) 432-9450
Fax 432-9429

James E. Vlahovich, Director

May 2, 2000

Jay Boland
Bachmann Springs, LTD.
123 S. Fifth Street
Tombstone, Arizona 85638

RE: Dockets CP-99-04, Z-99-12 & MDP-99-01

Dear Mr. Boland:

As you are aware, at their regular meeting of May 1, 2000, the Board of Supervisors voted unanimously 3-0 to **approve** the corrected version of the Final Plan dated April 5, 2000 and the Master Development Plan with its revised amendments dated February 11, 2000, subject to the following conditions:

1. If there is no substantial progress towards completion of Phase 1 as described in the MDP, within 48 months of final approval, then the rezoning will revert to RU-4 and all subsequent approvals, modifications and conditions will be null and void.

2. Unless otherwise modified by a specific Development Agreement, applicants will comply with all site development standards and submittal requirements of the Cochise County Zoning Regulations, Subdivision Regulations and Floodplain Regulations in effect at the time of final approval. Compliance with site development standards and substantial conformance with the approved Master Development Plan will be subject to review during the respective non-residential permitting and platting processes.

3. An adequate right-of-way that will accommodate the road, drainage and clear zones along the primary public access from SR80 to and through the development shall be improved and perfected, as stated in the Development Agreement, prior to the occupancy of permanent structures.

4. If the Average Daily Traffic exceeds 10,400 vehicles a day and/or warrants for additional improvements are met, then the developer will need to make such improvements to the primary public access and the intersection with Highway 80.

5. Prior to construction, engineered improvement plans for the improvements to the primary public access, including intersection, road and wash crossings shall be submitted for County approval. The cross-section shown in the traffic report should indicate a base course of 6" unless the developer can demonstrate, with appropriate testing to the satisfaction of the County Engineer, that a lesser base is adequate. (Is this necessary since it is stated in the Development Agreement?)

6. During all on-site and off-site construction, dust control measures will be implemented.

Per Arizona State Law, please be aware that the new zoning does not go into effect until 30 days after the Board action (May 31, 2000). In that time, anyone can appeal the Board action to Superior Court.

In addition, the Board voted unanimously 3-0 to **approve** the Development Agreement between Cochise County and Bachmann Springs, LTD., signed and dated on May 1, 2000.

Sincerely:

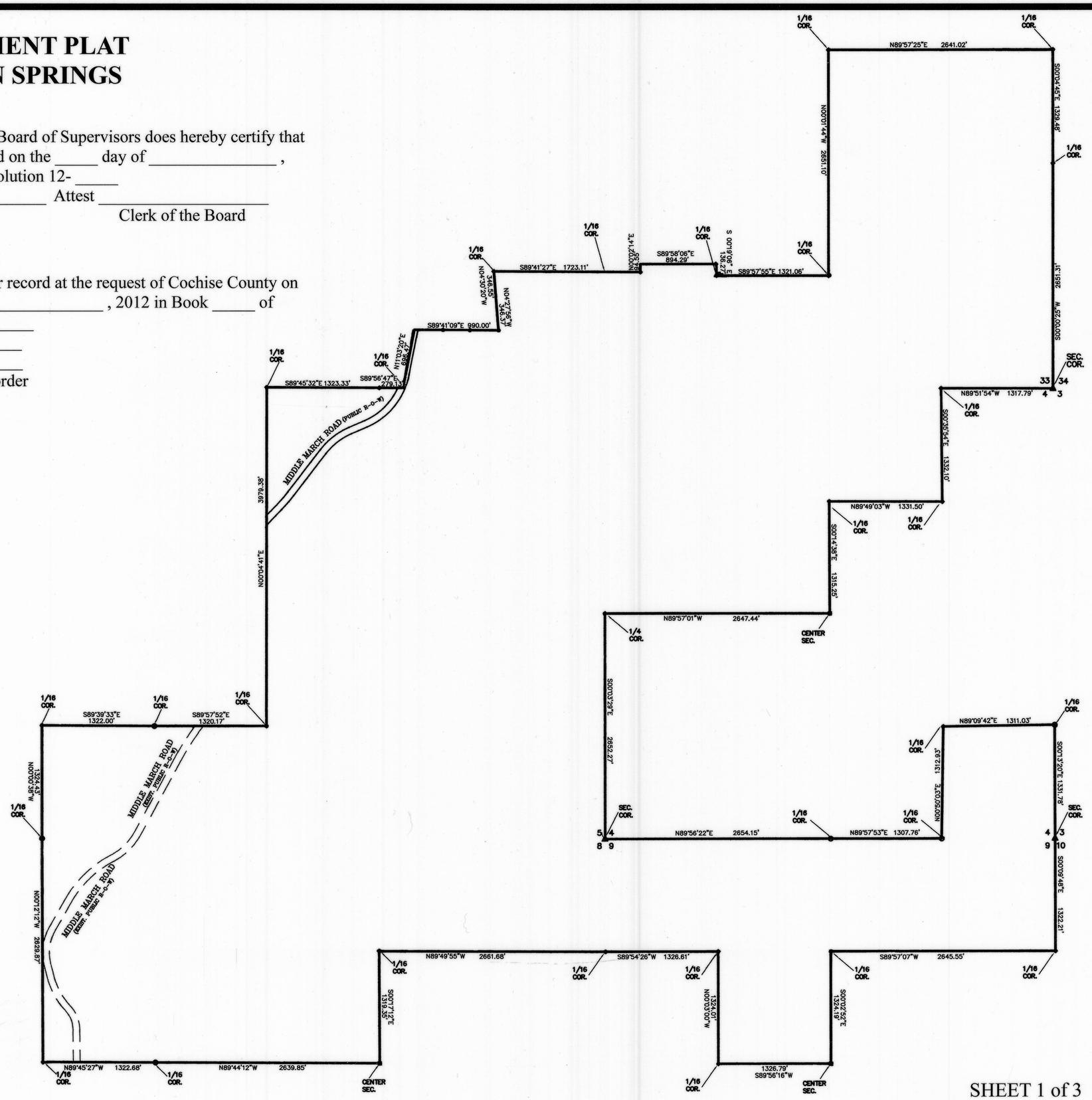
Mark B. Apel, Senior Planner

xc: Mike Palmer, Chairman, Board of Supervisors
James E. Vlahovich, Director
Keri Silvyn, Lewis and Roca
Docket File

ABANDONMENT PLAT
BACHMANN SPRINGS

APPROVAL:
The Cochise County Board of Supervisors does hereby certify that this plat was approved on the _____ day of _____ , 2012 pursuant to Resolution 12- _____
By _____ Attest _____
Chairman Clerk of the Board

RECORDING:
This plat was filed for record at the request of Cochise County on this _____ day of _____ , 2012 in Book _____ of Maps & Plats, Page _____
Fee # _____
_____
Cochise County Recorder



NOTES:
1. This Plat abandons the subdivision as originally recorded in Book 14 of Maps & Plats at Pages 66 through 66A and Book 15 of Maps & Plats at Pages 80 through 80J as filed in the office of the Cochise County Recorder.
2. All Lot lines, Block lines, common area boundaries, and subdivision boundaries as set forth on Sheet 2 of 3 and Sheet 3 of 3 are hereby extinguished.
3. All Private Streets, P.P., P.U.E., Slope & Drainage Easements, Sewer Easements, established or proposed, are hereby extinguished.
4. Middlemarch Road was separately dedicated to the public and/or established and will not be affected by this action.
5. Rights-of-way or easements for existing public utilities shall continue as they existed prior to abandonment.

Sheet Index:
Sheet 1. - Notes, depiction of subject property after abandonment action.
Sheet 2. - Depicts Bachmann Springs Final Plan, which is being abandoned.
Sheet 3. - Depicts Bachmann Springs Phase 1, which is being abandoned.

SCALE: = N.T.S.

SHEET 1 of 3

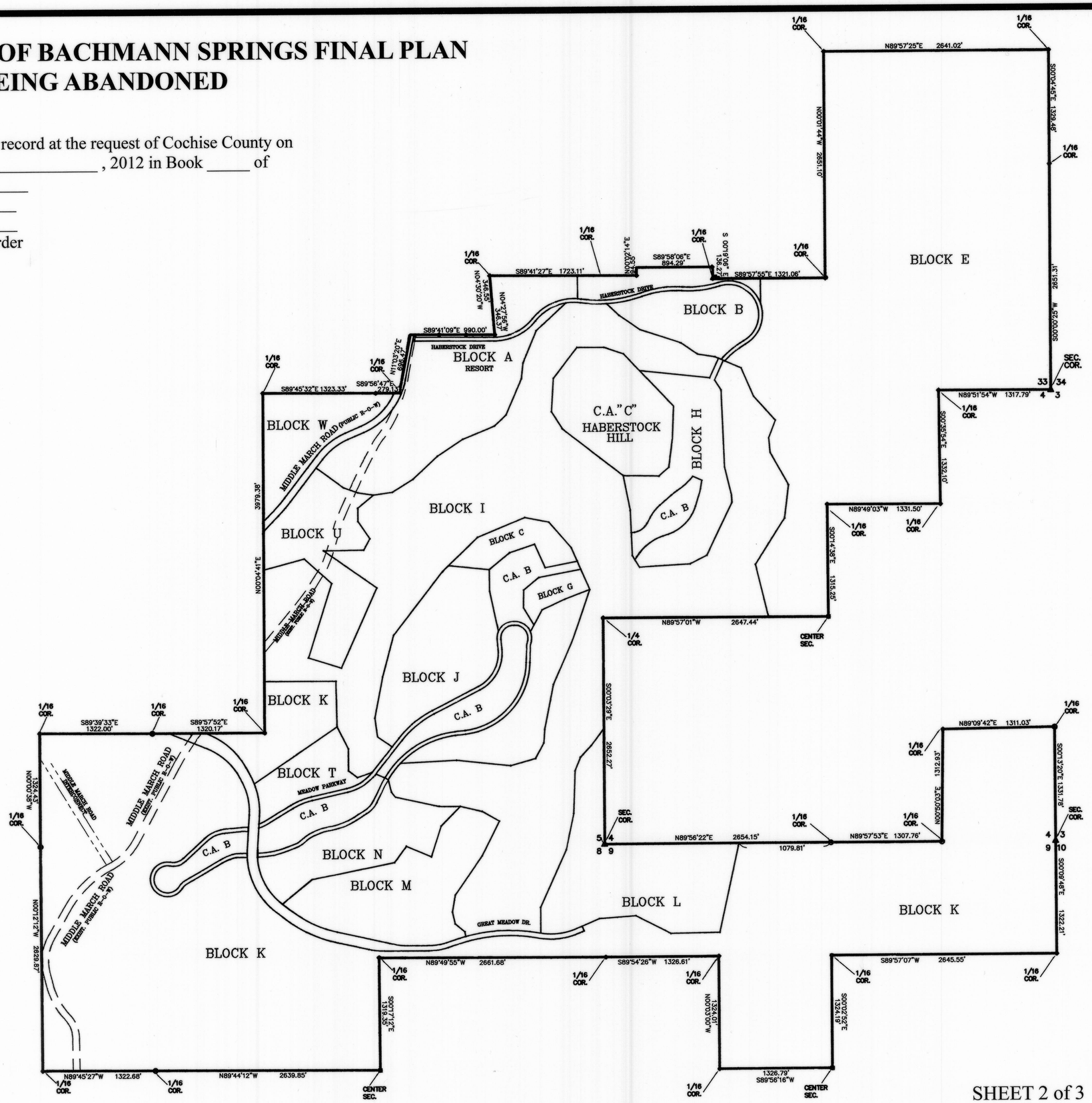
ABANDONMENT
BACHMANN SPRINGS

Being a portion of Sections 4, 5, 6, 7, 8, & 9, T19S, R23E,
And being a portion of Sections 32 & 33, T18S, R23E,
G.S.R.M., Cochise County, Arizona

DEPICTION OF BACHMANN SPRINGS FINAL PLAN WHICH IS BEING ABANDONED

RECORDING:
This plat was filed for record at the request of Cochise County on this _____ day of _____ , 2012 in Book _____ of Maps & Plats, Page _____
Fee # _____

_____
Cochise County Recorder



SCALE: = N.T.S.

SHEET 2 of 3

ABANDONMENT

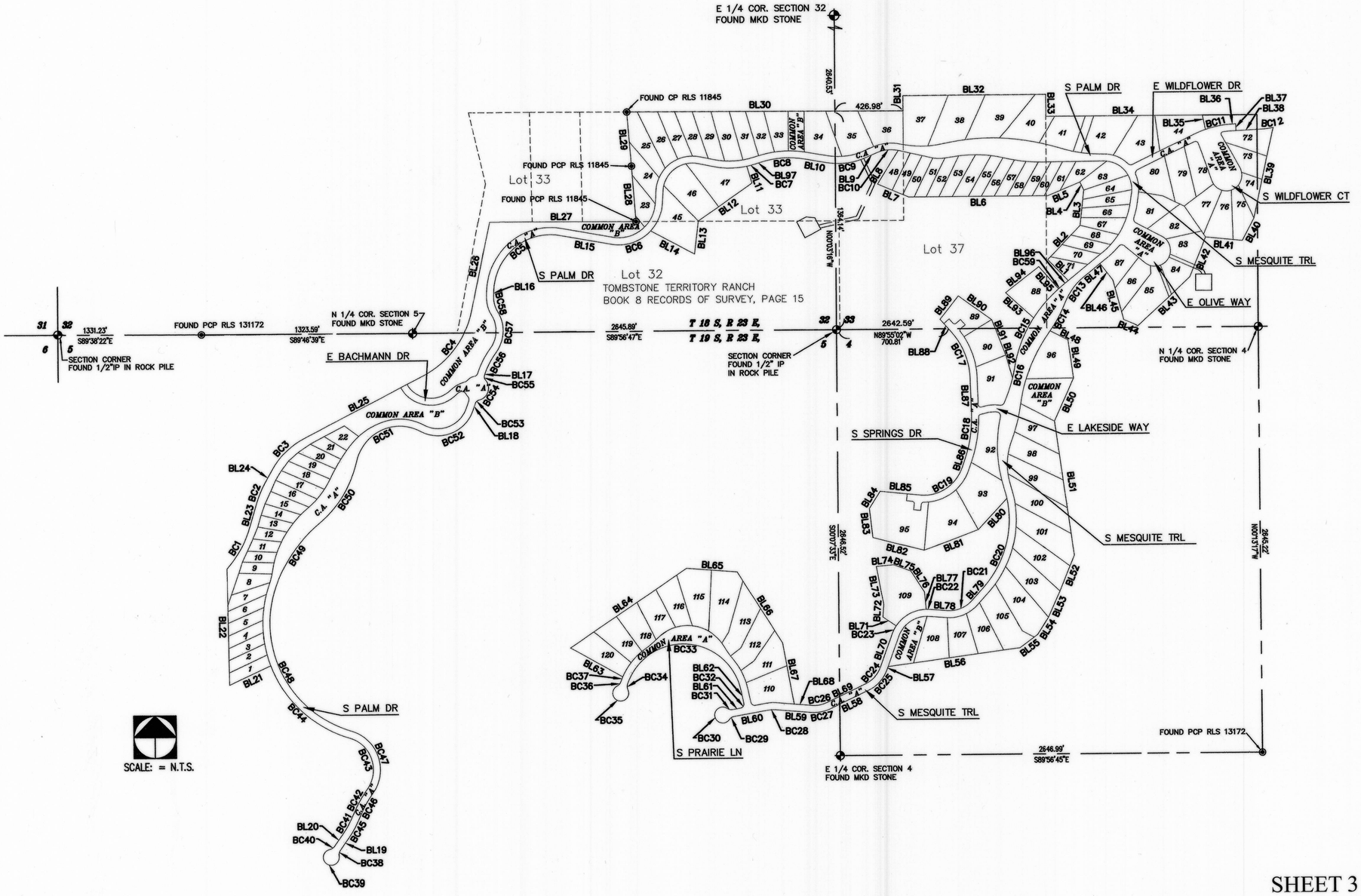
BACHMANN SPRINGS FINAL PLAN

Being a portion of Sections 4, 5, 6, 7, 8, & 9, T19S, R23E,
And being a portion of Sections 32 & 33, T18S, R23E,
G.S.R.M., Cochise County, Arizona

DEPICTION OF BACHMANN SPRINGS PHASE 1
WHICH IS BEING ABANDONED

RECORDING:
This plat was filed for record at the request of Cochise County on this _____ day of _____ , 2012 in Book _____ of Maps & Plats, Page _____
Fee # _____

_____
Cochise County Recorder



BOUNDARY CURVE TABLE					
CURVE	LENGTH	RADIUS	DELTA	TANGENT	CHORD
BC1	302.44'	683.00'	25°22'16"	153.74'	299.97'
BC2	137.45'	603.00'	13°03'37"	69.02'	137.15'
BC3	270.27'	460.00'	33°39'48"	139.16'	266.40'
BC4	524.48'	590.00'	50°55'59"	280.99'	507.38'
BC5	597.41'	353.00'	96°58'01"	398.76'	528.63'
BC6	266.96'	272.00'	56°14'03"	145.34'	256.37'
BC7	59.08'	522.00'	6°29'07"	29.57'	59.05'
BC8	280.30'	578.00'	27°47'09"	142.97'	277.57'
BC9	253.00'	422.00'	34°21'01"	130.43'	249.23'
BC10	144.35'	228.00'	36°16'29"	74.69'	141.95'
BC11	152.85'	522.00'	16°46'39"	76.98'	152.31'
BC12	61.30'	322.00'	10°54'26"	30.74'	61.21'
BC13	196.73'	384.50'	29°18'55"	100.57'	194.59'
BC14	199.42'	848.00'	13°28'26"	100.17'	198.96'
BC15	342.85'	822.00'	23°53'52"	173.95'	340.37'
BC16	58.66'	778.00'	4°19'12"	29.34'	58.65'
BC17	310.30'	453.00'	39°14'47"	161.51'	304.26'
BC18	281.78'	778.00'	20°45'07"	142.45'	280.25'
BC19	340.92'	253.00'	77°12'27"	201.99'	315.71'
BC20	588.46'	628.00'	53°41'17"	317.83'	567.16'
BC21	171.26'	186.45'	52°37'42"	92.21'	165.30'
BC22	20.44'	230.00'	5°05'29"	10.23'	20.43'
BC23	56.45'	230.00'	14°03'40"	28.37'	56.30'
BC24	144.40'	186.00'	44°28'49"	76.06'	140.80'
BC25	178.55'	230.00'	44°28'49"	94.05'	174.10'
BC26	98.32'	186.00'	30°17'11"	50.34'	97.18'
BC27	121.58'	230.00'	30°17'11"	62.25'	120.17'
BC28	48.00'	186.00'	14°47'06"	24.13'	47.86'
BC29	38.35'	50.00'	43°56'44"	20.17'	37.42'
BC30	233.78'	50.00'	267°53'28"		72.00'
BC31	38.35'	50.00'	43°56'44"	20.17'	37.42'
BC32	40.05'	25.00'	91°47'54"	25.80'	35.91'
BC33	952.79'	368.00'	148°20'42"	1298.11'	708.10'
BC34	38.57'	50.00'	44°11'58"	20.30'	37.62'
BC35	233.78'	50.00'	267°53'25"		72.00'
BC36	38.20'	50.00'	43°46'13"	20.08'	37.27'
BC37	30.52'	412.00'	4°14'38"	15.26'	30.51'
BC38	38.35'	50.00'	43°56'43"	20.17'	37.42'
BC39	233.78'	50.00'	267°53'28"		72.00'
BC40	38.35'	50.00'	43°56'44"	20.17'	37.42'
BC41	148.37'	678.00'	12°32'16"	74.48'	148.07'
BC42	174.74'	722.00'	13°52'02"	87.80'	174.32'
BC43	390.57'	203.00'	110°14'08"	291.19'	333.05'
BC44	692.94'	744.50'	53°19'40"	373.86'	668.20'
BC45	157.99'	722.00'	12°32'16"	79.31'	157.68'
BC46	164.10'	678.00'	13°52'02"	82.45'	163.70'
BC47	475.22'	247.00'	110°14'08"	354.30'	405.24'
BC48	1142.98'	700.50'	93°29'14"	744.49'	1020.34'
BC49	479.36'	888.00'	30°55'46"	245.67'	473.56'
BC50	456.72'	698.00'	37°29'25"	236.87'	448.62'
BC51	511.97'	278.00'	105°31'01"	365.70'	442.63'
BC52	401.49'	230.00'	100°00'53"	274.18'	352.42'
BC53	30.69'	29.00'	60°38'03"	16.96'	29.28'
BC54	158.74'	75.00'	121°16'05"	133.29'	130.73'
BC55	30.69'	29.00'	60°38'02"	16.96'	29.28'
BC56	150.29'	478.00'	18°00'53"	75.77'	149.67'
BC57	271.29'	230.00'	67°34'55"	153.92'	255.84'
BC58	104.26'	176.00'	33°56'23"	53.71'	102.74'
BC59	19.37'	822.00'	1°21'00"	9.68'	19.37'

BOUNDARY LINE TABLE		
LINE	LENGTH	BEARING
BL1	184.37'	N44°24'53"W
BL2	293.56'	N44°42'08"E
BL3	219.78'	N06°12'19"E
BL4	55.59'	N25°41'19"W
BL5	220.17'	S67°40'42"W
BL6	871.25'	S89°58'03"W
BL7	210.63'	N66°50'54"W
BL8	246.99'	N31°44'36"E
BL9	62.83'	S65°29'36"W
BL10	142.10'	N80°09'23"W
BL11	109.92'	S16°42'25"E
BL12	406.64'	S55°14'39"W
BL13	203.35'	S07°07'51"W
BL14	308.19'	N62°17'21"W
BL15	332.41'	N80°04'44"W
BL16	35.76'	S02°57'15"W
BL17	9.92'	S18°34'54"W
BL18	47.00'	S18°34'54"W

BOUNDARY LINE TABLE		
LINE	LENGTH	BEARING
BL19	89.20'	S35°03'34"W
BL20	89.20'	N35°03'34"E
BL21	283.96'	S65°30'19"W
BL22	722.97'	N00°53'15"W
BL23	145.56'	N16°19'19"E
BL24	101.66'	N29°22'56"E
BL25	841.91'	N63°02'43"E
BL26	562.60'	N12°06'44"E
BL27	916.46'	S89°41'09"E
BL28	346.37'	N04°27'56"W
BL29	346.55'	N04°30'21"W
BL30	1723.11'	S89°41'27"E
BL31	94.55'	N00°02'14"E
BL32	894.29'	S89°58'06"E
BL33	136.27'	S00°19'06"E
BL34	978.87'	S89°57'55"E
BL35	92.71'	S11°34'53"E
BL36	41.09'	N86°33'18"E
BL37	44.01'	S02°17'33"E
BL38	173.15'	N86°33'18"E
BL39	583.29'	S12°13'50"W
BL40	155.77'	S28°25'01"W
BL41	231.79'	N84°20'41"W
BL42	263.39'	S22°05'02"W
BL43	442.66'	S47°10'43"W
BL44	97.96'	N66°48'41"W
BL45	255.25'	N15°05'36"W
BL46	129.91'	N37°53'18"W
BL47	135.66'	S51°10'12"W
BL48	126.10'	S63°05'00"E
BL49	240.76'	S08°10'00"E
BL50	293.59'	S24°33'54"W
BL51	841.33'	S08°13'27"E
BL52	240.18'	S22°34'27"W
BL53	180.79'	S24°11'18"W
BL54	124.22'	S32°49'19"W
BL55	139.94'	S53°28'01"W
BL56	834.28'	S82°27'41"W
BL57	15.77'	S20°00'00"W
BL58	267.50'	S64°28'49"W
BL59	223.68'	N85°14'00"W
BL60	213.11'	S79°58'54"W
BL61	48.03'	N79°58'54"E
BL62	81.80'	N11°49'00"W
BL63	373.38'	N60°51'58"W
BL64	878.07'	N56°10'32"E
BL65	315.92'	S85°23'00"E
BL66	523.97'	S32°12'24"E
BL67	388.26'	S10°27'07"E
BL68	110.28'	S85°14'00"E
BL69	267.50'	N64°28'49"E
BL70	215.33'	N20°00'00"E
BL71	99.40'	N55°56'19"W
BL72	78.77'	N04°07'26"E
BL73	241.71'	N10°52'55"W
BL74	109.38'	N85°01'00"E
BL75	112.85'	S69°12'51"E
BL76	154.94'	S33°11'54"E
BL77	110.75'	S05°30'20"E
BL78	113.69'	S85°38'05"E
BL79	117.23'	N41°44'13"E
BL80	265.21'	S43°11'47"W
BL81	361.93'	S69°38'58"W
BL82	331.21'	N75°24'20"W
BL83	182.36'	N06°38'30"W
BL84	127.14'	N32°44'52"E
BL85	250.75'	S83°59'38"E
BL86	55.69'	N18°47'55"E
BL87	222.38'	N01°57'12"W
BL88	112.38'	N41°11'59"W
BL89	185.68'	N38°21'21"E
BL90	256.99'	S54°07'14"E
BL91	238.52'	S21°34'00"E
BL92	149.89'	S16°04'32"E
BL93	235.25'	N47°48'42"W
BL94	262.77'	N52°39'17"E
BL95	185.53'	S41°45'37"E
BL96	59.86'	N51°10'12"E
BL97	27.39'	S72°03'28"W

ABANDONMENT
PHASE 1
BACHMANN SPRINGS
LOTS 1-120 AND
COMMON AREA "A" (PRIVATE STREETS) AND
COMMON AREA "B"(OPEN SPACE/UTILITY/DRAINAGE AREA)
BEING A PORTION OF SECTIONS 4, 5, T 19 S, R 23 E,
AND BEING A PORTION OF SECTION 32 & 33, T 18 S, R 23 E,
G.S.R.M., COCHISE COUNTY, ARIZONA

WITHEY MORRIS PLC
ATTORNEYS AT LAW

PHONE: 602-230-0600
FAX: 602-212-1787
2525 E. Arizona Biltmore Circle, Suite A-212, Phoenix, AZ 85016

April 5, 2012

Richard Searle, Chairman
Cochise County
1415 Melody Lane, Building G
Bisbee, Arizona 85603

Re: Docket S-05-11 (Bachmann Springs)

Dear Chairman Searle:

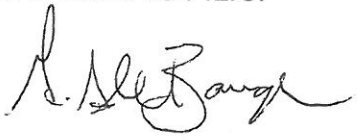
This firm represents the owners of the Bachmann Springs project, located on approximately 1,710 acres at 2738 N. Middle March Rd. in Tombstone (the "Property"). We were recently informed a hearing has been set for the Board of Supervisors to take action on the possible abandonment of the subdivision plat for the Property. Since we were only recently retained for this matter, we respectfully request a 90-day continuance.

The granting of this continuance is not against the public health, safety and welfare of the County, and in fact will not alter the status quo for this Project. The plat has existed since 2007 and an additional 90 days will have no detrimental impact on the County whatsoever. The continuance simply affords us time to work with County staff to better understand the project, its history, and its current status. We also believe there are significant legal issues involved with this site that support the continuance request.

Thank you for your attention to this matter and, as always, I appreciate your assistance. Please do not hesitate to contact me at 602-230-0600 or at adam@witheymorris.com if you have any questions or you need additional information.

Very truly yours,

WITHEY MORRIS P.L.C.

By 
Adam Baugh

Cc:
Patrick Call, Vice Chair
Ann English, Supervisor
Katie A. Howard, Clerk of the Board

Action 13.

Regular Board of Supervisors Meeting **Human Resources**

Meeting Date: 04/10/2012

Cochise Combined Trust schedule of benefits and rates for FY 2012-2013.

Submitted By: Kelley Jones, Human Resources

Department: Human Resources

Presentation:	No A/V Presentation	**Recommendation:**	Approve
Document Signatures:	BOS Signature NOT Required	**# of ORIGINALS Submitted for Signature:**	0
NAME of PRESENTER:	Julie Morales	**TITLE of PRESENTER:**	Human Resources Director
Mandated Function?:	Not Mandated	**Source of Mandate or Basis for Support?:**	

Docket Number (If applicable):

Information

Agenda Item Text:

Approve the Cochise Combined Trust schedule of benefits and rates for FY 2012-2013.

Background:

Recommendation: We recommend that the Board of Supervisors adopt the Cochise Combined Trust schedule of benefits and rates for FY 2012-2013.

Background: Cochise County has been a participating entity in the Cochise Combined Trust (CCT) since July 1, 2002. The Cochise Combined Trust is administered through Erin Collins & Associates. Administrative Enterprises is the third party administrator for insurance claims and payments.

Since July 1, 2002, the Board of Supervisors has approved, with each budget year, to absorb the increases in the health insurance premiums for that year and have not increased the employees' contribution to the health insurance.

For FY 2012-2013, staff is proposing no change to either the employee or County contributions.

The CCT has elected to implement a tiered pharmacy network for the prescription benefit plan. Employees utilizing pharmacies who participate in the pharmacy network will not see an increase in prescription co-pays. Utilization of pharmacies not participating as "preferred providers" will result in a co-pay increase of $5, effective July 1, 2012. Navitus, the prescription plan administrator, has advised that Walgreens, Target and CVS pharmacies will not be participating as "preferred providers", therefore employees who choose to utilize those pharmacies will pay the higher co-pay. Human Resources will notify employees of this change during open enrollment (prior to the July 1, 2012 effective date).

Department's Next Steps (if approved):

Upon approval of the Board of Supervisors, the County's open enrollment process will commence May 1, 2012 through May 31, 2012 with the changes in the benefits to take effect July 1, 2012.

Impact of NOT Approving/Alternatives:

N/A

To BOS Staff: Document Disposition/Follow-Up:
None.

Fiscal Impact

Fiscal Year:	12/13
One-time Fixed Costs? ($$$):	
Ongoing Costs? ($$$):	
County Match Required? ($$$):	
A-87 Overhead Amt? (Co. Cost Allocation $$$):	
Source of Funding?:	

Fiscal Impact & Funding Sources (if known):
Estimated costs for FY 2012-2013 is $7,272,505.00 (no proposed increase).

Attachments

Health Insurance Rates

Action 14.

Regular Board of Supervisors Meeting **Indigent Defense**

Meeting Date: 04/10/2012

Request for General Fund Contingency Funds

Submitted By: Amy Hunley, Indigent Defense

Department: Indigent Defense

Presentation:	No A/V Presentation	**Recommendation:**	Approve
Document Signatures:	BOS Signature NOT Required	**# of ORIGINALS Submitted for Signature:**	2
NAME of PRESENTER:	Michael Ortega	**TITLE of PRESENTER:**	County Administrator
Mandated Function?:	Federal or State Mandate	**Source of Mandate or Basis for Support?:**	

Docket Number (If applicable):

Information

Agenda Item Text:

Approve the transfer of funds in the amount of $500,000 from General Fund Contingency Account to Indigent Defense Coordinator (IDC) budget accounts.

Background:

IDC is requesting contingency funds in the amount of $500,000 for its projected FY11/12 budget shortfall. This budget shortfall is attributable to expenses incurred in two capital felony cases and one capital post-conviction relief case. Please see the attached Memorandum for additional explanation.

Department's Next Steps (if approved):

If approved, IDC will be able to pay court-appointed attorneys' fees and case-related costs for the remainder of FY11/12.

Impact of NOT Approving/Alternatives:

In not approved, IDC wil be unable to pay court-appointed attorneys' fees and case related costs for the remainder of FY11/12.

To BOS Staff: Document Disposition/Follow-Up:

If approved, please notify Mike McGinnis, Budget Manager, so he can transfer the funds to the IDC budget.

Fiscal Impact

Fiscal Year:	FY11/12
One-time Fixed Costs? ($$$):	$500,000
Ongoing Costs? ($$$):	
County Match Required? ($$$):	
A-87 Overhead Amt? (Co. Cost Allocation $$$):	
Source of Funding?:	General Fund Contingency

Fiscal Impact & Funding Sources (if known):

This is a request for a one-time $500,000 transfer from the General Fund Contingency Account to the Indigent Defense Coordinator FY11/12 budget.

Attachments

IDC Contingency Rqst

State and Federal Legislation 15.

Regular Board of Supervisors Meeting **Board of Supervisors**

Meeting Date: 04/10/2012

State and Federal Legislation Discussion

Submitted By: Kim Lemons, Board of Supervisors

Department: Board of Supervisors

Presentation:	No A/V Presentation	**Recommendation:**	
Document Signatures:		**# of ORIGINALS Submitted for Signature:**	
NAME of PRESENTER:	na	**TITLE of PRESENTER:**	na
Mandated Function?:		**Source of Mandate or Basis for Support?:**	

Information

Agenda Item Text:

Discussion and possible action regarding state and federal legislative matters, including but not limited to the items in the attached County Supervisors Association Legislative Policy Committee Agenda.

Background:

na

Department's Next Steps (if approved):

na

Impact of NOT Approving/Alternatives:

na

To BOS Staff: Document Disposition/Follow-Up:

na

Attachments

LPC Report

From: Ortega, Michael
To: Lemons, Kim
Subject: FW: LPC Report
Date: Friday, April 06, 2012 11:29:52 AM

Use this report. Thanks…

From: Todd Madeksza [mailto:toddm@countysupervisors.org]
Sent: Friday, April 06, 2012 11:38 AM
To: Todd Madeksza
Cc: craigs@countysupervisors.org; Penny Adams; yvonneo@countysupervisors.org; kristinc@countysupervisors.org
Subject: LPC Report

Dear Supervisors and Managers,

Since there was no LPC Meeting today, we wanted to make sure you all were "in the loop" regarding some of the legislation we're following:

HB 2827 administrative procedures; counties; districts (Ugenti). This measure advanced out of the majority Senate caucus this week, was calendared and then retained on the COW calendar. Draft amendments (and rumors of amendments) were discussed in back hallways but no viable language emerged until late in the week. We're invited to a stakeholder meeting next week.

HB 2815 employment incentives; regulatory tax credit (Mesnard) introduces a new tax credit for individuals and businesses when regulations are decided to have been "excessive." The measure was not heard in Senate Rules this week, as I would have expected – if the legislature is expected to hold to a one-hundred day session. Although discussion with legislative staff indicate a desire to limit the provisions that members find cumbersome, draft amendment language has not been made available to stakeholders.

HB 2729 state regulation of firearms (Gowan) passed out of the Senate Committee of the Whole this week. It is expected to be put on a Third Read calendar shortly and CSA sent out a call to action to contact your state senators in opposition to this measure. This legislation would require that if an individual with a firearm is prohibited from entering a public building or public event, the facility must have ALL of the following in place:

- Posted signs saying guns are not allowed
- Armed guards or police officers at entrances during ALL operating hours
- Metal detectors and lockers for storing firearms.

This legislation does not have an appropriation, forcing the cost of securing facilities that are currently gun-free zones or updating existing security onto the operators of those public buildings or public events. The measure is available to be voted on in the Senate but it's successful passage is not a certainty.

SB 1302 (s/e: post wildfire flood control) (Antenori/Gowan) was inadvertently placed on a House COW Calendar, but the sponsor retained the measure and it is not expected to progress this year. The measure mandated county flood mitigation on private property in perpetuity.

HB 2826 consolidated election dates; political subdivisions (Ugenti) was defeated in the Senate this week (11-17-2). The following day the measure was moved to be reconsidered. The President of the Senate decides when the reconsideration will occur. The measure required that elections be held in even numbered years, except for special elections. CSA and AACo opposed the measure as an additional and unnecessary costs on the counties.

Courts & Jurisdiction Limits

- SB 1310 small claims division; jurisdiction; limits (Antenori) **was vetoed by the Governor this week**. The bill increases the jurisdictional limit for civil actions in small claims court from $2,500 to $5,000. **In her veto message, the Governor indicated that the doubling of the amount was contrary to the very purpose of the small claims court – the ability to "resolve claims with a lower value at a reduced cost. "**
- SB 1311 civil actions; justice courts; jurisdiction (Antenori) passed out of the House on a Third Read (35-25) and was transmitted back to the Senate for a Final Read. The House amendments link the consumer price index to the jurisdictional limits over civil action in two year increments.
- SCR 1032 justice courts; civil actions; jurisdiction (Antenori) did not get a hearing in House Rules Committee, where it's been eligible for a hearing since mid-March.

CSA's Legislative Agenda

- HB 2360 flood control districts; immunity (Fann) provides limited immunity for county flood control districts to permit them to bring in federal dollars for flood mitigation The measure passed out of the Senate (23-6-1) and House Final Read (34-25-1) this week and is being transmitted to the Governor for her consideration.
- HB 2389 lease of county property; requirements (Pratt) permits counties to utilize established comparable sales data in lieu of commercial appraisals for parcels valued at less than $5,000. The measure is awaiting a Third Read in the Senate and, since it has not been amended, will not be Final Read in the House.
- HB 2495 counties; purchasers; local dealers (Jones) permits counties (in limited instances) to give local preference to local county businesses, or businesses with a significant presence in the state and the county. This bill was amended in Senate COW and is awaiting a Senate Third Read and then a House Final Read. After discussions with staff, the measure is expected to move early next week.
- HB 2651 road enhancement improvement districts (Burges) The measure was signed last week. (Ch 104, Laws 2012)
- HB 2658 flood control authority; relinquishment; districts (Pratt) The bill passed out of the Senate (19-10-1) and House Final Read (49-10-1) this week and is being transmitted to the Governor for her consideration.
- SB 1295 flood control districts; construction projects (Nelson) After late opposition by the AGC, the sponsor is interested in stakeholder meetings outlining instances where rural Arizona is unable to find adequate bids to fulfill these types of projects. The bill has not been heard in House Rules Committee and it is increasingly likely that the measure is dead for the year.

Best Regards and Happy Easter,

Todd Madeksza
Director of Legislative Affairs
County Supervisors Association of Arizona
1905 W Washington Street, Ste 100
Phoenix, AZ 85009
Office: (602) 452-4504 Fax: (602) 595-8574
Cell: (602) 320-3186
ToddM@countysupervisors.org
www.countysupervisors.org