

**PROCEEDINGS OF THE
COCHISE COUNTY FLOOD CONTROL DISTRICT SPECIAL MEETING
HELD ON MONDAY, AUGUST 6, 2012 @ 11:00 A.M.
IN THE BOARD OF SUPERVISORS CONFERENCE ROOM
1415 MELODY LANE, BLDG. G, BISBEE, ARIZONA**

Chairman Searle called the Special Meeting of the Cochise County Flood Control District at 11:00 a.m.

Present at the meeting were Chairman, Richard Searle and Supervisor Ann English. Vice-Chairman Call attended telephonically. Also attending were Mike Ortega, County Administrator; Jim Vlahovich, Deputy County Administrator; Britt Hanson, Chief Civil Deputy County Attorney; Karen Riggs, County Engineer and Katie Howard, Clerk of the Board. Non-County participants included Dan Haws, Fort Huachuca; Kim Mulhern, Fort Huachuca and Holly Richter of The Nature Conservancy. Following introductions, Chairman Searle announced the agenda item.

ACTION

ITEM 1

Discuss the acquisition of parcels in the Sierra Vista Sub-watershed for water conservation and flood control purposes.

This Executive Session is authorized under ARS 38-431.03, subsection (A) 7, discussions or consultations with designated representatives of the public body in order to consider its position and instruct its representatives regarding negotiations for the purchase, sale or lease of real property.

Mr. Ortega suggested the Board discuss the concept generally in open session and then consider moving into Executive Session. The Board concurred with this approach. Mr. Ortega then reminded the Board that the Mansker property was to be transferred from private ownership to The Nature Conservancy (TNC) and then to the County.

Holly Richter recounted for the Board that in 2009, the County did a lot of the Army Compatible Use Buffer (ACUB) funds planning with respect to buffering Fort Huachuca and its missions. Part of planning process is to consider land acquisition, she said. TNC's role is to protect the properties (from an environmental standpoint) and the Mansker property is an example of this approach. TNC has purchased Mansker since the last Board meeting at which this was discussed. TNC is involved to ensure that the intents of the ACUB funding are preserved, in the transfer. Riverstone is also owned by TNC. She said they are looking at Riverstone for possible recharge opportunities because of the Carr and Ramsey washes on the property. The intent with Riverstone, which is 1,800 acres, is to turn that over so that a part of it will be used as an intensive recharge property, and a part for private ownership (for use as grazing). She said TNC is working with Gary Thrasher regarding the grazing use. TNC does not want to see intensive groundwater use right next to the river and is also intent on keeping the property as open space.

Ms. Mulhern stated that they are involved to prevent major cell towers, etc.—anything that would compromise the Fort’s missions. There would be nothing preventing the owner from selling the property, however, provided they keep the easement on it.

Ms. Richter clarified that TNC intends to gift the land to the County.

Vice-Chairman Call asked if the sale proceeds from the Riverstone property would have to be used inside the boundaries of the Sierra Vista Sub-watershed. Mr. Haws responded that, in general, yes. Ms. Richter clarified that this would be the decision of the ACUB funding. Mr. Ortega suggested including in the transfer document language, to keep sale proceeds in the Sierra Vista Sub-watershed.

Chairman Searle confirmed that TNC owns the property now and asked if the sale to Thrasher would be done by TNC? Ms. Richter stated that one way to do this is to gift the entire tract to the County, take our time to develop the recharge project and then the County could sell any unused portions. Chairman Searle asked if the County sold the unused portion to Mr. Thrasher, would the money go to the recharge project. Ms. Mulhern responded that yes, the transfer document should restrict use of proceeds for ACUB purposes.

Ms. Karen Riggs stated that she would like to suggest using the funds for Operations & Maintenance also.

Supervisor English asked if a lease was a possibility as opposed to an outright sale. She said the Board needs to look at keeping an operation going, and it may take us some time to figure out the recharge project.

Chairman Searle commented that everyone is aware that limitations on the property would reduce its value. Ms. Richter agreed, saying the reduction would be between 20-80% and added that the Conservation Easement goes with the property.

Mr. Ortega then recommended that the Board move into Executive Session.

Motion made by Supervisor English and seconded by Chairman Searle to move into Executive Session. The motion was approved unanimously and the Board convened in Executive Session at 11:13 a.m.

The Board reconvened in Open Session at 11:40 a.m.

The Board took no action at this meeting.

There being no further business before the Board, Chairman Searle adjourned the meeting at 11:40 p.m.

APPROVED: _____
Richard Searle, Chairman

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