

**COCHISE COUNTY FLOOD CONTROL DISTRICT
MINUTES OF THE MEETING OF NOVEMBER 5, 2013**

A meeting of the Cochise County Flood Control Board was held on Tuesday, November 5, 2013 at 10:00 a.m. in the Board of Supervisors' Hearing Room, 1415 Melody Lane, Building G, Bisbee, Arizona. In attendance were Ann English, Chairman; Richard Searle, Vice-Chairman; Patrick Call, Director; Mike Ortega, County Administrator; Jim Vlahovich, Deputy County Administrator; Britt Hanson, Chief Civil Deputy County Attorney; and Arlethe Rios, Clerk of the Board.

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

ROLL CALL – All three directors were present.

The meeting was called to order at 11:06 a.m.

CALL TO THE PUBLIC (MATTERS RELATED TO COUNTY GOVERNMENT - LIMIT OF 3 MINUTES PER PERSON OR AT THE DIRECTION OF THE CHAIRMAN)

Chairman English opened the Call to the Public. No one wished to address the Board and Chairman English closed the Call to the Public.

CONSENT

Board of Supervisors

ITEM 1

Approve the Minutes of the Flood Control District meeting for October 22, 2013.

Director Searle made a motion to approve item 1 of the Consent Agenda. Director Call seconded the motion and it carried 3-0.

ACTION

Community Development

ITEM 2

Approve a professional services agreement with JE Fuller/Hydrology & Geomorphology, Inc. for the Riverstone Ranch Recharge Investigation in the amount of \$214,869.

Ms. Karen Riggs, County Engineer, presented this item using a PowerPoint presentation. Ms. Riggs gave the background and said that the Board had previously approved the memorandum of understanding and grant approval to use Flood Control District funding towards this effort. She said that the feasibility report would be ready next summer, followed by a site investigation, and then a framework for design.

Director Call made a motion to approve a professional services agreement with JE Fuller/Hydrology & Geomorphology, Inc. for the Riverstone Ranch Recharge Investigation in the amount of \$214,869. Director Searle seconded the motion.

Chairman English called for the vote, approved 3-0.

ITEM 3

Approve a Memorandum of Agreement (MOA) with the U.S. Army Garrison, Ft. Huachuca and the Upper San Pedro Partnership for the purchase of the 480 acre Three Canyons/Palominas Property and place a conservation easement on the property.

Mr. Britt Hanson, County Attorney presented this item. Mr. Hanson said that items 3-5 would be heard together since they all dealt with the purchase of the 480 acre Three Canyons/Palominas property.

Director Searle made a motion to approve a Memorandum of Agreement with the U.S. Army Garrison, Ft. Huachuca and the Upper San Pedro Partnership for the purchase of the 480 acre Three Canyons/Palominas Property and place a conservation easement on the property. Director Call seconded the motion.

Chairman English called for the vote, approved 3-0.

ITEM 4

Approve the purchase agreement for the 480 acre Three Canyons/Palominas Property.

Director Searle made a motion to approve the purchase agreement for the 480 acre Three Canyons/Palominas Property. Director Call seconded the motion.

Mr. Mike Ortega, County Administrator and Mr. Britt Hanson, County Attorney presented this item. Mr. Ortega gave the background and explained each agreement that would be voted on.

Mr. Hanson stated that there were title issues with the property, but they were solvable. He explained that one major issue was the mineral rights of the property, but a geologist would conduct a study to determine if mineral rights would cause an issue in the future. He said the easement for the main road had been granted and noted the changes to the memorandum of agreement which included:

- 2.3: Timber harvesting is allowed
- 2.11: Nonnative plants can be introduced
- 3.3: Deleted "wildlife friendly" for type of fencing
- 3.7: Deleted completely – to remove types of agrichemicals that can be used
- 3.9: Removed "nonnative plant" wording to match definition of section 2.11

Mr. Hanson also said that changes had been approved with Fort Huachuca and clarified that the owner of the easement will be the City of Sierra Vista.

Mr. Ortega stated that the MOA with Fort Huachuca would not have any restrictions on Board actions like the sale of the property.

Mr. Hanson explained that there were three different motions to approve everything needed for the purchase of the property and a resolution to allow the chair to sign all closing documents needed.

Ms. Tricia Gerrodette, Sierra Vista resident, said that she did not understand why the County needed the Upper San Pedro Partnership to be involved in this legal interaction.

Chairman English called for the vote, approved 3-0.

ITEM 5

Approve a conservation easement with the City of Sierra Vista on the Three Canyons/Palominas Property.

Director Call made a motion to approve a conservation easement as amended with the City of Sierra Vista on the Three Canyons/Palominas Property and a resolution to allow the chair to sign all closing documents. Director Searle seconded the motion.

Director Searle said that he still had concerns with the MOA, but would not vote against the purchase.

Chairman English called for the vote, approved 3-0.

There being no other business before the Flood Control District Board, Chairman English adjourned the meeting at 11:47 a.m.

APPROVED:

Ann English, Chairman

ATTEST:

Arlenthe Rios, Clerk of the Board