



Cochise County Board of Supervisors

Public Programs...Personal Service
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RICHARD R. SEARLE
Chairman
District 3

PATRICK G. CALL
Vice-Chairman
District 1

ANN ENGLISH
Supervisor
District 2

JAMES E. VLAHOVICH
County Administrator

EDWARD T. GILLIGAN
Deputy County Administrator

ARLETHE G. RIOS
Clerk of the Board

AGENDA FOR REGULAR BOARD MEETING

Tuesday, December 15, 2015 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.

PRESENTATION

Presentation of Breastfeeding Friendly Facility Award to Shepherd's Fold Day Care Center.

CONSENT

Board of Supervisors

1. Approve the Minutes of the regular meeting of the Board of Supervisors of December 1, 2015.

Community Development

2. Appoint Mr. Phillip Isaacson to the Cochise County Building Code Advisory and Appeals Board effective immediately through September 25, 2017.
3. Appoint Mr. Tom Borer to the Planning and Zoning Commission, District 1 effective immediately through December 31, 2017.
4. Adopt Resolution 15-28 authorizing the acquisition of lands for a Multi Use Path south of the Ramsey Canyon Road as described therein.

County Attorney

5. Approve the proposed tax appeal settlement in Sean v. Cochise County, ST2015-000007, now pending in the Arizona Tax Court, a division of the Superior Court of Arizona in Maricopa County.

Elections & Special Districts

6. Approve the appointment as precinct committee persons for the Democratic Party upon the recommendation of the Party Chair: Precinct 01- BE Benson: Mark A. Suagee; Precinct 06 - BI Warren: Carol A. Taylor; Precinct 04 - BI Bisbee: Matthew N. Levy; Precinct 05 - BI Don Luis: Steve A. Foss; Precinct 27 - SV Buffalo Soldier: Karl J. Hallsten; Precinct 28 - SV Busby: Patricia A. Hickey; Precinct 33 - SV Estates: David William Satterlee; Precinct 39 - SV Soldier Creek: Rita T. Hall; Precinct 44 - Tombstone: Christopher D. Askey.

Finance

7. Approve demands and budget amendments for operating transfers.

PUBLIC HEARINGS

Board of Supervisors

8. Adopt Ordinance 48-15 amending fee schedules to provide for a standardized cost of copying and electronic media for purposes of public records requests.

ACTION

Board of Supervisors

9. Approve transfer of five acre parcel 408-34-008 on James Ranch Road to the City of Douglas Pursuant to A.R.S. § 42-18303(E).
10. Approve the over-the-counter sales of tax deed properties remaining unsold following the July 2015 online tax deed land auction and subsequent over-the-counter sales, as set forth in the attached Exhibit A, plus related administrative fees.

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.

REPORT BY JAMES E. VLAHOVICH, 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.

Cochise County Board of Supervisors

1415 Melody Lane, Building G Bisbee, Arizona 85603
520-432-9200 520-432-5016 fax board@cochise.az.gov

Presentations / Special Events
Board of Supervisors

Regular Board of Supervisors Meeting

Meeting Date: 12/15/2015

Presentation of Breast Feeding Friendly Facility Award to Shepherd's Fold Day Care Center

Submitted By: Mary Gomez, Health & Social Services

Department: Health & Social Services

Presentation: No A/V
Presentation

NAME	Renee Cooper	TITLE	WIC Director
of PRESENTER:		of PRESENTER:	

ORGANIZATION NAME N/A
of PRESENTER:

Information

Agenda Item Text:

Presentation of Breastfeeding Friendly Facility Award to Shepherd's Fold Day Care Center.

Background:

CHSS WIC staff recently surveyed the Shepherd's Fold Day Care Center and found that they met all 6 standards required by the state to be designated as a Breastfeeding Friendly Facility and have completed the Self-Assessment on the Arizona Department of Health Services website. The WIC surveyors were both very impressed with the caregivers in the Infant Room at this Day Care Center. The ratio of caregivers to infants is 1:2. 10 infants were in the room at the time we visited and everyone of them were happy and content. A two month old little girl was asleep in the arms of one of the caregivers at the time of the visit. The staff and owner of Shepherd's Fold are very caring and committed to what they do. Both the Az Department of Health Services and Cochise Health and Social Services WIC division are proud to present this award.

To BOS Staff: Document Disposition/Follow-Up:

None.

Attachments

No file(s) attached.

Consent 1.

Board of Supervisors

Regular Board of Supervisors Meeting

Meeting Date: 12/15/2015

Minutes

Department: Board of Supervisors

Presentation: No A/V Presentation

Document Signatures:

Recommendation:

of ORIGINALS

Submitted for Signature:

NAME n/a
of PRESENTER:

TITLE n/a
of PRESENTER:

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 December 1, 2015.

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.

Budget Information

Information about available funds

Budgeted: ☐

Funds Available: ☐

Amount Available:

Unbudgeted: ☐

Funds NOT Available: ☐

Amendment: ☐

Account Code(s) for Available Funds

1:

Fund Transfers

Attachments

No file(s) attached.

Regular Board of Supervisors Meeting**Community Development****Meeting Date:** 12/15/2015

Appointment of Phillip Isaacson to the Cochise County Building Code Advisory and Appeals Board

Submitted By: Rorri Perez, Community Development**Department:** Community Development**Division:** Planning & Zoning**Presentation:** No A/V Presentation**Recommendation:** Approve**Document Signatures:** BOS Signature NOT Required**# of ORIGINALS** 0
Submitted for Signature:**NAME of PRESENTER:** Paul Esparza**TITLE of PRESENTER:** Planning Director**Docket Number (If applicable):****Mandated Function?:** Not Mandated**Source of Mandate or Basis for Support?:****Information****Agenda Item Text:**

Appoint Mr. Phillip Isaacson to the Cochise County Building Code Advisory and Appeals Board effective immediately through September 25, 2017.

Background:

A vacancy on the board was created by the resignation of Bill Henry. A new appointment will fill this four-year term due to expire on September 25, 2017. The Cochise County Building Code Advisory and Appeals Board was established in September 2013 as a seven-member board to hear and decide appeals of orders, decisions or determinations made by the Building Official regarding application and interpretation of the adopted building codes; to determine the appropriateness of alternative building materials and construction methods and to advise the Building Official and Planning, Zoning and Building Safety Division on proposed revisions or additions to adopted building codes.

Mr. Isaacson has extensive experience in the construction industry and vast knowledge of green building practices. He will be a welcome addition to the Building Code Advisory and Appeals Board.

Department's Next Steps (if approved):

Following a successful appointment, staff will notify Mr. Isaacson of his appointment and board meeting schedule.

Impact of NOT Approving/Alternatives:

Should this item not be approved, the Building Code Advisory and Appeals Board will remain short a board member.

To BOS Staff: Document Disposition/Follow-Up:

Please provide copy of minutes to Peter Gardner at Planning & Zoning.

AttachmentsExecutive SummaryPhilip Isaacson Letter



Cochise County
Community Development
Planning, Zoning and Building Safety Division
Public Programs...Personal Service
www.cochise.az.gov

DATE: December 4, 2015
TO: Board of Supervisors
FROM: Paul Esparza, AICP Planning Director *PE*
SUBJECT: Appointment of Phillip Isaacson to the Cochise County Building Code Advisory and Appeals Board

Recommendation: Staff recommends approval of the appointment of Phillip Isaacson to the Cochise County Building Code Advisory and Appeals Board.

Background: A vacancy on the board was created by the resignation of Bill Henry. A new appointment will fill this four-year term due to expire on September 25, 2017. The Cochise County Building Code Advisory and Appeals Board was established in September 2013 as a seven-member board to hear and decide appeals of orders, decisions or determinations made by the Building Official regarding application and interpretation of the adopted building codes; to determine the appropriateness of alternative building materials and construction methods and to advise the Building Official and Planning, Zoning and Building Safety Division on proposed revisions or additions to adopted building codes.

Mr. Isaacson has extensive experience in the construction industry and vast knowledge of green building practices. He will be a welcome addition to the Building Code Advisory and Appeals Board.

Fiscal Impact & Funding Sources: If approved, there will be no fiscal impact.

Next Steps/Action Items/Follow-up: Following a successful appointment, staff will notify Mr. Isaacson of his appointment and board meeting schedule.

Impact of Not Approving: Should this item not be approved, the Building Code Advisory and Appeals Board will remain short a board member.

Planning, Zoning and Building Safety
1415 Melody Lane, Building E
Bisbee, Arizona 85603
520-432-9300
520-432-9278 fax
1-877-777-7958
planningandzoning@cochise.az.gov

Highway and Floodplain
1415 Melody Lane, Building F
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520-432-9300
520-432-9337 fax
1-800-752-3745
highway@cochise.az.gov
floodplain@cochise.az.gov



Cochise Health & Social Services

Public Programs...Personal Service
www.cochise.az.gov

Michael Izzo CBO,CBCO
Building Official

November 20, 2015,

Philip Isaacson

iqconstruction@msn.com

As we discussed by telephone, Pat Call, Chairman of the Cochise County Board of Supervisors, would like to appoint you to be a member of the Cochise County Building Code Advisory and Appeals Board. The BCAAB meets annually and occasionally more frequently if an urgent need arises. Our annual meetings are held in the month of September in Bisbee. Our next meeting will be announced at least one month prior to the actual meeting date. The function of the BCAAB is as follows:

1. In order to hear and decide appeals of orders, decisions or determinations made by the Building Official relative to the application and interpretation of the adopted Cochise County Building codes.
2. To determine the suitability of alternative materials and construction and to permit interpretations of the provisions of the Building Codes.
3. To advise the Building Official and Planning Department on any proposed revisions or additions to the Cochise County Building Safety Codes.

With your years of experience in the construction industry and vast knowledge of "Green Construction" you would be invaluable asset to our BCAAB. We would be honored if you would accept this appointment. Please do not hesitate to contact me with questions or if you need additional information and thanks in advance for your consideration of this appointment.

Sincerely,

Michael Izzo
Building/Fire official

cc: Pat Call, Chairman, BOS
Jim Vlahovich, County Administrator
Ed Gilligan, Deputy County Administrator

Main Office

1415 Melody Lane, Bldg. A
Bisbee, AZ 85603
520-432-9400
520-432-9480 fax
health@cochise.az.gov

Benson

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Benson, AZ 85602
520-586-8200
520-586-2051 fax

Douglas

1012 N. G. Ave., Ste. 101
Douglas, AZ 85607
520-805-5600
520-364-5453 fax

Sierra Vista

4115 E. Foothills Dr.
Sierra Vista, AZ 85635
520-803-3900
520-459-8159 fax

Willcox

450 S. Haskell Ave.
Willcox, AZ 85643
520-384-7100
520-384-0309

Regular Board of Supervisors Meeting**Community Development****Meeting Date:** 12/15/2015

Appointment of Tom Borer to the Planning and Zoning Commission

Submitted By: Rorri Perez, Community Development**Department:** Community Development**Division:** Planning & Zoning**Presentation:** No A/V Presentation**Recommendation:** Approve**Document Signatures:** BOS Signature NOT Required**# of ORIGINALS Submitted for Signature:** 0**NAME of PRESENTER:** Paul Esparza**TITLE of PRESENTER:** Planning Director**Docket Number (If applicable):****Mandated Function?:** Not Mandated**Source of Mandate or Basis for Support?:****Information****Agenda Item Text:**

Appoint Mr. Tom Borer to the Planning and Zoning Commission, District 1 effective immediately through December 31, 2017.

Background:

The PNZ Commission has a vacant seat from District 1 created by the resignation of Tim Cervantes in September 2015. This appointment will fill that seat with remaining term to expire on December 31, 2017. The PNZ Commission consists of nine members appointed by the Board of Supervisors to four- year terms.

Mr. Borer is willing to serve and has experience in community development that will serve him well as a PNZ Commissioner.

Department's Next Steps (if approved):

Following a successful appointment, staff will provide Mr. Borer with Commissioner packet materials in preparation for the January 13, 2016 PNZ Commission meeting.

Impact of NOT Approving/Alternatives:

Should this item not be approved, the PNZ Commission would remain one member short from District 1 and not be a full nine member PNZ Commission.

To BOS Staff: Document Disposition/Follow-Up:

Please send copy of minutes to Peter Gardner at Planning & Zoning.

AttachmentsExecutive SummaryAppointment Letter



Cochise County
Community Development
Planning, Zoning and Building Safety Division
Public Programs...Personal Service
www.cochise.az.gov

DATE: December 4, 2015
TO: Board of Supervisors
FROM: Paul Esparza, AICP Planning Director
SUBJECT: Appointment of Tom Borer to the Planning and Zoning Commission

Recommendation: Staff recommends approval of the appointment of Tom Borer to the Planning and Zoning Commission.

Background: The PNZ Commission has a vacant seat from District 1 created by the resignation of Tim Cervantes in September 2015. This appointment will fill that seat with remaining term to expire on December 31, 2017. The PNZ Commission consists of nine members appointed by the Board of Supervisors to four- year terms.

Mr. Borer is willing to serve and has experience in community development that will serve him well as a PNZ Commissioner.

Fiscal Impact & Funding Sources: If approved, there will be minimal fiscal impact related to new PNZ Commissioner training and personal vehicle mileage reimbursement due to PNZ Commission meeting attendance. These expenses would come from Planning Division travel expenditures under the General Fund.

Next Steps/Action Items/Follow-up: Following a successful appointment, staff will provide Mr. Borer with Commissioner packet materials in preparation for the January 13, 2016 PNZ Commission meeting.

Impact of Not Approving: Should this item not be approved, the PNZ Commission would remain one member short from District 1 and not be a full nine member PNZ Commission.

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floodplain@cochise.az.gov



Cochise Health & Social Services

Public Programs...Personal Service

www.cochise.az.gov

MARY GOMEZ, RN, MN
DIRECTOR

December 2, 2015

Mr. Tom Borer

via email teborer@cox.net

Pat Call, in his capacity as member of the Cochise County Board of Supervisors, would like to appoint you to be a member of the Cochise County Planning and Zoning Commission. The PNZ Commission meets monthly on the second Wednesday at the Board of Supervisors' Hearing Room here in Bisbee at 4:00 PM. The next scheduled meeting is 1/13/16.

The Planning Commission consists of 9-members appointed by the Board of Supervisors for four-year terms. Each supervisor appoints 3-members from the district they represent. The Commission is the body that acts on requests to change the use of property allowed by the Zoning Regulations. Their main function is to make recommendations to the Board of Supervisors on re-zonings and Comprehensive Plan amendments and to make decisions on special use permit applications.

With your years of experience in the community development arena and your contacts in this area would be an invaluable asset to our PNZ Commission. We would be honored if you would accept this appointment.

Please do not hesitate to contact me with questions or if you need additional information and thanks in advance for your consideration of this appointment.

Sincerely,

Mary Gomez, RN, MN

cc: Pat Call, Chairman, BOS
Jim Vlahovich, County Administrator
Karen Riggs, Community Development Director
Paul Esparza, PNZ Director

Main Office

1415 Melody Lane, Bldg. A
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Sierra Vista, AZ 85635

520-803-3900
520-459-8159 fax

Willcox

450 S. Haskell Ave.
Willcox, AZ 85643

520-384-7100
520-384-0309

Regular Board of Supervisors Meeting**Meeting Date:** 12/15/2015

Authorize acquisition for the Ramsey Canyon Multi Use Path

Submitted By: Frances Martinez, Community Development**Department:** Community Development**Presentation:** No A/V Presentation**Recommendation:** Approve**Document Signatures:** BOS Signature Required**# of ORIGINALS Submitted for Signature:** 1**NAME of PRESENTER:** Karen Riggs**TITLE of PRESENTER:** Director**Mandated Function?:** Federal or State Mandate**Source of Mandate or Basis for Support?:****Docket Number (If applicable):** ARS 28-6701**Information****Agenda Item Text:**

Adopt Resolution 15-28 authorizing the acquisition of lands for a Multi Use Path south of the Ramsey Canyon Road as described therein.

Background:

Ramsey Canyon Multi Use Path along Ramsey Canyon Road was approved per 13/14 work plan and pursuant to a request by the Board of Supervisors. The Multi Use Path was declared a County Highway as per Resolution 14-84. The proposed path will connect the existing Cherokee Avenue multi-use path that ends at Ramsey Canyon Road to a forest trailhead parking area approximately 1.1 miles to the west and southwest. The project would affect two different properties. Both properties are owned in a trust by the Newman Family. The county wishes to purchase, and the Newman's wish to sell the property. The purchase price of the right-of-way for the path was agreed upon by all parties at a price of \$20,000/acre. The county will pay the Newmans a purchase price of \$81,800 for a total of 4.09 acres. Staff has met with the family members regarding their questions and concerns. They are agreeable to convey the right-of-way under the following conditions: •Install and maintain signage near the Multi-Use path regarding littering and pet leash laws. Also install and maintain "No Trespassing" signs on the new fence along the path. •Install and maintain a state legal five (5) strand barbed wire fence along the Multi Use Path right-of-way and connect to the remaining property fence. •When existing fence is removed, the T-Posts will be returned back to the property owners. •Install floodgate fencing in the area traversed by Ramsey Canyon Creek. •Install 16' tubular livestock gates to preserve cattle access between family properties north and south of Ramsey Canyon Road. •Right-of-Way permits would be issued for the two gate locations. The permits would be information only permits, no fees required. The permits would be automatically renewed on a yearly basis as long as the Newman family and/or descendants run cattle on the south and North side of Ramsey Canyon Road. This action will secure their rights to move the livestock. •Install and maintain cattle crossing signs on the east and west side of the livestock gate entrances. Because of liability issues the county will install and maintain the permanent "fold up" signs in the right-of-way. •The land would be grubbed (cleared of vegetation) 20 feet south of the new ROW fence line. The surplus wood will be stacked and placed on the south side of the new fence. •The Newman family would like the Multi Use Path to be called "Newman Trail" with a plaque at each end of the trail. •In accordance with Resolution #14-84 Establishing Ramsey Canyon Multi-Use Path as a County Highway, establishment of said multi-use path as requested in said petition is a public necessity, and that no landowner would be adversely affected thereby". The path will not count as one of the property owners 5 splits. •Indemnify all references said parties and uses from any claims in reference to the Multi-Use Path, right-of-way agrees to pay 100% legal cost. In working with the Newman family, staff was able to meet with the family and come to the agreement as listed above. All of the items listed above is per management's approval. Pioneer Title is currently in the process of formatting the clo:

Department's Next Steps (if approved):

If approved, staff will continue to work with Pioneer Title and acquire the necessary rights-of-way.

Impact of NOT Approving/Alternatives:

If not approved the Board has the option to proceed to condemnation or not acquire the rights-of-way. If rights-of-way are not obtained, the project cannot proceed to properly establish a multi use path. If the Board chooses to proceed to condemnation there are required additional costs. Staff does not recommend condemnation as the anticipated cost to condemn will likely exceed the cost of the project.

To BOS Staff: Document Disposition/Follow-Up:

Please return a copy of the recorded documents to H&F, attn: Right-of-way!

Budget Information

Information about available funds

Budgeted: ☒

Funds Available: ☒

Amount Available:

Unbudgeted: ☐

Funds NOT Available: ☐

Amendment: ☐

Account Code(s) for Available Funds

1: 251-4010-9-413.700

Fund Transfers

Fiscal Year: 13/14

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

Ongoing Costs? (\$\$\$):

County Match Required? (\$\$\$):

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

Source of Funding?: Right-of-way Acquisition

Fiscal Impact & Funding Sources (if known):

Right-of-Way Acquisition

Attachments

[ExecutiveSummary RamseyCanyonMUP](#)

[Map for Memo RamseyCanyonMUP](#)

[Resolution RamseyCanyonMUP](#)

[LocationMap RamseyCanyonMUP](#)



COCHISE COUNTY

COMMUNITY DEVELOPMENT

"Public Programs...Personal Service"

DATE: November 12, 2015

TO: Board of Supervisors

THRU: Karen Riggs, Director

FROM: Pam Hudgins, Right-of-Way Agent II

SUBJECT: Resolution 15- __ authorizing the acquisition of right-of-way for the construction of the Ramsey Canyon Multi-Use Path

Recommendation: This department recommends adoption of the accompanying resolution to accept the counter acquisition proposed by the Newman family for the Ramsey Canyon Multi-Use Path project.

Background (Brief): Ramsey Canyon Multi Use Path along Ramsey Canyon Road was approved per 13/14 work plan and pursuant to a request by the Board of Supervisors. The Multi Use Path was declared a County Highway as per Resolution 14-84. The proposed path will connect the existing Cherokee Avenue multi-use path that ends at Ramsey Canyon Road to a forest trailhead parking area approximately 1.1 miles to the west and southwest.

The project would affect two different properties. Both properties are owned in a trust by the Newman Family. The county wishes to purchase, and the Newman's wish to sell the property. The purchase price of the right-of-way for the path was agreed upon by all parties at a price of \$20,000/acre. The county will pay the Newmans a purchase price of \$81,800 for a total of 4.09 acres.

Staff has met with the family members regarding their questions and concerns. They are agreeable to convey the right-of-way under the following conditions:

- Install and maintain signage near the Multi-Use path regarding littering and pet leash laws. Also install and maintain "No Trespassing" signs on the new fence along the path.
- Install and maintain a state legal five (5) strand barbed wire fence along the Multi Use Path right-of-way and connect to the remaining property fence.
- When existing fence is removed, the T-Posts will be returned back to the property owners.
- Install floodgate fencing in the area traversed by Ramsey Canyon Creek.

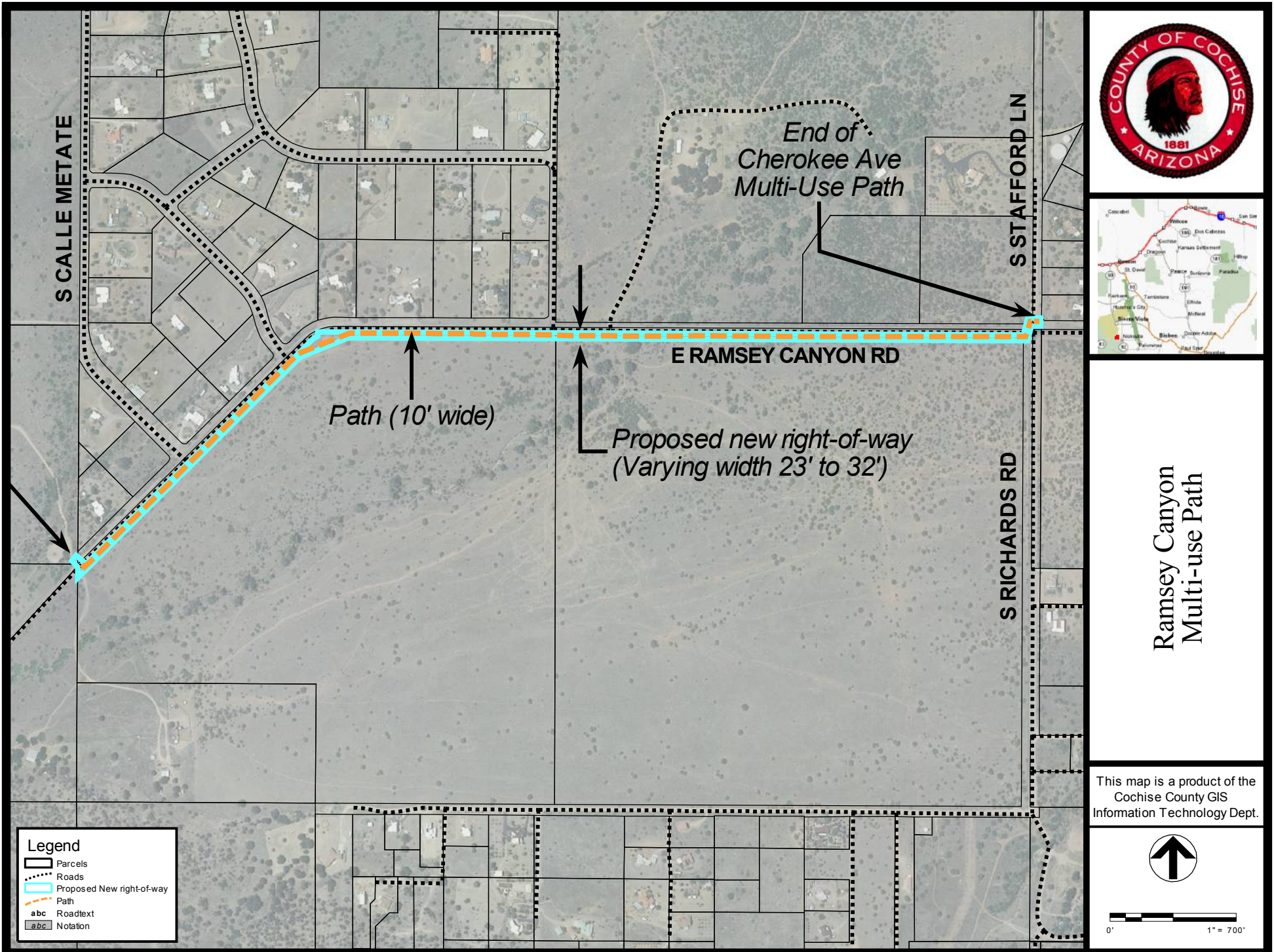
- Install 16' tubular livestock gates to preserve cattle access between family properties north and south of Ramsey Canyon Road.
- Right-of-Way permits would be issued for the two gate locations. The permits would be information only permits, no fees required. The permits would be automatically renewed on a yearly basis as long as the Newman family and/or descendants run cattle on the south and North side of Ramsey Canyon Road. This action will secure their rights to move the livestock.
- Install and maintain cattle crossing signs on the east and west side of the livestock gate entrances. Because of liability issues the county will install and maintain the permanent "fold up" signs in the right-of-way.
- The land would be grubbed (cleared of vegetation) 20 feet south of the new ROW fence line. The surplus wood will be stacked and placed on the south side of the new fence.
- The Newman family would like the Multi Use Path to be called "Newman Trail" with a plaque at each end of the trail.
- In accordance with Resolution #14-84 Establishing Ramsey Canyon Multi-Use Path as a County Highway, establishment of said multi-use path as requested in said petition is a public necessity, and that no landowner would be adversely affected thereby". The path will not count as one of the property owners 5 splits.
- Indemnify all references said parties and uses from any claims in reference to the Multi-Use Path, right-of-way agrees to pay 100% legal cost.

In working with the Newman family, staff was able to meet with the family and come to the agreement as listed above. All of the items listed above is per management's approval. Pioneer Title is currently in the process of formatting the closing documents.

Fiscal Impact & Funding Sources: The project is an approved expenditure by the Board of Supervisors for 13/14 work plan. Estimated cost of the project is \$216,400 of which the right-of-way acquisition is approximately \$81,800.00.

Next Steps/Action Items/Follow-up: If approved, staff will continue to work with Pioneer Title and acquire the necessary rights-of-way.

Impact of Not Approving: If not approved the Board has the option to proceed to condemnation or not acquire the rights-of-way. If rights-of-way are not obtained, the project cannot proceed to properly establish a multi use path. If the Board chooses to proceed to condemnation there are required additional costs. Staff does not recommend condemnation as the anticipated cost to condemn will likely exceed the cost of the project.



Ramsey Canyon Multi-use Path

This map is a product of the
Cochise County GIS
Information Technology Dept.



0' 1" = 700'

RESOLUTION 15-__

**AUTHORIZING THE ACQUISITION OF RIGHT-OF-WAY FOR
THE RAMSEY CANYON MULTI USE PATH, TRAVERSING
ASSESSOR PARCEL NUMBERS 105-36-001 AND 105-36-002**

WHEREAS, pursuant to A.R.S. § 28-6701, the Board of Supervisors, Cochise County, Arizona, may establish a highway and acquire real property for this purpose by purchase, donation, dedication, condemnation or other lawful means; and

WHEREAS, on December 16, 2014, the Board adopted Resolution 14-84 establishing a multi use path traversing Assessor Parcel Numbers 105-36-001 and 105-36-002, beginning 0.16 miles southwest of Calle Metate, heading east approximately 1.1 miles to Richards Road, as a county highway; and

WHEREAS, the County negotiated with and a counter offer has been proposed by the Newman Family to convey to the public right-of-way for said highway for \$81,800.00 in accordance with an Agreement For Acquisition of Property, a copy of which is attached; and

WHEREAS, it will be mutually beneficial to the County and to the Newman Family to acquire this right-of-way,

NOW THEREFORE, IT IS RESOLVED that we, the Board of Supervisors, Cochise County, Arizona, do hereby authorize the acquisition of said right-of-way in accordance with said Agreement For Acquisition of Property.

IT IS FURTHER RESOLVED that the Chairman of the Board of Supervisors, or the Vice-Chairman, is authorized to execute said Agreement For Acquisition of Property and accept conveyance document(s) for said right-of-way acquisition.

///

RESOLUTION 15-__

Re: Authorizing The Acquisition Of Right-Of-Way For The Ramsey Canyon Multi Use Path, Traversing Assessor Parcel Numbers 105-36-001 And 105-36-002

Page | 2

IT IS FINALLY RESOLVED that the Director of Community Development, or her designee, is authorized to act on behalf of the County to acquire said right-of-way.

PASSED AND ADOPTED by the Board of Supervisors of Cochise County, Arizona, this ____ day of _____, 2015.

Richard Searle, Chairman
Cochise County Board of Supervisors

ATTEST:

APPROVED AS TO FORM:



Arlethe Rios,
Clerk of the Board

Britt W. Hanson,
Chief Civil Deputy County Attorney

AGREEMENT FOR ACQUISITION OF PROPERTY

THIS AGREEMENT for the Acquisition of Property is entered into between Cochise County, a political subdivision of the State of Arizona ("County") and the Don O. Newman and Betty L. Newman Revocable Living Trust dated May 29, 2008, through Trustees Don O. Newman and Betty L. Newman; the Ellen I. Wright Revocable Trust, dated August 19, 1991, through Trustees Ruth Arlen Thompson, Catherine Ellen Nunn, and Celeste W. Williams; Linda Lee Knepper; Rex A. Newman; and Newmans U Lazy U, L.L.C. (collectively, the "Newmans").

RECITALS

1. The County has proposed to construct and maintain a multi-use pathway adjoining Ramsey Canyon Road; the Newmans own property necessary for part of the pathway, as depicted on the map attached as Exhibit A to this Agreement, and the legal descriptions of which are attached as Exhibit B (Tax Parcel # 105-36-001, consisting of approximately 1.91 acres, hereinafter referred to as Parcel A), and Exhibit C (Tax Parcel #105-36-002), consisting of approximately 2.18 acres, hereinafter referred to as Parcel B). Parcels A and B are hereinafter referred to collectively as the "Property".
2. The County wishes to purchase, and the Newmans wish to sell, the Property on the terms and conditions set forth herein.

TERMS AND CONDITIONS

- A. Purchase Price.** Based on a price of \$20,000/acre, the County shall pay the Newmans a purchase price of \$81,800. The purchase price shall be paid in cash at closing, less prorated taxes.
- B. Escrow.** Upon mutual execution of this Agreement, the parties shall execute escrow instructions to Pioneer Title Agency, Inc., with an address at 8 Bisbee Road, Bisbee, AZ 85603 ("**Escrow Holder**") to consummate the purchase. The provisions of this Agreement shall constitute joint instructions to the Escrow Holder; provided, however, that the parties shall execute such additional instructions as requested by the Escrow Holder not inconsistent with the provisions of this Agreement.
- C. Due Diligence.** The County has exercised due diligence in the purchase of the Property and therefore does not need a due diligence period.

- D. Closing Date.** Closing shall be held at the office of the Escrow Holder on a date mutually acceptable to the County and Newmans, but no later than December 31, 2015 (the "Closing Date"), unless such Closing Date is extended upon the mutual written agreement of the County and the Newmans.
- E. Condition Precedent to Obligation of the Conservancy to Close.** The satisfaction or accomplishment of each of the following, at or before the Closing Date (or by any earlier date specified in this Agreement for performance, if any), shall be a condition precedent to the obligations of the parties and to purchase and sell the Property at the Closing:
- i. The County shall have deposited into the Escrow all documents and monies required of the County under the terms of this Agreement and shall have performed, or be ready, willing, and able to perform, all of its obligations under this Agreement.
 - ii. The Newmans shall have deposited into the Escrow all documents required of the Newmans under the terms of this Agreement and shall have performed, or be ready, willing, and able to perform, all of its obligations under this Agreement.
- F. Title Commitment and Insurance.** Obtaining a title commitment and title insurance of the property shall be the responsibility of the County.
- G. Title.** At closing, the Newmans shall execute and deliver a good and sufficient special warranty deed, conveying good, insurable and marketable title to the Property to the County and its assigns, in fee simple free and clear of all monetary liens, encumbrances and other exceptions, except such easements, restrictions and other exceptions of record or readily apparent upon inspection, together with unrestricted access and all other right, title and interest of the Newmans to the Property.
- H. Possession and Risk of Loss.** The Newmans shall deliver possession of the Property to the County at closing and shall bear the risk of loss until the delivery of such possession.
- I. Taxes.** The Newmans agree that all taxes, assessments and encumbrances that are a lien against the Property at closing shall be satisfied of record by the Newmans at or before closing. Regular real property taxes payable during the year in which closing shall occur shall be prorated as of closing.
- J. Costs and Fees.** The County shall pay all closing costs, including Escrow fees and any recording costs.
- K. Right of Entry.** The County may enter upon the Property at reasonable times for surveying, inspection and other reasonable purposes related to this transaction, provided, however, that the County shall indemnify the Newmans for any damage to the Property arising out of the County's exercise of its rights under this paragraph.
- L. Broker's Commission.** The County and the Newmans represent that it/they have not contracted with any broker or finder with regard to this transaction.

M. Additional Terms of the Purchase and Sale. Additional terms of the purchase and sale of the Property are set forth in Exhibit D, a letter from Sparkle Short, on behalf of the Newmans, to County Right of Way Agent II Pam Hudgins dated November 2, 2015, which is hereby incorporated by reference. The County agrees to honor the terms set forth therein. In the event that the County breaches any of those terms, the Newmans may seek relief, including injunctive relief, in Superior Court. Breach of those terms, however, shall not result in reversion of the Property.

N. Binding Upon Successors. The terms and conditions of this Agreement shall apply to and bind the heirs, executors, administrators, successors and assigns of the respective parties.

O. Notices. Any notice, demand, request, consent or approval that either party desires or is required to give to the other party under this Agreement shall be in writing and shall be sent to the following relevant address:

TO THE NEWMANS:

Sparkle Short
6216 S. LaDonna Ln.
Hereford, AZ 85615

TO THE COUNTY:

Board of Supervisors
Attn: Clerk of the Board
Cochise County
1415 Melody Lane, Building G
Bisbee, AZ 85603

Notices may be sent by any of the following means: (i) by delivery in person, (ii) by certified U.S. mail, return receipt requested, postage prepaid, (iii) by Federal Express or other reputable "overnight" delivery service, provided that next-business-day delivery is requested by the sender; or (iv) by facsimile transmission or in electronic form by e-mail. Notices delivered in person shall be deemed effective immediately upon receipt (or refusal of delivery or receipt). Notices sent by certified mail shall be deemed given on the date deposited with the U.S. Postal Service. Notices sent by Federal Express or other reputable "overnight" delivery service shall be deemed given on the date deposited with the delivery service. Notices sent by facsimile transmission or in electronic form by e-mail shall be effective on the date of successful transmission. Either party may, from time to time, by written notice to the other, designate a different address which shall be substituted for the one above specified. Notice of change of address shall be effective only when done in accordance with this Paragraph. All notices complying with this Paragraph shall be effective only upon delivery.

P. Miscellaneous.

- i. This Agreement may be executed in several counterparts and signatures may be delivered via telephone facsimile or in electronic form by e-mail, which shall constitute one agreement that is binding on all of the parties, notwithstanding that the parties may have signed different counterparts.

- ii. If any provision of this Agreement is held invalid, the other provisions shall not be affected thereby.
- iii. This Agreement represents the entire agreement of the parties and may not be amended except by a writing signed by each party hereto.
- iv. Each party to this Agreement warrants to the other that the respective signatories have full right and authority to enter into and consummate this Agreement and all related documents.
- v. This Agreement shall be governed by the laws of the State of Arizona.

APPROVED:

COCHISE COUNTY BOARD OF SUPERVISORS

By: _____
Richard Searle, Chairman Date

ATTEST:

Arlenthe Rios, Clerk of the Board Date

APPROVED:

By: _____
Betty L. Newman, Successor Date
Trustee to Don O. Newman
And Betty L. Newman, Trustees
Of the Don O. Newman and
Betty L. Newman Revocable
Living Trust, dated May 29, 2008

By: _____
Ruth Arlen Thompson Date

By: _____
Catherine Ellen Nunn Date

By: _____
Celeste W. Williams, Trustee
of the Ellen I. Wright Revocable
Trust, dated August 19, 1991 Date

By: _____
Linda Lee Jeffries Date

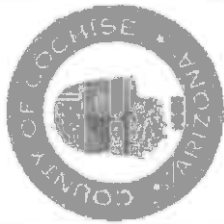
By: _____
Rex A. Newman Date

By: _____
Newmans U Lazy U, L.L.C.
an Arizona Limited Liability
Company Date

EXHIBITS

EXHIBIT #	DESCRIPTION
EXHIBIT A	Map of Ramsey Canyon Multi-Use Path
EXHIBIT B	Legal Description from 105-36-001
EXHIBIT C	Legal Description from 105-36-002
EXHIBIT D	Letter from Sparkle Short dated November 2, 2015

EXHIBIT A



Ramsey Canyon Multi-use Path

This map is a product of the
Cochise County GIS
Information Technology Dept



1" = 700'

This document is a graphic representation of the information contained herein. It is not a legal document. Please refer to the original map for the most accurate information.

S STAFFORD LN

S RICHARDS RD

E RAMSEY CANYON RD

End of
Cherokee Ave
Multi-Use Path

Proposed new right-of-way
(Varying width 23' to 32')

Path (10' wide)

S CALLE METATE

Legend	
	Parcel
	Right of Way
	Proposed New Right-of-Way
	Path
	Right of Way
	Right of Way

Map created by GIS Department, Cochise County, Arizona, 10/2010

EXHIBIT B

LEGAL DESCRIPTION

THAT PORTION OF SECTION 2, TOWNSHIP 23 SOUTH, RANGE 20 EAST OF THE GILA AND SALT RIVER MERIDIAN, COCHISE COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A 2" ALUMINUM CAP MONUMENTING THE CORNER COMMON TO SECTIONS 35 AND 36 OF TOWNSHIP 22 SOUTH, RANGE 20 EAST OF THE GILA AND SALT RIVER MERIDIAN AND SECTIONS 1 AND 2 OF SAID TOWNSHIP 23 SOUTH, RANGE 20 EAST, THENCE THE FOLLOWING COURSES;

THENCE N 89°44'12"W A DISTANCE OF 50.00 FEET;

THENCE S 0°16'53"W, A DISTANCE OF 30.00 FEET TO THE POINT OF INTERSECTION OF THE SOUTHERLY RIGHT OF WAY OF RAMSEY CANYON ROAD AS DESCRIBED IN DOCKET 69, PAGE 107, RECORDS OF COCHISE COUNTY, ARIZONA AND THE WESTERLY RIGHT OF WAY OF RICHARDS ROAD AS DESCRIBED IN DOCKET 934, PAGE 365, RECORDS OF COCHISE COUNTY, ARIZONA. SAID POINT ALSO BEING THE **POINT OF BEGINNING**;

THENCE CONTINUING S 0°16'53"W ALONG SAID WESTERLY RIGHT OF WAY, A DISTANCE OF 32.00 FEET;

THENCE N89°44'12"W PARALLEL WITH THE SOUTHERLY R/W OF SAID RAMSEY ROAD, A DISTANCE OF 2594.91 FEET TO A POINT IN THE WESTERLY LINE OF THE NORTHEAST QUARTER OF SAID SECTION 2;

THENCE N 0°39'40"E COINCIDENT WITH SAID WESTERLY LINE, A DISTANCE OF 32.00 FEET TO A POINT IN THE SOUTHERLY RIGHT OF WAY OF SAID RAMSEY CANYON ROAD AS DESCRIBED IN DOCKET 69, PAGE 107, RECORDS OF COCHISE COUNTY, ARIZONA;

THENCE S 89°44'12"E COINCIDENT WITH SAID SOUTHERLY RIGHT OF WAY, A DISTANCE OF 2594.70 FEET TO THE **POINT OF BEGINNING**.

ABOVE DESCRIBED TRACT OF LAND CONTAINS 83032.7 SQUARE FEET OR 1.91 ACRES MORE OR LESS.

EXHIBIT C

LEGAL DESCRIPTION

THAT PORTION OF SECTION 2, TOWNSHIP 23 SOUTH, RANGE 20 EAST OF THE GILA AND SALT RIVER MERIDIAN, COCHISE COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A 2" ALUMINUM CAP MONUMENTING THE QUARTER CORNER COMMON TO SECTION 35, TOWNSHIP 22 SOUTH, RANGE 20 EAST OF THE GILA AND SALT RIVER MERIDIAN AND SECTION 2 OF SAID TOWNSHIP 23 SOUTH, RANGE 20 EAST, THENCE THE FOLLOWING COURSES;

THENCE S 00°39'40"W COINCIDENT WITH THE EASTERLY LINE OF THE NORTHWEST QUARTER OF SAID SECTION 2, A DISTANCE OF 30.00 FEET TO A POINT IN THE EXISTING SOUTHERLY RIGHT OF WAY OF RAMSEY CANYON ROAD AS DESCRIBED IN DOCKET 69, PAGE 107, RECORDS OF COCHISE COUNTY, ARIZONA AND POINT OF BEGINNING;

THENCE CONTINUING S 0°39'40"W COINCIDENT WITH SAID EASTERLY LINE, A DISTANCE OF 32.00 FEET;

THENCE N 89°45'41"W PARALLEL TO THE SOUTHERLY RIGHT OF WAY OF RAMSEY CANYON ROAD AS DESCRIBED IN DOCKET 69, PAGE 107, RECORDS OF COCHISE COUNTY, ARIZONA, A DISTANCE OF 1133.85 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE LEFT HAVING THE FOLLOWING PARAMETERS: RADIUS = 80.00 FEET, DELTA = 22°01'47";

THENCE ALONG SAID CURVE, A DISTANCE OF 30.76 FEET TO THE POINT OF TANGENCY;

THENCE S 68°12'32"W, A DISTANCE OF 254.83 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE LEFT HAVING THE FOLLOWING PARAMETERS: RADIUS = 90.00 FEET, DELTA = 22°58'13";

THENCE ALONG SAID CURVE, A DISTANCE OF 36.08 FEET TO THE POINT OF TANGENCY;

THENCE S 45°14'19"W PARALLEL WITH THE SOUTHERLY R/W OF SAID RAMSEY ROAD AS DESCRIBED IN DOCKET 69, PAGE 115, RECORDS OF COCHISE COUNTY, ARIZONA, A DISTANCE OF 1721.18 FEET TO A POINT IN THE WESTERLY LINE OF SAID SECTION 2;

THENCE N 00°21'37"E COINCIDENT WITH THE WESTERLY LINE OF SAID SECTION 2, A DISTANCE OF 32.60 FEET;

THENCE N 45°14'19"E COINCIDENT WITH THE EXTENDED SOUTHERLY RIGHT OF WAY OF RAMSEY ROAD AS DESCRIBED IN DOCKET 69, PAGE 115, RECORDS OF COCHISE COUNTY, ARIZONA, A DISTANCE OF 65.15 FEET TO A POINT IN SAID SOUTHERLY RIGHT OF WAY;

THENCE N 45°14'19"E COINCIDENT WITH SAID SOUTHERLY RIGHT OF WAY, A DISTANCE OF 1743.76 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE RIGHT HAVING THE FOLLOWING PARAMETERS: RADIUS = 200.00 FEET, DELTA = 45°00'00";

THENCE ALONG SAID CURVE, A DISTANCE OF 157.08 FEET TO THE POINT OF TANGENCY. SAID POINT ALSO BEING IN THE SOUTHERLY RIGHT OF WAY OF RAMSEY CANYON ROAD AS DESCRIBED IN DOCKET 69, PAGE 107, RECORDS OF COCHISE COUNTY, ARIZONA;

THENCE S 89°45'41"E CONTINUING ALONG SAID SOUTHERLY RIGHT OF WAY, A DISTANCE OF 1226.67 FEET TO THE **POINT OF BEGINNING.**

ABOVE DESCRIBED TRACT OF LAND CONTAINS 93,219 SQUARE FEET OR 2.14 ACRES MORE OR LESS.

EXHIBIT D

Cochise County
Community Development
Planning, Zoning and Building Safety Division

November 2, 2015

Ms. Pam Hudgins
Cochise County
Right of Way Agent II

RECEIVED

NOV 2 2015

COCHISE COUNTY
HIGHWAY & FLOODPLAIN

Thank you for the time you have spent working with us on the Multi Use Path to try and make Ramsey Canyon a safer place for everyone.

The following are the agreements we have consolidated into one document plus a couple of other issues that were discussed but not included in the original letters.

The project will require 1.91 acres across parcel 105-36-001, 2.18 acres across parcel 105-36-002, 4.09 acres total and the relocation of the existing fence.

As compensation for your property the County shall:

Install and maintain signage near the Multi-Use path regarding littering and pet leash laws. Also install and maintain 'No Trespassing' signs on the new fence along the path.

Install and maintain a state legal five (5) strand barbed wire fence along the Multi Use Path right-of way and connect to the remaining property fence.

When existing fence is removed, the T-posts will be returned back to the property owners.

Install floodgate fencing in the area traversed by Ramsey Canyon Creek.

Install 16' tubular livestock gates to preserve cattle access between family properties north and south of Ramsey Canyon Road.

Amended 10/29/15 - Right- of- Way permits would be issued for the two gate locations. The permits would be information only permits, no fees required. The permits would be automatically renewed on a yearly basis as long as the Newman family and/or descendants run cattle on the South and North side of Ramsey Canyon Road. This action will secure their rights to move the livestock.

Install and maintain cattle crossing signs on the east and west side of the livestock gate entrances. Because of liability issues the county will install and maintain the permanent "fold up" signs in the right of way.

The land would be grubbed (cleared of vegetation) 20 feet south of the new ROW fence line. The surplus wood will be stacked and placed on the south side of the new fence.

The Newman family would like the Multi Use Path to be called "Newman Trail" with a plaque at each end of the trail.

From the August 18, 2015 document from Cochise County Community Development. Resolution 14-84 Establishing Ramsey Canyon Multi-Use Path as a County Highway. " establishment of said multi-use path as requested in said petition is a public necessity, and that no landowner would be adversely affected thereby;" (does not count as one of property owners 5 splits).

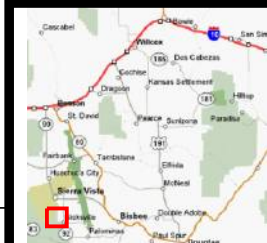
Indemnify all reference said parties and uses from any claims in reference to the Multi Use Path right-of-way agrees to pay 100% legal cost.

Acquire Multi Use Path right-of-way based on \$20,000 per acre. A total of \$81,800.00 less any prorated property taxes which may need to be satisfied.

On behalf of the Newman Family,

A handwritten signature in cursive script that reads "Sparkle Short".

Sparkle Short

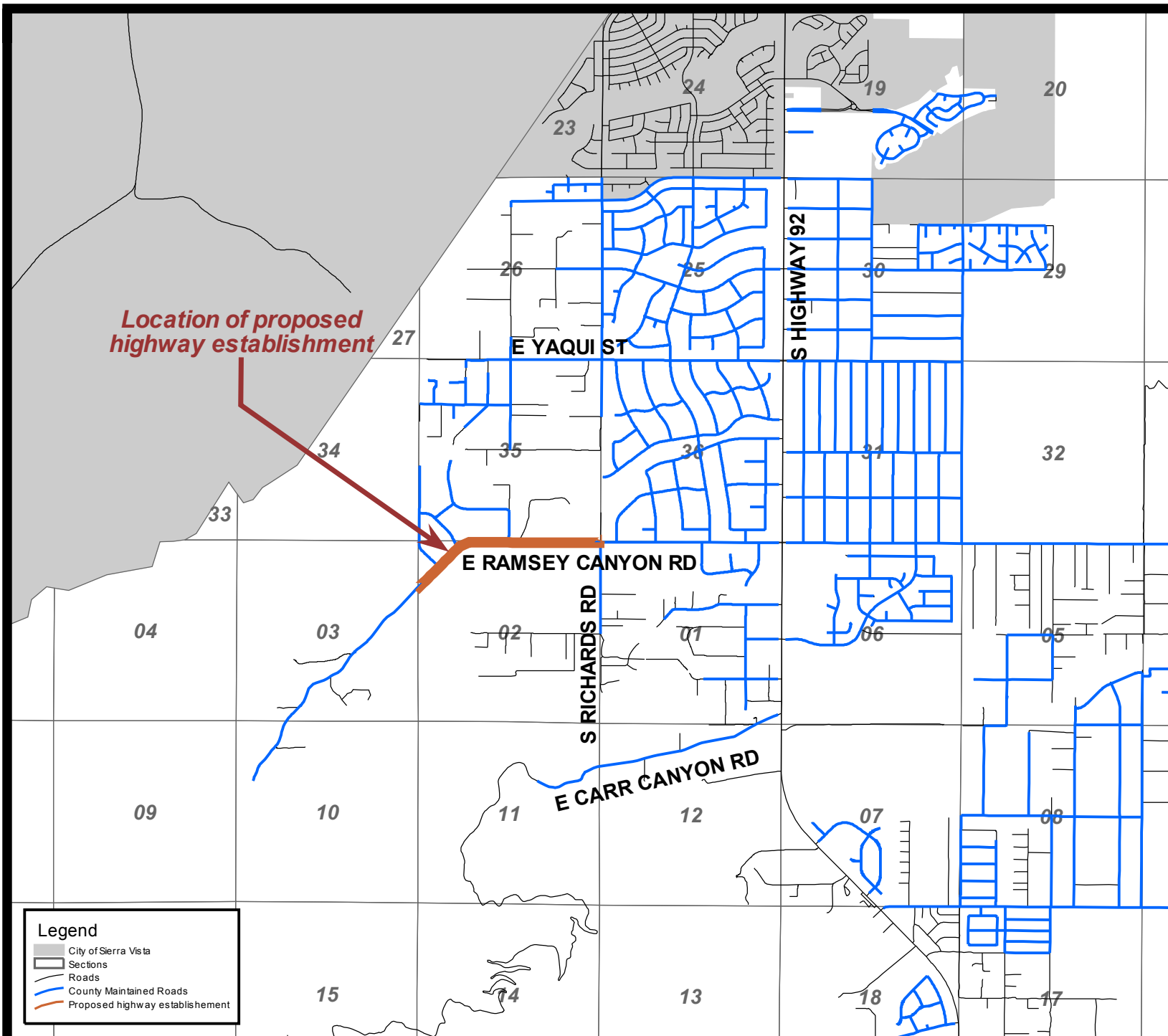


Location of proposed Ramsey Canyon Multi-Use Path highway establishment

This map is a product of the
Cochise County GIS
Information Technology Dept.



0' 1" = 4000'



- Legend**
- City of Sierra Vista
 - Sections
 - Roads
 - County Maintained Roads
 - Proposed highway establishment

Regular Board of Supervisors Meeting

Meeting Date: 12/15/2015

Approve proposed settlement of a tax appeal

Submitted By: Catherine Barney, County Attorney

Department: County Attorney

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:

Approve the proposed tax appeal settlement in Sean v. Cochise County, ST2015-000007, now pending in the Arizona Tax Court, a division of the Superior Court of Arizona in Maricopa County.

Background:

Taxpayer filed a civil action in Arizona Tax Court, seeking a reduction in assessed value and a change in classification for three separate properties and for three separate tax years.

After inspecting the properties, reviewing the taxpayer's documentation and other market factors/comparables, the Assessor agrees that the properties' valuations should be adjusted and classifications changed for tax years 2011, 2012, and 2013. The Assessor recommended a settlement offer that adjusts the full cash values and limited property values, and changes the classifications as follows:

1. Assessor Parcel No. 107-65-060, located at 4228 S. Morning Glory Ct., Sierra Vista AZ:

TAX YEAR FROM TO

2011: FCV \$229,055 Legal Class 1 FCV \$229,055 Legal Class 4.2
LPV \$229,055 Legal Class 1 LPV \$229,044 Legal Class 4.2

2012: FCV \$216,073 Legal Class 1 FCV \$216,073 Legal Class 4.2
LPV \$210,447 Legal Class 1 LPV \$216,073 Legal Class 4.2

2013: FCV \$216,073 Legal Class 1 FCV \$216,073 Legal Class 4.2
LPV \$216,073 Legal Class 1 FCV \$216,073 Legal Class 4.2

2. Assessor Parcel No. 107-65-061, located at 4250 S. Morning Glory Ct, Sierra Vista, AZ:

TAX YEAR FROM TO

2011: FCV \$281,529 Legal Class 1 FCV \$281,529 Legal Class 4.2
LPV \$281,529 Legal Class 1 LPV \$281,515 Legal Class 4.2

2012: FCV \$266,408 Legal Class 1 FCV \$266,408 Legal Class 4.2
LPV \$259,471 Legal Class 1 LPV \$266,408 Legal Class 4.2

2013: FCV \$266,408 Legal Class 1 FCV \$266,408 Legal Class 4.2
LPV \$266,408 Legal Class 1 FCV \$266,408 Legal Class 4.2

3. Assessor Parcel No. 107-65-062, located at 4266 S. Morning Glory Ct., Sierra Vista, AZ:

TAX YEAR FROM TO

2011: FCV \$262,057 Legal Class 1 FCV \$262,057 Legal Class 4.2
LPV \$262,057 Legal Class 1 LPV \$262,044 Legal Class 4.2

2012: FCV \$249,243 Legal Class 1 FCV \$249,243 Legal Class 4.2
LPV \$242,753 Legal Class 1 LPV \$249,243 Legal Class 4.2

2013: FCV \$249,243 Legal Class 1 FCV \$249,243 Legal Class 4.2
LPV \$249,243 Legal Class 1 FCV \$249,243 Legal Class 4.2

The taxpayer has accepted the settlement offer.

Fiscal Impact & Funding Sources: Not applicable, no funding sources are required. Fiscal impact will be a slight reduction in the tax base.

Department's Next Steps (if approved):

Upon approval by the Board, Counsel for the County will sign a stipulation for entry of Judgment that has already been signed by the taxpayer, and will submit a form of Judgment to the Arizona Tax Court disposing of this matter pursuant to the settlement terms.

Impact of NOT Approving/Alternatives:

Should the Board not approve the proposed settlement, the County will be subject to additional litigation and associated fees and costs. In addition, the Arizona Tax Court could rule in the taxpayer's favor, thereby reducing the assessed value of the subject property even further and subjecting the County to paying the Plaintiff's fees and costs.

To BOS Staff: Document Disposition/Follow-Up:

Advise County Attorney's Office - Civil Division upon Board's approval.

Attachments

No file(s) attached.

Regular Board of Supervisors Meeting**Elections and Special Districts****Meeting Date:** 12/15/2015

Approve appointment of Democratic Precinct Committeemen

Submitted By: Martha Rodriguez, 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. 16-821(B)**Information****Agenda Item Text:**

Approve the appointment as precinct committee persons for the Democratic Party upon the recommendation of the Party Chair: Precinct 01- BE Benson: Mark A. Suagee; Precinct 06 - BI Warren: Carol A. Taylor; Precinct 04 - BI Bisbee: Matthew N. Levy; Precinct 05 - BI Don Luis: Steve A. Foss; Precinct 27 - SV Buffalo Soldier: Karl J. Hallsten; Precinct 28 - SV Busby: Patricia A. Hickey; Precinct 33 - SV Estates: David William Satterlee; Precinct 39 - SV Soldier Creek: Rita T. Hall; Precinct 44 - Tombstone: Christopher D. Askey.

Background:

Appointment requested by Cochise County Democratic Party Chair and verified as eligible by Cochise County Elections Department (see attached forms). Note this request included one person; whose address didn't match voter registration files, this was discussed with the Party Chair on 12-1-2015, it was determined that voter registration file was correct.

Department's Next Steps (if approved):

Prepare letter to approved Precinct Committeepersons w/ copy to Party Chair. Create file for approved Precinct Committee Person and update list/post on website.

Impact of NOT Approving/Alternatives:

Vacancies will exist in these positions.

To BOS Staff: Document Disposition/Follow-Up:

BOS staff to notify Elections of outcome of BOS decision on item.

Attachments

PC Request & Verification Forms

October 15, 2015

RECEIVED NOV 25 2015

Cochise County Democratic Committee
P.O. Box 3233
Sierra Vista, AZ 85636

Cochise County Supervisors and Cochise County Elections Department
1415 Melody Lane, Building A
Bisbee, AZ 85603

Supervisors/Elections:

Please appoint the persons on the attached PC appointment forms as Precinct
Committee Persons for the Cochise County Democratic Committee.

Thank you,

A handwritten signature in black ink, appearing to read 'Sharon Thomas', with a stylized, cursive script.

Sharon Thomas, Chair
Cochise County Democratic Committee
520.458.9467
522 W. Fry Blvd. Sierra Vista
P.O. Box 3233, Sierra Vista, 85636
cochisecodems@gmail.com
www.cochisedemocrats.com



PRECINCT COMMITTEE PERSON VERIFICATION FORM

NAME: Mark A. Suager

ADDRESS: 374 W. Duane St, Benson AZ 85602-6812

P.O. Box 1074 Benson AZ 85602-1074

PARTY: Dem

PRECINCT: 01 BE Benson

NUMBER OF PRECINCT COMMITTEE PERSONS NEEDED: 4

NUMBER OF CURRENT PRECINCT COMMITTEE PERSONS : 1

APPROVE APPOINTMENT: ✓

DO NOT APPROVE APPOINTMENT:

DATE: 11-30-15

BY: Martha Rodriguez



*Cochise
County*

DEMOCRATS

Cochise County Democratic Committee
1234 East Fry Blvd. Sierra Vista, AZ

Sharon Thomas, Chair
520.458.9467

cochisecodems@gmail.com
PO Box 3233 Sierra Vista, AZ

**APPOINTMENT, REMOVAL, AND/OR RESIGNATION FORM FOR
PRECINCT COMMITTEE PERSONS**

To: Cochise County Elections Department
1415 Melody Lane, Building A
Bisbee, AZ 85603

Voter ID 0200056188

Last Name Swagsee First Name Mark MI A

Voting Address 374 W Duane St.

City Benson Zip 85602-6812

Mailing Address PO Box 1074

City Benson Zip 85602-1074

Phone(s) 520.586.9153 Email _____

Precinct No. _____ Precinct Name Bu Benson

Congressional District 2 Legislative District 14 Supervisor District 3/Searle

☒ Please CERTIFY the following person as a DEMOCRAT Precinct Committee person to be appointed to fill a vacancy.

_____ Please REMOVE the following person as a Precinct Committeeperson for the following Reason:

Signature, Chairwoman

Date

CCDC Use Only

Checked:

Democratic Registration _____

Voting Address _____

Election Department Use Only

Board Meeting Date: 12-15-15

Initials: MSR

Entered on System: _____



PRECINCT COMMITTEE PERSON VERIFICATION FORM

(ANN)

NAME: Carol A. Taylor

ADDRESS: 103 West Vista

Bisbee AZ 85603-1814

PARTY: Dem

PRECINCT: 06 Bl Warren

NUMBER OF PRECINCT COMMITTEE PERSONS NEEDED: 6

NUMBER OF CURRENT PRECINCT COMMITTEE PERSONS : 1

APPROVE APPOINTMENT: ✓

DO NOT APPROVE APPOINTMENT:

DATE: 11-30-15

BY: Martha Rodriguez

Addresses don't match

12-1-15

Spoke with Sharon Thomas, Party Chair. go with VOTER
REG Address.



Cochise County

DEMOCRATS

Cochise County Democratic Committee
1234 East Fry Blvd. Sierra Vista, AZ

Sharon Thomas, Chair
520.458.9467

cochisecodems@gmail.com
PO Box 3233 Sierra Vista, AZ

APPOINTMENT, REMOVAL, AND/OR RESIGNATION FORM FOR PRECINCT COMMITTEE PERSONS

To: Cochise County Elections Department
1415 Melody Lane, Building A
Bisbee, AZ 85603

Voter ID 0200102787

Last Name TAYLOR First Name CAROL MI A

Voting Address 101 W. VISTA 103 W. VISTA
City BISBEE Zip 85603-1814

Mailing Address SAME
City _____ Zip _____

Phone(s) 520-432-9099 Email Sphinxmoth@g.com

Precinct No. _____ Precinct Name BiWarven

Congressional District 2 Legislative District 14 Supervisor District 2 / English

☒ Please CERTIFY the following person as a DEMOCRAT Precinct Committee person to be appointed to fill a vacancy.

_____ Please REMOVE the following person as a Precinct Committeeperson for the following Reason:

Signature, Chairwoman

Date

CCDC Use Only

Checked:

Democratic Registration _____

Voting Address _____

Election Department Use Only

Board Meeting Date: 12-15-15

Initials: MYR

Entered on System: _____

Registrant Information Card

Registrant # 0200102787

TAYLOR, CAROL ANN

103 WEST VISTA
BISBEE, AZ 85603-1814

Status ACTIVE

Status Reason VALID REGISTRATION

Registration Date 11/09/2010

How Reg MOTOR VEHICLE - INTE

MAILING ADDRESS

Precinct BI WARREN SD02 WARD 2

Birth Date 10/10/1961

Party DEMOCRATIC

Reg Source MOTOR VEHICLE OFFICE

Voter Needs Assistance

FALSE YES

FALSE

FALSE

FALSE TAYLOR

FALSE

FALSE

FALSE

FALSE 7567243

FALSE

Signature of Voter

Registrant Receipt

Registrant # 0200102787

TAYLOR, CAROL ANN

103 WEST VISTA
BISBEE, AZ 85603-1814

Status ACTIVE

Status Reason VALID REGISTRATION

Registration Date 11/9/2010

How Reg MOTOR VEHICLE - INTE

MAILING ADDRESS

Precinct BI WARREN SD02 WARD 2

Birth Date 10/10/1961

Party DEMOCRATIC

Reg Source MOTOR VEHICLE OFFICE

Voter Needs Assistance

FALSE YES

FALSE

FALSE

FALSE TAYLOR

FALSE

FALSE

FALSE

FALSE 7567243

FALSE

Signature of Voter



PRECINCT COMMITTEE PERSON VERIFICATION FORM

NAME: Matthew N. Levy

ADDRESS: 737 C Tombstone Cyn

P.O. Box 1205 Bisbee AZ 85603

PARTY: Dem

PRECINCT: 04 B1 Bisbee

NUMBER OF PRECINCT COMMITTEE PERSONS NEEDED: 7

NUMBER OF CURRENT PRECINCT COMMITTEE PERSONS : 3

APPROVE APPOINTMENT: ✓

DO NOT APPROVE APPOINTMENT:

DATE: 11-30-15

BY: Martha Rodriguez

DEMOCRATS

Cochise County Democratic Committee
1234 East Fry Blvd. Sierra Vista, AZ

Sharon Thomas, Chair
520.458.9467

cochisecodems@gmail.com
PO Box 3233 Sierra Vista, AZ

APPOINTMENT, REMOVAL, AND/OR RESIGNATION FORM FOR PRECINCT COMMITTEE PERSONS

To: Cochise County Elections Department
1415 Melody Lane, Building A
Bisbee, AZ 85603

Voter ID 020007B419

Last Name LEVY First Name Matthew MI N.

Voting Address 737C Tombstone Canyon / P.O. Box 1205
City Bisbee Zip 85603

Mailing Address P.O. Box 1205
City Bisbee Zip 85603

Phone(s) 510-356-8313 Email Matt n Levy@yahoo.com

Precinct No. 0401 Precinct Name B1 Bisbee

Congressional District 2 Legislative District 14 Supervisor District 2 (English)

☒ Please CERTIFY the following person as a DEMOCRAT Precinct Committee person to be appointed to fill a vacancy.

☐ Please REMOVE the following person as a Precinct Committeeperson for the following Reason:

Signature, Chairwoman

Date

CCDC Use Only

Checked:

Democratic Registration _____

Voting Address _____

Election Department Use Only

Board Meeting Date: 12-15-15

Initials: LMH

Entered on System: _____



PRECINCT COMMITTEE PERSON VERIFICATION FORM

NAME: Steve A. Foss

ADDRESS: 7 S. Naco Hwy

P.O. Box 1103 Bisbee AZ 85603

PARTY: Dem

PRECINCT: 05 Bi Don Luis

NUMBER OF PRECINCT COMMITTEE PERSONS NEEDED: 7

NUMBER OF CURRENT PRECINCT COMMITTEE PERSONS : 3

APPROVE APPOINTMENT: ✓

DO NOT APPROVE APPOINTMENT:

DATE: 11-30-15

BY: Martha Rodriguez



Cochise County

DEMOCRATS

Cochise County Democratic Committee
1234 East Fry Blvd. Sierra Vista, AZ

Sharon Thomas, Chair
520.458.9467

cochisecodems@gmail.com
PO Box 3233 Sierra Vista, AZ

APPOINTMENT, REMOVAL, AND/OR RESIGNATION FORM FOR PRECINCT COMMITTEE PERSONS

To: Cochise County Elections Department
1415 Melody Lane, Building A
Bisbee, AZ 85603

Voter ID 0200070068

Last Name Foss First Name Steve (Stephen) MI A

Voting Address P.O. Box 1103 / 7 S. Naco Hwy
City Bisbee Zip 85603

Mailing Address Same PO Box 1103
City Bisbee Zip 85603-2103

Phone(s) 520-236-9121 Email steve.foss@steve7@gmail.com

Precinct No. 50 Precinct Name B1/Bisbee

Congressional District 2 Legislative District 14 Supervisor District English/dist 2

☒ Please CERTIFY the following person as a DEMOCRAT Precinct Committee person to be appointed to fill a vacancy.

☐ Please REMOVE the following person as a Precinct Committeeperson for the following Reason:

[Signature] 26 Sept. '15
Signature, Chairwoman Date

CCDC Use Only

Checked:

Democratic Registration _____

Voting Address _____

Election Department Use Only

Board Meeting Date: 12-15-15

Initials: MP

Entered on System: _____



PRECINCT COMMITTEE PERSON VERIFICATION FORM

NAME: Karl. J. Hallsten

ADDRESS: 2758 Raven Dr.

Sierra Vista, AZ 85650

PARTY: DEM

PRECINCT: 27 SV Buffalo Soldier

NUMBER OF PRECINCT COMMITTEE PERSONS NEEDED: 5

NUMBER OF CURRENT PRECINCT COMMITTEE PERSONS : 2

APPROVE APPOINTMENT: ✓

DO NOT APPROVE APPOINTMENT:

DATE: 11-30-15

BY: Martha Rodriguez



*Cochise
County*

DEMOCRATS

Cochise County Democratic Committee
1234 East Fry Blvd. Sierra Vista, AZ

Sharon Thomas, Chair
520.458.9467

cochisecodems@gmail.com
PO Box 3233 Sierra Vista, AZ

**APPOINTMENT, REMOVAL, AND/OR RESIGNATION FORM FOR
PRECINCT COMMITTEE PERSONS**

To: Cochise County Elections Department
1415 Melody Lane, Building A
Bisbee, AZ 85603

0200044609

Voter ID _____

Last Name Kate Halsten First Name Kate MI J

Voting Address 2758 Raven Dr.

City Sierra Vista Zip 85650-7501

Mailing Address Same

City _____ Zip _____

Phone(s) 520-678-5544 Email goodstoryteller@cox.net

Precinct No. _____ Precinct Name SV Buffalo Soldier

Congressional District 2 Legislative District 14 Supervisor District 1 / call

☒ Please CERTIFY the following person as a DEMOCRAT Precinct Committee person to be appointed to fill a vacancy.

_____ Please REMOVE the following person as a Precinct Committeeperson for the following Reason:

Signature, Chairwoman _____

Date _____

CCDC Use Only

Checked: _____

Democratic Registration _____

Voting Address _____

Election Department Use Only

Board Meeting Date: 12-15-15

Initials: WJR

Entered on System: _____



PRECINCT COMMITTEE PERSON VERIFICATION FORM

NAME: Patricia A. Hickey

ADDRESS: 71 Witt Dr

Sierra Vista AZ 85635

PARTY: Dem

PRECINCT: 28 SV Busby

NUMBER OF PRECINCT COMMITTEE PERSONS NEEDED: 5

NUMBER OF CURRENT PRECINCT COMMITTEE PERSONS : 2

APPROVE APPOINTMENT: ✓

DO NOT APPROVE APPOINTMENT:

DATE: 11-30-15

BY: Martha Rodriguez



*Cochise
County*

DEMOCRATS

Cochise County Democratic Committee
1234 East Fry Blvd. Sierra Vista, AZ

Sharon Thomas, Chair
520.458.9467

cochisecondems@gmail.com
PO Box 3233 Sierra Vista, AZ

**APPOINTMENT, REMOVAL, AND/OR RESIGNATION FORM FOR
PRECINCT COMMITTEE PERSONS**

To: Cochise County Elections Department
1415 Melody Lane, Building A
Bisbee, AZ 85603

Voter ID 0200039874

Last Name Hickey First Name Patricia MI A

Voting Address 71 Witt Dr.

City Sierra Vista Zip 85635-3130

Mailing Address Same

City _____ Zip _____

Phone(s) 520.459.1054 Email _____

Precinct No. _____ Precinct Name SV Busby

Congressional District 2 Legislative District 14 Supervisor District 3 / Searle

☒ Please CERTIFY the following person as a DEMOCRAT Precinct Committee person to be appointed to fill a vacancy.

☐ Please REMOVE the following person as a Precinct Committeeperson for the following Reason:

Signature, Chairwoman

Date

CCDC Use Only

Checked:

Democratic Registration _____

Voting Address _____

Election Department Use Only

Board Meeting Date: 12-15-15

Initials: WSP

Entered on System: _____



PRECINCT COMMITTEE PERSON VERIFICATION FORM

NAME: David William Satterlee

ADDRESS: 4401 E. Camino Segundo

Sierra Vista AZ 85650-9449

PARTY: Dem

PRECINCT: 33 SV Estates

NUMBER OF PRECINCT COMMITTEE PERSONS NEEDED: 4

NUMBER OF CURRENT PRECINCT COMMITTEE PERSONS : 2

APPROVE APPOINTMENT: ✓

DO NOT APPROVE APPOINTMENT:

DATE: 11-30-15

BY: Martha Rodriguez



Cochise County

DEMOCRATS

Cochise County Democratic Committee
1234 East Fry Blvd. Sierra Vista, AZ

Sharon Thomas, Chair
520.458.9467

cochisecodems@gmail.com
PO Box 3233 Sierra Vista, AZ

APPOINTMENT, REMOVAL, AND/OR RESIGNATION FORM FOR PRECINCT COMMITTEE PERSONS

To: Cochise County Elections Department
1415 Melody Lane, Building A
Bisbee, AZ 85603

Voter ID 6200127130

Last Name Satterlee First Name David MI W

Voting Address 4401 E. Camino Segundo

City Sierra Vista, AZ Zip 85650-9449

Mailing Address same

City _____ Zip _____

Phone(s) _____ Email _____

Precinct No. _____ Precinct Name SV Estates

Congressional District 2 Legislative District 14 Supervisor District 2 / English

☒ Please CERTIFY the following person as a DEMOCRAT Precinct Committee person to be appointed to fill a vacancy.

_____ Please REMOVE the following person as a Precinct Committeeperson for the following Reason:

Signature, Chairwoman

Date

CCDC Use Only

Checked:

Democratic Registration _____

Voting Address _____

Election Department Use Only

Board Meeting Date: 12-15-15

Initials: MD

Entered on System: _____



PRECINCT COMMITTEE PERSON VERIFICATION FORM

NAME: Rita T. Hall

ADDRESS: 200 N. Canyon Dr. #14

Sierra Vista, AZ 85635

PARTY: Dem

PRECINCT: 39 SV Soldier Creek

NUMBER OF PRECINCT COMMITTEE PERSONS NEEDED: 6

NUMBER OF CURRENT PRECINCT COMMITTEE PERSONS: 4

APPROVE APPOINTMENT: ✓

DO NOT APPROVE APPOINTMENT:

DATE: 12-1-15

BY: Martha Rodriguez

12-1-15

Talked to Sharon Thomas, Party Chair & Christene Rhodes, Recorder. The correct address is 200 N. Canyon Dr #14 Sierra Vista. Good to appoint.



*Cochise
County*

DEMOCRATS

Cochise County Democratic Committee
1234 East Fry Blvd. Sierra Vista, AZ

Sharon Thomas, Chair
520.458.9467

cochisecodems@gmail.com
PO Box 3233 Sierra Vista, AZ

**APPOINTMENT, REMOVAL, AND/OR RESIGNATION FORM FOR
PRECINCT COMMITTEE PERSONS**

To: Cochise County Elections Department
1415 Melody Lane, Building A
Bisbee, AZ 85603

502-335-6771

Voter ID 0200 126879
Last Name Hall First Name Rita MI T
Voting Address 200 W Canyon #14
City SU AZ Zip 85635
Mailing Address SAME
City _____ Zip _____

Phone(s) _____ Email _____
Precinct No. 3903 Precinct Name 3903 SU Soldier Creek
Congressional District 2 Legislative District 14 Supervisor District 3 / search
☒ Please CERTIFY the following person as a DEMOCRAT Precinct Committee person to be appointed
to fill a vacancy.

____ Please REMOVE the following person as a Precinct Committeeperson for the following Reason:

Signature, Chairwoman

Date

CCDC Use Only

Checked:

Democratic Registration _____

Voting Address _____

Election Department Use Only

Board Meeting Date: 12-15-15

Initials: MT

Entered on System: _____



PRECINCT COMMITTEE PERSON VERIFICATION FORM

NAME: Christopher D. Askey

ADDRESS: 2546 E. Roadrunner Ridge

Tombstone AZ 85638

PARTY: DEM.

PRECINCT: 44 Tombstone

NUMBER OF PRECINCT COMMITTEE PERSONS NEEDED: 4

NUMBER OF CURRENT PRECINCT COMMITTEE PERSONS : 0

APPROVE APPOINTMENT: ✓

DO NOT APPROVE APPOINTMENT:

DATE: 11-30-2015

BY: Martha Rodriguez

DEMOCRATS

Cochise County Democratic Committee
1234 East Fry Blvd. Sierra Vista, AZ

Sharon Thomas, Chair
520.458.9467

cochiseccodems@gmail.com
PO Box 3233 Sierra Vista, AZ

APPOINTMENT, REMOVAL, AND/OR RESIGNATION FORM FOR PRECINCT COMMITTEE PERSONS

To: Cochise County Elections Department
1415 Melody Lane, Building A
Bisbee, AZ 85603

Voter ID 0200105516

Last Name ASKEY First Name CHRISTOPHER MI D

Voting Address 2546 E ROAD RUNNER RIDGE

City TOMBSTONE AZ Zip 85638

Mailing Address SAME

City _____ Zip _____

Phone(s) 520-224-4833 Email CHRIS.DASKEY@GMAIL.COM

Precinct No. 4405 Precinct Name Tombstone

Congressional District 2 Legislative District 14 Supervisor District 2 (English)

☒ Please CERTIFY the following person as a DEMOCRAT Precinct Committee person to be appointed to fill a vacancy.

_____ Please REMOVE the following person as a Precinct Committeeperson for the following Reason:

Signature, Chairwoman

Date

CCDC Use Only

Checked:

Democratic Registration _____

Voting Address _____

Election Department Use Only

Board Meeting Date: 12-15-15

Initials: CMR

Entered on System: _____

Regular Board of Supervisors Meeting

Meeting Date: 12/15/2015

Demands

Submitted By: Kim Lemons, Board of Supervisors

Department: Board of Supervisors

Presentation: No A/V Presentation

Document Signatures:

Recommendation:

of ORIGINALS

Submitted for Signature:

NAME n/a

TITLE n/a

of PRESENTER:

of PRESENTER:

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.

Budget Information

Information about available funds

Budgeted: ☐

Funds Available: ☐

Amount Available:

Unbudgeted: ☐

Funds NOT Available: ☐

Amendment: ☐

Account Code(s) for Available Funds

1:

Fund Transfers

Attachments

No file(s) attached.

**Public Hearings 8.
Board of Supervisors**

Regular Board of Supervisors Meeting

Meeting Date: 12/15/2015

Ordinance 048-15 amending fee schedules to provide for a standardized cost of copying and electronic media for purposes of public records requests

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 Britt Hanson
of PRESENTER:

TITLE Chief Civil Deputy Attorney
of PRESENTER:

Mandated Function?:

**Source of Mandate
or Basis for Support?:**

Information

Agenda Item Text:

Adopt Ordinance 48-15 amending fee schedules to provide for a standardized cost of copying and electronic media for purposes of public records requests.

Background:

Ordinance 038-09 was adopted on March 24, 2009 establishing a standardized cost of copying and electronic media for purposes of public records requests. In 2015, the County Financial Services Director has recalculated an average cost of making copies and electronic media, as set forth on Exhibit A attached hereto. These fees will supersede the previous ordinance.

The Public Notice was published on November 30, 2015 in the Sierra Vista Herald noting the December 15, 2015 meeting date.

Department's Next Steps (if approved):

Publish Ordinance per statute 11-251.05.

Impact of NOT Approving/Alternatives:

Departments will continue to charge the 2009 adopted rates.

To BOS Staff: Document Disposition/Follow-Up:

Publish Ordinance in newspaper; Record Ordinance scan and file in Board Office.

Budget Information

Information about available funds

Budgeted: ☐

Funds Available: ☐

Amount Available:

Unbudgeted: ☐

Funds NOT Available: ☐

Amendment: ☐

Account Code(s) for Available Funds

1:

Fund Transfers

Attachments

Ordinance

Exhibit A

Public Notice

ORDINANCE 48-15

ADOPTING AN ORDINANCE AMENDING FEE SCHEDULES TO PROVIDE FOR A STANDARDIZED COST OF COPYING AND ELECTRONIC MEDIA FOR PURPOSES OF PUBLIC RECORDS REQUESTS

WHEREAS, ARS § 11-251.08 gives the Cochise County Board of Supervisors the authority to charge fees for services sufficient to cover costs and ARS § 39-121 et. seq. gives the Board authority to charge costs of providing copies and electronic media in response to public records requests (such copies and electronic media are hereinafter referred to as "documents"; and

WHEREAS, County Departments and Offices charge varying rates for providing documents in response to public records; and

WHEREAS, some County Departments and Offices have put the costs charged to the public for documents in Board-approved fee schedules and County ordinances enacted pursuant to ARS § 11-251.05; and

WHEREAS, the Board desires to standardize the costs charged for providing documents to the public; and

WHEREAS, the County Financial Services Director has calculated an average cost of making copies and electronic media, as set forth on Exhibit A attached hereto; and

WHEREAS, based on said calculations, the Board believes that it is fair and equitable to charge \$0.50 per page for black and white copies, \$0.50 per page for each hard copy page that is scanned or converted into electronic format, \$0.55 per page for color copies, and \$6.50 per thumb drive, \$8.50 for a compact disc, and \$10.00 for the County's budget disc;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF COCHISE COUNTY, ARIZONA THAT

A. Departments and Offices shall charge \$0.50 per page for black and white copies, \$0.50 per page for each hard copy page that is scanned or converted into electronic format, \$0.55 per page for color copies, and \$6.50 per thumb drive, \$8.50 for a compact disc, and \$10.00 for the County's budget disc;

B. This Ordinance shall be deemed to amend any other fee schedule or ordinance that is inconsistent with the charges set forth herein.

PASSED AND ADOPTED BY THE BOARD OF SUPERVISORS OF COCHISE COUNTY,
ARIZONA, THIS 15th DAY OF DECEMBER, 2015.

Richard Searle, Chairman
Cochise County Board of Supervisors

ATTEST:

APPROVED AS TO FORM:

Arlethe Rios
Clerk of the Board

Britt Hanson
Chief Civil Deputy Attorney

Copy/Scanning/Converting Documents Costs

Average Salary Base	Hourly	\$ 17.02
FICA		\$ 1.30
Retirement		\$ 1.95
W/C		\$ 0.03
Health		\$ 2.99
Salary/Benefits	Hourly	\$ 23.29
Cost Per Min.		\$ 0.3882

Overhead	25.6119%
-----------------	-----------------

Copies:

		BW	Color
Description	Unit	Cost	Cost
Per Copy Charge	Page	\$ 0.0050	\$ 0.0450
Machine Rental Charge	Per 1 Min	\$ 0.0002	\$ 0.0002
Paper	Page	\$ 0.0074	\$ 0.0074
Salary/Benefits	1 Minute	\$ 0.3882	\$ 0.3882
Overhead	25.6119% of Sal & Ben	\$ 0.0994	\$ 0.0994
Cost Per Page Copied		\$ 0.5002	\$ 0.5402

CDs:

Description	Unit	Cost
Machine Charge	20 minutes	\$ 0.0041
CD	Each	\$ 0.4546
Salary/Benefits	20 Minutes	\$ 7.7644
Overhead	25.6119% of Sal & Ben	\$ 1.9886
Cost Per CD		\$ 8.2232

Scan:

Description	Unit	Cost
Machine Charge	Per minute	\$ 0.0002
Salary/Benefits	1 Minute	\$ 0.3882
Overhead	25.6119% of Sal & Ben	\$ 0.0994
Cost Per Page Scanned		\$ 0.4879

Public Notice

Pursuant to A.R.S. 11-251.08, the general public is hereby notified that the Cochise County Board of Supervisors will hold a public hearing on December 15, 2015 at 10:00 a.m. to adopt an Ordinance amending fee schedules to provide for a standardized cost of copying and electronic media for purposes of Public Records Requests.

This hearing will be held at the Cochise County Board of Supervisors Hearing Room, 1415 Melody Lane, Building G, Bisbee, Arizona 85603. This building is accessible by handicapped individuals.

Information is available with the Clerk of the Board by calling 520-432-9200 or by mail, Attention: Arlethe G. Rios, Clerk of the Board, Cochise County Board of Supervisors, 1415 Melody Lane Bisbee, Arizona 85603 or via e-mail at arios@cochise.az.gov.

Dated this 30th day of November, 2015
Arlethe G. Rios, Clerk of the Board

Regular Board of Supervisors Meeting

Board of Supervisors

Meeting Date: 12/15/2015

Transfer of Tax Deed Parcel on James Ranch Road to City of Douglas

Submitted By: Britt Hanson, County Attorney

Department: County Attorney

Presentation: No A/V Presentation **Recommendation:** Approve

Document Signatures: BOS Signature Required **# of ORIGINALS Submitted for Signature:** 1

NAME of PRESENTER: Britt Hanson **TITLE of PRESENTER:** Chief Civil Deputy, CAO

Docket Number (If applicable):

Mandated Function?: Not Mandated **Source of Mandate or Basis for Support?:**

Information

Agenda Item Text:

Approve transfer of five acre parcel 408-34-008 on James Ranch Road to the City of Douglas Pursuant to A.R.S. § 42-18303(E).

Background:

In February, 2015, a ten acre parcel on James Ranch Road, Tax Parcel # 408-34-008, was deeded by the County Treasurer to the State for failure to pay taxes for over 5 years. This parcel is located on the Arizona-Mexico border and is adjacent to James Ranch Road.

The City of Douglas has been exploring a route for a new port of entry, and has been focusing on a route that would use James Ranch Road to access Highway 80 on the Arizona side of the port. The City is thus interested in acquiring the subject parcel for possible right-of-way for access from the port of entry to Highway 80.

Pursuant to A.R.S. § 42-18303, the County ordinarily auctions parcels deeded to the State for failure to pay taxes. However, pursuant to § 42-18303(E), as an exception, the County can transfer such a parcel to a city "for a public purpose related to transportation." Given the City's potential use of this parcel for right-of-way, this parcel qualifies for a transfer pursuant to subsection E.

Accordingly, staff has recommended transfer of half of the parcel--5 acres adjacent to James Ranch Road--to the City of Douglas. The other half will be separately auctioned. Highways Right-of-Way Agent Terry Couchenour has prepared the legal description splitting the parcel into two separate 5 acre parcels.

Department's Next Steps (if approved):

Execute a deed for the 5 acre parcel. Later, at a time and date to be determined, auction the other half of the tax parcel.

Impact of NOT Approving/Alternatives:

The City of Douglas would not have this parcel to use as right-of-way for access from a future port of entry to Highway 80 along James Ranch Road.

To BOS Staff: Document Disposition/Follow-Up:

Have the Chair execute the draft deed and record it, then ensure that the recorded deed is sent to the City of Douglas through the City Clerk with notice to City Manager Carlos de la Torre.

Attachments

Deed - James Ranch Road

WHEN RECORDED MAIL TO:

City of Douglas
425 East 10th Street
Douglas, AZ 85607

**Exempt from affidavit pursuant to
A.R.S. § 11-1134.A.3**

**DEED FOR LAND HELD BY THE
STATE OF ARIZONA UNDER TAX DEED**

WHEREAS, the Board of Supervisors, Cochise County, Arizona, is authorized by A.R.S. § 42-18301 et. seq. to sell real estate parcels that are held by the State under tax deed; and,

WHEREAS, tax parcel number 408-34-008 was conveyed to the State by Treasurer's Deed 2015-03307 as filed in the office of the Cochise County Recorder; and,

WHEREAS, pursuant to A.R.S. § 42-18303, the Board of Supervisors has received an offer from the City of Douglas, Arizona, to buy a portion of tax parcel number 408-34-008, consisting of five (5) acres more or less, for a public purpose related to transportation, the legal description for that portion offered is attached hereto as Exhibit A and Exhibit A-1 (hereinafter the "Parcel"); and,

WHEREAS, on the ____ day of _____, 2015, the Board of Supervisors held a meeting to consider all comments regarding this offer, and having determined that the offer to buy the Parcel for transportation development by the City of Douglas is in the public interest.

NOW, THEREFORE, for One Dollar (\$1.00) and other valuable consideration, receipt of which is hereby acknowledged, the Board of Supervisors, Cochise County, Arizona, does hereby convey the Parcel to the City of Douglas, Arizona.

IN WITNESS WHEREOF, Richard Searle, Chairman, and Arlethe Rios, Clerk of the Board of Supervisors, Cochise County, Arizona, have hereunto set their hands and seal in accordance with the laws of the State of Arizona and by the direction of said Board of Supervisors this ____ day of _____, 2015.

GRANTOR:

Richard Searle, Chairman
Board of Supervisors
Cochise County, Arizona

Arlethe Rios,
Clerk of the Board

GRANTEE:

Danny Ortega, Jr., Mayor
City of Douglas, Arizona

STATE OF ARIZONA }
 : SS.
COUNTY OF COCHISE }

This instrument was acknowledged before me this _____ day of _____, 2015,
by Richard Searle, Chairman, Board of Supervisors, Cochise County, Arizona and Arlethe Rios,
Clerk of the Board, who then and there stated to me that each executed this deed for the purpose
therein expressed.

Notary

My commission expires:_____

STATE OF ARIZONA }
 : SS.
COUNTY OF COCHISE }

This instrument was acknowledged before me this _____ day of _____, 2015,
by Danny Ortega, Jr., Mayor, City of Douglas, Arizona, who then and there stated to me that
each executed this deed for the purpose therein expressed.

Notary

My commission expires:_____

Exhibit A

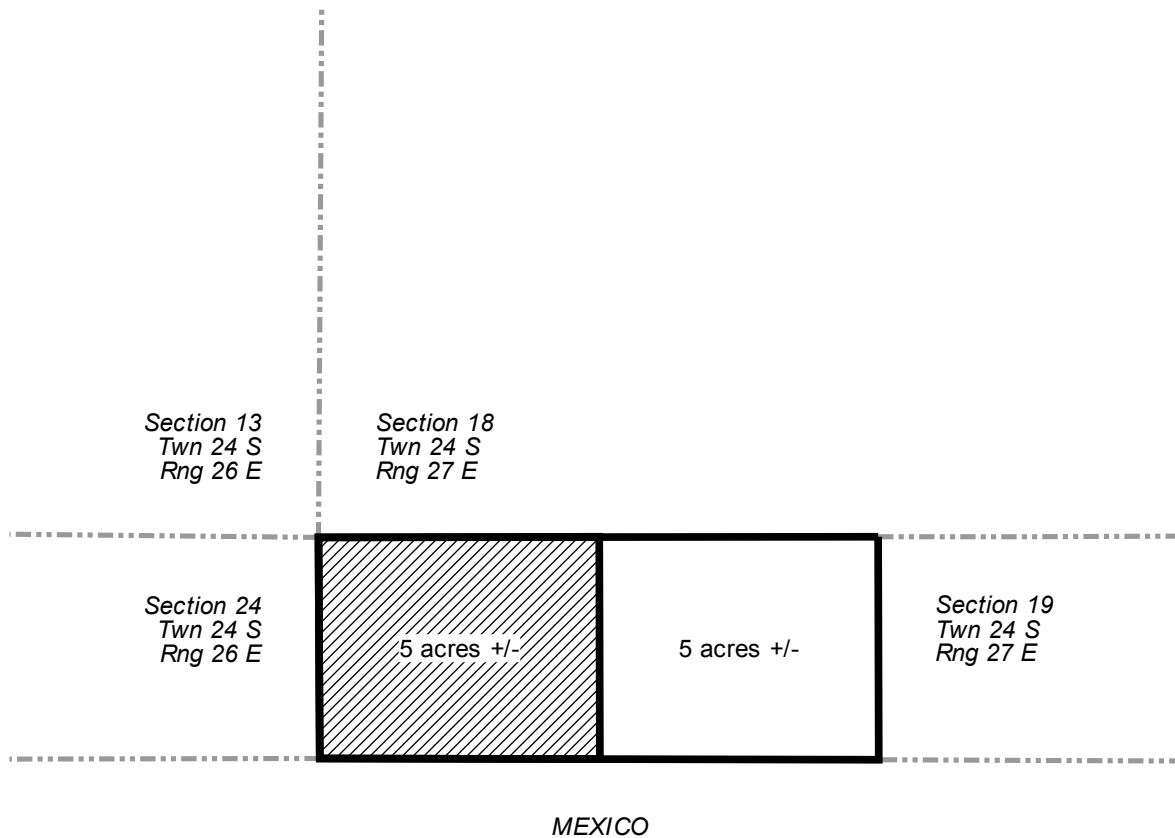
The west one-half, being five acres more or less, of the following:

Ten acres of land situated west of the City of Douglas, Cochise County, Arizona, and being ten acres off the west end of that certain homestead consisting of Lots 1, 2, 3 and 4, of Section 19; and Lots 1, 2, 3 and 4, of Section 20; and Lots 1, 2, 3 and 4, of Section 21; All in Township 24 South of Range 27 East of the Gila and Salt River Meridian, in Arizona, patented to J. M. French, and which said ten acres hereby conveyed was heretofore conveyed by said J. M. French to Wirt M. French, and by the said Wirt M. French to J. J. Benton, and by the said J. J. Benton to Frank Romer Benton, and by the said Frank Romer Benton to Frank Romer Benton Jr.

The east line of said west ten acres being parallel with the west line of Lot 4 of Section 19, Township 24 South, Range 27 East, Gila and Salt River Meridian, Cochise County, Arizona, as described in Deed of Real Estate Book 54 Page 358, Book 54 Page 527 and Book 55 Page 196, as filed in the office of the Cochise County Recorder.

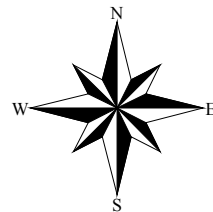
Exhibit A-1

**Depiction of the west one-half of a ten acre property, more or less,
within Section 19, Township 24 South, Range 27 East, G.&S.R.M.**



Reference documents:

Deed of Real Estate Book 51 Pages 429-430
(Patent for Section 19)
Deed of Real Estate Book 54 Pages 358-359
(Conveyance of property east of 10 acres)
Deed of Real Estate Book 54 Pages 527-529
(Conveyance of property east of 10 acres)
Deed of Real Estate Book 55 Pages 196-198
(Conveyance of property east of 10 acres)
Deed of Real Estate Book 72 Pages 527-528
(Conveyance of 10 acre property)
Deed of Real Estate Book 89 Page 555
(Conveyance of 10 acre property)
Docket 483 Page 16
(Conveyance of 10 acre property)
Docket 1255 Page 180
(Conveyance of 10 acre property)
Reception Number 2015-03307
(Conveyance of 10 acre property)



NTS

Board of Supervisors

Regular Board of Supervisors Meeting

Meeting Date: 12/15/2015

Over the Counter Sale

Submitted By: Arlethe Rios, Board of Supervisors

Department: Board of Supervisors

Presentation: No A/V Presentation

Document Signatures:

Recommendation:

of ORIGINALS

Submitted for Signature:

NAME Arlethe Rios

of PRESENTER:

TITLE Clerk of the Board

of PRESENTER:

Mandated Function?:

Source of Mandate
or Basis for Support?:

Information

Agenda Item Text:

Approve the over-the-counter sales of tax deed properties remaining unsold following the July 2015 online tax deed land auction and subsequent over-the-counter sales, as set forth in the attached Exhibit A, plus related administrative fees.

Background:

Following Board approval on September 15, 2015 of the July 2015 online land auction sales, staff posted the Unsold Parcels on the county's website and began accepting over-the-counter (OTC) bids.

Three OTC bids have been received and are reflected on the attached report; in addition, the bidders will pay a \$75 administrative fee. The bids and associated payments have been received by BOS office staff for the parcels listed on the report totaling \$4,065(\$3,915 for bids and \$150 in administrative fees - 2 bidders).

Acceptance of these bid brings the total YTD sales to \$106,917.30.

There are 141 parcels remaining for sale (see attached unsold parcels list).

Department's Next Steps (if approved):

Deposit checks and provide Sold Parcels list to County Treasurer; when funds clear, issue & record deeds.

Impact of NOT Approving/Alternatives:

Properties will not be sold and will not be put back on the County's tax roll.

To BOS Staff: Document Disposition/Follow-Up:

Refer to Dept's Next Steps, above.

Budget Information

Information about available funds

Budgeted: ☐Funds Available: ☐Amount Available: ☐

Unbudgeted: ☐

Funds NOT Available: ☐

Amendment: ☐

Account Code(s) for Available Funds

1:

Fund Transfers

Attachments

Exhibit A

Unsold Parcels as of 12.15.15

Unit #	Parcel #	Total Parcels	Legal Description	Bid	Minimum Bid	Acres	Zoning	Name	Type of Deed	Address	City, State, Zip Code	Bidders
72	40630260	1	CORONADO DEVELOPMENT AMENDED LOT 232	\$3,050.00	3,000.00	4.99	RU-4	Laura Miller & Bruce Postles	Joint Tenancy w/ Right of Survivorship	219 Van Dyke Street	Bisbee, AZ 85603	1
73	40613859	1	COCHISE COLLEGE PARK #11 LOT 4742	\$275.00	250.00	0.33	SR-12	Ruralland USA LLC		2489 Legion Street	Bellmore, NY 11710	1
74	40626336	1	COCHISE COLLEGE PARK #9 LOT 2907	\$295.00	250.00	0.34	SR-12	Ruralland USA LLC		2490 Legion Street	Bellmore, NY 11711	
	40777110	1	COCHISE COLLEGE EST LOT 134	\$295.00	250.00	0.39	SR-12	Ruralland USA LLC		2491 Legion Street	Bellmore, NY 11712	

\$3,915.00

Admin Fees \$75 x 2 bidders

\$150.00

Total

\$4,065.00