

**PROCEEDINGS OF THE  
COCHISE COUNTY BOARD OF SUPERVISORS SPECIAL MEETING  
HELD ON MONDAY, JULY 12, 2011 at 2:00 P.M.  
IN THE BOARD OF SUPERVISORS EXECUTIVE CONFERENCE ROOM  
LOCATED AT 1415 MELODY LANE, BUILDING G, BISBEE ARIZONA**

Chairman Call called the Special Meeting of the Board of Supervisors to order at 2:08 p.m. All three supervisors were present: Pat Call, Chairman; Ann English, Vice-Chairman; Richard Searle, Supervisor. Also attending were Mike Ortega, County Administrator; Jim Vlahovich, Deputy County Administrator; Mike Evans, Emergency Services Coordinator; Karen Riggs, County Engineer; Britt Hanson, Chief Civil Deputy County Attorney; Katie Howard, Clerk of the Board; and other County staff.

***ACTION***

**Board of Supervisors**

**ITEM 1**

Follow-up discussion and review by staff of Horseshoe II and Monument Fires and flood hazards related to the fires, including:

- Cochise County response and mitigation efforts;
- Staff review of the Burn Area Emergency Response (BAER) Assessment Reports for the Horseshoe 2 and Monument Fires;
- Staff recommendations / proposed response to the BAER Assessment Reports.

Using a PowerPoint Presentation, Mr. Ortega gave an update on County Activities based on guidelines from Forest Service:

- Emergency Services is tracking costs for reimbursement
  - Directed by Incident Team vs. Support Role
  - Will track flooding costs although not expecting reimbursement
  - State has not declared emergency for flooding
- P&Z Office at Huachuca Oaks Closed 7/8/11
  - 98 Permits issued
  - Good feedback from customers
  - Will continue fee waivers for fire-related repairs, etc.
- Clean up using inmates
  - 42 properties have been cleaned up – 8 more scheduled this week
- Emergency Transfer Station
  - Will close 7/16/11 – No fire debris accepted for free after this date
  - 690 tons taken in - \$70,927 total cost to date (\$17,886 in labor)
  - Good feedback from customers
  - Will continue to use site for sandbag filling and distribution
- Working with Dept of Corrections on scheduling for fence repair and installation (Horseshoe 2)
  - Travel time a concern
  - Looking at different complexes (Douglas/Safford)
  - Only received a couple of fencing-related calls from Horseshoe 2 Fire area

- Will make contact with customers
- Submitted EWP application
  - Some money appears to be available from NRCS
- Working through owner builder opt-out and non-conforming lot permitting issues
  - May need Rules changed
- Emergency Operations Center
  - Establish and staff as needed
    - Expected ongoing flooding

Mr. Vlahovich stated that Mr. Hanson had prepared possible changes to the applicable zoning regulations, regarding non-conforming lots and specifics for rebuilding and the Builder Opt-out requirements.

There was a discussion among the Board, administration and staff about how policy changes would affect the current situation trying to fast track processes for victims of the fires and for moving forward.

Mr. Hanson said the Board has limited powers to pass ordinances as emergency measures, if they affect public health and safety but legislature has not said how this can be accomplished (i.e., whether published notice is required) and what the outcome would be if someone challenged the Board’s actions.

Mr. De La Torre brought up the possibility of a Sunset clause.

After a lengthy discussion, the Board provided direction for administration. The Board can invoke subsection C covering damage and destruction caused by a catastrophic event such as fires or floods if determined by the Board of Supervisors. The same language would apply to the Builder Opt Out policy.

Mr. De La Torre highlighted the areas of the BAER Report that caused significant concern such as the focus being solely on areas highly, severely burned; they are only focused on minimal restoration; and only within the Forest Service boundaries without recommendations for advanced warning systems being in place. He also outlined the issues regarding future flooding and creation of sediment channels.

Ms. Riggs stressed that there is no avenue or process for the County to have input into the BAER Team report, most of the people on the team are not local and we should not just accept the process.

Supervisor Searle made a motion to support the staff recommendations contained in the letter. Vice-Chairman English seconded the motion and it was approved 3-0.

There being no further business before the Board, Chairman Call adjourned the meeting at 3:22 p.m.

APPROVED: \_\_\_\_\_  
Patrick G. Call, Chairman

ATTEST: \_\_\_\_\_  
Katie A. Howard, Clerk of the Board