

**PROCEEDINGS OF THE COCHISE COUNTY BOARD OF SUPERVISORS
WORK SESSION HELD ON
Tuesday, August 16, 2016**

A work session of the Cochise County Board of Supervisors was held on Tuesday, August 16, 2016 at 11:00 a.m. in the Board of Supervisors' Hearing Room, 1415 Melody Lane, Building G, Bisbee, Arizona.

Present: Richard R. Searle, Chairman; Patrick G. Call, Vice-Chairman; Ann English, Member

Staff Present: James E. Vlahovich, County Administrator
Britt W. Hanson, Chief Civil Deputy County Attorney
Arlethe G. Rios, Clerk of the Board
Paul Esparza, Planning & Zoning Director, Community Development Department
Peter Gardner, Planner 1, Planning & Zoning Division, Community Development Department
Karen Riggs, Community Development Services Administrator

Attendees: J.R. Pooler, Sub-Consultant with Dibble & Associates
Suzanne Browne
Thom Browne
Eric Fowler
Gene Shaw
Michael Kontos
Esther Kontos
Frank Bentolino
Harold K. Roush
Joe Hew
Kimberly Fuller
Paul Balch
Kevin Roberts
Tom Crosby
John Johnson
Michael Vasquez
Allen Nelson
Susan Turley

Chairman Searle called the meeting to order at 11:00 a.m.

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

PLEDGE OF ALLEGIANCE

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

INTRODUCTIONS

ITEMS FOR DISCUSSION

Community Development

1. Discussion and possible direction regarding the Babocomari Road Improvement District (RID).

Mr. Paul Esparza, Planning & Zoning Director, presented this item using a PowerPoint presentation. Mr. Esparza gave a brief history of the issue, moved on to the property owner issues, and briefly went over the assessment methodology proposal.

Mr. J.R. Pooler, sub-consultant with Dibble & Associates, said he had addressed property owner concerns at a previous meeting. He said that the ownership information used was current as of the last tax rolls and noted that he had also updated changes of ownership since the last tax rolls; obtained zoning information for each property; and then got the full cash value assessment by the County. He presented a probable method of assessment to the Board and noted that if they decided to proceed with the district a final method of assessment would be presented to them and owners would be given an opportunity to speak.

Mr. Esparza gave the amount spent to date by the County on the RID, went over the ramifications if the RID remains or is dissolved, and went over the staff recommendations:

- Request legislation to make the assessment methodology more fair for all property owners.
- Retain the RID through the next legislative session.
- Dissolve the RID at that time.

Chairman Searle asked why staff was recommending dissolution of the RID.

Mr. Esparza said that the staff recommendations were steps. He noted that the first step was to see if legislation could be changed. We really need to get input from property owners to see what they think the best solution is.

Chairman Searle opened up the discussion to the property owners.

Mr. David Butler, representative of large parcel owners, gave some background about the area and said that large property owners wanted to urge the County to keep the RID.

Mr. Vlahovich said that he wanted to clarify that staff is recommending dissolution of the district, whether the legislation changes or not. He added that this had been a long drawn out process that needs to come to a close.

Ms. Susan Turley, RID property owner, thanked Mr. Esparza first and said he had been very helpful and very open in his communication with property owners. She stated that property owners did not have a high level of confidence in discussions and she was looking for some level of certainty and she thought that only dissolving the district gives property owners that certainty. She also said that she wanted to be done with the district, knows what the property owner liability was, and move forward. She asked what the timeline for repayment was.

Mr. Rosenfeld (telephonically) said that title statute 48-952, sub paragraph 4 does not make it clear if the amount can be paid over time. If the Board allows this, it might look like a bond, which requires an election, and there was no election. This could become problematic for the County.

Ms. Turley said that the Board may have the authority to make one levy, but allow a payment plan. She stated that no one would complain if a payment plan was allowed.

Mr. Rosenfeld said that if the Board allowed a payment plan it would be at their own risk.

Chairman Searle said he had reached out to Senator Gail Griffin about addressing this issue in legislation.

Mr. Rosenfeld said that he would not mind meeting with Senator Griffin, but would want a County representative to be part of the conversation.

Mr. Harry Laush, citizen, said that the boundary change should be done as an administrative change to include all users of the road.

Ms. Lisa Carroll, property owner, said that she was upset about the process and did not want the Board to vote on dissolving the district.

Chairman Searle said that one reason the Board was seeking alternative solutions instead of dissolving the district was due to the unfairness to the residents that lived in the area.

Mr. Alen Nelson, property owner, said that a boundary expansion should be done to include others that use the road and are currently not paying into the road district.

Chairman Searle said that this was a difficult topic that also depended on legislative changes in order to address properly.

Vice-Chairman Call said he wanted a plan other than waiting for legislative changes.

Mr. Hanson said that there would need to be two legislative changes and his opinion would be to take the payment-over-time- option and dissolve the district.

Mr. Rosenfeld added that there was an option to base the payment on assessed values or a per parcel basis.

Chairman Searle thought the best course of action would be to wait for legislation changes to be made and if that is not possible, then continue the discussion on the best way to move forward.

Chairman Searle adjourned the meeting at 12:00 p.m.

APPROVED:

Richard R. Searle, Chairman

ATTEST:

Arlthe G. Rios, Clerk of the Board