

Board of Supervisors
July 21, 2004
9:30 a.m.

The Board met in a Regular Meeting at the Santa Cruz County Complex, 2150 N. Congress Drive, Room #120, Nogales, AZ. Present: John Maynard, Chairman; Robert Damon, Vice-Chairman; Manuel Ruiz, Supervisor; Greg Lucero, County Manager; Holly Hawn, Attorney; Melinda Meek, Clerk. Also present: Jennifer St. John, Louis Chaboya, Ben Stepleton, Sheriff Estrada, Augustin Huerta, Viviane Huerta Itule, John Hays, Rudy Molera, Ramon Romo, Ruben F. Fuentes, Maggie Lorta, Ken Zehentner.

The Meeting was called to order and the Pledge of Allegiance was recited, led by Ken Zehentner.

ADOPTION OF AGENDA: Supervisor Ruiz made a motion to adopt the Agenda as posted and to deviate from Agenda sequence as necessary; second by Vice-Chairman Damon; motion carried unanimously.

CALL TO THE PUBLIC: None

REPORTS:

BOARD OF SUPERVISORS: Supervisor Ruiz reported that he attended the NACo Conference in Phoenix over the weekend and expressed appreciation to the Mariachi Apache from the Nogales High School for performing at the Conference while on vacation; he met with the Fresh Produce Association regarding the Fast Lane at the Mariposa port-of-entry; he thanked Congressman Raul Grijalva for his letter to the Assistant Secretary for Western Hemisphere Affairs regarding the sewage problem in Nogales.

Chairman Maynard reported that he met on Friday and Saturday in Phoenix with the NACo Energy, Environment & Land Use Steering Committees and adopted a Resolution regarding transmission line siting.

MANAGER: County Manager, Greg Lucero, reported that he attended the same meetings that Supervisors Maynard & Ruiz attended.

FINANCE: Finance Director, Jennifer St. John, reported \$7,790,074 in the General Fund; \$1,281,681 in the Road Fund; \$563,570 in the Flood Control District Fund; \$10,916,191 total for all funds; \$7,358,734 estimated end of month balance, compared to \$4,100,092 cash at July 2003, a difference of \$3,258,642.

HEALTH & ENVIRONMENT: Health Department Director, Ben Stepleton, updated the Board on the Nogales Wash issue and the West Nile Virus.

SHERIFF: Sheriff Estrada reported that jail population as of yesterday was 94, 84 males and 10 females; 36 inmates have been sentenced to the County jail and 1 to the AZ Dept. of Corrections; 84 have been charged with felonies and 10 with misdemeanors; 21 are undocumented aliens; 6 have been committed to the County jail on a daily basis and 10 on a weekly basis. 55 persons were booked in during the past week; 161 total calls for service were received, of which 49 were 911 calls.

Sheriff Estrada also reported that 3 sexual assault cases have been reported within the past week which resulted in 3 arrests in Santa Cruz County; the Sheriff's Office assisted the Nogales Police Department in a shooting incident involving an animal dispute; the Sheriff's Office recently received taser gun training; the Metro Task Force spotted 11 backpackers this morning in the Lochiel area and confiscated approximately 250 pounds of marijuana; the Metro Task Force confiscated approximately 400-500 pounds of marijuana in the same area last week.

ACTION ITEMS:

PERSONNEL: The Board waived the hiring freeze to fill a vacant grant-funded, Evidence Custodian position for the Metro-Task Force. (MR/RD; c.u.)

AMENDMENT #5 FOR PREPAREDNESS AND RESPONSE FOR BIOTERRORISM: County Manager, Greg Lucero, stated that this Amendment extends the Contract period to 3/31/2007.

Vice-Chairman Damon made a motion to approve; second by Supervisor Ruiz; motion carried unanimously.

CITY OF NOGALES PRIMARY AND GENERAL ELECTION IGA: Elections Director, Melinda Meek, explained that this Intergovernmental is between the County and the City of Nogales for the conduct of the City's 2004 Primary and General Elections.

Supervisor Ruiz made a motion to approve; second by Vice-Chairman Damon; motion carried unanimously.

BONDS FOR DUPLICATE WARRANTS #4-559757 in the amount of \$18,836.31 and #4-559758 in the amount of \$1,892.29 payable to Unisource Energy Service, dated 5/13/04 were approved as submitted. (RD/MR; c.u.)

TAX VALUATION ADJUSTMENT #0380018-01-1 PUC – DFS-SPV LP/Property Tax Department, Resolution No: M20030900012 was approved as submitted by the County Assessor's Office. (RD/MR; c.u.)

MONTHLY REPORTS were approved as submitted. (MR/RD; c.u.)

MINUTES of 5/11/04, 5/18/04 & 5/25/04 were approved as submitted. (MR/RD; c.u.)

DEMANDS were approved in the total amount of \$815,161.65 of which \$240,484.03 is from the General Fund. (MR/RD; c.u.) Details of these expenditures are available for inspection during working hours and are to be considered part of these minutes. **General Fund:** \$240,434.03; **5% Fill the Gap Fees Cty Atty:** \$9,999.66; **School Forest Fees Fund:** \$2,011.71; **Early Learn-Learning Together:** \$11,682.39; **Community Technology CTR Program:** \$6,645.71; **Old Courthouse Fund:** \$1,622.03; **Road:** \$161,305.87; **Animal Control:** \$3,678.54; **Anti-Racketeering #2:** \$5,211.34; **HIDTA 14:** \$4,963.06; **Sheriff A.C.J.C. Grant:** \$1,141.44; **Jail Enhancement:** \$3,763.38; **Health Services Fund:** \$1,542.93; **Bio-Terrorism Grant:** \$8,239.12; **T.B. Grant Fund:** \$22,457.83; **H.I.V. Program:** \$2,183.96; **Flood District:** \$10,350.35; **Flood Reserve:** \$1,150.18; **Cultural Youth at Risk:** \$22,821.31; **W.I.A. Youth Program:** \$21,237.99; **W.I.A. General:** \$25,400.00; **WTW Competitive Grant:** \$2,778.97; **W.I.A. Adult:** \$9,704.57; **W.I.A. Dislocated Worker:** \$5,205.30; **W.I.A. Administration:** \$4,146.96; **Projects with Industries:** \$19,847.95; **Work Incentive Grant:** \$42,657.62; **R/W Safety Zone Haz. Elim:** \$44,250.00; **Signage Upgrade:** \$41,600.00; **Phase 1-Runway Overlay Des:** \$14,750.00; **Phase1-Taxiway Lighting Design:** \$27,500.00; **Landfill:** \$15,625.25; **Landfill Reserve:** \$12,336.80

To review these demands for this date, refer to Binder #13m which accompanies this book.

The Board recessed the Regular Meeting to convene as the Flood Control District Board. (MR/RD; c.u.)

FLOOD CONTROL:

Melinda Meek
Clerk of the Board

John Maynard
John Maynard, Chairman

Board of Supervisors
July 27, 2004
9:30 a.m.

The Board met in a Regular Meeting at the Santa Cruz County Complex, 2150 N. Congress Drive, Room #120, Nogales, Arizona. Present: John Maynard, Chairman; Robert Damon, Vice-Chairman; Manuel Ruiz, Supervisor; Greg Lucero, County Manager; Holly Hawn, Attorney; Gloria S. Gonzalez, Deputy Clerk of the Board. Also present: Jennifer St. John, Mayra Ochoa, Victor Gabilondo, Ben Stepleton, Felipe Fuentes Jr., Caesar Ramirez, Louis Chaboya, Beth Daley, Anita Lichter, Viviane Huerta, Carol DeFazio, Sheriff Estrada, Rudy Molera, Diana Parada, Pam Patton, Ron Morriss, Marshall Magruder and Arturo R. Garino.

The Meeting was called to order and the Pledge of Allegiance was recited, led by Mary Dahl.

ADOPTION OF AGENDA: County Manager, Greg Lucero, requested that Action Items E-7 (Subcontract with Mariposa Community Health Center for Tuberculosis Control Program) and E-10 (Minutes of 6/14/04) be tabled.

Supervisor Ruiz made a motion to adopt the Agenda, tabling Action Items E-7 (Subcontract with Mariposa Community Health Center for Tuberculosis Control Program) and E-10 (Minutes of 6/14/04) and to deviate from Agenda sequence as necessary; second by Vice-Chairman Damon; motion carried unanimously.

CALL TO THE PUBLIC: Marshall Magruder reported that in today's newspaper the headline is the transmission line and that the transformers in Nogales are overloaded; he discussed the problem with the substations, the transformers and the lack of reactive power that needs to be installed to prevent low voltage drops and major blackouts in the County; he reviewed the multiple agencies and organizations that have sent letters to the Arizona Corporation Commission opposing the west, central and east route.

County Assessor, Felipe Fuentes, stated that he is clarifying a citizen's concern in reference to the evaluation process and how it works; any property that has a change in valuation due to new construction, additions to, deletions from, splits or consolidations of assessment parcels between September 30th of the preceding year 2003 and before October 1, 2004 will go in the 2005 Tax Rolls (A.R.S. §§42-15105 and 42-16105(C)).

CURRENT EVENTS AND ACTIVITIES REPORTS:

BOARD OF SUPERVISORS: Supervisor Ruiz reported that he attended the City Council Meeting wherein the City Manager, Jaime Fontes, was appointed.

Chairman Maynard reported that he attended the Southeast Arizona Land Trust Open House last Friday; he attended the Southeast Arizona Government's Organization luncheon honoring its Director, Joe Brannen, who has taken a new position with the Council of Governments in Texas; the Sonoita/Elgin Emergency Services Inc. had a meeting last weekend and discussed the formation of a third Fire District in Santa Cruz County; he congratulated John Hays and Victor Gabilondo for an excellent Flood Control District Meeting they conducted yesterday in Tubac.

MANAGER: County Manager, Greg Lucero, reported that he met with City Officials and discussed what procedure to follow to allow City personnel to occupy the 1904 Courthouse; he met with Carl Zenger, Canamex Executive Director for the State to discuss the train traffic.

FINANCE: Finance Director, Jennifer St. John, reported \$7,309,074 in the General Fund; \$1,344,987 in the Road Fund; \$547,053 in the Flood Control District Fund; \$9,891,772 total for all funds; \$7,446,074 estimated end of the month balance, compared to \$4,152,659 cash at July 2003, a difference of \$3,293,415.

HEALTH AND ENVIRONMENT: Health Services Director, Ben Stepleton, reported that the bacteria and chlorine legifor aEzRi(ngom)19(a)1Fintarin dh at

SHERIFF: Sheriff Estrada reported that the City Police and Fire Departments were alerted of persons being carried by the current in the Nogales Wash; he was informed that there were seven persons in the wash, one body was recovered and two teenagers were rescued by either City Police Officers or Firemen.

Sheriff Estrada reported that the current jail population is 84, 75 males and 9 females; 23 inmates have been sentenced to the County jail and 3 to the Arizona Department of Corrections; 77 have been charged with felonies and 7 with misdemeanors; 26 (30.1%) are undocumented aliens; 3 have been committed to the County jail on a daily basis and 2 on a weekly basis. 48 persons were booked in during the past week; 162 calls for service were received, of which 51 were 911 calls.

ACTION ITEMS:

PLAQUE PRESENTATIONS TO COURTHOUSE PRESERVATION COMMISSION MEMBERS: Supervisor Ruiz presented plaques to Pam Patton and Anita Lichter, who have served our Community with a level of great commitment and accomplishment in the restoration of the 1904 Courthouse.

ADOPTION OF FISCAL YEAR 2004-2005 SANTA CRUZ COUNTY TAX RATES: County Manager, Greg Lucero, reviewed the Taxing Districts Tax Rates and Net Valuations for Fiscal Year 2004-2005 as follows: Santa Cruz County (Primary) Tax Rate of 3.3487 and a State of Arizona (Mandated Educational Equalization) Tax Rate of 0.4560 for a total Tax Rate of 3.8047, Santa Cruz County (Secondary) Bond Interest and Redemption Tax Rate of 0.3117; Santa Cruz County (Secondary) Flood Control District Tax Rate of 0.6115; County Wide Fire District (Secondary) Tax Rate of 0.1000; Tubac Fire District (Secondary) Tax Rate of 2.6262; Rio Rico Fire District (Secondary) Tax Rate of 2.7826; Nogales Suburban Fire District (Secondary) Maintenance and Operation Tax Rate of 3.000, Bond Interest and Redemption Tax Rate of 0.6747 for a total Tax Rate of 3.6747; State of Arizona (Unorganized School Primary) County Education District Tax Rate of 1.8931; Nogales Unified District #1 Primary Tax Rate of 3.9387, Secondary Tax Rate of 2.9120 for a total Tax Rate of 6.8507; Patagonia Elementary #6 Primary Tax Rate of 4.9368; Patagonia Union High #20 Primary Tax Rate of 3.5465; Sonoita Elementary #25 Primary Tax Rate of 6.1021; Santa Cruz Elementary #28 Primary Tax Rate of 7.9880, Santa Cruz Valley Unified #35 Primary Tax Rate of 4.8003, Secondary Tax Rate of 1.9649 for a total Tax Rate of 6.7652.

Supervisor Ruiz made a motion to adopt the Tax Rates and Valuations as presented by County Manager, Greg Lucero; second by Vice-Chairman Damon; motion carried unanimously.

REQUEST APPROVAL OF MODIFICATION #5 OF US DEPARTMENT OF LABOR EMPLOYMENT AND TRAINING ADMINISTRATION GRANT:

County Manager, Greg Lucero, stated that this Modification will extend the contract period to 9/30/04.

Vice-Chairman Damon made a motion to approve; second by Supervisor Ruiz; motion carried unanimously.

PERSONNEL: The Board waived the hiring freeze to fill a vacant Deputy position at the Sheriff's Department. (MR/RD;c.u.)

AUTHORIZATION FOR KIWANIS CLUB TO INSTALL A CONTAINER AT RIO RICO LANDFILL FOR THE COLLECTION OF ALUMINUM CANS:

Public Works Director, Victor Gabilondo, stated that Joseph K. Wise, President of the Nogales Kiwanis Club, has requested permission to place a container at the Rio Rico Landfill to collect aluminum cans and the proceeds will be used to fund their charitable projects.

Vice-Chairman Damon asked Mr. Gabilondo if other clubs have approached him; Mr. Gabilondo replied no; Chairman Maynard asked Mr. Gabilondo what would happen if other organizations made the same request; Mr. Gabilondo replied that he would come to the Board for guidance.

Vice-Chairman Damon made a motion to approve; second by Supervisor Ruiz.

Under discussion, Chairman Maynard stated that it is very important that the Board's decision is equitable.

Motion carried unanimously.

REQUEST APPROVAL OF ARIZONA DEPARTMENT OF HEALTH SERVICES CONTRACT FOR TUBERCULOSIS CONTROL PROGRAM: Health Services Director, Ben Stepleton, stated that the amendment is to the existing Tuberculosis Control Program Contract; funding is based on the number of active tuberculosis cases in a jurisdiction; the County is going to receive \$20,000 this fiscal year, a \$12,625 reduction because the level of tuberculosis cases is very low in Santa Cruz County.

Vice-Chairman Damon made a motion to approve; second by Supervisor Ruiz; motion carried unanimously.

REQUEST APPROVAL OF AGREEMENT WITH SEAGO FOR HOME CARE PROGRAM IN SANTA CRUZ COUNTY: Supervisor Ruiz made a motion to approve; second by Vice-Chairman Damon; motion carried unanimously.

DISCUSSION AND POSSIBLE ACTION TO AUTHORIZE ACCEPTANCE OF FEDERAL AVIATION ADMINISTRATION GRANT OFFER FOR A COMMERCIAL CARGO APRON PHASE 2: Community Development Director, Mary Dahl, stated that the Federal Aviation Administration (FAA) is providing \$637,420 in federal funding to build a 65,000 square foot commercial cargo apron adjacent to the existing helipad; the County's share of the project will be \$16,774 which will be matched by the State.

Supervisor Ruiz made a motion to authorize the acceptance of the Federal Aviation Administration Grant offer for a commercial cargo apron phase 2 and authorize the Chairman of the Board to sign the Grant Agreement; second by Vice-Chairman Damon; motion carried unanimously.

MINUTES of 5/26/94, 06/01/04, 06/08/04 and 06/15/04 were approved as submitted. (RD/MR;c.u.)

Meeting adjourned at 10:20 a.m. (MR/RD;c.u.)

Melinda Meek
Clerk of the Board

John Maynard
John Maynard, Chairman