

**MOHAVE COUNTY BOARD OF SUPERVISORS
MOHAVE COUNTY, KINGMAN, ARIZONA
REGULAR MEETING – APRIL 20, 2009**

The Board of Supervisors of Mohave County met in Regular Session this 20th day of April, 2009, at 9:30 A.M, at 700 W. Beale Street, Kingman, Arizona, in the BOS Auditorium. In attendance were Tom Sockwell, Chairman; Gary Watson, Supervisor District 1; Buster D. Johnson, Supervisor District 3; Ron Walker, Mohave County Manager; William J. Ekstrom, Jr., Special Deputy County Attorney; and Barbara Bracken, Clerk of the Board.

The meeting was called to order by Chairman Sockwell. The invocation was given by Supervisor Watson, followed by the Pledge of Allegiance led by Clerk Bracken.

The following Mohave County Elected Officials and Department Heads addressed specific items as noted: Ray Osuna, Human Resources Director; Mike Hendrix, P.E., Public Works Director; Chris Ballard, Acting Development Services Director; Susie Parel-Duranceau, Community and Economic Development Director; Mitchell Kalauli, Justice of the Peace – Moccasin Court; Kip Anderson, Superior Court Administrator; John Timko, Financial Services Director; and Dana Hlavac, Public Defender.

Motion was made by Supervisor Johnson, seconded by Supervisor Watson, and unanimously carried to call for an Executive Session to be held May 4, 2009, at 9:00 A.M., for discussion and consultation with legal counsel in accordance with A.R.S. 38-431.03 (A) (3) & (4) to discuss items noticed on the agenda with an asterisk.

ITEM 1: Pending or Contemplated Litigation, Claims, and Demands: No Executive Session was held.

ITEM 2: Committee and/or Legislative Report: Supervisor Watson advised that he met with the Hualapai Tribal Council, and much of the discussion concerned the first phase of the Diamond Bar Road project. He advised that the project is split into three phases, and the first phase will commence on May 1st. He stated that the contract was \$7.5 million dollars and was awarded to Fann Construction. He advised that he attended the Western Arizona Council of Governments meeting, with the main topic of discussion being local road projects and prioritizing the use of \$2.4 million of stimulus funding. He advised that he attended the Mohave/ La Paz Local Workforce Investment Board Meeting, which was highlighted with a presentation by Gail Sadler on the 2010 census, which will employ 200 employees at \$12.00 per hour. He advised that he attended the County Supervisors Association meeting, where the 2008 roadway needs study update was addressed, and the effects of the stimulus package. He advised that Joanne Keene will be the representative of the Governor's Office for northern Arizona.

Supervisor Watson announced that Friday afternoon he attended a teleconference with Jesse Tippet, Program Manager for Albiassa Corporation, who announced that their corporation will be building a 200 megawatt concentrated solar project in Mohave County. He stated that this is the largest investment of private capital in the history of Mohave County. He stated that the project will consume 1,400 acres; create 2,000 jobs for three years; and upon completion, will employ 100 full time employees. He advised that Mohave Community College will do much of the training. He advised that special thanks are owed to Pete Byers, former Mohave County

Supervisor; Mike Horner, Silverado Ranches Corporation; Ron Walker, Mohave County Manager; Christine Ballard, Acting Development Services Director; and Jonas Peterson, Economic Development Manager. He advised that these people worked extremely hard to bring this project to Mohave County.

ITEM 3: County Manager's Report: There was no County Manager's report.

ITEM 4: Motion was made by Supervisor Johnson, seconded by Supervisor Watson, and unanimously carried to approve the February 17, and March 16, 2009, Board of Supervisors Meeting Minutes as most recently drafted.

Director Osuna and the Board presented the 2008 Service Awards to the following employees: 15 Years: Kenneth Fielder, Ronald Nicholson, Sheryl Dodsworth, Assessor's Office; Doris Yellowhair, Clerk of Superior Court's Office; Susan McKee, County Manager's Office; Christine Ballard, Development Services; Lisa Hatchell, Public Health; Cecilia Tait, Justice Court; Cherie Brown, Evelyn Robinson, Judith Leslie, Library; David Talk, Probation; Thomas Stalhut, Deleta Maxwell, Warren Twitchell, Ronald Weaver, Public Works; Michael Sammut, Ralph McKie, Robert McEuen, Sheriff's Office; Robert Lawless, Superior Court; 20 Years: Melody Jensen, Assessor's Office; Sonya Jaramillo, Financial Services; Katherine Cook, Library; Deborah Keller, Public Works; Robert Ballard, Recorder; Barbara Larsen, Sheriff's Office; 25 Years: Debbie Fransen, Sheriff's Office; 30 Years: Dorothy Hatton, Assessor's Office; Valerie Reiser, Probation. The audience joined the Board in a round of applause.

Chairman Sockwell thanked all the recipients for their long years of dedicated service.

Motion was made by Chairman Sockwell, seconded by Supervisor Johnson, and unanimously carried to approve the Consent Agenda minus Item 16, as follows:

5. Approve a Special Event Liquor License for Hospice of Havasu, 3428 London Bridge Road, Lake Havasu City, Arizona, for May 2, 2009.
6. Approve a Special Event Liquor License for Golden Shores Civic Association, 13136 Golden Shores Parkway, Topock, Arizona, for May 3, 2009.
7. Ratify approval of a Special Event Liquor License for Veterans of Foreign Wars Post 2555, 6068 W. Supai Drive, Golden Valley, Arizona, for April 25, 2009.
8. Approve a Person Transfer/Location Transfer Liquor License for Keith Raymond Liston, dba Fisherman's Landing, 290 East Pueblo Drive, Meadview, Arizona, Series 06.
9. Approve the appointment of the following Republican Precinct Committeemen: Charles L. Hunter, Desert Hills (7); and Laura Sullivan, Holiday Shores (30); as requested by the Republican Central Committee.
10. Adoption of BOS Resolution No. 2009-091 - Approving Contract #532-09 between the State of Arizona Department of Housing and Mohave County, providing grants funds in the amount of \$66,521 for the period May 1, 2009 through April 30, 2010, for the Supportive Housing Program serving the disabled, chronically homeless population; and

- approve FY 2009 budgets for program fund #87150877 in the amount of \$52,171, and administration fund #8715088 in the amount of \$14,350.
11. ~~Authorize the commencement of eminent domain action to acquire the necessary property for right-of-way and construction of the new bridge on County Highway 91; and authorize the law firm of MillerKramer pple to represent the County in said action under the terms and conditions of their existing contract with the County.~~ Pulled by Staff
 12. Approve the reappointment of Clay Vanderslice to the Mohave County Extension Advisory Board, terminating January 31, 2011.
 13. Approve Amendment No. 1 to Contract No. 07-P-01, Cellular Communication Service & Supplies, with Mohave Wireless, Kingman, Arizona, extending the Contract for a one year period, from July 1, 2009, through June 30, 2010, on behalf of the Information Technology Department – Communications Division.
 14. Approve Amendment No. 4 to Contract No. 06-B-08, Aggregate Cover Material, with Desert Construction, Kingman, Arizona, extending the Contract for a one year period, from June 5, 2009, through June 4, 2010.
 15. Ratify termination of IFB No. 08-B-18, Fleet Vehicles, to Burch Ford, La Habra, California (52% of award) due to non-compliance with the contract specifications, terms and conditions; and ratify award of IFB No. 08-B-18 to Five Star Ford, Scottsdale, Arizona, for an additional amount of \$7,143.44.
 17. Approve Contract No. 09-PS-04, Materials Testing and Inspection Services for the Development Services Building, with Western Technologies, Inc., Lake Havasu City, Arizona, for a total Contract amount of \$34,945.00, in accordance with the Mohave County Procurement Code, Article V, Section 6 (Direct Selection of Pre-Qualified Technical Registrants).
 18. Approve Amendment #4 to Contract No. HP561263-014 with the Arizona Department of Health Services for the Health Start Services Program (241-04-5132), extending the Contract through June 30, 2010.
 19. Authorize the Mohave County Sheriff's Office to apply for Federal Recovery Act, Edward Byrne Memorial Justice Assistance Grant (JAG) Formula Program funds in the amount of \$116,087 for mobile data computer equipment.
 20. Approve Administrative Order 2009-039 – Reappointing Clyde Andress, Douglas Blaydes, Benjamin Haney, Edward Mandrell, Kathy McCoy, Nelson Meringola, Pete Psareas, Michael Slovek, Julia VanArsdale, and Ted Whitall as Judges Pro Tempore for the Limited Jurisdiction Courts in Mohave County.
 21. Approve Administrative Order 2009-040 – Reappointing Barbara Brown as Special Master for Initial Appearances in Moccasin Justice Court, effective until June 30, 2010.

22. Acknowledge receipt of, and refer to Public Works, for review and recommendation, a Petition to have Carrizo Road included in the County Tertiary Road Maintenance System, beginning at Bolsa Drive with a terminus of Diabase Drive, with a general course of North/South, located in the South Golden Valley area.
23. Approve Memorandum of Understanding between Mohave County and Mohave County Superior Court; and approve the Intergovernmental Agreements between Mohave County and Lake Havasu City, Bullhead City, and Kingman for continued support of the Court Automation Project through FY2014.
24. Adoption of BOS Resolution No. 2009-092 - Approving the Intergovernmental Agreement between Mohave County and Lake Havasu City for prisoner housing for the period of July 1, 2009, through June 30, 2010, at a rate of \$58.00 per day, to include a one time booking fee of \$65.00.
25. Approve Mohave County's warrant register for March 2009, in the amount of \$3,973,340.66. (Exhibit "A")

ITEM 16: Motion was made by Chairman Sockwell, and seconded by Supervisor Watson to discuss the purchase and installation of 19 satellite-based tracking systems from Empire Southwest, Mesa, Arizona, for the total amount of \$56,830.73, and for the 19 monthly monitoring GPS fees in the amount of \$1,520.00, on behalf of Mohave County Public Works Department – Equipment Maintenance Division. (Item tabled at the April 6, 2009 BOS Meeting)

Supervisor Johnson advised that he wanted to know if any further discussion was needed. He stated that he spoke with Director Hendrix about going from 140 motor graders to 120 motor graders, and he wondered if the 120s can do the job we need them to do.

Director Hendrix advised that Empire demonstrated a 120, and staff is not positive it is the application they need because there are a myriad of different applications for each motor grader. He stated that the 140s will suit the County better, and they did not see much savings on the 120s. He advised that they have six motor graders coming up for buy back this year; they will replace two of them, and will sell the other four; therefore, they are reducing the fleet to twenty-one.

Motion was made by Supervisor Watson, seconded by Supervisor Johnson, and unanimously carried to approve the purchase and installation of 19 satellite-based tracking systems from Empire Southwest, Mesa, Arizona, for the total amount of \$56,830.73, and for the 19 monthly monitoring GPS fees in the amount of \$1,520.00, on behalf of Mohave County Public Works Department – Equipment Maintenance Division.

ITEM 26: Chairman Sockwell opened the Public Hearing regarding the adoption of BOS Resolution No. 2009-090 – Approving Ordinance No. 2009-01 - Amend Section 31.H.5 of the Mohave County Zoning Ordinance providing for off-premise community signs to adjust the standards and criteria for off-premise community signs and correct paragraph numbering, as recommended by the Mohave County Planning and Zoning Commission.

Motion was made by Supervisor Johnson, and seconded by Chairman Sockwell to discuss the adoption of BOS Resolution No. 2009-090, Approving Ordinance No. 2009-01.

Supervisor Johnson requested that staff explain the item, so people will understand what is being done.

Director Ballard explained that the Mohave County Zoning Ordinance allows communities to put up signs that tell the public where they are located, and it may have a listing of businesses, as well. She advised that, most notably, the community of Chloride has taken advantage of this feature. She stated that a couple of issues came to light, one being the fact that Mohave County Zoning Ordinance did not provide for electronic, changeable copy; only for manual, changeable copy. She advised that another issue was size restriction; the communities do not feel they can adequately present themselves. She advised that the department is offering this amendment to address these issues. She stated that the Planning and Zoning Commission recommended approval, and they are also recommending that there be a uniform design, which the department is currently working on, and will bring back at a later date.

In response to Supervisor Johnson, Director Ballard advised that the use of trailers, trucks, etc., for advertising purposes is prohibited by the sign ordinance.

There being no public input, Chairman Sockwell closed the Public Hearing.

Motion was made by Chairman Sockwell, seconded by Supervisor Watson, and unanimously carried to adopt BOS Resolution No. 2009-090, Approving Ordinance No. 2009-01, as stated.

ITEM 27A: The meeting continued with a presentation by Director Parel-Duranceau of the Workforce Investment Act Programs (Youth, Adult and Dislocated Workers) to be funded by the Economic Stimulus Funds under the American Recovery and Reinvestment Act (ARRA) for Mohave/La Paz Local Workforce Investment Area.

Director Parel-Duranceau advised that Mohave County will receive approximately \$1.6 million, and she would like to look at these stimulus funds as an investment in the community. She stated that the contract before the Board today includes a timeframe to June 30, 2011; however, the expenditure of the funds has to occur no later than June 30, 2010. She advised that there are three major programs for the Workforce Investment Act; the Youth Program, the Adult Program, and the Dislocated Workers Program. She stated that Mohave County is the fiscal agent for the Mohave/La Paz Local Workforce Investment Area. She advised that 85% of the funds come to Mohave County, and 15% go to La Paz County. She stated that Mohave County is a part of a bigger consortium for the administration of the Dislocated Workers Program; we are part of the Northern Arizona Re-employment and Pre-layoff Assistance Center (REPAC). She advised that approximately \$800,000 of the funds Mohave County is receiving is going to go to REPAC. She advised that the Youth Program, known as the COYOTE (COalition YOUTH TEam) Program is one of the best practices program in the State. She advised that they anticipate serving approximately 200 kids this summer. She advised that community partners have helped in the past, and this year it is our turn to provide funding for the positions that will be created this summer in the private sector, the government sector, and the community-based organizations. She advised that the Youth Program will receive approximately \$460,000. She advised that,

although there are no jobs at this time, they will use the money for the Adult Program to prepare people for the future. She advised that the funds will also be used to help businesses around us; they are one of our customers for the Local Workforce Investment Program. She stated that, in order to retain our current businesses, we are here to support them by providing them the trained workforce they need. She advised that we will provide retraining for dislocated workers, funding for education, and training and support services for people being laid off.

As this was information only, no action was taken.

ITEM 27B: Motion was made by Chairman Sockwell, seconded by Supervisor Johnson, and unanimously carried to adopt BOS Resolution 2009-089 - Approving the Intergovernmental Agreement between the State of Arizona Department of Economic Security and Mohave County under Contract No. DE091208 for the receipt of the Economic Stimulus funds for PY08 Workforce Investment Act Youth, Adult and Dislocated Workers funds under the American Recovery and Reinvestment Act, for a total of \$1,603,121, for contract period from February 17, 2009 through June 30, 2011.

ITEM 27C: Motion was made by Chairman Sockwell, seconded by Supervisor Johnson, and unanimously carried to approve FY2008-09 budgets for PY08 for Fund #88189463 (Adult Administration \$25,028), #88189464 (Adult Program \$225,252), #88189465 (Youth Administration \$54,756) #88189466 (Youth Program \$492,806), #88189467 (Dislocated Worker Admin, \$71,900), #88189468, (Dislocated Worker Program, \$647,099), and #88189469 (Rapid Response, \$86,280); and approve the creation of four (4) Full-Time Regular positions (Program Coordinator-One Stop Career Center, Program Coordinator-Youth Program, Teacher, Program Representative-Business Services) to be funded by ARRA funds and WIA regular grant funds.

ITEM 28: Motion was made by Chairman Sockwell, and seconded by Supervisor Watson to discuss identifying the desired property for establishing a government facility in the Colorado City area of Mohave County, and direct staff to pursue obtaining the property for its intended use.

Manager Walker advised that the lease on the existing facility in Colorado City expired the first of April, and since that time, staff has been looking for another location. He stated that staff has communicated with the Trust, and has looked at properties that they may or may not be able to provide for us. He stated that staff had discussions with the Courts relative to location of a new Justice Court in and around the Colorado City area, which will replace the Court that is now in Moccasin.

Director Hendrix advised that staff reviewed eight properties in the Colorado City area, which were obtained from the United Effort Plan (UEP) Trust. He stated that staff reviewed the properties, and narrowed the selection to two, based on site improvements, which included utility access and build-ability. He stated that properties are identified as parcel number 404-33-030 and 404-21-046. He advised that both properties are approximately 1.5 acre in size. He stated that parcel 404-33-030 is located on a paved street, with sidewalk, curb, and gutter, with two adjacent similar size lots that may be available for use. He stated that parcel 404-21-046 is located on an unpaved street. He advised that both properties are in the \$20,000 per acre range. He stated that staff was asked, by the Courts, to include in their evaluation a property near

Fredonia, which is located on Hwy 389, and consist of 11.3 acres (all or part may be available), with power 400 feet from the lot, and no sewer; water would be supplied by the City of Fredonia. He advised that recent questions have surfaced about the availability of the Colorado City properties. He stated that the fiduciary for the Trust is meeting with Utah and Arizona Attorney Generals today, and the fiduciary is requesting a commitment from Mohave County to be able to move forward. He stated that, regarding the Fredonia property, it is staff's understanding that the current service for water is inadequate; it is a one inch line constructed forty years ago servicing several houses, which have water pressure issues. He stated that, in order to correct this deficiency, the County would need to construct two miles of eight inch line, at the cost of approximately \$50,000.

Supervisor Watson questioned if it would help to have more time to pursue more properties.

Director Hendrix responded that if the Board chooses to have staff pursue more properties, they will be happy to do so.

Supervisor Watson questioned how much more time staff would need.

Manager Walker questioned if the Board wants to acquire property to permanently locate a facility in or near Colorado City, to include the Moccasin Court. He questioned if the Board wants the facility to be permanent; do they want to own it or lease it. He stated that staff needs to know exactly what the Board wants them to accomplish; that is an essential element in determining how much time is needed.

Supervisor Johnson stated that he has questions similar to Manager Walker's. He stated that if the County is not going to go with UEP land, we are in a bind, unless we go to Fredonia, which takes our services away from where we need them. He stated that parcel 404-33-030 looks like the best choice, and we should be looking at expanding, if we put the Courts, the Sheriff, County Attorney, Attorney General, and Department of Economic Services in one spot. He questioned how much land would be needed in the next ten years.

Director Hendrix advised that when purchasing property for a facility, you look at three to four times the square footage of the building to determine total land area.

Supervisor Johnson stated that the County should try to purchase the additional parcels adjacent to parcel 404-33-030 to protect ourselves for the future.

Director Hendrix advised that the Court issue has been going on quite some time. He stated that when we first started, we were looking at around 4,000 square feet for the Courts, and he believes the Colorado City multi-use building is around 2,200 square feet.

Judge Kalauli, Moccasin Justice Court, advised that it is important to note that the property across the street from the property in Fredonia has received approval from the town of Fredonia to have the water lines replaced. He stated that something needs to be done with the Courts and Sheriff's Office within the next year; his fear is that if we continue to put this off, it is going to cost the County more money. He advised that it is his ethical obligation to make sure the Court is a non-political entity, and whatever he needs to do to make that occur, he will do; he will be as vocal as he needs to be. He stated that putting the court in the town of Colorado City makes it a

political entity, and the Court is not supposed to do that, it makes the public not perceive the Court as non-bias. He advised that he is halfway through his first election cycle, and he believes he understands what the residents of the Arizona Strip area would like to have happen. He stated that he believes the people from Beaver Dam, Colorado City, Centennial Park, Cane Beds, and Moccasin would rather the Court not be located in Colorado City. He stated that there are a lot of political issues. He stated that the people from Colorado City and Centennial Park have said for the past 30 years that they appreciate the fact that the Court has been located elsewhere because it is non-political.

In response to Supervisor Johnson, Judge Kalauli advised that it is an additional four miles from where the Court is located now to the Fredonia area.

Supervisor Johnson questioned if it would not be more central to all concerned to move the Court to Colorado City.

Judge Kalauli stated that we need to look at what the people want, and they would rather that it not be in Colorado City.

Supervisor Johnson stated that he does not understand why they would not want the Court in Colorado City.

Judge Kalauli stated that it is due to the political environment; however, he would rather not be forced to talk about it. He stated that he does not think the political environment is going to change within the next ten years; people would rather go to a place where they don't feel there are political issues that could arise based on where the Court is located. He stated that the people in Beaver Dam would feel like it is more their Court if it is not in Colorado City.

Manager Walker stated that when they met with the Courts the issue of a co-located facility was put on the table, and he has not heard back from the Courts.

Judge Kalauli advised that it is his understanding there is not a problem with the State as far as co-locating the Court.

Supervisor Watson thanked Judge Kalauli for attending, and advised that he understands the distance problem generated by this. He questioned if it would be agreeable if a location was found between Moccasin and Colorado City, and a facility was built that would house the Court, the County Attorney and the Sheriff's Office.

Judge Kalauli advised that between Colorado City and Moccasin there are no services available, and it would be very expensive to bring them in. He advised that there is no space available outside of Colorado City until you get off the reservation, between the reservation and Fredonia.

Supervisor Watson questioned if it would cause a problem for the Courts if the County were able to find a piece of property that was large enough for the Court, the County Attorney, and the Sheriff, that was not inside Colorado City, but close to it.

Judge Kalauli advised that it would cause a problem for the Courts.

In response to Supervisor Watson, Judge Kalauli advised that one problem would be that the Court would be further away from the clerks who live in Kanab and Fredonia. He stated that it takes two to five years to train a clerk, and if they decide they can't travel the extra mileage and they quit, it would be a hardship for the Court. He stated that any move towards Colorado City makes it possible for the Court to be a political issue. He stated that this issue has come up over the years, and it has always seemed to be best for the Court to keep the Court in Moccasin or move it to Fredonia.

Supervisor Watson advised that the problem he is wrestling with is that the people who receive citations on the interstate travel a tremendous number of miles to make an appearance, and if the Court is moved to Fredonia, it will make it even further.

Judge Kalauli responded that most of the citations issued on Interstate 15 are issued to people who live outside the State of Arizona.

Supervisor Watson stated that it would also be in excess of 100 miles for people living in Beaver Dam, Scenic, and Littlefield.

Judge Kalauli advised that the distance between where it is now and where it would be if it is located in Fredonia is four or five miles. He stated that the people in Beaver Dam rather not have the Court located in Colorado City. He stated that he does not know if now is the right time to locate the Court in Beaver Dam, because he thinks that one of those areas will incorporate at some point, and they will be able to have representation.

Supervisor Watson advised that it is his understanding that Judge Kalauli would be much happier having the Court in Fredonia.

Judge Kalauli stated that he is happier having the Court where it is currently located, but for the purposes of the Court, his preference would be Fredonia, or the property outside of Fredonia.

Supervisor Watson stated that we are faced with another issue, and that is the representation of the Sheriff's Office and the County Attorney's Office, which would be far removed from where they want to be. He stated that it currently looks like an impossibility to address the two issues in one simple spot.

Judge Kalauli stated that most of the funding for building the Court will be coming from Court funds. He stated that there is no reason they cannot co-locate. He stated that there could be two Sheriff substations in the area.

Supervisor Johnson stated that it is a great idea to combine, as there should be consolidation of services. He stated that he has always thought the Justice Court should be located in Beaver Dam because that is the largest population base.

Administrator Anderson advised that this issue has been going on for years and years, and funds are set aside and the Court is ready to proceed. He stated that we need to move forward with a new Justice Court. He advised that the Court met with Manager Walker, Sheriff Sheahan, and Attorney Smith, and he was under the impression that they were good with co-locating, and ready to move forward with Fredonia. He advised that Judge Taylor spent a year with former

Supervisor Byers exploring locations, and there are not many options. He urged the Board to let the Courts move forward with the purchase of the Fredonia property.

Supervisor Watson advised that he is not in the practice of dragging his feet when making a decision; he is trying to look at all the possibilities for cost-savings for taxpayers. He assured Administrator Anderson that recommendations will be coming forthwith.

Administrator Anderson stated that he did not mean to infer that the Board was dragging their feet.

Supervisor Watson advised that the purpose of this item is to find out if there is a possibility of the Sheriff's Office, the County Attorney's Office, and the Court co-locating. He stated that there appears to be a number of influences impacting this at the moment.

Spencer Black, Colorado City resident, advised that his grandmother's home is located on the edge of Parcel 404-21-046, and has been in the Black family for many years. He stated that he purchased the property and "turned it in" as a consecration to his church. He advised that it was not his intention for the property to be sold; it was his intention to have it for safekeeping for the church members. He stated that if they try to sell the property, there will definitely be a fight to keep it.

Manager Walker questioned if there is litigation between the Trust and others relative to this parcel.

Mr. Black advised that the whole community and the church are under attack. He stated that he is here today to explain his position in regards to this piece of property, which he purchased from his relatives, and placed in safekeeping with his church. He stated that is where he would like to see it stay.

Supervisor Johnson stated that the County is second removed from the situation. He stated that with the receivership of the Trust, land has been sold in that area.

Attorney Ekstrom advised that the Trustees are currently charged with management of the property, and it will ultimately be their call. He stated that this is not an issue for Mohave County.

Leann Barlow, Colorado City resident, advised that she is opposed to the purchase of land located on University Avenue and Central Street (Parcel 404-33-030). She stated that this is her land, which she consecrated to her church for religious purposes, and if the County buys the land it will be against her intent. She advised that if the County chooses to purchase her land, she will have no other option but to fight for her rights.

Supervisor Johnson questioned if Ms. Barlow is involved with litigation going on with the receivership.

Ms. Barlow responded that she is not, but she will be.

In response to Supervisor Johnson, Ms. Barlow advised that she purchased the land eight to ten years ago.

David Darger, Colorado City Manager, stated that he supports the recommendation of the Court to relocate near Fredonia. He stated that there are other options available besides property that is in litigation.

Supervisor Watson questioned if Mr. Darger had recommendations for property close to Colorado City.

Mr. Darger stated that if the Board chooses to look at other options, they are willing to discuss them.

Supervisor Watson asked if Mr. Darger was aware of any properties close to Colorado City that would be available for the current assets the County has, or a large enough piece of property to include the Court.

Mr. Darger responded that there are a handful of properties available.

Supervisor Watson asked Mr. Darger to outline the properties and provide them to the appropriate staff.

Mr. Darger responded that he would be glad to do that.

Motion was made by Supervisor Watson, and seconded by Supervisor Johnson to direct Staff to proceed, with all possible speed, in pursuing properties in the Colorado City area that is satisfactory to the needs of the Sheriff's Office, and the County Manager.

Supervisor Johnson stated that the County Manager has a master plan, and questioned if he is prepared today to say that it is a good idea to co-locate, or would he rather wait two weeks.

Manager Walker stated that he cannot answer that question, but what he can say is that anything larger than what has been considered for the Justice Court is not currently in the five year plan. He advised that no expansion of these facilities has been included. He advised that we have six months to remove the existing facility from the Mohave Community College grounds, and, we are looking at finding a location to store the facility (in the area) if a decision has not been made. He stated that, if the decision is to look at other options and consider co-location, staff can figure out, from a square foot standpoint, exactly what will be needed, and the additional monies required.

Supervisor Johnson questioned if part of Supervisor Watson's motion is to let the receiver know the County is still interested in the two parcels, and should have a definite answer in two weeks.

Supervisor Watson questioned if we should go thirty days, as he would like to look at all the possible properties.

Supervisor Johnson stated that we have been battling this for quite a while, and people are coming today saying there are other options, and other properties. He stated that Colorado City

Manager Darger was very clear in his statement that he isn't going to find land; he is only willing to discuss the possibility of other land. He stated that he would like to see the item come back to the Board in two weeks because he is sure staff looked at every piece of available land they could find.

Supervisor Watson questioned if two weeks is enough time for staff to bring forward all available parcels.

Manager Walker advised that staff can do that. He advised that staff can give the Board options and costs.

Supervisor Johnson requested that staff provide a breakdown of population served by the Court, i.e., Beaver Dam, Colorado City, Centennial, etc.

Manager Walker advised that staff will provide demographics.

Chairman Sockwell stated that he would like this coordinated with the Sheriff's Office and the County Attorney's Office. He stated that he gets the feeling they would like to be located in Colorado City; however, they need to see what they can live with.

Motion carried unanimously.

Chairman Sockwell called a recess at 10:46 A.M., with the meeting reconvening at 10:50 A.M.

ITEM 29: Motion was made by Chairman Sockwell, and seconded by Supervisor Johnson to discuss the reorganization of County Departments for efficient management of County operations and activities and to promote public access and efficient, consistent services.

Supervisor Watson pointed out that Mohave County is ahead of the curve with the economy. He advised that he visited with a number of supervisors from around the State, and Mohave County doesn't have the same problems because of the planning that was done several years ago to downsize, correct the budget, and work with economies of scale to maximize the asset utilization of our entire structure. He stated that Mohave County is in excellent shape in facing our current economic downturn, and by continuing to look at these avenues, and this reorganization, Mohave County will remain ahead of the curve.

Manager Walker stated that there are no bad times to make smart business decisions. He advised that we are in the position Supervisor Watson speaks of today because we've looked at the future and have a strategic plan and strategic objectives. He stated that, unfortunately, change almost always has to be accomplished over the objections of some short-sighted critics and people who don't understand the present, nor have a vision for the future. He advised that he is proposing a reformation of leadership reporting structure. He stated that, in his recent memo, he indicated that any reorganization that would reduce costs and downsize the organization would be carefully considered; and this is exactly within the lines of what he had in mind. He advised that he is going to make these recommendations today, where we increase the responsibilities of some people, and reduce the overall number of permanent positions, in order to be better off in the future. He advised that during economic down times, the County's statutory mandates do not go away; we have less money and fewer people to get the job done, so we have to find ways to

do it better. He stated that this reformation of leadership and management will give us the ability to move forward to enhance our capacity to improve. He explained that, in this plan, the responsibilities of some top leaders and managers will significantly increase, and we will eliminate other positions. He advised that those affected at the top are long term performers, and their additional pay will be commensurate with the responsibility and accountability. He stated that organizations fail or succeed because of management and leadership; employees do not make organizations fail. He advised that, although there are individual promotions and pay increases, the total cost of operations is going to be \$560,000 less; we will not hire one new employee, and we will not fire or lay off one employee. He stated that, to improve management span of control, the seventeen direct reports to the County Manager will be consolidated. He showed a current organizational chart of who reports directly to the County Manager. He advised that the organization of elected officials and Superior Court do not change under this reformation. He explained that the seventeen positions will be reduced to four teams with four team leaders, who will be called Deputy County Managers, and will report to the County Manager. He advised that there will be a Health and Community Services Deputy County Manager (Director Parel-Duranceau); Criminal Justice Services Deputy County Manager (Public Defender Hlavac); Management Services Deputy County Manager (Director Timko); and Development and Public Works Services Deputy County Manager (Director Hendrix). He advised that this type of organization is not unique; Maricopa, Pinal, Pima, and Coconino counties all have similar processes. He advised that, at the end of last year, the Board of Supervisors approved a reformation of Planning and Zoning into Development Services. He explained that the long term objective was to provide a more vertically integrated organization that would provide one stop shopping for all services relative to new development. He advised that staff conducted a nationwide personnel search for a Development Services Director. He stated that they looked at over 100 resumes, and interviewed eight applicants, which came down to a top three. He advised that, as he reflected on the qualifications of the top three, and then looked at the talent we already had in Mohave County, he could not, in good conscience, hire someone and pay them over \$100,000. He advised that he thought about what the best organization would be in order to provide a fully integrated development services function, and how to go about achieving that goal. He stated that the answer was clear; reorganize, putting both Development Services and Public Works under a Deputy County Manager, thus creating an organization that would have a superior team of managers who could provide all the needed services within Development Services, with better cooperation between Public Works and Development Services. He advised that he made a couple of "draft" choices, and requested that Director Hendrix talk with Assistant Public Works Director Hont, and Engineer Steve Latoski, to see if they were willing to be a "draft" pick. He advised that both of them have stepped up to the plate, and he is pleased to say he has the ultimate confidence in their ability to do what is necessary. He stated that Jonas Peterson, Economic Development Manager is currently staffed in Community Services, and will relocate to Development Services because economic development plays an integral part in helping businesses usher themselves through the development process. He advised that he wants to place the septic permits with Development Services, taking them out of Environmental Health, but leaving all of the other Arizona Department of Health Services in Environmental Health. He stated that the second issue is a Deputy County Manager for the Criminal Justice System, and, as it stands today, the Public Defender and Legal Defender report directly to the County Manager. He advised that there has been a lot of discussion relative to the ILS (Indigent Legal Services) proposal, and he feels that any unresolved ILS issues are solved now, because this is going to be a Deputy County Manager position; he is not going to be managing court cases, which Public Defender Hlavac will talk

about later. He advised that the criminal justice system takes almost 66% of our major three revenues, and if you throw in ALTCS and AHCCCS you are at 82% of all our revenue flow. He stated that, as we head into the future of the criminal justice system, it is going to have to be well-coordinated and closely managed because we can't zero out everybody else in this County to be able to provide for a sustained 13% growth on an annual basis. He advised that under the Deputy County Manager for Management Services, all the internal services that we currently provide are going to be under Director Timko. He advised that the Public Fiduciary will transfer to Health and Community Services. He advised that the final proposal is a Deputy County Manager for Health and Community Services, for which he will be appointing Director Parel-Duranceau. He advised that the only change is that the septic issues will be removed from Environmental Health, and will be under the auspices of an Engineer. He advised that each of the proposed Deputy County Managers will be addressing the Board.

Director Parel-Duranceau advised that the opportunity to consolidate similar programs with similar clients is the creation of Health and Community Services cluster of departments. She advised that it is a natural fit, as they have public health services, public fiduciary services, and community services. She stated that the three departments have the vision of providing a better quality of life for all Mohave County residents. She advised that this proposal promotes public access and efficient services to what is called a one stop delivery system of health services, housing services, employment and training services, and public fiduciary services. She advised that this will create an opportunity for developing joint grants for program services. She stated that similar clients and program participants are served, and this new structure of health and community services provides a cross referral of clients. She advised that they will have the opportunity to share best practices for successful grants and financial management of grant funded programs. She stated that the structure of the departments will remain the same, with the Community and Economic Development Department being called Community Services, for which she will continue to be the Director.

Director Hendrix stated that the new Development Services building will be an integral part and component of this reorganization. He advised that it is currently under construction for a state of the art, environmentally friendly, energy efficient, and, hopefully, LEEDS certified 31,000 square foot, two story facility. He stated that construction started in late January, and it is anticipated to be completed by the end of February, 2010. He advised that the building will be designed and organized with the goal of providing all development services under one roof to establish a one stop shop, and provide the best available customer service to the residents and development community. He advised that, currently, Public Works is structured to have over ten divisions reporting directly to the Public Works Director. He stated that development review is separated into Environmental Health review, under the direction of the Environmental Health Manager and the Health Director; Flood Plain review, under the direction of the Flood Control District Engineer and the Public Works Director; and Planning and Zoning reviews, under the direction of the Development Services Director. He stated that they wish to achieve functional, vertical integration of the development review and permitting process. He advised that approval authority will vest under the Development Services Director, with the goal of establishing a truly one stop shop for residential and development review. He stated that they are proposing to combine the County's Arizona Department of Environmental Quality, zoning, flood control, building code permitting, and development services under one authority. He advised that they are looking to integrate Mohave County's Flood Control District, Emergency Management and Alert responsibilities for better and more efficient use of resources, and overall service to the

County. He advised that they will integrate Economic Development to work with Development Services, establishing continuity to our customer service, from cradle to completion. He advised that the proposed organization structure will dramatically improve the span of control, reducing the number of direct reports throughout the organization to a manageable level. He stated that the structure will also eliminate redundancy by creating a more efficient structure and vertically integrated organization. He advised that it will enable the County to achieve distinct, measurable areas of improvement with the new reformation, enhancing customer service, accountability, and cost savings. He stated that not only will we create a more efficient and effective organization, the proposal will reduce the overall cost of the general fund, and appropriately reallocate resources for the special fund divisions. He advised that positions will be consolidated, and leadership positions will be filled with existing employees. He stated that they will look at consolidating administrative, compliance, and permitting functions within Development Services, and they will change funding structure to better reflect functional responsibilities of the Deputy County Manager, Directors, and selected Managers.

Public Defender Hlavac advised that this item does relatively little to change what Agenda Item 30 (ILS Proposal) encompassed. He advised that the only difference is that, in addition to his responsibility of overseeing indigent defense functions in terms of case management and contracts, he will become the liaison for the remainder of the judicial system, the court system, and the criminal justice system, consisting of the County Attorney, the Sheriff, and the Courts. He stated that he had a very productive meeting with Attorney Smith, and he was able to alleviate his concern that this is an attempt by Manager Walker, or himself, to run the County Attorney's Office. He advised that this is to assist Attorney Smith, and the system, in balancing the limited resources we have, and to meet the fact that 66% of our costs in the County go to this system, which can quickly run out of control if we continue a system where each part of the system fights over the limited resources. He stated that he met with Sheriff Sheahan, and he believes he has the same perspective on what is proposed. He advised that he offered to meet with the Courts; however, they did not take him up on the offer. He stated that the backup from Ms. Shely and Mr. Van Wyck clearly clarifies the ethical issues, saying there are no problems inherent in this system. He advised that he spoke with them since the Deputy County Manager reorganization proposal came forward, and their opinions are that this system alleviates even more of the ethical concerns because it removes him, de facto, from even more possibility of direct management of the Indigent Defense Offices. He stated that he and the Board received an ethics opinion from Attorney Ekstrom and an email from the Courts, stating that the ethic opinions had sufficiently addressed their issues regarding ILS.

Director Timko advised that the proposal could not have come at a better time. He stated that one week from today, the County Manager and he will start meeting with department heads and elected officials to analyze their fiscal year 2010 budget requests. He advised that we will begin this process with a \$1.3 to \$1.5 million dollar gap between expected revenues and requested expenditures. He stated that most of the savings from this proposal will accrue to the general fund and will solve approximately one-third of the problem we are starting with. He stated that Management Services' goal will be to provide the most efficient internal services to County departments and elected officials. He stated that he feels especially prepared for his new role as Deputy County Manager since this is a capacity in which he has served at three different State agencies while employed with the State of Arizona. He advised that the Management Services team will be focused on facilitating the support services required to ensure their success. He stated that his personal duties will continue to include being the Chief Financial Officer, and, in

that role, he wants to endorse this plan. He advised that the initial savings which accrue to this reorganization, while substantial, are only the beginning. He stated that the permanent downsizing of seven positions will continue to benefit future years, but the potential for future improvements and efficiencies will far outweigh the initial savings, and will provide proper alignment of resources, assets, and personnel. He requested the Board's support in creating the organizational structure that will allow them to succeed in doing more with fewer resources.

Manager Walker showed a slide indicating what the Board has outlined as his duties. He stated that the Courts have been opposed to the ILS proposal, and, it is his understanding that the Board received a letter indicating how they would like to be involved in how he runs his day to day business. He stated that he is a liaison between the elected leaders; some respect that, others do not. He advised that this reorganization does not change anything; he still has the ultimate responsibility as liaison between the elected leaders, and the Board of Supervisors. He stated that this change should be relatively invisible to elected officials.

Chairman Sockwell stated that he has been in favor of making organizational changes for quite some time. He advised that he wants to see reorganization because the County needs to streamline its operation; he doesn't want to see us caught unprepared when another boom comes along.

Danny Baker, Kingman resident, advised that he is opposed to the reorganization because the County will soon be going to five Supervisors, which will be an additional cost to the County. He stated that the country is currently in economic strife, and to have eight promotions when there is a hiring freeze in effect, vacant jobs, and the County Manager has requested 5% to 10% in department cuts, seems to be bad timing. He stated that moving ADEQ into the already overworked Development Services Department could cause danger to the environment and public health.

Manager Walker stated that he does not understand why downsizing, streamlining, and cutting costs flies in the face of what Mr. Baker believes is going to happen. He stated that this will be more important when the County has five Supervisors.

Chairman Sockwell stated that it will take at least a year to do the census, and will probably take more than a year to put the numbers together, and redistrict. He stated that the soonest we will go to five Supervisors is 2012, and we cannot wait that long to start moving ahead.

Manager Walker advised that 2012 will be the first opportunity for five Supervisors, as it has to be done during a General Election.

Roy Hagemyer, Mohave Valley resident, advised that Manager Walker made a very dismal assessment regarding Mohave County's financial picture in the Mohave Valley Daily News, and, a few minutes ago, Director Timko reiterated the whole statement. He stated that he doesn't have a problem with the reorganization; Development Services definitely needs some reorganization, as there are a lot of problems. He stated that he is only speaking of promotions, and he doesn't see how this is going to save money. He stated that consolidation of departments is a good idea; but when private companies consolidate jobs, there are no pay raises, just more work.

Manager Walker responded that Mr. Hagemyer must have been dozing when staff was talking about the fact that this cuts positions, and permanently reduces our annual costs at a minimum of \$560,000.

Ms. Kirk Cookson, Lake Havasu City resident, advised that she is extraordinarily offended by the comments made by Manager Walker. She stated the speakers are not stupid because they oppose certain aspects of the reorganization, and question raises, and the propriety of certain decisions. She advised that they are very educated, they run businesses, and they pay a large amount of taxes. She stated that the reorganization appears to be a done deal, as it is too complex to be a proposal. She advised that she does not see the cost savings; it looks like voodoo economics. She advised that the savings of \$179,800 for a position that is not filled is not a savings. She stated that the powers of the Courts have been usurped; the Supreme Court rules clearly state that the Presiding Judge shall be involved, and have the word on contracts under criminal defense.

Jean Bishop, Cerbat Constable, stated that she is not opposed to the reorganization in its entirety; however, none of the Constables have been informed of this, and they are confused. She advised that the graph indicates that the Constables fall under the jurisdiction of the Criminal Justice System; however they are included with the Courts. She pointed out that the Constables are elected, and serve under the executive branch of government, and the judges and courts serve under the judicial branch.

Manager Walker advised that nothing changes for the Constables.

Richard Weiss, Superior Court Judge, stated that he is trying to get clarification; he is not here as a micro manager. He advised that the proposal talks about making the ILS proposal, which the Courts are willing to go along with, moot. He advised that this infers Item 30 is being withdrawn, and Public Defender Hlavac explained that he may be the ILS person, and if that is the case, there may be an issue. He stated that when the item proposal talks about span of control as to what the Deputy County Manager's will do, one would infer that they will have control over the department heads beneath them. He advised that, if that is the case, it becomes problematic as to whether or not the ethic opinions follow through with what this plan is. He stated it is not clear to the Courts whether or not they are able to support Item 29 because they do not know where ILS falls. He stated that the Courts can support ILS the way it was earlier proposed, due to the ethical opinions. He advised that the Courts sent a letter to Manager Walker and the response was exactly as expressed in the Board's communication form, and the Courts feel they need further clarification.

Manager Walker questioned if Judge Weiss feels that the existing organization, where the Public Defender and Legal Defender report to the County Manager, has ethical implications.

Judge Weiss responded that it is not the Court's concern.

Manager Walker stated that should resolve the issue about a Deputy County Manager because Public Defender Hlavac will be his agent, he will not control the Court budgets or the Constable budgets.

Judge Weiss responded that that is not the point; the Court's question is who they are supposed to send their appointments to. He advised that the rules provide that the Presiding Judge develop a system of appointment; now it is not clear who they appoint.

Public Defender Hlavac explained that it will remain just as the Statute and Rule require, when there is a Public Defender's Office, the Public Defender's Office is appointed. He stated that the only thing that changes is the routing of paperwork.

Judge Weiss stated that the Courts can work with that.

Supervisor Johnson stated one thing that has always bothered him is that the organization chart shows the Clerk of the Board under the County Manager; the Clerk of the Board is appointed by the Board of Supervisors and works directly for them, and no one else. He stated that the organization chart needs to be changed. He stated that the idea of reorganization has some merit to it; however, he disagrees with the wording. He stated that Division Managers make more sense than Deputy County Managers, as he believes Deputy County Manager or Assistant County Manager indicates that they can run the County in the Manager's absence. He advised that having four Deputy County Managers for a County our size is way out of proportion. He stated that he has been pushing for an Assistant County Manager for a long time, and when Manager Walker brought in the Office of Management and Budget, he said they would take the place of the Assistant County Manager. He stated that in the last two years, the County has grown by approximately 150 employees, and the County Manager's Office has grown tremendously, and now there are going to be four more people. He stated that perhaps the current positions in the County Manager's Office need to be looked at to see if any can be eliminated. He questioned if, when talking about savings, they are talking about things that haven't been filled. He stated that there will be no cutting of personnel, so it's not like we were spending \$500,000 or \$600,000 and are not spending it now.

Manager Walker advised that seven positions are being permanently eliminated. He stated that all of them have been in a frozen status; they will no longer be on our schedule of positions. He advised that they are pleased that they did not have to get rid of any employees.

Supervisor Johnson stated that he did not see anything about salary increases. He questioned what the salary increase amount is, and how many people it affects.

Director Timko advised that the total number of people receiving a pay increase is seven, and the total amount of the increase is less than \$100,000 per year. He advised that the eliminated positions account for salaries of \$694,000.

Supervisor Johnson stated that the \$100,000 is a small amount when considering the whole budget; however, Mr. Hagemyer brought up a good point. He stated that until the people receive an evaluation, he would be content at leaving their pay where it is right now. He advised that he understands they are accepting additional responsibilities; however, at this time, he feels we should create the positions, but keep the salaries at the current levels.

Chairman Sockwell stated that this has gone on for quite some time; we can beat a dead horse as long as we want, but nothing is going to change.

Motion was made by Chairman Sockwell, and seconded by Supervisor Watson to approve the reorganization of County Departments for efficient management of County operations and activities and to promote public access and efficient, consistent services.

The following roll call votes were recorded: Supervisor Johnson – No, Supervisor Watson – Yes, Chairman Sockwell – Yes. Motion carried by majority vote.

NOTE: The reorganization of the County's leadership and reporting management structure, authorizes the creation of four Deputy County Manager's positions at Range 33, Step 8, approves salary for the Development Services Director at Range 31, Step 9, and Public Works Director at Range 31, up to Step 7; and authorizes minor restructuring of staff and duties within the departments to either reduce costs or promote efficiency.

ITEM 30: Motion was made by Chairman Sockwell, and seconded by Supervisor Watson to discuss authorizing the reorganization of existing indigent defense representation and legal services into an Office of Legal Services and Direct Representation offices, as continued from the February 17, 2009, BOS Meeting.

Supervisor Johnson questioned, with the approval of Item 29, if this item would not be null and void.

Manager Walker responded in the affirmative; the ILS organization is under the auspices of a Deputy County Manager.

No action was taken on this item.

There being no further business to come before the Board of Supervisors this 20th day of April, 2009, **motion was made by Chairman Sockwell, seconded by Supervisor Johnson, and unanimously carried to adjourn at 11:49 A.M.**

MOHAVE COUNTY BOARD OF SUPERVISORS

Tom Sockwell, Chairman

ATTEST:

Barbara Bracken, Clerk of the Board