

**MINUTES
OF THE
LA PAZ COUNTY BOARD OF SUPERVISORS
Monday, February 3, 2020, 10:00 a.m.
Regular Meeting**

Chairman Irwin called the La Paz County Board of Supervisors February 3, 2020, regular meeting of the La Paz County Board of Supervisors to order at 10:00 a.m. Elected Officials and Department Heads present were: Chairman Irwin, Supervisor Wilson, Supervisor Minor, County Administrator Drake, Chief Deputy County Attorney Dooley, Finance Director Krukemyer, Human Resource Director Frantz, Health Director Shontz, Sheriff Risen, School Superintendent Price, Community Development Director McCormick, Elections Director Scholl, Assessor Camacho, and Clerk of the Board Green.

Chairman Irwin led the Pledge of Allegiance followed by the Invocation given by Pastor Glenn Swarhout from the First Baptist Church in Parker.

Presentation: “Sandy Dodge Employee Excellence” award

Dorothy Fenech, Employee of the Month Chairman, recognized Andrew Schuler, Facilities Maintenance Supervisor, with the January 2020, Sandy Dodge Employee Excellence Award and a \$25 Walmart gift card.

Presentation: “Achieve60, Arizona”, an overview of the State of Attainment Report by Rachel Yanof, Executive Director

Rachel Yanof, Executive Director for the “Achieve60, Arizona” project, gave a power point presentation on the accomplishments of the project’s goal of a 60% attainment of a college degree by adults. She explained at length the work of the project and the importance of this challenge and its economic impact for the graduates and the state.

Call to the Public: This is the time for the public to comment for a limit of three (3) minutes per person. Members of the Board may not discuss items that are not specifically identified on the agenda. Therefore, pursuant to A.R.S. § 38-431.01(H), action taken as a result of public comment will be limited to directing staff to study the matter, responding to any criticism or scheduling the matter for further consideration and decision at a later date

Penny Pew, on behalf of Congressman Gosar, read a letter regarding the resolution that was under consideration on the Board’s agenda regarding the support of the second amendment, expressing that it is a “fundamental right guaranteed by the Constitution” and the Board’s local initiative to protect this right “in the face of attempted government overreach is an example of the constitution and what its founders intended”.

Ernest Calma, with Mohave County for the Second Amendment, a leading group working with other counties to adopt similar resolutions, stated that Yavapai County as well as Apache County, are considering it, and Bullhead City had already passed a resolution. He spoke briefly concerning the importance of the citizenry to be able to protect themselves from oppressive government as expressed by the Nation's founders.

Ana Camacho, County Assessor, stated that she had some concerns about the 9-1-1 emergency situs addressing, and misinformation that was being circulated that the issues were coming from her office, clarifying that the creation and changes to these addresses did not come from her office, but rather, from the Community Development Department. She detailed some of the issues that had been raised and asked for cooperation for a "round table" she felt would solve some of the problems.

George Nault questioned a procedure taken previously on a prior meeting's agenda.

Russell Sias, from Quartzsite, expressed that it was the Second Amendment itself that was the "carrier's permit" for all citizens, and that was the position that should be taken by all. He supported the proposed resolution for a sanctuary county, call it the "first step" in regaining the citizens right to bear arms.

County Administrator and/or County Supervisor's Current Event Summary: The County Administrator or Board Member may present a brief summary of current events summarizing recent occurrences without any discussion or feedback from the remainder of the board. The Board will not propose, discuss, deliberate or take legal action on any matter mentioned in the summary unless the specific matter is already properly noticed for legal action, and then only at such time as that matter comes before the board itself pursuant to its meeting agenda. A.R.S. § 38-431.02(K)

Supervisor Minor reported information about the meeting he attended a couple of weeks prior at the Arizona Corporation Commission regarding the sale of Brook Water LLC. He stated that, for anyone that was interested in the details of that meeting, he would be glad to talk to them. He added that although he was not opposed to the sale to EPCOR Water Az, Inc., he expressed concerned about the rates and how they were structured.

He added that he represented the County in a meeting with the Transportation Committee at the House of Representatives, where County Supervisors discussed the need for additional Highway User Revenue Funds (HURF) to replace those funds that were taken away some years ago.

He announced that the Muzzle Loaders would be meeting on February 13 – 16, 2020, at 9:00 a.m. for an event at the Bouse Shooting Range.

Supervisor Wilson reported that the Transmission Line Citing Committee held a meeting in Quartzsite regarding the 10 West Transmission Line that would be crossing La Paz County, noting that the previous objections expressed by the County concerning the routing plan have been finally adjusted to align with what the County and its citizens expressed to be the preferred and best route.

He noted that the County filed to be a party to the hearing before the Corporation Commission, at which he emphasized the importance of the project to the County's acquisition of Bureau of Land Management property and plans for solar development and for the economic benefit of the County's future.

Chairman Irwin reported that she had attended her first Off Highway Vehicle Advisory Committee meeting, being appointed to that committee by the Arizona State Parks. She stated the discussion was regarding the proposed Bouse site for development. She added that the master plan for that project was "unveiled" and done in phases after approval by the Arizona State Parks, noting costs and anticipated revenues it would bring. She further added that off-road decals sold to non-residents by the Arizona Game & Fish appeared to be popular and will be producing more revenue.

Supervisor Minor added there will "Camp Bouse Day" in Bouse, and a dedication at the La Paz County Parks at the boat ramp to recognize the Empire Flat historical landing, on Saturday, February 8.

CONSENT AGENDA (*Discussion and possible action on the following items*):

7(a) Approval of Minutes of the Tuesday, January 21, 2020, 10:00 a.m. regular meeting – Clerk of the Board

Approve Minutes of the Tuesday, January 21, 2020, 10:00 a.m. regular meeting.

7(b) Approval of the La Paz County Payroll, from January 16, 2020, through January 28, 2020, as presented, in the amount of \$409,176.41, plus employee related expenses (ERE) of \$131,382.81, for a total of \$540,559.22, including handwritten warrants – Finance

Approve the La Paz County Payroll, from January 16, 2020, through January 28, 2020, as presented, in the amount of \$409,176.41, plus employee related expenses (ERE) of \$131,382.81, for a total of \$540,559.22, including handwritten warrants.

7(c) Approval of the La Paz County Payables through January 28, 2020, as presented, for FY2019/2020, in the amount of \$819,221.45, including handwritten warrants – Finance

Approve the La Paz County Payables through January 28, 2020, as presented, for FY2019/2020, in the amount of \$819,221.45, including handwritten warrants.

7(d) Approve to appoint member to the Parks and Recreation Advisory Commission, term ending December 31, 2024, representing District 1 – Board of Supervisors

Approve to appoint Kyleen Baldwin as member to the Parks and Recreation Advisory Commission, term ending December 31, 2024, representing District 1.

7(e) Approve to appoint the position of Courtroom Clerk for the Salome Justice Court, a vacant and budgeted position – JP5 (Replacement)

Approve to appoint Nancy Lyons to the position of Courtroom Clerk for the Salome Justice Court, effective February 4, 2020, at an annual salary of \$33,280 (NE015, Step 5), a vacant and budgeted position.

7(f) Approve increase in salary for the position of Judicial Assistant for the Superior Court in order meet the salary requirements for an exempt position – Superior Court

Approve increase in salary for Shayla Watson, Judicial Assistant for the Superior Court, for an annual salary of \$36,046.40 (N044, Step 6), in order meet the salary requirements for an exempt position.

7(g) Approve appointment of election workers for the Presidential Preference Election on March 17, 2020 and authorize staff to fill vacancies as required – Elections

Approve appointment of election workers for the Presidential Preference Election on March 17, 2020 and authorize staff to fill vacancies as required.

7(h) Approve contract with Neopost USA, Inc. for a five-year postage system lease, authorizing the County Attorney, or designee, to sign the contract – County Attorney

Approve contract with Neopost USA, Inc. for a five-year postage system lease, at \$118.09 per month for a total of \$7,085.40; authorizing the County Attorney, or designee, to sign the contract.

7(i) Sitting as the Jail District Board of Directors:

1) Approve the La Paz County Jail District Payroll, from January 16, 2020, through January 28, 2020, as presented, in the amount of \$57,594.36, plus employee related expenses (ERE) of \$11,243.18, for a total of \$68,837.54, including handwritten warrants – Finance

Approve the La Paz County Jail District Payroll, from January 16, 2020, through January 28, 2020, as presented, in the amount of \$57,594.36, plus employee related expenses (ERE) of \$11,243.18, for a total of \$68,837.54, including handwritten warrants.

2) Approve the La Paz County Jail District payables through February 15, 2020, as presented, for FY2019/2020, in the amount of \$98,065.39, including handwritten warrants – Finance

Approve the La Paz County Jail District payables through February 15, 2020, as presented, for FY2019/2020, in the amount of \$98,065.39, including handwritten warrants.

3) Approve to appoint three (3) positions of Uncertified Detention Officer, all vacant and budgeted positions (Replacement)

Approve to appoint Trevor Bishop, Samuel Field, and Isidro Rodriguez to the positions of Uncertified Detention Officer, with salaries at \$32,656 (L02, Step 1), increasing to \$33,342 (L02, Step 2) upon successful completion of an Arizona Detention Academy within one year, requiring a six-month County probation and an additional six-month probation for the Sheriff's Office. all vacant and budgeted positions.

SUPERVISOR WILSON MOVED to approve Consent Agenda Items #7(a) through #7(i). Motion seconded by Supervisor Minor, passed unanimously, including the vote by Chairman Irwin.

Chairman Irwin stated that agenda item #12 would be considered at this time to accommodate those in attendance waiting for this item.

Approve adoption of Resolution No. 2020-02, a resolution of the La Paz County Board of Supervisors supporting the second amendment of the United States Constitution and declaring La Paz County a “Second Amendment Sanctuary County” – Board of Supervisors

County Administrator Drake stated that a copy of the resolution was received from Mohave County and La Paz County revised it slightly, inserting some verbiage.

Chairman Irwin read Resolution No. 2020-02 in its entirety.

CHAIRMAN IRWIN MOVED to approve adoption of Resolution No. 2020-02, a resolution of the La Paz County Board of Supervisors supporting the second amendment of the United States Constitution and declaring La Paz County a “Second Amendment Sanctuary County”. Motion seconded by Supervisor Wilson, passed unanimously, including the vote by Supervisor Minor.

REGULAR AGENDA (*Discussion and possible action on the following items*):

PUBLIC HEARING(S):

Docket No. Z2020-001, Roda Family Holdings, LLC, APN: 311-76-077, requesting a rezone from Residential-High Density (R-3) to Residential-Low Density (R-1), zoning or a single-family dwelling; property located at Highway 95 at Sandpiper, in Parker. This item was recommended for approval by the Planning & Zoning Commission – Community Development

Community Development Director McCormick presented Docket No. Z2020-001, Roda Family Holdings, LLC, APN: 311-76-077, requesting a rezone from Residential-High Density (R-3) to Residential-Low Density (R-1), zoning or a single-family dwelling.

He stated that 18 property owners were notified of the rezone request and no responses in opposition were received. He noted the surrounding zones and Review Committee comments.

Chairman Irwin opened the Public Hearing and asked if anyone wished to comment on the rezone request.

Assessor Camacho commented that an error in evaluation occurred and a tax correction would be forthcoming

There being no further comment, Chairman Irwin closed the Public Hearing.

Discussion and possible action regarding Docket No. Z2020-001, Roda Family Holdings, LLC, APN: 311-76-077, requesting a rezone from Residential-High Density (R-3) to Residential-Low Density (R-1), zoning for a single family dwelling; property located at Highway 95 at Sandpiper, in Parker – Community Development

SUPERVISOR MINOR MOVED to approve Docket No. Z2020-001, Roda Family Holdings, LLC, APN: 311-76-077, for a rezone from Residential-High Density (R-3) to Residential-Low Density (R-1), zoning for a single family dwelling, with the stipulation that the property owner sign an A.R.S §12-1134 (207) Waiver; property located at Highway 95 at Sandpiper, in Parker. Motion seconded by Supervisor Wilson.

A brief discussion ensued noting that the property is on 6.5 acres and the property would be split into three separate lots.

MOTION PASSED UNANIMOUSLY, including the vote by Chairman Irwin.

REGULAR AGENDA (*Discussion and possible action on the following items*):

Arizona Department of Liquor Licenses & Control application for a Series 10, beer and wine store liquor license, submitted by Family Dollar Store #29045, located at 66952 Hope Lane, Salome, AZ 85348 – Board of Supervisors

Clerk of the Board Green presented Arizona Department of Liquor Licenses & Control application for a Series 10, beer and wine store liquor license, submitted by Family Dollar Store #29045, located at 66952 Hope Lane, Salome, AZ 85348.

She stated that the Sheriff Department posted the application for the required number of days and thus far there had been no comments received for or against the application, unless someone from the audience has a comment to make in this Public Hearing.

Chairman Irwin opened the Public Hearing and asked if anyone wished to comment on the application for a liquor license.

There being no comment, Chairman Irwin closed the Public Hearing.

Discussion and possible action to approve/deny recommendation to the Arizona Department of Liquor Licenses & Control application for a Series 10, beer and wine store liquor license, submitted by Family Dollar Store #29045, located at 66952 Hope Lane, Salome, AZ 85348 – Board of Supervisors

CHAIRMAN IRWIN MOVED to recommend approval to the Arizona Department of Liquor Licenses & Control application for a Series 10, beer and wine store liquor license, submitted by Family Dollar Store #29045, located at 66952 Hope Lane, Salome, AZ 85348. Motion seconded by Supervisor Minor, passed unanimously, including the vote by Supervisor Wilson.

Approve Arizona Public Service (APS) Line Extension Agreement for Hippie Hole infrastructure, a grant funded project– Board of Supervisors

Chairman Irwin explained that this item is part of a grant that was received from the Arizona State Parks and it is an agreement with Arizona Public Service (APS) for infrastructure improvements to the Hippie Hole Park.

She explained that the amount due for the project is \$65,290.12, which would be reimbursed by the grant.

Supervisor Wilson stated that he had some concerns, none that would affect the Board's ability to approve the agreement; however, he stated that there was no engineering by the County regarding the development of the distribution system within the park and the number of spaces that would be served and where the panels would go. He noted that one of the panels should be located further south in the RV space area and noted other calculations that were needed on the voltage requirements in order to be compliant with the electrical code. He further noted items that APS does not provide; therefore, the County would have to do so along with the associated costs.

Supervisor Wilson deduced that the grant would still have approximately \$25,000 to cover the costs of the panels, and there needed to be some "clarity" regarding the design for the park.

Brief comments were made noting that there was nothing at this time that would keep the Board from approving the agreement.

CHAIRMAN IRWIN MOVED to approve Arizona Public Service (APS) Line Extension Agreement for Hippie Hole infrastructure, to include invoice #AR0330000605, in the amount of \$65,290.12; a grant funded project. Motion seconded by Supervisor Wilson, passed unanimously including the vote by Supervisor Minor.

Discussion and possible action to go into Executive Session pursuant to A.R.S. §38-431.03(A)(1), for the purpose of discussion or consideration of the continued employment, assignment, appointment, promotion, demotion, dismissal, salary, discipline, or resignation of the position of the Community Development Director – Board of Supervisor

Chairman Irwin asked Community Development Director McCormick if he wished to have this item heard in public meeting or in Executive Session.

Community Development Director McCormick stated that he wanted to have it in public meeting.

Discussion ensued regarding the notification letter to the employee issued by the Clerk of the Board, noting that the employee was instructed to notify the Clerk by 9:00 a.m. before the meeting for a public session.

SUPERVISOR MINOR MOVED to approve going into Executive Session pursuant to A.R.S. §38-431.03(A)(1), for the purpose of discussion or consideration of the continued employment, assignment, appointment, promotion, demotion, dismissal, salary, discipline, or resignation of the position of the Community Development Director. Motion seconded by Supervisor Wilson, passed unanimously, including the vote by Chairman Irwin.

Convene into Executive Session: 11:00 a.m.
Reconvene to Open Meeting: 11:25 a.m.

Discussion and possible action relating to the continued employment, assignment, appointment, promotion, demotion, dismissal, salary, discipline, or resignation of the position of the La Paz Community Development Director – Board of Supervisors

Supervisor Wilson explained that Mr. McCormick had requested that this item be conducted in public rather than in Executive Session, and was given a letter in a timely manner specifying that he should advise the Clerk of the Board by 9:00 a.m. this morning if he wished to have it in public. After review of the statute by Chief Deputy County Attorney Dooley, the Board received his opinion that the employee may ask that the session be held in public at any time up to the time of the agenda item; therefore, the Executive Session was adjourned and resumed in public session.

Supervisor Minor stated that he had shared his concerns with County Administrator Drake in the past regarding the Director's job performance and not having received a response, requested this item to come before the Board for discussion.

He stated that it was "his strong feeling that we work for our constituents", and he discussed at substantial length and gave examples in which he felt the Community Development Department and Director McCormick was not accomplishing that, nor displayed the type of demeanor that would facilitate productive communication.

Chairman Irwin expressed agreement, adding that it was costly for the County to seek legal counsel as well as advisement often from the County Engineer on items that involved Community Development.

Supervisor Wilson stated that there were areas in which he felt progress was being made, such as in the mapping process, adding that some of the problem was a lack of prior documentation of processes in that office.

Supervisor Minor stated that he had a letter from a citizen he wished to share; however, since the session is public, he would simply pass out copies.

Supervisor Minor asked Chief Deputy County Attorney Dooley what the Board's options were with regard to this session.

Chief Deputy County Attorney Dooley described the Board's authority with regard to employees as well as those employees under elected officials, adding that it was appropriate for the employee to be able to respond to any criticisms.

County Administrator Drake suggested looking at the "big picture", the shortness of staff in the Community Development Department; Ordinances that were in "disarray"; what Mr. McCormick has been asked to work with; and the difficulty the County has in replacing such positions with the pay scale the County provides.

County Administrator Drake stated that since the Department was now getting “staffed up”, other areas of the Board’s concerns can be addressed and made some suggestions that he felt would keep staffing from continuing to be an issue. He added that legal counsel is assisting with Ordinances and providing other insights to assist the Community Development Director.

Chief Deputy County Attorney Dooley also stated that the Community Development Department has been working “diligently” to correct some of the problems and processes, choosing to not accept them “as just the way we used to do them”.

Community Development Director McCormick spoke at substantial length; describing the issues he had met in the department in answer to the concerns of the Board and presented a prepared statement regarding his philosophy in the workplace.

Chairman Irwin stated some of the comments made she felt were “completely incorrect”, and reiterated her concerns, noting that she had been with the County long enough to know that the complaints received from the public were more than what should be happening.

Supervisor Minor concurred, noting that he felt he had reached out repeatedly for answers; did not receive them; and felt that there would be no change.

Supervisor Wilson acknowledged there were things for concern; that constituents were not getting the customer service required. He added that he also felt it took a couple of years for an employee to “get up to the job”.

He suggested a 90-day probation, expressing that he felt everyone should have a chance to correct their performance with “comprehensive feedback”.

Discussion continued at length, reiterating on the issues that had come up; frustration expressed over the lack of action over an extended period of time on numerous issues; dissatisfaction over the responses given and expressed from constituents.

Community Development Director McCormick suggested a method to improve communications with the Board, adding that the updates Chairman Irwin were receiving from the public were not always “forthcoming”.

Chairman Irwin disagreed and stated she felt a change was in order and inquired how to proceed with that.

A brief discussion ensued with Human Resource Director Frantz and Chief Deputy County Attorney Dooley on verbiage.

CHAIRMAN IRWIN MOVED to approve putting Community Development Director McCormick on paid administrative leave pending termination on February 18, 2020. Motion seconded by Supervisor Minor, passed by a vote of two to one with Supervisor Wilson voting nay.

Adjournment

Chairman Irwin adjourned the meeting at 1:12 p.m.

APPROVED:

Holly, Irwin, Chairman

ATTEST:

Diane Green, Clerk of the Board

The following La Paz County demands were audited, approved and ordered paid by the La Paz County Board of Supervisors: #11143755, All Covered, \$4,632.15; #11143756, All Covered, \$1,568,290.69; #11143768, Michael Leland Frame, \$19,271.81; #11143771, Helm, Livesay & Worthington, Ltd., \$1,174.25; #11143773, JP Morgan One Card, \$13,515.48; #11143776, La Paz Regional Hospital, \$4,595.41; #11143777, Law Offices of Kelly A. Smith, \$2,171.50; #11143781, MCI, \$2,673.02; #11143783, McMullen Fire District, \$5,138.67; #11143785, Neopost, \$1,000; #11143787, Parker Auto & Marine, \$1,829.68; #11143788, Parker Fire District, \$6,527.81; #11143792, Quartzsite Fire Department, \$10,222.92; #11143795, River Septic, \$1,190; #11143796, Ruffner Law PLLC, \$17,063.75; #11143799, Suddenlink, \$6,199.72; #11143800, Sunset Emergency Physicians, \$1,141.19; #11143801, TDS Telecom, \$1,572.30; #11143803, Tri-State Reporting, \$3,111.90; #11143804, Trinity Services Group, Inc., \$15,430.80; #11143805, Whitney & Whitney, PLLC, \$13,048.83; #11143808, AZ Counties Insurance Pool, \$52,180.27; #11143809, Certified Folder Display Serv., \$1,107; #111423810, Corp.-Corp Officer Retirement – Detention, \$21,393; #11143811, Charles River Associates, \$88,995; #11143812, AZLGEBT, \$208,000; #11143822, Desert Wee Control, \$2,625; #111411143825; \$3,000; #11143827, Growers Oil Company, \$2,666.61; #11143831, La Paz Electric, \$2,335.58; #11143834, Marcus G. Faust, Professional Corp., \$13,370; #11143839, Parker Motor Co., Inc. \$74,883.47; #11143840, Parker Oil Products, Inc. \$12,584.76; #11143841, Parker Tree Service, \$4,500; #11143843, c. \$74,883.47; #11143840, Parker Oil Products, Inc. \$12,584.76; #11143841, Parker

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Tree Service, \$4,500; #11143843, Proforce Law Enforcement, \$1,719.94; #11143846, Redburn Tire Company, \$2,613.94; #11143854, State Bar Arizona, \$2,555; #11143855, Strategic Management Group, \$10,773.08; #11143858, TAMCO, \$2,965.77; #11143860, Thomson Reuters, \$3,204.18; #11143865, West Payment Center, \$3,118.35; #11143866, \$White Sheet Free Shopping Guide, \$2,182.49; #1143935, Atkins North America, Inc., \$14,829.42; #11143941, Desert Golf Cars, \$27,712.67; #11143942, Destiny Software, Inc., \$3,500; #11143945, Empire Southwest, \$1,184.82; #11143948, Honorable Robert Carter Olson, \$1,239.82; #11143948, Honorable Robert Carter Olson, \$1,239.78; #11143951, Jones, Skelton & Hochuli, \$10,165.6; #11143957, Mil Geospatial, LLC, \$1,644.75; #11143967, Quill, \$2,223.67; ##11143971, Relentless LLC dba Desert Snow, \$1,797; #11143974, Rosenfeld, Gust, PLC, \$23,880; #11143992, Vederman Law Office, PLLC, \$3,420.