

MOHAVE COUNTY BOARD of SUPERVISORS



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Revised 01-16-2008

AGENDA NOTICE OF REGULAR MEETING AND PUBLIC HEARINGS OF THE MOHAVE COUNTY BOARD OF SUPERVISORS JANUARY 22, 2008 700 W. BEALE STREET - KINGMAN, ARIZONA

Pete Byers, Chairman Tom Sockwell, Vice-Chairman Buster D. Johnson, Supervisor

If members of the public wish to address the Board regarding an item they may fill out the Request to Speak Form (indicate item number) located in the back of the room. The form should then be given to the Clerk of the Board prior to the meeting. The time limit rule, noted on the form, will be enforced.

MEMBERS OF THE MOHAVE COUNTY BOARD OF SUPERVISORS WILL ATTEND EITHER IN PERSON OR BY TELEPHONE CONFERENCE CALL.

9:00 A.M. EXECUTIVE SESSION 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.

9:30 A.M. MEETING CALLED TO ORDER WITH INVOCATION AND PLEDGE OF ALLEGIANCE.

MOTION AND ACTION TO CALL FOR AN EXECUTIVE SESSION TO BE HELD FEBRUARY 4, 2008, 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.

THE BOARD OF SUPERVISORS MAY, BY MOTION, RECESS INTO EXECUTIVE SESSION TO RECEIVE LEGAL ADVICE FROM THE BOARD'S ATTORNEY(S) ON ANY ITEM CONTAINED IN THIS AGENDA PURSUANT TO A.R.S. 38-431.03 (A) (3).

OFFICIAL BUSINESS TO COME BEFORE THE BOARD:

- *1. Discussion of pending or contemplated litigation, claims and demands.
2. Committee and/or Legislative Reports.
3. County Manager's Report.
4. Approval of December 3, 2007, BOS Meeting Minutes.

BOARD OF SUPERVISORS CONSENT AGENDA: **(Items 5 - 46)**

The following items listed under CONSENT AGENDA will be considered as a group and acted upon by one motion with no separate discussion of said items, unless a Board Member so requests. In that event, the item will be removed from the CONSENT AGENDA for separate discussion and action.

5. Approve the proposed settlement of *American Land Management, LLC v. Mohave County*, TX2007-000520, *Desert Communities, Inc. v. Mohave County*, TX2007-000521, and *South Dakota Conservancy, LLC v. Mohave County*, TX2007-000522 property tax valuation appeal. This settlement provides for a reduction in the full cash value of the 13 parcels from \$9,535,951.00 to \$5,898,938.00, resulting in an estimated tax reduction of \$33,400.43 (from \$99,728.57 to \$66,328.14) for the 2008 tax year.
6. Authorize the Attorney General's Office to defend Mohave County in *Questar Southern Trails Pipeline Company v. Arizona Department of Revenue, et al.*, Case No. TX2007-000599.
7. Authorize the Attorney General's Office to defend Mohave County in *Qwest Corporation v. Arizona Department of Revenue, et al.*, Case No. TX2007-000597.
8. Approve a Special Event Liquor License for Havasu Community Health Foundation, 4066 Chemehuevi Boulevard, Lake Havasu City, Arizona, for February 23, 2008.
9. Ratify an Extension of Premises/Patio Permit for Lauren Kay Merrett, dba Maverik Country Store, 5031 W. Hwy 68, Kingman, Arizona, 86401.
10. Approve a New Liquor License for Scott Eric Lambert, dba Auggies Doggies, 4821 Highway 95, #1, Fort Mohave, Arizona, Series 12.
11. Approve the appointment of the following Republican Precinct Committeemen: Connie Wenerstrom and Al Blanco, Hilltop (14); James A. Curran, Jr., Hualapai (15); Vincent Thomas Holton, East Kingman (19); Ruth Ann Ross, Topock (29); Brenda Joyce Dillow, North College (40); Randy A. Cone and Bridget Ann Langston, Verde (50); Dimitri A. Panagopoulos, Camelback (62); and Zelda Donnetta Wade, El Dorado (69); as requested by the District Chair of the Republican Central Committee.
12. Adoption of BOS Resolution No. 2008-044 – Approving the Mohave County Emergency Response and Recovery Plan, also called the Mohave County Emergency Operations Plan, to supersede all prior Emergency Operations Plans, and directing County departments to plan for the emergency tasks specified for them in the Plan and be prepared to execute such tasks upon direction by the Board of Supervisors or County Manager.
13. **Sitting as the Board of Directors of the Mohave County Flood Control District:** Approve contributing \$2,000 to the Arizona Department of Water Resources for the purpose of providing for the continuing development of State Standards.
14. **Sitting as the Board of Directors of the Mohave County Flood Control District:** Accept the Flood Hazard Assessment Study and adopt and implement the Response Plan prepared by Arid Hydrology & Hydraulics, LLC, for the Beaver Dam Area of Mohave County.
15. Accept and authorize the Chairman of the Board of Supervisors to sign the Purchase Contract in the amount of \$14,000 for Lot 168, First Amended Lake Mohave Ranchos, Unit 11, Parcel No. 327-06-162, located in Section 9, Township 26 North, Range 18 West of the G&SRM, Mohave County, Arizona. This action is necessary to acquire property currently located within the Pierce Ferry Road alignment.
16. Adoption of BOS Resolution No. 2008-037 – Entering into an Intergovernmental Agreement between Mohave County and the State of Arizona for the purpose of inspecting and maintaining NBI defined bridges owned by Mohave County; and authorize the Chairman to execute said agreement on behalf of the County.

17. Approve to agree in concept to allow UniSource to connect to the I-40 Water System and authorize staff to work with UniSource to develop a mutually beneficial agreement to be brought before the Board for their consideration.
18. Accept the donation of labor and materials to construct 88 feet of chain link fence at Chloride Community Park from Mr. Gordon B. Unwin to enhance the safety of the children's play area, at no cost to the County.
19. **Sitting as the Board of Directors of the Golden Valley County Improvement District No. 1:** Approve the Water Agreement to forfeit one of two existing water connection benefits from Parcel 306-21-240A and transfer said water connection benefit to Parcel 306-51-008D, with owner requesting he only be assessed for one benefit for Parcel 302-21-240A when the proposed Zone C2, Zone E and Zone F Water Line Extension is accepted by the Board of Supervisors with the understanding that the cost of any future water connection benefit be purchased at the designated price at the time, if available, plus the amount equal to the forgiven portion of the proposed Zone C2, Zone E and Zone F Water Line Extension project in full; and, further, approve the acceptance of the one water connection benefit by the owner of Parcel 306-51-008D from Parcel 306-21-240A, along with the understanding and agreement of the responsibility to pay the cost the proposed Zone C2, Zone E and Zone F Water Line Extension is accepted by the Board of Supervisors.
20. Approve the acceptance of \$115,485.37 in LTAF II (Local Transportation Assistance Fund) funds from the State of Arizona, and the revised budget (826-05-6300), as requested by the Mohave County Department of Public Health, Senior Programs Division.
21. Approve an Agreement with Dolan Springs Community Council for the transfer of \$10,485.37 LTAF II (Local Transportation Assistance Fund) funding for the purpose of using the money as matching dollars for an upcoming Arizona Department of Transportation Grant to secure a handicap accessible van to be used to transport senior citizens of Dolan Springs, Chloride, and Mohave County.
22. Approve an Agreement with Kingman Old Timers Chat N Chow for the transfer of \$7,000 LTAF II (Local Transportation Assistance Fund) funding for the purpose of providing transit coupons to senior citizens of Kingman and Mohave County.
23. Approve an Agreement with Volunteers of Golden Shores Senior Nutrition for the transfer of \$6,000 LTAF II (Local Transportation Assistance Fund) funding for the purpose of providing direct transit services to senior citizens of Golden Shores/Topock and Mohave County.
24. Approve the transfer of \$28,000 LTAF II (Local Transportation Assistance Fund) funding for the Direct Transit Services of Citizens of Kingman and Mohave County, in accordance with the Intergovernmental Agreement with the City of Kingman.
25. Approve the transfer of \$28,000 LTAF II (Local Transportation Assistance Fund) funding for the Direct Transit Services of Citizens of Bullhead City and Mohave County, in accordance with the Intergovernmental Agreement with the City of Bullhead City.
26. Approve the transfer of \$28,000 LTAF II (Local Transportation Assistance Fund) funding for the Direct Transit Services of Citizens of Lake Havasu City and Mohave County, in accordance with the Intergovernmental Agreement with the City of Lake Havasu City.
27. Approve the acceptance of a \$1,000.00 donation from Wal-Mart, for Mohave County Department of Public Health, Nutrition Division's, Legacy Meth Program (238-04-5154), and the revised budget.

28. Approve HIV Prevention Program Contract #HG852275 (235-04-5180) with the Arizona Department of Health Services, for the time period of January 1, 2008, through December 31, 2008.
29. Approve the Title X Contract for Family Planning (226-04-5111) with the Arizona Family Planning Council, for the time period of January 1, 2008, through December 31, 2008, and the revised budget.
30. Approve an amendment to the Intergovernmental Agreement between Lake Havasu City and Mohave County for the management, maintenance, and improvement of publicly owned recreation facilities regarding Sara Park, located in Lake Havasu City, Arizona, in order that the facilities, grounds, and equipment of Sara Park will be available to Mohave County Department of Public Health for mass emergency health services in the event of an emergency.
31. **Sitting as the Board of Directors of the Mohave County Library District:** Approve a one year lease with ORB Investments for the property located at 2153 East Gordon Drive, Suite F, Kingman, Arizona, in the amount of \$2,225.00 per month, beginning February 1, 2008, and ending January 31, 2009, with the option to renew the lease for three additional one-year periods, or portions thereof, with the rent adjusted 3% per year.
32. Approve the Monthly Report for Procurement Activity between \$10,000 and \$35,000.
33. Approve entering into Contract No. 07-PS-24 with Selberg Associates, Inc., to design a remodel of the Negus Building, 809 E. Beale Street, Kingman, in the total contract amount of \$248,000, in accordance with the Mohave County Procurement Code, Article V, Section 6 (Direct Selection of Pre-Qualified Technical Registrants).
34. Approve Amendment No. 1 to Contract No. 07-PS-13 with Sunland Asphalt, Bullhead City, Arizona; Stockbridge Northwest, Kingman, Arizona; Turnquist Excavating, Bullhead City, Arizona; and FHI Plant Services, Las Vegas, Nevada; to provide Channel Maintenance services for the Public Works, Flood Control Division, for the purpose of changing the bonding requirements to bring the contract in line with new County procedures; all other terms and conditions of the existing contract shall remain the same.
35. Approve the appointment of Linda K. Short to the Extension Advisory Board, filling the vacancy for the 4-H Development component for a two year term, from January 29, 2008 through January 29, 2010.
36. Acknowledge receipt and accept the annual report of the Mohave County Public Defender.
37. Approve extending the effective period for the Mohave County Loan Assistance and Relocation Assistance programs until June 30, 2013, with an annual review of the effectiveness of the program to be included as a special section in the ARS 11-584 annual report of the Public Defender.
38. Authorize the Public Defender's Office and Legal Defender's Office to accept appointments to defend, advise and counsel juveniles in dependency actions when the juvenile is duly adjudicated (involved in both a delinquency and dependency case), pursuant to ARS 11-584(A)(1)(i). Such representation to be limited under this authorization to those juveniles who are duly adjudicated and in which the Public Defender, or Legal Defender have no conflict with any other party to the action. Acceptance of the appointment shall be made only if the respective office has personnel who are adequately trained and experienced in dependency proceedings.
39. Approve the sale of a 2000 Ford Expedition, VIN #1FMFU16L9YLC07496, with the proceeds to be placed in HIDTA account 89223901, to defray the cost of a replacement vehicle, a 2008 Ford Expedition, VIN 1FMFK16518LA42972.

40. Approve the acceptance of Federal Grant funds for the FY2007 State Criminal Alien Assistance Program (SCAAP), Grant #2007-AP-BX-0113, in the amount of \$22,098.00, deposited into the Mohave County General Fund expenditures (10023902-33140).
41. **Sitting as the Board of Directors of the Mohave County Library District:** Approve the acceptance of cash donations in the amount of \$550 (Dolan Springs Towne Crafters - \$50.00, and private donations for the A. Mundo Memorial Fund totaling \$500.00); and authorize the expenditure, to be used to purchase children's books, and materials for the book mobile.
42. **Sitting as the Board of Directors of the Mohave County Library District:** Approve the revised Mohave County Library District's *Library Services to Outlying Areas Policy*, as recommended by the Mohave County Library District Citizens' Advisory Committee.
43. **Sitting as the Board of Directors of the Mohave County Library District:** Approve the acceptance of non-monetary donations valued at \$2,994.23 to be added to the Valle Vista Community Library; non-monetary donations of library material valued at \$95,723.49 (for period of July 1, 2007 to December 31, 2007); and non-monetary donation of periodical and newspaper display rack valued at \$499.80 from the Friends of the Kingman Library.
44. Adoption of BOS Resolution No. 2008-040 – Approving Contract No. 301-08 between Mohave County and the State of Arizona Department of Housing for the FY2008 Owner Occupied Housing Rehabilitation Program for the period of January 1, 2008 through January 31, 2010; and approve an increase in budgets for FY2008 for fund 86750857 from \$675,000 to \$750,000 for program activities and fund 86750858 from \$67,500 to \$75,000 for administration activities.
45. Adoption of BOS Resolution No. 2008-041 – Approving the Mohave County Housing Rehabilitation CDBG/HOME Program Guidelines in relation to Arizona Department of Housing FY2008 Contract No. 301-08.
46. Adoption of BOS Resolution No. 2008-042 – Approving Intergovernmental Agreement No. DE081088-001 between Mohave County and the Arizona Department of Economic Security/Rehabilitation Services Administration (DES/RSA) for cost-share of the resource allocation of the Mohave County Community & Economic Development Department's Comprehensive One-Stop Center, located at 700 W. Beale St., Kingman, for a one year contract period, from July 1, 2007, through June 30, 2008; and an increase in the approved FY2008 budget for fund 87989460 from \$6,210 to \$6,490.

PUBLIC HEARINGS:

PATTY MEAD, MOHAVE COUNTY DEPARTMENT OF PUBLIC HEALTH DIRECTOR:

47. **Open Public Hearing:** Discussion and possible action RE: Adoption of Ordinance No. 2008-01 – Providing requirements for water wells and establishing a \$30.00 fee for the Environmental Health review.

CHRISTINE BALLARD, MOHAVE COUNTY PLANNING AND ZONING DIRECTOR:

48. **Open Public Hearing:** Discussion and possible action RE: Adoption of BOS Resolution No. 2008-039 - **ZONING USE PERMIT** on the northerly 250 feet of Sun Rise Lode, MS 1429, as shown on Record of Survey Book 18, Page 95, in Section 13, Township 14 North, Range 19 West and Section 18, Township 14 North, Range 18 West, for a communication facility with a 150-foot tower in an A-R/36A (Agricultural-Residential/Thirty-six Acre Minimum Lot Size) zone, in the Lake Havasu City Area (approximately four and one-half (4-1/2) miles northeast of Lake Havasu City near Crossman Peak), Mohave County, Arizona.

TIME SET:

49. **10:00 A.M. PUBLIC AUCTION:** Real property known as Arnold Plaza, located at 301 and 303 Oak Street, Kingman, Arizona, further identified as APN 303-08-151 and 153. The sale will be held for such terms and conditions as advertised in publications in the Kingman Daily Miner, all in accordance with ARS 11-251(9).

REGULAR AGENDA:

TOM SOCKWELL, MOHAVE COUNTY SUPERVISOR DISTRICT 2:

50. Discussion and possible action RE: Direct the County Manager to establish a review committee to carry out a “top to bottom” review of Mohave County Subdivision Regulations.

PETE BYERS, CHAIRMAN, MOHAVE COUNTY BOARD OF SUPERVISORS:

51. Discussion and possible action RE: Determine that the required Petitions regarding the boundary change, submitted by Beaver Dam/Littlefield Fire District, are valid.
52. Discussion and possible action RE: Approve the reappointment of Phil Moon to the Mohave County Board of Health; term to expire January 24, 2012.
53. Discussion and possible action RE: Approve the reappointment of Bonnie Willett to the Mohave County Extension Advisory Board; term to expire January 31, 2010.

CHRIS BALLARD, MOHAVE COUNTY PLANNING AND ZONING DIRECTOR:

54. Discussion and possible action RE: Adoption of a policy giving the Planning and Zoning Department instructions concerning mobile homes placed in the Rural Overlay zone prior to April 1, 2005 without obtaining a zoning permit as required by Section 20 of the Mohave County Zoning Ordinance.

Supporting documentation for agenda items may be reviewed in the Clerk of the Board’s Office, 700 W. Beale Street, Kingman, Arizona.

Pursuant to the Americans with Disabilities Act (ADA), Mohave County endeavors to ensure the accessibility of all its programs, facilities, and services to all persons with disabilities. If you need an accommodation for this meeting, please contact the Board of Supervisors office at 928-753-0731.