

GRAHAM COUNTY BOARD OF SUPERVISORS)

(SS.SAFFORD, AZ December 2, 2013

STATE OF ARIZONA, COUNTY OF GRAHAM)

The Graham County Board of Supervisors met in a regular session this date with the following present:

Danny Smith	Vice-Chairman
James A. Palmer	Member
Terry Cooper	Clerk
Judy Dickerson	Deputy Clerk

Vice-Chairman Smith called the meeting to order at 8:00 a.m. and led the Pledge of Allegiance. Vice-Chairman Smith excused Chairman John who was attending other meetings. Upon motion of Supervisor Palmer, seconded by Supervisor Smith, the minutes of the Board Meeting and Work Session held on November 18, 2013 were approved.

Health Director Neil Karnes requested approval of the CY 2014 Teen Pregnancy Prevention Contract. Upon motion by Supervisor Palmer, seconded by Supervisor Smith, the request was approved.

Chief Probation Officer/Administrator Josh Halversen requested approval of a budget modification for Adult and Juvenile Probation for FY 2014. Upon motion by Supervisor Palmer, seconded by Supervisor Smith, the request was approved.

County Manager Terry Cooper, for Engineer Michael Bryce, requested approval of the contract with Speedie and Associates for Construction Materials Observation & Testing for the Graham County Fair Grounds Evaporation Ponds. Upon motion by Supervisor Palmer, seconded by Supervisor Smith, the request was approved.

Park Director Annette Watson requested approval to go to bid for roof repair on the General Services Building. Upon motion by Supervisor Palmer, seconded by Supervisor Smith, the request was approved.

Manager Cooper requested authorization to close the County Offices at 12:00 p.m. noon on December 24, 2013 Christmas Eve, so that employees could spend time with their families. Upon motion by Supervisor Palmer, seconded by Supervisor Smith, the request was approved.

Vice-Chairman Smith announced that it was the date and time to hold a Public Hearing on proposed Ordinance No. 2013-001 and Resolution 2013-15 Graham County Courthouse Security Fund. Administrator, Josh Halversen gave background on the purpose of the new ordinance and explained that the fees are attached to various court filings. He explained that the fees will be used for security at the Probation Department and Courthouse. No one spoke for or against the request. Upon motion by Supervisor Palmer, seconded by Supervisor Smith, the request was approved.

ORDINANCE NO. 2013-100

AN ORDINANCE BY THE BOARD OF SUPERVISORS OF GRAHAM COUNTY, ARIZONA GRANTING AUTHORITY TO ADOPT A SCHEDULE OF THE FEES FOR COURT SERVICES PROVIDED TO THE PUBLIC BY GRAHAM COUNTY

SUPERIOR COURT AND JUSTICE OF THE PEACE, PRECINCT NO. 1, ESTABLISHING THE GRAHAM COUNTY COURTHOUSE SECURITY FUND AND AUTHORIZING EXPENDITURES THEREFROM.

WHEREAS, the services provided for courthouse security provided by the Graham County Superior Court, hereinafter "Superior Court" and the Safford Justice Court, hereinafter "JP1", are utilized by easily identifiable members of the public, to-wit litigants in Superior Court and JP1 proceedings; and as a matter of public policy, the Graham County Board of Supervisors, hereinafter "Board", favors easing the burden on taxpayers by recovering part of the cost of providing security services to the public in the courthouse,

WHEREAS, based on the best available estimates, the Board finds that the County of Graham, hereinafter "County", expends substantial monies in providing security to the visitors and litigants of the Superior Court and JP1, and find it crucial to be able to provide more extensive security services, which expenditures are not offset by the fees currently being collected.

NOW, THEREFORE, IT IS HEREBY ORDAINED by the Board of Supervisors of Graham County, Arizona, as follows:

ARTICLE 1 – AUTHORITY AND SCOPE

Sec. 100 This Ordinance is adopted pursuant to A.R.S. 11-251 and A.R.S. 11-251.08 which authorizes the Board to adopt and enforce all ordinances necessary or proper to carry out the duties, responsibilities and functions of the county government and to adopt fee schedules for any specific services provided by the County to the public.

ARTICLE 2 – SHORT TITLE

Sec. 200 The Ordinance may be referred to as the "Graham County Courthouse Security Fund Ordinance".

ARTICLE 3 – FEES

Sec. 300 A fee schedule shall be adopted by the Board to cover expenses for courthouse facility security services, to include: security staff, operation expenses and equipment, screening and surveillance equipment, future facility security innovations/enhancements, etc.

Sec. 301 Such fee schedule will be identified as the Graham County Courthouse Security Fund Fee Schedule.

Sec. 302 The Board may revise the fee schedule as needed to keep current with rising expenses to perform such courthouse security services.

Sec. 303 The adoption or revision of a fee schedule shall not affect any change in the Ordinance itself.

Sec. 304 In addition to all other fines, assessments and surcharges levied against a defendant who has been found guilty or pleaded guilty, responsible or no contest on a criminal case, or a civil or criminal traffic case, the JP1 may assess and collect from such defendant a Graham County Courthouse Security Fee.

The JP1 may also assess and collect a Graham County Courthouse Security Fee in all Class A and Class B civil cases filed.

Any and all statutory surcharges will be applied to Security Fees collected, according to the law.

Sec. 305 In addition to all other fines, assessments and surcharges levied against a defendant who has been found guilty or pleaded guilty, responsible or no contest on a criminal case, the Superior

Court may assess and the Clerk of the Court collect from such defendant a Graham County Courthouse Security Fee.

The Clerk of the Court may assess and collect a Graham County Courthouse Security Fee with every domestic relations and civil filing filed with the Clerk's office.

Any and all statutory surcharges will be applied to Security Fees collected, according to the law.

Sec. 306 A fee assessed pursuant to the authority of this Ordinance shall constitute a lien in like manner as a judgment for money rendered in a civil action.

ARTICLE 4 – ESTABLISHMENT OF A FUND

Sec. 400 The Board hereby establishes the Graham County Courthouse Security Fund, hereinafter referred to as the "Security Fund", administered by County, through the Finance Department, solely for the purposes provided by this Ordinance.

Sec. 401 All fees collected pursuant to this Ordinance, except non-sufficient funds fees shall be tendered to the Graham County Treasurer and deposited into the Security Fund. All non-sufficient funds fees that are collected shall be tendered to the Graham County Treasurer and deposited into the county's General Fund.

Sec. 402 Monies in the Security Fund established by this Ordinance shall be subject to a continuing appropriation and shall not lapse.

Sec. 403 Monies in the Security Fund shall be expended only for the benefit of the Graham County Courthouse Security services, to provide security, modernize systems as approved by the Presiding Judge of the superior Court and the Board.

ARTICLE 5 – PROCEDURES

Sec. 500 In order to expend Security Fund monies the Superior Court Administration, over Court Security, shall direct a requisition for the use of the funds to the Presiding Judge of the Superior Court who shall approve or disapprove said requisition and, if approved, forward it to the Board of Supervisors for approval. Upon approval, the requisition should be forwarded for procurement and upon receipt, payment by county warrant.

ARTICLE 6 – EFFECTIVE DATE

Sec. 602 This Ordinance shall become effective December 2, 2013 after adoption by the Board.

PASSED AND ADOPTED this 2nd day of December, 2013, by the Board of Supervisors of Graham County, Arizona.

GRAHAM COUNTY BOARD OF SUPERVISORS

GRAHAM COUNTY SUPERIOR COURT

/s/: Drew John, Chairman

/s/: Honorable R. Douglas Holt

/s/: Danny Smith, Vice-Chairman

/s/: James A. Palmer, Member

ATTEST:

APPROVED AS TO FORM:

/s/: Terry Cooper, Clerk of the Board

/s/: Kenneth Angle, County Attorney

RESOLUTION 2013-15

A RESOLUTION OF THE BOARD OF SUPERVISORS OF GRAHAM COUNTY GRAHAM ADOPTING THE COUNTY COURTHOUSE SECURITY FUND FEE SCHEDULE

WHEREAS, the Graham County Board of Supervisors, pursuant to A.R.S. 22-251.08 and Graham County Courthouse Security Fund Ordinance #2013-01, has authority to adopt fee schedules for specific services provided by Graham County to the public; and,

WHEREAS, Notice of Public Hearing was published at least fifteen days prior to the public hearing, and public hearing was held on December 2, 2013; and,

WHEREAS, the Graham County Superior Court has provided a basis for the fees set forth below and all other fees as deemed necessary for recovery by the Graham County Superior Court.

NOW, THEREFORE, the following fees are established and adopted for traditional courthouse security services provided to users of the Graham County Courthouse and all of its offices, to cover security services provided by the Graham County Superior Court.

Courthouse Security Fees:

Graham County Courthouse Security Fee (JP1 filings) \$10.00

Graham County Courthouse Security Fee (Clerk of Court filings; DO, CV; Criminal Assessment per sentenced case) \$10.00

And other fees as necessary to cover security services provided by the Graham County Superior Court.

PASSED and ADOPTED this 2nd day of December, 2013, by the Board of Supervisors of Graham County, Arizona.

GRAHAM COUNTY BOARD OF SUPERVISORS

GRAHAM COUNTY SUPERIOR COURT

/s/: Drew John, Chairman

/s/: Honorable R. Douglas Holt

/s/: Danny Smith, Vice-Chairman

/s/: James A. Palmer

ATTEST:

APPROVED AS TO FORM:

/s/: Terry Cooper, Clerk of the Board

/s/: Kenneth Angle, County Attorney

Under current events report, Supervisor Palmer reported on the following: 11/19/13 CSA Legislation, EAC Town Hall; 11/20/13 Small Counties; 11/21/13 CSA & Executive Committee where he was elected President of CSA

Vice-Chairman Smith reported on the following: Safford Downtown Association, Safford Landscaping Project and the Light Parade

Demands and hand written warrants were unanimously approved upon motion of Supervisor Palmer, seconded by Supervisor Smith. Pursuant to the provisions of A.R.S. §11-217, as amended in 1996, those demands/warrants for any supplier which total more than \$1,000.00 are as follows:

<u>SUPPLIER/PURPOSE</u>	<u>AMOUNT OF WARRANT</u>
ADEQ Ground Water Section	\$7,500.00
Barry A. Standifird, P.C.	\$3,750.00
CDW Government, Inc.	\$4,970.68
Century Link	\$1,590.45
City of Safford	\$114,714.50
City of Safford – Community Pride	\$2,846.56
City of Safford Landfill	\$1,587.98
Clearfield, Inc.	\$1,428.16
Cochise County Treasurer	\$8,000.00
Conditioned Response Training	\$2,960.00
David Wayne Thorn	\$3,750.00
Felisa Bermudez	\$7,625.00
GCR Tire Center	\$3,228.29
Gila Valley Clinic	\$1,142.02
Gila Watershed Partnership	\$1,800.00
Graham County Chamber of Commerce	\$1,800.00
Hal Weelan	\$3,560.00
Interstate Copy Shop	\$6,682.62
Jesse R. Coons	\$1,200.00
Josi Y. Lopez	\$12,291.66
Law Office of Donovan Riddle	\$1,500.00
Law Office of Rebecca Johnson	\$14,208.33
Matt N. Clifford	\$2,625.00
Michael B. Bernays	\$4,166.66
Mt Graham Supply, LLC	\$1,101.77
Pictometry International Corp.	\$1,625.74
Pima County Treasurer	\$2,200.00
Robert Standage	\$2,083.33
Safford City Graham County Public Library	\$8,100.00
Scott Naegele, M.C., N.C.C., L.P.C.	\$2,500.00
Sienna Counseling Consulting	\$1,807.80
Stephen K. Lundell	\$2,916.66
University of Arizona Cooperative Extension	\$4,500.00
Verizon Wireless	\$3,050.45
Walmart Community BRC	\$6,604.48
Waxie Sanitary Supply	\$2,717.31
Xerox	\$7,448.42

Vice-Chairman Smith adjourned the meeting at 8:25 a.m.

Vice-Chairman Smith called the first Work Session to order at 9:00 a.m. Those in attendance in addition to the Board were:

Donna McGaughey	School Superintendent
Jean Reynolds	Treasurer
Lori Boren	Chief Deputy Treasurer

Steve Puzas	Highway Superintendent
Joe Goodman	P & Z Director
Susan Syfert	Self
Terry Cooper	Clerk

Susan Syfert, who is running for State Representative, explained her platform and her interest in supporting rural Arizona.

The first Work Session was adjourned at 9:55 a.m.

Vice-Chairman Smith called the second Work Session to order at 10:05 a.m. Those in attendance in addition to the Board were:

Cathy Melvin	Ann Kirkpatrick's office
Joe Goodman	P & Z Director
Steve Puzas	Highway Superintendent
Royce Hunt	Graham/Greenlee Transit Committee
Connie Gastelum	SEAGO
Cheryl Wilson	Easter Seals/Blake Foundation
Chris Vertress	SEAGO
Terry Cooper	Clerk

The Graham Greenlee Transit Coordination Group made a presentation on a public transit program. They presented a plan that would mirror that of the City of Bisbee. Graham County will apply for a grant to facilitate an update study and further discussion will follow.

The second Work Session was adjourned at 10:55 a.m.

Vice-Chairman Smith called the third Work Session to order at 10:55 a.m. Those in attendance in addition to the Board were:

Steve Puzas	Highway Superintendent
Joe Goodman	P & Z Director
Terry Cooper	Clerk

Various Highway and P & Z issues were discussed and several areas were toured.

The Work Session was adjourned at 1:05 p.m.

GRAHAM COUNTY BOARD OF SUPERVISORS

Danny Smith, Vice-Chairman

ATTEST:

Terry Cooper, Board Clerk