

GRAHAM COUNTY BOARD OF SUPERVISORS)

(SS.SAFFORD, AZ November 3, 2014

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	Chairman
James A. Palmer	Vice-Chairman
Drew John	Member
Terry Cooper	Clerk
Judy Dickerson	Deputy Clerk

Chairman Smith called the meeting to order at 8:00 a.m. and led the Pledge of Allegiance. Upon motion of Supervisor Palmer, seconded by Supervisor John, the minutes of the Board Meeting and Work Session held on October 20, 2014 were unanimously approved.

Chief Probation Officer Josh Halverson requested approval of the IGA for the Juvenile Court Counselor. Upon motion of Supervisor Palmer, seconded by Supervisor John, the request was unanimously approved.

IT Director John Lucas requested approval of out of state travel for employee to attend training in Sarasota, Florida November 15-22, 2014. Upon motion of Supervisor John, seconded by Supervisor Palmer, the request was unanimously approved.

Director Lucas requested approval of the Assessment Contract with Sidwell for GIS Workflow and Needs Analysis. Upon motion of Supervisor John, seconded by Supervisor Palmer, the request was unanimously approved.

County Manager Terry Cooper requested approval of the amended contract extension with Trinity Food Service. Upon motion of Supervisor Palmer, seconded by Supervisor John, the request was unanimously approved.

Manager Cooper requested approval of Resolution #2014-17 Requesting Full Funding of PILT. Upon motion of Supervisor Palmer, seconded by Supervisor John, the request was unanimously approved.

RESOLUTION #2014-17

A Resolution of the Board of Supervisors of Graham County Respectfully Requesting the Congress of the United States to Immediately Provide Full Funding for the Payment-In-Lieu-of-Taxes Program For Fiscal Year 2015 And Find a Solution for Sustainable Funding Into the Future

WHEREAS, the Payment-In-Lieu-of-Taxes (**PILT**) program was established in 1976 to offset cost incurred by counties for services provided to the federal government and to the users of federal lands located within a county, and

WHEREAS, Graham County Arizona is comprised of 4,610 square miles of land, 40 percent of which is federally owned, non-tribal land unavailable for economic development and not part of the property tax base, while private land in Graham County comprises only 9 percent, and

WHEREAS, the national average **PILT** payment in Fiscal Year 2013 was \$0.72 per acre, far below the amount federal lands would return through both value based taxation and economic development, and

WHEREAS, counties are required to provide law enforcement, search and rescue, emergency services, road building and maintenance, and other community services on, or associated with tax exempt federal public lands, and

WHEREAS, the **PILT** program was extended through the farm bill (**P.L.** 113-79) as a fully funded, mandatory program at \$425 million for Fiscal Year 2014, and

WHEREAS, without Congressional action to extend additional mandatory funding, the **PILT** program will revert to a discretionary program subject to the annual appropriations process, and

WHEREAS, a lack of **PILT** funding places the large, unsustainable burden of providing services on federal lands squarely on the backs of local county tax payers, while the presence of that federal land creates barriers to further economic opportunities, and

WHEREAS, failure to provide **PILT** funding to Graham County in a timely manner will critically impact the budget process and structural solvency of the county and will substantially compromise our ability to provide essential, mandated services, and

NOW, THEREFORE, BE IT RESOLVED, the Graham County Board of Supervisors hereby respectfully request that Congress provide full funding for the **PILT** program in Fiscal Year 2015 and that Congress develop a sustainable long-term approach to funding these essential local services in America's public land counties.

APPROVED AND ADOPTED this 3rd day of November, 2014.

GRAHAM COUNTY BOARD OF SUPERVISORS

/s/: Danny Smith, Chairman

ATTEST:

/s/: James A. Palmer, Vice-Chairman

/s/: Terry Cooper, Clerk

/s/: Drew John, Member

Manager Cooper requested review and authorization to submit comments on the definition of "Waters of the United States" proposal under the Clean Water Act. The Supervisors commented on the negative impact the changes would have the waterways in Arizona. Upon motion of Supervisor Palmer, seconded by Supervisor John, the Board unanimously opposed the changes.

Manager Cooper requested approval of Resolution #2014-18 Opposing Changes to Rules Expanding "Waters of the United States". Upon motion of Supervisor John, seconded by Supervisor Palmer, the request was unanimously approved.

RESOLUTION #2014-18

A RESOLUTION OF THE BOARD OF SUPERVISORS OF GRAHAM COUNTY ARIZONA Respectfully Opposing The Proposed United States Environmental Protection Agency's And United States Army Corps Of Engineers' Rule Expanding The Definition of "Waters Of The United States" Under The Clean Water Act

WHEREAS, The United States Environmental Protection Agency (EPA) AND THE United States Army Corps of Engineers (COE) have released a 371 page draft regulation to clarify the definition of “Waters of the United States” (WOTUS) under the Clean Water Act (CWA), and

WHEREAS, both agencies are seeking a rule change in order to allow the federal government more authority by expanding the definition of “navigable waters” under the CWA, and

WHEREAS, the rule change proposed by the EPA and the COE can be interpreted to subject almost all physical areas with a connection to downstream navigable waters, including features such as ditches, natural or man-made ponds, and flood plains, regardless of whether those features normally carry water, to the jurisdiction of the CWA, and

WHEREAS, if adopted, the proposed rule may cause significant harm to local farmers, businesses and county-owned and maintained infrastructure such as roadside ditches, and flood-control channels by subjecting them to the lengthy Section 404 and Section 402 permitting process, and

WHEREAS, it is impractical for the federal government to regulate every ditch, pond, and dry wash that may have some tenuous connection, miles away, to a body of water currently defined as “navigable,” and

WHEREAS, the publication of the proposed rule prior to the finalization of the science report, *Connectivity of Streams and Wetlands to Downstream Waters: A Review and Synthesis of the Scientific Evidence*, that is to be used as the scientific basis for the proposed rule, is premature and goes against normal practices, and

WHEREAS, key terms used by the proposed rule, including tributary, adjacent waters, riparian areas, flood plains, uplands, and the exemption listed, are inadequately explained, leads to a wide range of interpretations, and will result in further legal challenges, and

WHEREAS, The EPA and the COE believe the proposed rule, including tributary, adjacent waters, riparian areas, flood plains, uplands, and the exemption listed, are inadequately explained, leads to a wide range of interpretations, and will result in further legal challenges, and

NOW, THEREFORE, BE IT RESOLVED, the Graham County Board of Supervisors is hereby respectfully opposed to the proposed EPA’s and COE rule expanding the definition of WOTUS under the CWA, and

BE IT FURTHER RESOLVED, Graham County Board of Supervisors urge the Arizona Congressional Delegation to appeal to the EPA and the COE to withdraw the proposed rule and work with the state and local officials on any future regulation under the CWA.

PASSED AND ADOPTED this 3RD day of November, 2014.

GRAHAM COUNTY BOARD OF SUPERVISORS

/s/: Danny Smith, Chairman

/s/: James A. Palmer, Vice-Chairman

/s/: Drew John, Member

ATTEST:

/s/: Terry Cooper, Clerk

County Manager Cooper requested approval to designate Pilgrim Star Rd. as an on call road. Upon motion of Supervisor John, seconded by Supervisor Palmer, the request was unanimously approved.

Under current events report, Supervisor Palmer reported on the following: 10/20/2014 meeting with Brittan O'Brian from the Governor's office; 10/21/2014 attended the opening of the time capsule at the Court House; 10/23/2014 EAC Fall Sing; 10/30/2014 employee potluck; 10/31/2014 EAC

Supervisor John reported on the following: 10/21/2014 attended the opening of the time capsule at the Court House; 10/24-25/2014 Flinn Brown; 10/28/2014 Safe House Board meeting

Chairman Smith had nothing to report.

Demands and hand written warrants were unanimously approved upon motion of Supervisor John, seconded by Supervisor Palmer. 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>
Advanced Air / Altech Refrigeration	\$3,596.78
American Premier Products	\$1,372.48
Apex Software	\$1,175.00
Arizona Department of Economic Security	\$4,955.58
Arizona Department of Public Safety	\$1,469.09
Arizona State Prison – Safford	\$1,046.25
Arizona Supreme Court	\$9,750.00
AZLGEBT	\$181,349.12
Barry A. Standifird, P.C.	\$4,166.67
Bill Cook	\$1,120.00
Bob Barker	\$4,020.36
CDW Government, Inc.	\$56,678.16
Century Link – Business Services	\$3,707.29
Century Link	\$2,746.98
City of Safford Waste Tire Fund	\$14,740.41
Community Bridges	\$3,750.00
Curtis Landscape & Irrigation, Inc.	\$1,623.68
Dennis McCarthy	\$9,833.33
Eastern Arizona Courier	\$3,136.11
Elections Operations Services	\$9,746.50
Flores & Clark, LLC	\$9,833.33
GovNet, Inc.	\$2,882.50
Greenlee County Sheriff's Department	\$2,700.00
Harriette P. Levitt Attorney	\$2,827.48
Jason Phillips	\$2,400.00
Jeremy J. Waite	\$3,000.00
Jesse R. Coons	\$1,200.00
Josi Y. Lopez	\$11,625.00
Kempton Chevrolet Buick	\$3,097.85
Larry Roberts	\$5,975.46
Law Office of Rebecca Johnson	\$11,208.33
Lin-Cum, Inc.	\$7,334.44
MacDonald Counseling Services, PLLC	\$2,340.00

Matt N. Clifford	\$1,170.00
Michael B. Bernays	\$4,166.67
Mt Graham Reginal Medical Center	\$5,822.71
Norchem	\$3,990.30
PCM-G	\$1,123.16
Perfect Printz	\$3,975.00
Pima County Treasurer	\$4,400.00
Pitney Bowes Global Financial Services, LLC	\$1,492.16
Quill	\$4,293.50
Randy Demory	\$3,067.79
Safeway	\$1,036.90
Safford Police Department	\$6,442.50
Sanofi Pasteur, Inc.	\$2,087.08
Sienna Counseling Consulting	\$6,496.80
State of Arizona Risk Management	\$3,129.48
Tanya Tillman	\$1,965.00
USDA – APHIS	\$4,085.18
Valley Imaging Solutions	\$1,002.50
Verizon Wireless	\$2,238.83
WalMart Community BRC	\$6,658.13
Waxie Sanitary Supply	\$2,400.57
West Payment Center	\$2,400.57

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

Chairman Smith called the first Work Session to order at 9:15 a.m. Those in attendance in addition to the Board were:

Michael Bryce	Engineer
Joe Goodman	Planning & Zoning
Annette Watson	Park Director
Terry Cooper	Clerk

Park Director Annette Watson gave an overview of the 2014 Fair stating that attendance was up from the previous year.

The Work Session was adjourned at 9:30 a.m.

Chairman Smith called the second Work Session to order at 9:40 a.m. Those in attendance in addition to the Board were:

Michael Bryce	Engineer
Joe Goodman	Planning & Zoning
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.

Chairman Smith called the third Work Session to order at 3:35 p.m. Those in attendance in addition to the Board were:

Michael Bryce	Engineer
Scott Cooke	BLM
Tom Schnell	BLM
Roberta Lopez	BLM
Terry Cooper	Clerk

Various BLM projects and issues were discussed.

The Work Session was adjourned at 5:00 p.m.

GRAHAM COUNTY BOARD OF SUPERVISORS

Danny Smith, Chairman

ATTEST:

Terry Cooper, Board Clerk