

MOHAVE COUNTY BOARD of SUPERVISORS

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County Manager/County Engineer
Sam Ellers
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Action Agenda

Clerk of the Board
Laura Skubal
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AGENDA NOTICE OF REGULAR MEETING AND PUBLIC HEARINGS OF THE MOHAVE COUNTY BOARD OF SUPERVISORS SEPTEMBER 16, 2024 – 9:00 AM 700 W. BEALE STREET - KINGMAN, ARIZONA

*If the public wishes to address the Board regarding Public Hearings or Regular Agenda items, they may fill out the Request to Speak Form located in the back of the room (**speaking on items, other than Public Hearings, will be at the discretion of the Chairperson**). 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.*

PURSUANT TO A.R.S. §38-431.02(H), THE PUBLIC WILL HAVE PHYSICAL ACCESS TO THE MEETING PLACE FIFTEEN (15) MINUTES PRIOR TO THE MEETING.

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.

NONE HELD

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

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) (4) & (7).

**** THE BOARD OF SUPERVISORS MAY, BY MOTION, RECESS INTO EXECUTIVE SESSION TO DISCUSS AND CONSIDER ITEMS NOTICED ON THE AGENDA WITH A **, PURSUANT TO A.R.S. 38-431.03(A) (1), WHICH AUTHORIZES DISCUSSIONS AND CONSIDERATION OF EMPLOYMENT, ASSIGNMENT, APPOINTMENT, PROMOTION, DEMOTION, DISMISSAL, SALARIES, DISCIPLINING OR RESIGNATION OF A PUBLIC OFFICER, APPOINTEE, OR EMPLOYEE OF THE COUNTY.**

MOTION AND ACTION TO CALL FOR AN EXECUTIVE SESSION TO BE HELD OCTOBER 7, 2024, AT 9:00 A.M., FOR DISCUSSION AND CONSULTATION WITH LEGAL COUNSEL IN ACCORDANCE WITH A.R.S. 38-431.03 (A) (3) (4) & (9) TO DISCUSS ITEMS NOTICED ON THE AGENDA WITH AN ASTERISK.

APPROVED MOTION: BISHOP/LINGENFELTER VOTE: 5/0

OFFICIAL BUSINESS TO COME BEFORE THE BOARD:

*1. Discussion of pending or contemplated litigation claims and demands.

NO REPORT GIVEN

2. Committee and/or Legislative Reports.

REPORT GIVEN BY SUPERVISOR JOHNSON

3. Lobbyist report from HighGround, Inc.

REPORT GIVEN BY NICK PONDER

4. County Manager's Report.

NO REPORT GIVEN

CALL TO THE PUBLIC

Pursuant to ARS 38-431.01(H), a public body may make an open call to the public during a public meeting, subject to reasonable time, place, and manner restrictions, to allow individuals to address the public body on any issue within the jurisdiction of the public body. At the conclusion of an open call to the public, individual members of the public body may respond to criticism made by those who have addressed the public body, may ask staff to review a matter, or may ask that a matter be put on a future agenda. However, members of the public body shall not discuss or take legal action on matters raised during an open call to the public unless the matters are properly noticed for discussion and legal action.

PRESENTATIONS:

Presentation on new Tax Bill design by SueAnn Mello, Mohave County Treasurer

PRESENTATION GIVEN

BOARD OF SUPERVISORS CONSENT AGENDA

(Items 5 - 26)

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.

APPROVED MINUS ITEMS 13, 24, AND 25 MOTION: BISHOP/LINGENFELTER VOTE: 5/0

5. Recommend approval of a Special Event Liquor License for Marilyn June Leisure, 9566 Evans Lane, Mohave Valley, Arizona: Event date October 19, 2024.
6. Approve and authorize the Chairman of the Board of Supervisors and the County Attorney to sign the Route 66 Brownfields Assessment Coalition Memorandum of Understanding (MOU) between the following parties Northern Arizona Council of Governments (NACOG), Coconino County, Mohave County, Navajo County, and Yavapai County. – **Development Services**
7. Approve Mohave County's Municipal Separate Storm Sewer Systems (MS4) annual report and authorize the Development Services Director to sign the annual report form, as required by the Arizona Department of Environmental Quality's MS4 General Permit (AZG2021-002) and outlined in the Stormwater Management Program (SWMP) adopted on September 18, 2017. Mohave County's MS4 permit area is currently for the unincorporated areas adjacent to Lake Havasu City designated as "Urbanized Areas" based on the 2010 Decennial Census. – **Development Services**
8. Authorize staff to pursue Cooperating Agency status with the Bureau of Land Management for projects requiring the National Environmental Policy Act (NEPA) process in the Arizona Strip District Office, with the Director of Development Services as the Primary Representative, and the Planning and Zoning Manager as the Backup Representative. – **Development Services**
9. Approve the re-appointment of two members of the Building Code Advisory Board as follows:
 1. Renew Peter Profit, professional engineer for a new term of four years
 2. Renew Keith Walker, electrician and general contractor for a new term of four years. – **Development Services**
10. Authorize staff to dispose of cathode ray tube (CRT) computer monitors and televisions as e-waste with an approved e-waste recycling facility, which is deemed in the best interest of Mohave County in accordance with Mohave County Procurement Code, Art. VIII Sec. 4 and A.R.S. § 11-251(9); and authorize County staff to sign all necessary and convenient documents on behalf of the County as a part of completing the disposal. – **Procurement**
11. Approve and sign Contract Amendment No. Six (6), to multi-award Contract No. 19-B-07, Emulsions Asphalt/Paving, with Western Emulsions, Inc. (-02), Tucson, AZ; and Quality Emulsions (-03), Mesa, Arizona; extending the contracts for an additional one-year period through October 6, 2025, and authorizing a price adjustment for Western Emulsions effective January 1, 2025; with all other terms and conditions remaining the same, on behalf of the Public Works Department – Roads Division. – **Procurement**
12. Approve and sign **Schedules 24 and 25** to Master Lease Agreement No. 252801 with CSI

Leasing, St. Louis, Missouri.

Schedule 24 renews the lease of approximately 150 computers from Schedule 21 for an additional forty-five-month period beginning December 1, 2024, through August 31, 2028, at a cost not to exceed \$166,940.55.

Schedule 25 renews the lease of approximately 150 computers from Schedule 23 for an additional nine (9) month period beginning December 1, 2024, through August 31, 2025, at a cost not to exceed \$115,826.49.

Further, authorize the Chairman to sign all documents necessary to complete each lease schedule. Funding for this project is sourced to budgeted fund 60111100-43810 on behalf of the Information Technology Department. – **Procurement**

13. Approve FY2023-2024 end-of-year inter-department transfers for Limited Courts and Constables. – **Financial Services**
APPROVED MOTION: BISHOP/LINGENFELTER VOTE: 5/0
14. Accept Arizona Commerce Authority FY 2024 Economic Strength Project grant in the amount of \$500,000, contingent on \$50,000 in County matching funds sourced to Mohave County Economic Development, for the soil stabilization and hard surfacing of one mile of Cane Beds Road from SR 389 to Central Avenue in the Colorado City area and direct the Public Works Department to facilitate distribution of grant funds. – **Public Works**
15. Acknowledge and accept the dedication of a 30-foot wide and 661.9 foot long, more or less, public roadway and public utility easement to be known as Bossolono Way, lying between Parcel 1-A and Parcel 1-B, also lying between Parcel 1-D and Parcel 1-C as defined per the proposed Parcel Plat for Gerald and Molly Nottingham, being a portion of the Southwest Quarter of Section 25, Township 19 North, Range 22 West of the Gila & Salt River Meridian, Mohave County, Arizona, as prepared by Anderson -Nelson, Incorporated, and further authorize the Clerk of the Board of Supervisors to sign the acceptance statement upon aforementioned proposed Parcel Plat on behalf of Mohave County. – **Public Works**
16. **Sitting as the Board of Directors of the Mohave County Library District:** Accept non-monetary donations in the amount of \$3,865.72 as detailed in the backup material. – **Library**
17. Approve the Arizona Attorney General Victims' Rights FY24 year-end budget adjustment to include interest accrued and expensed. – **Superior Court**
18. Set a public hearing on November 18, 2024, to discuss increasing the Court Enhancement Fee from \$10.00 to \$20.00 to help cover the justice courts annual automation costs and approve amendment of Mohave County Local Ordinance 99-05, section 3.1 authorizing the increase. – **Justice Courts**
19. Approve and accept the grant funding agreement between the Arizona Supreme Court and the Lake Havasu City Justice Court in the total amended amount of \$123,456.00 for a part-time Justice Court Services Assistant at \$29,394.00 for FY24 (Salary & ERE) and \$47,031.00 (each year) for FY25 and FY26 annually over a three-year period. The grant is subject to annual renewal (on or about July 20, 2024, and July 20, 2025) through December 31, 2026. – **Justice Courts**
20. Accept the Petsmart Rewards Grant in the amount of \$3,000 and approve the revised budget. – **County Manager**
21. Approve the report of routine personnel actions taken during the pay period of August 10, 2024, through August 23, 2024, and acknowledge the report for routine Superior Court personnel actions taken during the pay period of August 10, 2024, through August 23, 2024. – **County Manager**
22. Approve the April 16, 2024, Board of Supervisors Budget Workshop meeting minutes. – **Clerk of the Board**
23. Recommend approval for a Permanent Extension of Premises/Patio Liquor License for Don Rayke – Houch's 66 Bar and Grill LLC, 5036 East Lake Powell Road, Topock, Arizona. – **Clerk of the Board**
24. **Sitting as the Board of Directors for the Mohave County Flood Control District:** Approve a letter from the Mohave County Flood Control District to Mohave County Economic Development issuing formal support for the establishment of a Foreign Trade Zone (FTZ) Designation for Mohave County, and authorize the Chairman to sign the letter. – **Development Services**
APPROVED MOTION: JOHNSON/LINGENFELTER VOTE: 4/1 (GOULD)
25. **Sitting as the Board of Directors of the Television District:** Approve a letter from the Mohave County Television District to Mohave County Economic Development issuing formal support for the establishment of a Foreign Trade Zone (FTZ) Designation for Mohave County, and authorize the

Chairman to sign the letter – **County Manager**

APPROVED MOTION: LINGENFELTER/BISHOP VOTE: 4/1 (GOULD)

26. Approve the Funding Agreement between the Bullhead Regional Food Bank and Mohave County for the distribution of \$50,000.00 in American Rescue Plan Act (ARPA) funds for the purchase of food bank equipment which includes a walk-in cooler, an electric pallet jack, a powered stacker, and a floor scale. Further, authorize the Chairman of the Board of Supervisors to sign the Funding Agreement. – **Chairman Angius**

PUBLIC HEARINGS:

SCOTT HOLTRY, DEVELOPMENT SERVICES DIRECTOR:

27. ~~**Open Public Hearing:** Discussion and possible action RE: Approve the adoption of BOS Resolution No. 2024-144 an **AMENDMENT TO THE MOHAVE COUNTY GENERAL PLAN** from a Suburban Residential Area land use designation to an Urban Development Area land use designation and a **REZONE** from an A-R (Agricultural Residential) zone to an M-X (Heavy Manufacturing) zone for a portion of Assessor's Parcel No. 225-09-052 to allow for a natural gas-powered electric generation facility in the Mohave Valley vicinity, Mohave County, Arizona. (Commission vote resulted in a tie 3-3) (ITEM CONTINUED FROM THE AUGUST 19, 2024, BOARD OF SUPERVISORS MEETING.)~~ **ITEM CONTINUED TO THE NOVEMBER 4, 2024, BOARD OF SUPERVISORS MEETING**

RYAN H. ESPLIN, CHIEF CIVIL DEPUTY COUNTY ATTORNEY:

28. **Open Public Hearing:** Discussion and possible action RE: Approve or deny the conversion of the Golden Valley Improvement District from a county improvement district to a Domestic Water Improvement District governed by an elected board of directors; and if the Board approves the conversion, select the number of directors to serve as the Board of Directors, appoint members to serve as the Board of Directors of the District, and approve the adoption of Resolution No. 2023-179. **(ITEM CONTINUED FROM THE OCTOBER 16, 2023, BOARD OF SUPERVISORS MEETING.)**
APPROVED CONTINUING ITEM UNTIL ALL LITIGATION IS DONE MOTION: JOHNSON/BISHOP VOTE: 4/1 (GOULD)

REGULAR AGENDA:

STEVEN P. LATOSKI, P.E., PTOE, PUBLIC WORKS DIRECTOR:

29. Discussion and possible action RE: Acknowledge receipt of and refer to Public Works, a petition to the Mohave County Board of Supervisors requesting that W. Belle Drive from N. Aztec Road to N. Bacobi Road, located in the Golden Valley area, a distance of approximately 1 mile, be accepted into the Mohave County Road System for regular maintenance subject to meeting all applicable requirements and subsequent Board approval.
APPROVED MOTION: BISHOP/LINGENFELTER VOTE: 4/1 (JOHNSON)

LUKE MOURNIAN, CPA, CHIEF FINANCIAL OFFICER:

- **30. Discussion and possible action RE:
A) Corrective actions and payment of up to \$32,000 to remediate tax years 2021 through 2024 for affected employees involving mileage claims and to satisfy the County's Federal and State tax liabilities for the same years, including payment of penalties and interest.
B) Adopt changes to clarify mileage reimbursement claims and approve the proposed language changes to Mohave County Personnel Policies and Procedures Section 6.2.E Personal Vehicle – Travel Within Mohave County.
C) Approve policy exception for certain ongoing mileage reimbursement claims.
(ITEM CONTINUED BY THE BOARD AT THE SEPTEMBER 3, 2024, BOS MEETING.)
APPROVED PART B MOTION: JOHNSON/LINGENFELTER VOTE: 5/0
APPROVED PAYMENT TOWARDS THE EMPLOYER TAX LIABILITY OF THE COUNTY OF UP TO \$15,000 MOTION: LINGENFELTER/BISHOP VOTE: 3/2 (GOULD/JOHNSON)
31. Move to adopt the amended schedule of FY2024-2025 Tax Levies and Rates for Mohave County tax authorities which includes the corrected Minimum School Tax levy of \$57,850 and levy rate of \$0.2404 for Yucca Unified School District and the corrected Primary Tax levy of \$749,312 and levy rate of \$4.0954 for Colorado City Unified School District.
APPROVED MOTION: JOHNSON/LINGENFELTER VOTE: 5/0

KEN CUNNINGHAM, HUMAN RESOURCES DIRECTOR:

32. Discussion and possible action RE: Approve the following exceptions to the General Fund hiring Freeze, approved on August 21, 2023: Assessor's Office - Office Specialist; County Attorney's Office - Office Specialist; Public Defender's Office - Office Specialist; Public Works - Facilities Custodian; and Recorder's Office - Early Voting Temporary Positions (5).

APPROVED MOTION: BISHOP/JOHNSON VOTE: 5/0

RON GOULD, MOHAVE COUNTY SUPERVISOR, DISTRICT 5:

33. Discussion and possible action RE: Approve Amendment One to the Funding Agreement between Mohave Valley Fire District and Mohave County for the distribution of American Rescue Plan Act (ARPA) funds for the creation of a P25 simulcast radio infrastructure project that encompasses the areas of Mohave Valley Fire District, Oatman Fire District, and Golden Shores Fire District, and authorize the Chairman to sign the Amendment. The Amendment will increase the funding amount for the project from \$1,012,000.00 to \$1,082,000.00.

APPROVED MOTION: GOULD/JOHNSON VOTE: 5/0

34. Discussion and possible action RE: Award American Rescue Plan Act (ARPA) funds to the Desert Hills Fire District in the amount of \$156,748.66 for the purchase of two (2) command vehicles.

APPROVED MOTION: GOULD/JOHNSON VOTE: 5/0

35. Discussion and possible action RE: Instruct staff to begin researching the process to convert the Mohave County Sheriff's facility located in Mohave Valley into the Mohave County Morgue.

NO ACTION TAKEN

36. Discussion and possible action RE: Instruct the Election Department to follow the A.R.S. 16-608 (A) when transporting ballots from polling centers to the central counting place.

APPROVED MOTION: JOHNSON/GOULD VOTE: 5/0

Supporting documentation for agenda items may be reviewed by [clicking here](#) or 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. For an accommodation please contact the Board of Supervisors office at 928-753-0731.