

# COCHISE COUNTY Legacy Project



Board of Supervisors

SERVICES  
1881-2015



*Public Programs...Personal Service*

**T**he Board of Supervisors exercises the powers of the County and serves as a central hub for County services. Although there is a long list of **Powers of the Board** found in ARS 11-251, there are six powers of the County listed in ARS 11-201 that the Board is responsible for implementing. The most widely known for is **levying tax rates** for the County and all Special Districts in the County. Unlike cities, the County is governed by **State Statutes**, which can only be changed by lobbying state legislators to amend or change the state constitution.

**The Board appoints a County Administrator** who is responsible for

day-to-day operations, management of the county budget, and implementation of policies. They also appoint the **Clerk of the Board** to record all Board proceedings and votes and act as the County's records officer.

Elected by the residents to represent their interests, the Board strives for transparency by following **Arizona Open Meeting Law** and coordinating the County's public records requests. **In 2011 the Board also adopted the County's first ever Strategic Plan** which focuses on the **County's Vision and Mission** by listing its goals and resources.



PHOTO CREDITS: Laurin Richey; Carla Heath Smith - For Keep Sakes Photography; Brent Loe; D. Alan Whitten Photography; Bruce Wertz.



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## Powers of the Board



Arizona Revised Statutes also lay out the powers of the Board stating in 11-251, *The Board of Supervisors, under such limitations and restrictions as are prescribed by the law may:* After that statement follows descriptions of 66 different powers, some with a, b, and c's tossed in for greater explanation that take up at least five pages. It makes for some pretty dense reading. Suffice it to say, may being the operative word, the following are just some of the powers the Board of Supervisors may exercise:

- **The Board has the power to redistrict** and to establish election precincts, as well as abolish and change them.
- They lay out, maintain, control, and manage public roads, ferries, and bridges within the County and may **even levy a tax for that purpose.**
- They can build facilities for county purposes and establish branch jails as necessary.
- **The Board may sell at public auction,** after 30 days notice, real property and personal property no longer useful to the County. Number 9 sets forth the details of how such property should be sold.
- They examine, settle and allow all accounts legally charged against the county, order warrants to be drawn and provide for the issuing of said warrants.
- The Board of Supervisors also is charged to insure the County buildings.
- They **fill by appointment all vacancies** occurring in the County or precinct offices.
- The Board adopts provisions necessary to preserve the health of the County, and provide for the expenses thereof.
- They contract for **County printing and advertising.**
- They provide for the rebinding of County records, or, if necessary, the transcribing of County records.
- The Board **makes and enforces the rules and regulations for the government of its body,** the preservation of order, and the transaction of business.
- They may **adopt a seal for the Board** and if they do, a description and impression of the seal shall be filed by the Clerk of the Board with the County Recorder and the Secretary of State.
- The Board may establish or aid in the establishment of public aviation fields.
- They may acquire and hold property for the use of County fairs.
- They **may authorize the Sheriff to offer a reward,** not exceeding ten thousand dollars in one case, for information leading to the arrest and conviction of persons charged with crime.

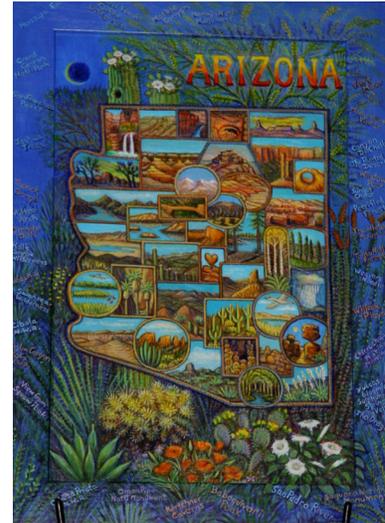


Supervisor Richard Searle meets with Congressman Ron Barber in Mr. Barber's Washington DC office to discuss issues facing Cochise County including Federal water issues, sequestration, and the Environmental Protection Agency actions against the Apache Power Generating Plant.

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## Powers of the Board *continued*

- They contract for the transportation of insane persons to the State Hospital or direct the Sheriff to transport such persons and are responsible for any expense not covered by a third party payor.
- They **provide indigent burial**, keep a permanent register of such burials, and provide permanent markers for the graves.
- The Board enters into agreements for acquiring rights-of-way, construction, reconstruction, or maintenance of highways.
- They perform all other acts and things necessary to the full discharge of its duties of the **legislative authority of the County government**, including receiving and accepting payment by credit card or debit card. Any fees or costs incurred by the use of a credit or debit card shall be paid by the person tendering the card.
- They do and perform all acts necessary to enable the County to participate in the **Economic Opportunity Act of 1964**, as amended.
- The Board provides a plan for its employees that provides tax deferred annuity and deferred compensation plan as authorized pursuant to Title 26, United States Code.
- They adopt and enforce standards for shielding and filtration of commercial or public outdoor portable or permanent light fixtures in proximity to astronomical or meteorological laboratories.
- They adopt and enforce standards for excavation, landfill, and grading to prevent unnecessary loss from erosion, flooding, and landslides.
- They **make and enforce ordinances** for the operation and licensing of any establishment not in the limits of an incorporated city that provides baths, showers, or other forms of hydrotherapy or any service of manual massage of the human body.
- The Board provides compensation for overtime work performed by County employees and may establish salary and wage plans incorporating classification and conditions prescribed by the Federal Fair Labor Standards Act.
- **They may enact curfews.**
- They may make and enforce ordinances not in conflict with the laws of the State to regulate off-road recreational motor vehicles that are operated within the County on public lands without lawful authority or on private lands without the consent of the lawful owner.
- The Board may acquire land for roads, drainage ways, and other public purposes by exchange without public auction, except that notice shall be published thirty days before the exchange, listing property ownership and descriptions.
- They may make and enforce ordinances for the protection and disposition of domestic animals subject to inhumane, unhealthful, or dangerous conditions.





## Powers of the Board continued

- **If a part of a parcel of land** is to be taken for roads, drainage, flood control or other public purpose and the Board and the affected property determine that the remainder will be left in such a condition as to give rise to a claim or litigation concerning severance or other damage, the Board should acquire the whole parcel by purchase, donation, dedication, exchange, condemnation or other lawful means, and the remained may be sold or exchanged for other properties needed for any public purpose.
- The Board may provide a plan(s) for county employees, including sick leave, personal leave, vacation and holiday pay, and jury duty pay.
- They may provide a plan(s) for County employee benefits that allow for the participation in a cafeteria plan that meets the requirements of the United States Internal Revenue Code of 1986.
- They may make and enforce ordinances that are more restrictive than state requirements to reduce or encourage the reduction of carbon monoxide and ozone levels. The ordinance shall not establish a standard for vehicular emissions, or encourage the reduction of the commuter use of motor vehicles by employees of the County and employees whose place of employment is in the unincorporated area of the County
- The Board may make and enforce ordinances to reimburse up to one hundred per cent of the cost to County employees to use public bus or vanpool transportation to and from their place of employment.
- **They may lease for public purposes any real property**, improvements for real property and personal property under the same terms and conditions, to the extent applicable, as are specified in sections 11-165 and 11-653 for lease-purchases.
- They may adopt and provide for the **enforcement of ordinances prohibiting open fires and campfires** on designated lands in the unincorporated areas of the county when a determination of emergency is issued by the County Emergency Management Officer and the Board deems it necessary to protect public health and safety on those lands.

Many of the **Powers of the Board of Supervisors** are carried out by various departments of County government (for example: Elections, Finance, Human Resources, and Highways) with direction from the Board. The Board of Supervisors is the governing and policy-making body of Cochise County. The Board is empowered to perform acts necessary to fully discharge its duties as the legislative authority of County government.

The members of the Board feel that one of their primary responsibilities is the in-depth oversight of the County Budget and consequently they have set in motion a policy of fiscal responsibility which is paying dividends as this Board has been able to maintain a healthy contingency despite the recent downturn in the economy.

The County's **Strategic Plan** emphasizes Customer Service Excellence, Quality Workforce, and Fiscal Responsibility and deals with Public Safety and Justice, Environment and Land Use, Infrastructure Management, and Health and Wellbeing. The Strategic Plan is a living document and is considered when budgetary decisions are made.



Presentation of Proclamation to Mr. Dean Coates, Child Support Operations Supervisor, Department of Economic Security, Division of Child Support Services (DCSS) declaring August 2014 to be Child Support Awareness month.



Commander Frank Martinez, Bisbee Veterans of Foreign Wars, Post 836 presented the Cochise County 50th Anniversary of the Vietnam War Commemorative Committee with a certificate of appreciation. He conveyed his sincere gratitude to the Board and the staff for their work on this effort and presented Nike Noack, Marty Renteria, and Arlethe Rios with individual certificates for their leadership in coordinating events to honor the service and courage of Vietnam Veterans.



**Vision** Cochise County fosters diverse, vibrant and safe communities, planning for the future while honoring our legendary cultural heritage.

**Mission** Provide regional leadership and effective, high-quality services with personal and professional integrity.

**Core Values** Cochise County provides exceptional customer service through **Respect, Empowerment, Alternatives, Accountability, and Leadership. REAL Service!**

## Code of Ethics

- 1 Enhance the reputation of Cochise County and its employees through superior public service.
- 2 Treat all citizens and fellow employees with courtesy, fairness and respect.
- 3 Provide efficient service to the public while giving a full days work for a full days pay.
- 4 Avoid real/potential conflicts between private and public responsibility. The public interest must be our principal concern.
- 5 Keep your supervisor informed of any activity that may be perceived as a conflict of interest.
- 6 Avoid soliciting or receiving anything of value which may, or may appear to, influence the performance of official duties.
- 7 Use County vehicles, equipment, supplies, or property for work only.
- 8 Avoid using your position with the County to influence the general public for political purposes.

## Other Services

- Adopt Resolutions & Ordinances
- Approve & Oversee Management of County Budget
- Coordinate Responses to Public Records Requests
- Develop and Distribute Press Releases
- Emergency Food & Shelter Program Administration
- Emergency Services
- Establish County Policies
- Establish and Coordinate Project Focused Groups (Business Friendly Task Force, Public Lands Advisory Committee, Vietnam Commemoration Committee, Etc.)
- Grants Administration
- Handle Filings for Special Districts Formation
- Offer Notary Services
- Process Bingo Licenses
- Process Franchises
- Process Liquor Licenses
- Process Toilet Rebates
- Provide Content for County Website
- Provide Public Meeting Information (Agendas, Minutes, Etc.)
- Redistricting
- Schedule Board of Equalization Appeals and Communicate Hearing Results (Property Values)
- Serves as Fiscal Agent and Member for the Cochise County Tourism Council
- Tax Deed Land Auctions (Tax Defaulted Properties)
- Track and Distribute Notice of Claims and Lawsuits Filed at the BOS Office

# Budget and Taxes

It is the responsibility of the Board of Supervisors to adopt an annual budget and levy taxes, not only for the County but for all of its Special Districts as well. The Board and the County Administrator use projected revenues and expenses for the coming year to work out a balanced County budget.

## Special District Budgets

are constructed by the Board of that District. The Board of Supervisors acts as the Board for only a limited number of Special Districts, such as the Light Improvement Districts, and does have a final say on those Special District budgets and tax rates. For other Special Districts, like a Fire District, the Board of the district is responsible for its own budget and tax rate. The Board of Supervisors is basically doing a ministerial act when it levies the tax based on the budget/rate submitted by the district, which means that the Board of Supervisors doesn't have discretion to lower or raise budgets and tax rates.

The County is also the collecting agency for its residents' taxes, but it is important to understand that property taxes make up only approximately 20% of the amount you pay on your tax bill. That 20% goes into the General Fund to be used for County operations. The rest of the money goes to the city, if you are within a city boundary, and Special Districts in your tax area code.

### My Special District Taxes Are Too High What Can I Do About Them?

- Remember that the budgets and tax rates are set by the Board of the Special District.
- Contact those Board members either by mail or go to their next meeting.
- A call to Cochise County Elections and Special Districts, 520-432-8970, can get you the information about your Board and when and where they meet.
- Members of the Board of Supervisors may only make suggestions to the Board of the Special District. They may not raise or lower the budget and tax rate.

## 48-805.02 Fire District Annual Budget

48-805.02. Fire district annual budget; levy; requirements

- A. A fire district shall prepare an annual budget that contains detailed estimated expenditures for each fiscal year and that clearly shows salaries payable to employees of the district. The budget summary shall be posted in three public places and a complete copy of the budget shall be published on the district's official website for twenty days before a public hearing at a meeting called by the board to adopt the budget. Copies of the budget shall also be available to members of the public on written request to the district. Following the public hearing, the district board shall adopt a budget. A complete copy of the adopted budget shall be posted in a prominent location on the district's official website within seven business days after final adoption and shall be retained on the website for at least sixty months. For any fire district that does not maintain an official website, the fire district may comply with this subsection by posting on a website of an association of fire districts in this state.
- B. Not more than ten days after the organization of a fire district and not later than August 1 of each year thereafter, the chairman of the district board shall submit to the county board of supervisors a budget estimate that contains certifications by item and that specifies the amount of money required for the maintenance and operation of the district for the ensuing year.
- C. Based on the budget submitted by the district, the board of supervisors shall levy the tax as prescribed in section 48-807, subsection E.

## Budget and Taxes *continued*

### Special Revenues

**Highway User Revenue Fund (HURF)** the State of Arizona taxes motor fuels and collects a variety of fees and charges relating to the registration and operation of motor vehicles on the public highways of the state. These collections include gasoline and use-fuel taxes, motor-carrier taxes, vehicle-license taxes, motor vehicle registration fees and other miscellaneous fees. These revenues are deposited in the Arizona Highway User Revenue Fund (HURF) and are then distributed to the cities, towns and counties and to the State Highway Fund. These taxes represent a primary source of revenues available to the state for highway construction, improvements and other related expenses.

There has been a reduction in HURF dollars since 1997, funds being swept by the State to fund other agencies and to help balance the State budget. Even more unsettling is even if HURF funding was fully restored, the dollar figures would still be low due to decreased driving as a result of higher gas prices and more fuel efficient vehicles.



PHOTO CREDIT: Sarah Meggison



PHOTO CREDIT: Sarah Meggison

### Payment In Lieu of Taxes (PILT)

**Payment In Lieu of Taxes (PILT)** are Federal payments to local governments that help offset losses in property taxes due to non-taxable Federal lands within their boundaries. The government recognizes the inability of local governments to collect property taxes on Federally-owned land can create a negative financial impact.

However, there is uncertainty about PILT funding for 2015. The President's Fiscal Year 2015 Budget Submission to Congress requested a one-year extension of the Payments in Lieu of Taxes program. The extension would fund PILT payments in FY 2015. At present, funding for the Payments in Lieu of Taxes program has not been reauthorized for Federal Fiscal Year 2015 (October 1, 2014 to September 30, 2015). As a result, the Department of the Interior's standard request for acreage and prior-year payment data to calculate payments for 2015 that occurs each October will be delayed until funding for the program is provided.

# Evolution of Processes

**Our initial thought** was to present the Evolution of Processes on a time line but with the exception of the introduction of typewritten minutes in 1907, there would be a lot of blank space between 1881 and around the year 2000.

**The County did have computers in the 1980s.** The TRS-80 was the machine of choice and used floppy disks and Word Perfect for word processing. Time marched on and newer PCs were introduced and **Microsoft Office** came into county-wide use in 2000. **Email and internet** were introduced county-wide in 2001, using Microsoft Exchange for email. Certain departments in the County, including the Board office, did have email before the county-wide rollout. Internet Service was provided by c2i2.com, a Sierra Vista company. It is also interesting that the County's first Voice over Internet Protocol (VoIP) phone call was made in 2002.

In 2001, **the County also unveiled its first website** using an HTML format. In 2008, the site was updated using a commercial .net platform (Ektron). In 2014, the website was completely renovated and the result we have today uses the open source Drupal.

In 2001, there were **no computerized agenda systems** on the market. But Clerk of the Board, Nadine Parkhurst, and her Chief Deputy, Maria Marsh, saw the time savings that could be possible by computerizing the preparation of the agenda packet. Maria worked with County IT employee, Van Nguyen, to develop a program that would suit the offices agenda preparation. In 2002, the **Virtual Agenda Network** (VAN in honor of its creator) was rolled out. VAN, starting to show its age and numerous patches, was replaced by **Agenda Quick in 2011**.

**The Recorder's Office began microfilming documents in 1967.** The State Library gave Counties the choice to use micrographics as the backup to permanent records kept in paper format. That lasted until 2014, when digitally scanned minutes, resolutions, and ordinances were allowed to serve as the backup to the permanent document. **The Board of Supervisors Office currently uses a paper format for permanent records.**

- 1881** Cochise County Created
- 1907** Minutes were typed
- 1967** Documents were microfilmed by the Recorders Office
- 1980** PCs (TRS-80s to be exact) began to be used in certain Departments
- 1993** Email in the Board Office
- 2000** Microsoft Office came into county-wide use
- 2001** Email and internet introduced county-wide. County unveiled first website Scanning on Laserfiche
- 2002** Automated Agenda System (VAN) introduced County's first use of VoIP telephones
- 2004** Scanning using OnBase
- 2008** New County website
- 2010** Liberty Recording System replaced handheld devices
- 2011** Agenda Quick replaced VAN
- 2013** Cochise County Joined Facebook
- 2014** County Website Renovated

The Board of Supervisors Office began scanning documents in 2001 using a system called **Laserfiche**. The Highway and Floodplain Department joined the BOS Office in the new endeavor, envisioning a time when citizens would be able to access documents from kiosks located around the County, perhaps through the County's Library District. In 2004, all of Cochise County began using a scanning system called **OnBase**. The Courts were being required to begin using the OnBase system so Laserfiche records were converted to OnBase.

**Board of Supervisors meetings were recorded** on different cassette systems from about 1987 to 2005. After 2005, the meeting recordings were kept on CDs. In 2010, the BOS Office went to the **Liberty Recording System** and recordings are now stored digitally.

**In 2013, the Board of Supervisors entered the world of social media and created a Cochise County Facebook page. Millennials cheered!**



# Transition of Power

Prior to 1978 County highway work was done under the direct supervision of each of the County Supervisors. The Board of Supervisors formed the County Highway Department by Resolution 78-44 in 1978. This resolution delegated to the County Engineer the authority to administer and direct the work of the Highway Department. County Supervisors then ceased being directly involved in the daily operation of highway maintenance. The Flood Control District was formed and a Floodplain Administrator was appointed in 1984 by Resolution 84-80 to administer the Floodplain Ordinance under the direction of the Floodplain Board. The Board of Supervisors acts as the Floodplain Board for the Flood Control District. The Flood Control District and the Highway Department were combined into one department in 1993 by Resolution 93-47 to form the current Highway/Floodplain Department.

Soon after the formation of the new department, the three roadyards, originally set up to maintain roads of the three supervisorial districts, were rearranged into two roadyards a North and a South Roadyard.

RESOLUTION NO. 78-44  
ESTABLISHING A COCHISE COUNTY HIGHWAY DEPARTMENT

WHEREAS the Board of Supervisors pursuant to A.R.S. §11-251(4) shall lay out, maintain, control and manage public roads and bridges within the County of Cochise;

WHEREAS the Cochise County Engineer pursuant to A.R.S. §11-562(B) shall, under the direction of the Board, have charge of all highways, other engineering construction, improvements, alterations, and repairs to County property;

WHEREAS the above-mentioned statutes permit the establishment of a unified county highway department to be operated by the County Engineer under the direction of the Board of Supervisors;

WHEREAS formation and operation of a county highway department would promote the health, safety and general welfare of the residents of Cochise County by:

- (1) Increasing the efficiency of the County in constructing, maintaining, improving and repairing its public roadways;
- (2) Increasing the cost effectiveness of the County by eliminating unnecessary and overlapping financial costs involved in operating separate road districts in the County;
- (3) Minimizing the County's exposure to liability by establishment of a uniform overall plan for construction, maintenance, improvement, and repair of public roadways based on necessity and conduciveness to the public's health safety;
- (4) Providing for a consistent and uniform program for maintenance and repair of County public roadways;
- (5) Promoting more effective participation in programs funded in part or wholly by the state or federal government;

BE IT THEREFORE RESOLVED that the Board of Supervisors hereby authorizes the establishment of the Cochise County Highway Department, which shall become operational on or about January 1, 1979;

BE IT FURTHER RESOLVED that the Cochise County Engineer shall be the head of and shall administer the Cochise County Highway Department, under the direction of the Board of Supervisors, and shall have the power to:

- (1) Direct the preparation of plans and specifications for work on public roadways in the County;
- (2) Advertise for competitive bids for work on public roadways when required;
- (3) Direct supervision of all construction work on public roadways and have charge of maintenance and upkeep of such roadways, pursuant to direction from the Board of Supervisors;
- (4) Purchase any items of equipment necessary to construct and provide maintenance on public roadways;
- (5) Require approval by him of work done on public roadways prior to submission of a demand to the Board of Supervisors for final payment;
- (6) Make recommendations to the Board of Supervisors and implement its decisions in the hiring of engineering consultants, when desirable;
- (7) Direct the organization of the Department; recommend to the Board of Supervisors the hiring, firing, promoting and suspension of employees of the Department, and supervise and regulate the conduct of such employees;
- (8) Account to the Board of Supervisors for the expenditures of the Department;

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(9) Exercise such other powers as are necessary to carry out the work of the Department and carry out such other duties as prescribed by the Board of Supervisors.

ADOPTED this 30th day of October, 1978.

*Judith A. Gignac*  
JUDITH A. GIGNAC - CHAIRMAN  
BOARD OF SUPERVISORS  
COUNTY OF COCHISE - STATE OF ARIZONA

ATTEST:  
*Madeline M. Corrin*  
MADIELINE M. CORRIN - CLERK  
BOARD OF SUPERVISORS  
COUNTY OF COCHISE - STATE OF ARIZONA



STATE OF ARIZONA | COUNTY OF COCHISE | I HEREBY CERTIFY THAT THE WITHIN INSTRUMENT WAS FILED AND RECORDED, AT REQUEST OF *Bo. of Supervisors*  
CHRISTINE BHO... COUNTY RECORDER FEE \$ *200.70*  
DEPUTY CLERK *Bo. of Supervisors*  
DATE *OCT 31 1978 11 00 AM*  
INDEXED *AM* FILED *AM* BOOKET *1282* PAGE *AD2* NO *23468* 403

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# AS Around Cochise County Then and Now

## Credits

Nadine Parkhurst, Clerk of the Board 1991-2006  
Maria Marsh, Deputy Clerk, 1993-2003  
Christine Rhodes, Recorder Cochise County Highway and Floodplain Division  
Marty Renteria and Randy Streeter, Information Technology Department  
Sharlot Hall Museum



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