

**PROCEEDINGS OF THE COCHISE COUNTY BOARD OF SUPERVISORS  
REGULAR MEETING HELD ON  
TUESDAY, MARCH 10, 2020**

A regular board meeting of the Cochise County Board of Supervisors was held on Tuesday, March 10, 2020 at 10:00 a.m. in the Board of Supervisors' Hearing Room, 1415 Melody Lane, Building G, Bisbee, Arizona.

Present: Thomas E. Borer, Chairman; Ann English, Vice-Chairman; Peggy Judd, Supervisor

Staff Edward T. Gilligan, County Administrator; Sharon Gilman, Associate County

Present: Administrator; Britt W. Hanson, Chief Civil Deputy County Attorney; Kim Lemons, Clerk of the Board; Amanda Baillie, Public Information Officer

Chairman Borer called the meeting to order at 10:00 a.m.

**ANY ITEM ON THIS AGENDA IS OPEN FOR DISCUSSION AND POSSIBLE ACTION**

**PLEDGE OF ALLEGIANCE**

**THE ORDER OR DELETION OF ANY ITEM ON THIS AGENDA IS SUBJECT TO MODIFICATION AT THE MEETING**

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Chairman Borer said the Clerk of the Board requested Item 4 be removed from the agenda.

***CONSENT***

**Board of Supervisors**

1. Approve the Minutes of the regular meeting of the Board of Supervisors of February 25, 2020.
2. Approve the appointment of Ms. Charlotte Cox and reappointment of Ms. Patricia Pinson and Ms. Mary Dobers to the Pollution Control Corporation of the County of Cochise, for a six-year term expiring on February 17, 2026, as requested in correspondence from the Pollution Control Corporation.
3. Authorize the Public Defender's Office to accept court-appointed guardianship cases per Arizona Revised Statute 11-584 (10) and advise the Presiding Judge of the approved authorization.
4. [This item was removed from the agenda.] Adopt Resolution 20-02 accepting a grant from the Gila River Indian Nation as a pass through for the Sunsites-Pearce Fire District in the amount of \$44,682.20.

## **County Attorney**

5. Approve the proposed settlement of the Tax Appeal in CenturyLink Corporation v. Arizona Department of Revenue, et al., TX2019-001726, now pending in Arizona Tax Court, a division of the Superior Court of and for Maricopa County.
6. Approve the proposed settlement of the Tax Appeal in De Lage Landen Financial Services, Inc. v. Cochise County, TX2019-000694, now pending in Arizona Tax Court, a division of the Superior Court of and for Maricopa County.

## **Finance**

7. Approve demands and budget amendments for operating transfers.

Vice-Chairman English made a motion to approve items 1-3 and 5-7 on the consent agenda. Supervisor Judd seconded the motion and it passed unanimously

## ***PUBLIC HEARINGS***

### **County Attorney**

8. [Item tabled from January 28, 2020 Meeting] Adopt Ordinance 050-20, Establishing Regulations and Licenses to Video Services Providers; Application and Affidavit for Uniform Services License; and Uniform Video Services Agreement, pursuant to Title 11, Chapter 14, of the Arizona Revised Statutes, §§ 11-1901, et seq.

Vice-Chairman English made a motion to remove the item from the table. Supervisor Judd seconded the motion.

Chairman Borer called for the vote and it was approved 3-0.

Mr. Hanson, Chief Civil Deputy Attorney presented this item. Mr. Hanson said this ordinance replaces standard wording for providing video service and in franchise agreements. With the changes to this statute, providers still charge the same fees and are more forgiving for video services provided. Cox Communications and Cable One are the only two providers these affected and they have not requested changes.

Chairman Borer opened the Public Hearing. No one chose to speak and Chairman Borer closed the public hearing.

Supervisor Judd made a motion to adopt Ordinance 050-20, Establishing Regulations and Licenses to Video Services Providers; Application and Affidavit for Uniform Services License; and Uniform Video Services Agreement, pursuant to Title 11, Chapter 14, of the Arizona Revised Statutes, §§ 11-1901, et seq. Vice-Chairman English seconded the motion.

Chairman Borer called for the vote and it was approved 3-0.

## ***ACTION***

### **Board of Supervisors**

9. Approve Community Enhancement Fund expenditures for District 3: Bowie Water Company Sinkhole and Road Repair.

Supervisor Judd presented this item and said that Bowie had a water leak that created a sinkhole. The Bowie Water District was working with the Highways Division directly to repair but the costs of permits were too expensive. They contracted with Sun Cor Underground Inc. to repair the leak and fill the sinkhole for approximately \$7,000.

The Board agreed that this was an appropriate use of Community Enhancement Funds

Vice-Chairman English amended the motion to approve Community Enhancement Fund expenditures for District 3: Bowie Water District Sinkhole and Road Repair, Supervisor Judd seconded the motion.

Chairman Borer called for the vote and it was approved 3-0.

## **County Sheriff**

10. Approve a reoccurring contract for Stone Garden funding from the Department of Economic Security (DOHS), in the amount of \$650,000 in Overtime and Mileage (\$600,000 in Overtime), to participate in the operation to detect, deter and/or arrest subjects who smuggle human or drugs illegally into the country, effective January 29, 2020 through January 31, 2021.

Lieutenant Ken Foster presented this item using a PowerPoint presentation. Lt. Foster stated the purpose of the grant that recurs every year for overtime and equipment; outlined the benefits of the contract; showed the increase in awarded amount from the previous fiscal year; gave the details of deployment: how assigned and additional deputies utilized; and listed the 2018 and 2019 year-end statistical data. He continued with the economic benefits; detailed the dollar amounts allocated for each use; and showed Dr. Robert Carrera's economic figures and affects of long-term unfunded liability; tax revenues generated, potentially lower crime rates; higher property values; and increased perception of community safety.

The Board stated concerns about the unfunded retirement liability generated and how overtime is regulated

Lt. Foster said deputies are allowed to work eight hours of overtime per week and that the implementation of a Tier 3 system will help turn around unfunded liability.

There was short discussion about uncertainties of retirement funds investments; quality of life for deputies and their families; and future discussions to help alleviate those concerns.

Sheriff Dannels gave the 10-year background of Stonegarden funding and its effectiveness and efficiencies.

Vice-Chairman English added she would vote in favor today with hopes for future discussion.

Supervisor Judd amended the motion to approve a reoccurring contract for Stone Garden funding from the Department of Homeland Security (DOHS), in the amount of \$650,000 in Overtime and Mileage (\$600,000 in Overtime), to participate in the operation to detect, deter and/or arrest subjects who smuggle human or drugs illegally into the country, effective January 29, 2020 through January 31, 2021. Vice-Chairman English seconded the motion.

Chairman Borer called for the vote and it was approved 3-0.

## Human Resources

11. Approve the proposed health care benefit cost share between Cochise County, its employees, and retirees for plan year 2020-2021 as recommended by the Human Resources Department and the County Administrator.

Ms. Elda Orduno, HR Director presented this item using a PowerPoint presentation. Ms. Orduno outlined the four different plan options and percentage of each for the previous plan year including Medical/Prescription Claims. She stated the across-the-board changes and the changes specific to the High Deductible Health Plan (HDHP), HDHP Buy-up and Exclusive Provider Organization (EPO) plans and associated rate increases with the recommendation that the County absorb those increases for employees only; not retirees. For the EPO Buy-Up Plan changes and increases, she recommended the entire rate increase be paid by employees and retirees enrolled in the plan. Ms. Orduno listed the details of all the plan changes and increases and associated administrative fees. The Cochise Combined Trust (CCT) will be issuing an RFP to compare costs and services provided by Erin Collins and Associates against other benefit consulting firms and Central Arizona College will join the Trust effective July 1, 2020.

Vice-Chairman English made a motion to approve the proposed health care benefit cost share between Cochise County, its employees, and retirees for plan year 2020-2021 as recommended by the Human Resources Department and the County Administrator. Supervisor Judd seconded the motion.

Chairman Borer called for the vote and it was approved 3-0.

## Procurement

12. Approve the award of Contract 20-24-BOS-03 to Stantec Consulting Services, Inc. to conduct an eight-month Master Plan Utility Engineering Study for the proposed site of the Douglas, Arizona Port of Entry in the amount of \$265,000.02, effective March 10, 2020.

Ms. Gilman, Associate County Administrator, presented this item. Ms. Gilman gave an overview of the project, the credentials of the consulting company, and stated that staff recommended approval.

Supervisor Judd made a motion to approve the award of Contract 20-24-BOS-03 to Stantec Consulting Services, Inc. to conduct an eight-month Master Plan Utility Engineering Study for the proposed site of the Douglas, Arizona Port of Entry in the amount of \$265,000.02, effective March 10, 2020. Vice-Chairman English seconded the motion.

Chairman Borer called for the vote and it was approved 3-0.

## Workforce Development

13. Approve a Five-Year Contract with Mr. James E. Mize, a One Stop Operator to be overseen by Arizona @ Work in the not to exceed amount of \$10,000 annually for a total of \$50,000, effective March 10, 2020.

Mr. Hanson explained the relationship between Department of Economic Security who oversees Arizona @ Work has made changes regarding grants administration and fiscal

agent responsibilities.

Ms. Anne Coppola, Procurement Director, presented this item. Ms. Coppola said the One Stop Operator offers career services to residents of Cochise County who need assistance obtaining a job.

Vice-Chairman English made a motion to approve a Five-Year Contract with Mr. James E. Mize, a One Stop Operator to be overseen by Arizona @ Work in the not to exceed amount of \$10,000 annually for a total of \$50,000, effective March 10, 2020. Supervisor Judd seconded the motion.

Chairman Borer called for the vote and it was approved.3-0.

### **STATE & FEDERAL LEGISLATION**

14. Discussion and possible action regarding state and federal legislative matters listed or described in the attached County Supervisors Association Legislative Policy Committee Agenda, the Arizona Association of Counties (AACo) Legislative Policy Committee Agenda, and the proposed State budget, and other matters related thereto.

Vice-Chairman English gave an update on legislative matters. The Board took no action.

### **CALL TO THE PUBLIC**

*This is the time for the public to comment. Members of the Board may not discuss items that are not specifically identified on the agenda.*

### **REPORT BY EDWARD T. GILLIGAN COUNTY ADMINISTRATOR -- RECENT AND PENDING COUNTY MATTERS**

Mr. Gilligan gave a summary of the following: an upcoming meeting with the City of Douglas regarding maintenance of water at BDI; conservative planning of budget; economic shift because of the Coronavirus concerns; and future retirement liabilities.

### **SUMMARY OF CURRENT EVENTS**

#### **Report by District 1 Supervisor, Thomas E. Borer**

Supervisor Borer deferred his report.

#### **Report by District 2 Supervisor, Ann English**

Supervisor English said the legislators were asked if extra money used to reduce the PSPRS liability not count toward the expenditure limit amount, and they answered no.

#### **Report by District 3 Supervisor, Peggy Judd**

Supervisor Judd said the water district meetings in her district were ongoing with ADEQ at the next meeting.

Chairman Borer adjourned the meeting at 11:22 a.m.

APPROVED:

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Thomas E. Borer, Chairman

ATTEST:

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Kim Lemons, Clerk of the Board