

**PROCEEDINGS OF THE COCHISE COUNTY BOARD OF SUPERVISORS
REGULAR MEETING HELD ON
TUESDAY, APRIL 21, 2020**

A regular board meeting of the Cochise County Board of Supervisors was held on Tuesday, April 21, 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, telephonic; Peggy Judd, Supervisor, telephonic

Staff Present: Edward T. Gilligan, County Administrator; Sharon Gilman, Associate County Administrator; Christine Roberts, 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

CONSENT

Board of Supervisors

1. Approve the Minutes of the regular meeting of the Board of Supervisors of April 7, 2020.

County Sheriff

2. Approve Cooperative Service Agreement No. 20-73-04-0228-RA between Cochise County and the United States Department of Agriculture (USDA) Animal and Plant Health Inspection Service and Wildlife Services, to assign a Wildlife Specialist to Cochise County for predator and disease control under the Wildlife Damage Management program to be conducted, in the amount of \$40,491, effective July, 1 2020 through June 30, 2021.

Finance

3. Approve demands and budget amendments for operating transfers.

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

PUBLIC HEARINGS

Development Services

4. Adopt Zoning Ordinance 20-07 to rezone 16 acres in the Babocomari from R-36 (Residential, minimum 36,000 square feet) to RU-4 (Rural, minimum 4 acres), pursuant to the application of Maria Moreno.

Mr. Dan Coxworth, Development Services Director presented this item using a PowerPoint presentation. Mr. Coxworth gave the background of the rezoning request. He referred to the parcel location and aerial photos of the area. He listed the factors in favor and against the rezoning; the department received one letter in support and none in opposition. The Cochise County Planning and Zoning Commission recommended approval 6-0 at their April 8, 2020 meeting. Mr. Coxworth said staff recommended conditional approval.

Chairman Borer opened the public hearing and asked if any additional comments regarding this public hearing were received and Ms. Lemons stated there were none.

Chairman Borer closed the public hearing.

Vice-Chairman English made a motion to adopt Zoning Ordinance 20-07 to rezone 16 acres in the Babocomari from R-36 (Residential, minimum 36,000 square feet) to RU-4 (Rural, minimum 4 acres), pursuant to the application of Maria Moreno with condition. Supervisor Judd seconded the motion.

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

5. Adopt Zoning Ordinance 20-08 to rezone 5 acres in Sun Sites Ranches subdivision from R-36 (Residential, minimum 36,000 square feet) to RU-4 (Rural, minimum 4 acres), pursuant to the application of Larry Seal.

Mr. Dan Coxworth, Development Services Director presented this item using a PowerPoint presentation. Mr. Coxworth gave the background of the rezoning request and said the request will facilitate the use of the Owner Builder Opt-Out program. He referred to the parcel location and aerial photos of the area. He listed the factors in favor and against the rezoning; the department received numerous letters in support and letters in opposition from property owners who live outside of the state who had concerns about their property being rezoned. The Cochise County Planning and Zoning Commission recommended approval 5-1 at their April 8, 2020 meeting. Mr. Coxworth said staff recommended conditional approval.

Chairman Borer opened the public hearing and asked if any additional comments regarding this public hearing were received and Ms. Lemons stated there were none.

Chairman Borer closed the public hearing.

Supervisor Judd made a motion to adopt Zoning Ordinance 20-08 to rezone 5 acres in Sun Sites Ranches subdivision from R-36 (Residential, minimum 36,000 square feet) to RU-4 (Rural, minimum 4 acres), pursuant to the application of Larry Seal with conditions. Vice-Chairman English seconded the motion.

ACTION

County Attorney

6. Approve the ADRS XML Automation Project, ACJC Grant No. AAP-20-001, in the amount of \$150,000, effective May 1, 2020 through December 31, 2020.

Mr. Brian McIntyre, County Attorney, presented this item. Mr. McIntyre said this grant is for the gold standard, criminal case management system, Prosecutor by Karpel. Within the next couple of legislative sessions, the reporting requirements for cases will be increased. In the past, criminal history participants were sent paper forms. With this system, the history will be tracked through a website portal and will help eliminate discrepancies. ACJC authorized \$150,000, the maximum for one county, and the County Attorney's Office is confident they will be able to cover costs of any subsidy. An annual cost of \$29,000 will be part of the department's budget that will be covered with the reduction of paper/copying and other associated costs. All law enforcement agencies except one is utilizing Spillman software which Karpel also uses. Finally, this software links to evidence.com to access body camera videos for evidence and review, making it an all-in-one system.

Vice-Chairman English said it sounds like a great system and maintenance costs are manageable.

Supervisor Judd said it sounds like a great and necessary software addition.

Chairman Borer stated we had not received any public comment on this item.

Vice-Chairman English made a motion to approve the ADRS XML Automation Project, ACJC Grant No. AAP-20-001, in the amount of \$150,000, effective May 1, 2020 through December 31, 2020. Supervisor Judd seconded the motion.

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

County Schools

7. Approve Intergovernmental Agreement (IGA) between the Superior Court and the County School Superintendent, for Educational Services at the Juvenile Detention Center, effective July 1, 2020 through June 30, 2022.

Ms. Jacqui Clay, County Schools Superintendent, presented this item. Ms. Clay said, in regular meetings with Judge Bannon, they decided better results could be achieved by combining the jail and juvenile detention center with one teacher to service both. This reduction of costs will eliminate the need for contracts with other teachers. Students are in online high schools with transferrable transcripts. Ms. Clay outlined the trial program details that come under the Superintendent's umbrella.

Vice-Chairman English congratulated Judge Bannon and Ms. Clay for educating at-risk students in a program with measurable outcomes.

Supervisor Judd gave her thanks.

Judge Bannon said that under Ms. Clay, students are responding and engaging. This project was a huge collaborative and cooperative effort, and she is proud of their accomplishments and thankful for the support.

Chairman Borer stated we had not received any public comment on this item.

Supervisor Judd made a motion to approve Intergovernmental Agreement (IGA) between the Superior Court and the County School Superintendent, for Educational Services at the Juvenile Detention Center, effective July 1, 2020 through June 30, 2022. Vice-Chairman

English seconded the motion.

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

Emergency Services

8. Approve Authorized Agents Mr. Gabriel Lavine, Emergency Manager, and Mr. Daniel S. Duchon, Budget Manager, to pursue reimbursement through Federal National Emergency Declaration due to COVID-19 pandemic, via Federal Emergency Management Agency (FEMA)'s Public Assistance program; Authorized Agents will aggregate expense data and submit to Arizona Department of Emergency and Military Affairs (AZDEMA) for potential reimbursement.

Mr. Gabriel Lavine, Emergency Services Director, presented this item. Mr. Lavine said this will allow him and Mr. Duchon to submit grant applications and administer eligible costs if needed for the pandemic response.

Vice-Chairman English thanked both for contacting all the county departments and including them in the process.

Chairman Borer stated we had not received any public comment on this item.

Vice-Chairman English made a motion to approve Authorized Agents Mr. Gabriel Lavine, Emergency Manager, and Mr. Daniel S. Duchon, Budget Manager, to pursue reimbursement through Federal National Emergency Declaration due to COVID-19 pandemic, via Federal Emergency Management Agency (FEMA)'s Public Assistance program; Authorized Agents will aggregate expense data and submit to Arizona Department of Emergency and Military Affairs (AZDEMA) for potential reimbursement. Supervisor Judd seconded the motion.

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

9. Approve an increase of \$271,000 to the Fiscal Year 2016 Emergency Management Performance Grant from state reallocation funding for public safety radio maintenance, effective April 21, 2020 through June 30, 2020.

Mr. Gabriel Lavine, Emergency Services Director, presented this item. Mr. Lavine said this grant is a reallocation of a 3-year fund for statewide funding left over from 2016. The County submitted the cost for the radio system approved earlier this year.

Vice-Chairman English appreciated the funding request made on behalf of the County.

Chairman Borer stated we had not received any public comment on this item.

Supervisor Judd made a motion to approve an increase of \$271,000 to the Fiscal Year 2016 Emergency Management Performance Grant from state reallocation funding for public safety radio maintenance, effective April 21, 2020 through June 30, 2020. Vice-Chairman English seconded the motion.

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

10. Approve Intergovernmental Agreement (IGA) between Cochise County and Cochise College for Non-Congregate Sheltering in support of the Covid-19 Emergency Response, effective April 21, 2020.

Mr. Gabriel Lavine, Emergency Services Director, presented this item. Mr. Lavine said this agreement is for emergency responders and health care workers that require isolation. Mr. Lavine said there is a revised version of the contract that was originally submitted that has been vetted and approved by Cochise College and the County Attorney's Office that will be provided for approval. The original agreement covered a broader scope of population. He detailed those and how the sheltering support would be approved and operated.

Vice-Chairman asked if the isolated individuals would need any health care.

Mr. Lavine said they would not and stated the requirements of this agreement.

Supervisor Judd stated her concerns for exposed health care workers and appreciation for this agreement.

Chairman Borer stated we had not received any public comment on this item.

Vice-Chairman English made a motion to approve Intergovernmental Agreement (IGA) between Cochise County and Cochise College for Non-Congregate Sheltering in support of the Covid-19 Emergency Response, effective April 21, 2020. Supervisor Judd seconded the motion.

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

Facilities

11. Approve grant of easement to Southwest Gas Corporation for parcel 405-37-008B, Bisbee Douglas International (BDI) Airport.

Mr. Henry Meraz, Facilities Director, presented this item using a PowerPoint presentation. Mr. Meraz showed the location of the easement around the pipeline. He said the pipeline will be replaced and gave the details of the project.

Vice-Chairman English said this will be a great improvement.

Chairman Borer stated we had not received any public comment on this item.

Supervisor Judd made a motion to approve grant of easement to Southwest Gas Corporation for parcel 405-37-008B, Bisbee Douglas International (BDI) Airport. Vice-Chairman English seconded the motion.

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

Housing Authority

12. Approve the Renewal Family Self-Sufficiency Grant FSS20AZ3239-01-00 awarded by the U.S. Department of Housing and Urban Development to the Housing Authority of Cochise County, in the amount of \$58,420, effective January 1, 2020 through December 31, 2020.

Ms. Anita Baca, Housing Director, presented this item. Ms. Baca said it is a reimbursement grant for the salary of one full-time coordinator position. The grant empowers recipients that

earn little or no income. Any Housing Authority income that decreases is put in an escrow account for the graduate. Those accounts have been used in the past for purchasing homes; receiving additional education; and creating a new business. The program is mandated by HUD to have at least 25 participants. Currently, the department has 28 participants earning escrow; resulting in \$4,500 per month for all involved.

Vice-Chairman English praised the program and the benefits of graduating.

Chairman Borer stated we had not received any public comment on this item.

Vice-Chairman English made a motion to approve the Renewal Family Self-Sufficiency Grant FSS20AZ3239-01-00 awarded by the U.S. Department of Housing and Urban Development to the Housing Authority of Cochise County, in the amount of \$58,420, effective January 1, 2020 through December 31, 2020. Supervisor Judd seconded the motion.

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

STATE & FEDERAL LEGISLATION

13. 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 stated the legislature is not in session, however the Policy Committee continues to meet. The budget is only a projection at this time with the possibility of a 20-25% reduction that will affect small rural businesses. Mr. Sullivan, with the CSA, will let us know when we need to comment on legislation.

Supervisor Judd said several small businesses in her district applied for funding but did not receive it.

Chairman Borer said unfortunately this is the reality for the future of new businesses.

The Board took no action on this item.

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

Mr. Gilligan said as we are dealing with the Covid-19 crisis there has been another workplace tragedy. Mr. Raul Perez, Public Works operator, died when cleaning a dump truck on April 6th. County departments worked to ensure benefits were received by the family and counseling given to co-workers. The County is working on processes and work site improvements to help eliminate this from happening in the future. He expressed his condolences to the Raul family. He also discussed work on other efficiencies throughout the County. He outlined what the Budget Work Session on Thursday would include.

SUMMARY OF CURRENT EVENTS

Report by District 1 Supervisor, Thomas E. Borer

Chairman Borer talked about community programs in which he is involved. He stressed the importance of practicing social distancing; mental/physical health; and enjoying the outdoors. He reviewed road projects and reiterated the budget challenges for the County.

Report by District 2 Supervisor, Ann English

Supervisor English expressed good humor during this current crisis.

Report by District 3 Supervisor, Peggy Judd

Supervisor Judd commented on some positive impacts the Covid-19 crisis has had in her community.

Chairman Borer adjourned the meeting at 11:26 a.m.

APPROVED:

Thomas E. Borer, Chairman

ATTEST:

Kim Lemons, Clerk of the Board