

**PROCEEDINGS OF THE COCHISE COUNTY BOARD OF SUPERVISORS
REGULAR MEETING HELD ON
TUESDAY, MAY 5, 2020**

A regular board meeting of the Cochise County Board of Supervisors was held on Tuesday, May 5, 2020 at 10:15 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 10:15 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 21, 2020.
2. Approve a proclamation to declare the first week of May 2020 as National Correctional Officers and Employees week in Cochise County.

County Sheriff

3. Approve amendment for Grant Agreement 2020-AI-015 between the Arizona Governor's Office of Highway Safety (AGOHS) and Cochise County Sheriff's Office to add funds to Capital Outlay for two Intoxilyzer 9000s, in the amount of \$20,271.57, effective May 5, 2020 through September 30, 2020.

Finance

4. Approve demands and budget amendments for operating transfers.

Vice-Chairman English brought attention to item 2 proclamation.

Vice-Chairman English made a motion to approve items 1-4 on the consent agenda. Supervisor Judd seconded the motion and it carried unanimously.

PUBLIC HEARINGS

Development Services

5. Adopt Zoning Ordinance 20-09 to approve Docket R-20-02 (Light Pollution), an amendment to the Cochise County Zoning Regulations, Article 16, Light Pollution and Article 23, Enforcement.

Ms. Christine McLachlan presented this item using a PowerPoint presentation. Ms. McLachlan explained the purpose of the existing regulations and proposed amendments and recommendations. The Cochise County Planning and Zoning Commission unanimously recommended approval 7-0 at their April 8, 2020 meeting. Ms. McLachlan said staff recommended 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 20-09 to approve Docket R-20-02 (Light Pollution), an amendment to the Cochise County Zoning Regulations, Article 16, Light Pollution and Article 23, Enforcement. Vice-Chairman English seconded the motion.

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

ACTION

Board of Supervisors

6. Approve a change order to the Stantec Consulting Services contract for the Douglas Port of Entry Water/Wastewater Engineering Study, in the amount of \$39,912, effective May 5, 2020.

Ms. Sharon Gilman, Associate County Administrator presented this item. Ms. Gilman stated that in March the Board approved a contract with the City of Douglas that did not include hydraulic model software and this change order will put that system in place.

Chairman Borer asked if we received any public comment on this item. Ms. Lemons stated there were none.

Vice-Chairman English made a motion to approve a change order to the Stantec Consulting Services contract for the Douglas Port of Entry Water/Wastewater Engineering Study, in the amount of \$39,912, effective May 5, 2020. Supervisor Judd seconded the motion.

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

County Attorney

7. Approve the City of Tucson High Intensity Drug Trafficking Area (HIDTA) Grant Agreement HT-20-2909 between the City of Tucson and Cochise County, in the amount of \$151,702, effective January 1, 2020 through December 31, 2021.

Mr. Brian McIntyre presented this item. Mr. McIntyre stated the City of Tucson is the pass-through for funding in this area and this is a renewal grant that is important for funding prosecution.

Vice-Chairman asked about the high intensity drug trafficking area designation.

Mr. McIntyre said Cochise County is on the border and I-10 is considered a high traffic location.

Chairman Borer asked if we had received any public comment on this item. Ms. Lemons stated there were none.

Supervisor Judd made a motion to approve the City of Tucson High Intensity Drug Trafficking Area (HIDTA) Grant Agreement HT-20-2909 between the City of Tucson and Cochise County, in the amount of \$151,702, effective January 1, 2020 through December 31, 2021. Vice-Chairman English seconded the motion.

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

Development Services

8. Approve an Assurance Agreement extension to May 9, 2023, for The Oaks Subdivision, with Pioneer Title Agency, Inc., as Trustee under Trust No. 319061 for Castle & Cooke Arizona, Inc., as Beneficiary of Trust No. 319061.

Mr. Paul Esparza presented this item using a PowerPoint presentation. Mr. Esparza gave the background of the subdivision, location, and lot size. The final plat and Assurance Agreement were approved in 2007 with extensions in 2011, 2014, and 2017. 84 lots remain secured for work done through Phase One. He stated the five factors to consider for extension; that it was affected by the Monument Fire; it is in a desirable area where they are maintaining the roads; there are no significant factors against approving the extension; and the water infrastructure is in place. He showed the location and aerial maps, with most of the development south of the Three Canyons subdivision. Staff is recommending approval of the extension.

Vice-Chairman English said the developers have proved they can be successful, and she recommended approval.

Chairman Borer asked if we received any public comment on this item. Ms. Lemons stated there were none.

Vice-Chairman English made a motion to approve an Assurance Agreement extension to May 9, 2023, for The Oaks Subdivision, with Pioneer Title Agency, Inc., as Trustee under Trust No. 319061 for Castle & Cooke Arizona, Inc., as Beneficiary of Trust No. 319061. Supervisor Judd seconded the motion.

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

Emergency Services

9. Approve \$78,398.88 from the 2019 Hazardous Materials Emergency Preparedness Grant to support equipment purchases for the Countywide Hazardous Materials Response Team, effective May 5, 2020.

Ms. Judy Lynn, Emergency Services Deputy Director, presented this item. Ms. Lynn outlined the equipment used for training covered by this grant; she said that it is a reallocation of unspent funds from a previous grant; and the County is the pass-through with no matching fund requirements.

Chairman Borer asked if we received any public comment on this item. Ms. Lemons stated there were none.

Supervisor Judd made a motion to approve \$78,398.88 from the 2019 Hazardous Materials Emergency Preparedness Grant to support equipment purchases for the Countywide Hazardous Materials Response Team, effective May 5, 2020. Vice-Chairman English seconded the motion.

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

STATE & FEDERAL LEGISLATION

10. 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 legislative policy committee is still meeting every Friday even though the legislature is not in session.

The Board took no action on this item.

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

Mr. Gilligan talked about the progress on two significant road projects that had been delayed but now have restarted, Robbs Road and Ft. Grant Road. He will be meeting with the Southeastern Arizona Communications (SEACOM) directors about the ten-year funding for maintenance of the communication system and the future of that budget. He recognized National Corrections Officers and Juvenile Detention Officers.

SUMMARY OF CURRENT EVENTS

Report by District 1 Supervisor, Thomas E. Borer

Supervisor Borer gave an update on the chip seal project on south Highway 92 from Sierra Vista to Bisbee with scheduled repairs to be done by the end of May. He gave precautions about the fire dangers prior to the monsoons.

Report by District 2 Supervisor, Ann English

Supervisor English deferred her report.

Report by District 3 Supervisor, Peggy Judd

Supervisor Judd deferred her report.

Chairman Borer adjourned the meeting at 10:53 a.m.

APPROVED:

Thomas E. Borer, Chairman

ATTEST:

Kim Lemons, Clerk of the Board