

**PROCEEDINGS OF THE COCHISE COUNTY BOARD OF SUPERVISORS
REGULAR MEETING HELD ON
TUESDAY, JUNE 23, 2020**

A regular board meeting of the Cochise County Board of Supervisors was held on Tuesday, June 23, 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 June 9, 2020.
2. Approve Public Safety Personnel Retirement System (PSPRS) Pension Funding Policy, as required by ARS 38-863.01, effective July 1, 2020.

County Sheriff

3. Approve payment for April 2020 operating expenses and final closure of the Cochise County Sheriff's Office Arizona Air Support, LLC 2019-2020 Helicopter Management Project.
4. Approve an Intergovernmental Agreement (IGA) among Cochise College, Sierra Vista Police Department, and the Cochise County Sheriff's Office to continue operating the Southeastern Arizona Law Enforcement Training Academy (SEALETA), effective July 27, 2020 through May 6, 2021.

Court Administration

5. Approve Fiscal Year 2020-2021 Court Security Improvements - Pandemic Related Items funding agreement as provided by the Arizona Supreme Court, Administrative Office of the Courts (AOC) effective May 1, 2020 through August 31, 2020 in the amount of \$3,850.

Elections

6. Approve Poll Workers for the 2020 Primary and General Elections and authorize the Elections Director to make substitutions as necessary prior to each election, to ensure that all Vote Centers and Boards are staffed adequately with trained election Poll Workers.

Finance

7. Approve demands and budget amendments for operating transfers.

Workforce Development

8. Approve Amendment #3 to Title IB Adult, Youth, and Dislocated Worker Contract #DI19-002208 between Cochise County and the Arizona Department of Economic Security for the Workforce Innovation and Opportunity Act (WIOA) Service Delivery Area from April 1, 2018 to June 30, 2021.
9. Approve appointment of Ms. Maria Elizabeth Kinder to the Local Workforce Development Board to fill an unexpired term, effective immediately through June, 30, 2023.

Vice-Chairman English made a motion to approve items 1-9 on the consent agenda. Supervisor Judd seconded the motion and it carried unanimously.

PUBLIC HEARINGS

Board of Supervisors

10. Adopt Resolution 20-04 granting a Water Services Franchise renewal to Naco Water Company, LLC.

Ms. Christine Roberts, Chief Civil Deputy Attorney, presented this item. Ms. Roberts said the Notice of this renewal had been published as required by statute, and we have not received any protests granting the franchise.

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

Chairman Borer closed the Public Hearing.

Supervisor Judd moved to adopt Resolution 20-04 granting a Water Services Franchise renewal to Naco Water Company, LLC. Vice-Chairman English seconded the motion.

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

11. Approve an Acquisition of Control Series #13 (Farm Winery) liquor license application submitted by Mr. David James Smith for Coronado Vineyards, Inc. located at 2909 E. Country Club Drive, Willcox, AZ 85643.

Ms. Kim Lemons, Clerk of the Board, presented this item. Ms. Lemons said this application has been reviewed and recommended for approval by the appropriate departments; property taxes for the parcel are current; there have been no formal protests and the applicant has paid the \$100.00 processing fee. Board staff is recommending approval.

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

Chairman Borer closed the Public Hearing.

Vice-Chairman English moved to approve an Acquisition of Control Series #13 (Farm Winery) liquor license application submitted by Mr. David James Smith for Coronado Vineyards, Inc. located at 2909 E. Country Club Drive, Willcox, AZ 85643. Supervisor Judd seconded the motion.

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

Development Services

12. Adopt Resolution 20-05 to approve Docket CP-20-01 (Hwy191), a minor amendment to the Comprehensive Plan Growth Areas and Land Jurisdiction Map of Cochise County Comprehensive Plan.

Ms. Christine McLachlan presented this item using a PowerPoint presentation. Ms. McLachlan said this affects 20 parcels comprised of 1,972 acres in the City of Douglas, stated who is subject to amendments, showed a map and explained existing and proposed land use, differences between categories C and D, allowable uses, and rural and developing designations. She listed the indications of development potential. She gave the reasons why this is a County-initiated, Evaluation Criteria Analysis, and said many phone calls were outside amended area. She listed the factors in favor of approval. The Cochise County Planning and Zoning Commission recommended approval at their June 10, 2020 meeting.

She continued with the factors against approval, citing three letters of opposition received.

Vice-Chairman English said when the County looked at opportunity zones, this area north and east of Douglas is ripe for development and in our best interest.

Supervisor Judd asked about agricultural use and designation in the area and notification to individuals in the area.

Vice-Chairman English asked that the 300' notification be expanded if necessary.

Chairman Borer agreed with the amendments.

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

Chairman Borer closed the public hearing.

Supervisor Judd made a motion to adopt Resolution 20-05 to approve Docket CP-20-01 (Hwy191), a minor amendment to the Comprehensive Plan Growth Areas and Land

Jurisdiction Map of Cochise County Comprehensive Plan. Vice-Chairman English seconded the motion.

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

ACTION

Adult Probation

13. Approve fiscal year 2020 Arizona Coronavirus Emergency Supplemental Funding Program, Grant Award #ACESF-21-015, as provided by the Arizona Criminal Justice Commission effective January 20, 2020 to January 20, 2022 in the amount of \$63,172.

Ms. Rita Shipley, Courts Budget and Finance Director, presented this item. Ms. Shipley stated what the grant covered, and the amounts that would go for tablet and PPE purchases.

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

Vice-Chairman English made a motion to approve fiscal year 2020 Arizona Coronavirus Emergency Supplemental Funding Program, Grant Award #ACESF-21-015, as provided by the Arizona Criminal Justice Commission effective January 20, 2020 to January 20, 2022 in the amount of \$63,172. Supervisor Judd seconded the motion.

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

Board of Supervisors

14. Approve Community Enhancement Fund expenditures for District 3: Bowie Water Company, for additional expenses for the Sinkhole and Road Repair above the original estimate.

Supervisor Judd presented this item and said that the Bowie Water Company repaired a large sinkhole and the material needed to be upgraded to concrete. The additional funds requested for the upgrade is \$2,819.00.

Chairman Borer and Vice-Chairman English agreed this was an appropriate use of funds.

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

Supervisor Judd made a motion to approve Community Enhancement Fund expenditures for District 3: Bowie Water Company, for additional expenses for the Sinkhole and Road Repair above the original estimate. Vice-Chairman English seconded the motion.

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

15. Approve Community Enhancement Fund expenditures for District 3: new transportation service in the northeastern section of the County providing transit between Bowie, San Simon, Willcox, Sunsites, Pearce, Bonita and Elfrida.

Supervisor Judd presented this item and said the City of Willcox has been working with SEAGO to purchase a vehicle to provide transportation, and \$13,158 will cover the County's share of the cost.

Chairman Borer and Vice-Chairman English agreed this was an appropriate use of funds.

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

Vice-Chairman English made a motion to approve Community Enhancement Fund expenditures for District 3: new transportation service in the northeastern section of the County providing transit between Bowie, San Simon, Willcox, Sunsites, Pearce, Bonita and Elfrida. Supervisor Judd seconded the motion.

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

16. Approve the updated County Organization Chart for departments reporting to the County Administrator, effective June 23, 2020.

Mr. Gilligan presented this item and said it is a streamlined organizational structure of high-level functions, grouping services areas together, condensing services areas from four to three.

Vice-Chairman English said it is important to keep the organizational chart up-to-date, and to indicate which departments are under county administration.

Supervisor Judd asked about the management of benefits in relation to elected officials.

Mr. Gilligan said ultimately the Board is an entity comprised of three individual elected officials who guide policy direction and oversight for County. This includes merit rules, all guidelines applicable to the county overall, and we follow federal laws. Even employees in elected offices receive paychecks signed by the Chairman of the Board. This chart clearly identifies that elected officials are accountable to the residents and reflects the role of County administration, elected officials, and services provided. He said it is important everyone understands how merit rules are used to govern uniformly across the organization with total authority.

Vice-Chairman English said each elected office has the authority to control its budget.

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

Vice-Chairman English made a motion to approve the updated County Organization Chart for departments reporting to the County Administrator, effective June 23, 2020. Supervisor Judd seconded the motion.

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

17. Approve the proposed amendments to Merit Rule 6: Separation of Service.

Ms. Gilman presented this item using a PowerPoint presentation. Ms. Gilman listed what the merit rules are for and for whom. She outlined the Development Process from drafts that were reviewed by Department Directors and Elected Officials with written comments and revisions incorporated and presented to the Merit Commission on June 11. She gave the current and proposed amendments for Resignation, and Reduction in Force. She detailed the addition of Furlough, recommendations from the Merit Commission regarding Retirement and Furlough and Reduction in Force notice time.

Vice-Chairman English concurred with the changes and recommendations by the Merit

Commission to uphold regulations and concern for employees and help them to understand their rights and responsibilities.

Chairman Borer and Supervisor Judd agreed with the specifics that are clear to the employees.

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

Chairman Borer read a letter from Ms. Catherine Traywick, Cochise County Treasurer.

The Board asked about Ms. Traywick's questions presented in the letter.

Ms. Orduno explained the questions regarding Furlough, Reduction in Force and payment of benefits. She said the appointing authority will make the decisions regarding those details.

Vice-Chairman English reiterated that the appointing authority will make the decisions not the Board.

Mr. Gilligan also clarified the process and consideration for these changes in order to maintain benefits for employees and intent to rehire.

Chairman Borer said that appointing authorities decide the necessity for any one of these actions. The Board's involvement is to approve the plan, to ensure it meets the budget objectives for the County, and it is approved in a public meeting.

Supervisor Judd made a motion to approve the proposed amendments to Merit Rule 6: Separation of Service. Vice-Chairman English seconded the motion.

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

18. Approve revisions to Human Resources Policy 2231: Attendance During Influenza or Another Viral Pandemic Outbreak, effective June 23, 2020.

Ms. Gilman presented this item using a PowerPoint presentation. Ms. Gilman said this was approved last March, but since then, there were federal legislation changes and the governor's declaration that necessitated these revisions. She outlined the significant changes and said some changes came from the Health Department and need to apply to all pandemics.

Vice-Chairman English agreed with the broader scope of the changes.

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

Vice-Chairman English made a motion to approve revisions to Human Resources Policy 2231: Attendance During Influenza or Another Viral Pandemic Outbreak, effective June 23, 2020. Supervisor Judd seconded the motion.

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

County Sheriff

19. Approve fiscal year 2020 Coronavirus Emergency Supplemental Funding (CESF), Grant #2020-VD-BX-0733, awarded by the Bureau of Justice Assistance (BJA) for January 20, 2020 through January 31, 2022, in the amount of \$51,812.

Sheriff Dannels presented this item. Sheriff Dannels said Cochise County was eligible for these funds and detailed what they cover. They will restock for a possible second wave of Covid-19.

The Board thanked Sheriff Dannels for looking for additional grants.

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

Supervisor Judd made a motion to approve fiscal year 2020 Coronavirus Emergency Supplemental Funding (CESF), Grant #2020-VD-BX-0733, awarded by the Bureau of Justice Assistance (BJA) for January 20, 2020 through January 31, 2022, in the amount of \$51,812. Vice-Chairman English seconded the motion.

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

Court Administration

20. Approve fiscal year 2020 Arizona Coronavirus Emergency Supplemental Funding Program, Grant Award #ACESF-21-016, as provided by the Arizona Criminal Justice Commission effective January 20, 2020 to January 20, 2022 in the amount of \$128,975.

Ms. Rita Shipley, Courts Budget and Finance Director, presented this item. Ms. Shipley said this is like the Adult Probation item to help with Covid-19 response, and she detailed the fund uses and why the expenses are so large.

Vice-Chairman English said she is grateful we have applied for resources.

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

Vice-Chairman English made a motion to approve fiscal year 2020 Arizona Coronavirus Emergency Supplemental Funding Program, Grant Award #ACESF-21-016, as provided by the Arizona Criminal Justice Commission effective January 20, 2020 to January 20, 2022 in the amount of \$128,975. Supervisor Judd seconded the motion.

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

Development Services

21. Approve an Airports Grant of Federal funds for the design of the apron for the Cochise County Airport, in the amount of \$164,726.

Mr. Coxworth, Development Services Director presented this item. Mr. Coxworth showed a map and described the design changes and area of need.

Vice-Chairman English said she would like to continue to pursue the City of Willcox's help with maintenance.

Supervisor Judd said the community is working with the City of Willcox and they understand

the importance of the project.

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

Supervisor Judd made a motion to an Airports Grant of Federal funds for the design of the apron for the Cochise County Airport, in the amount of \$164,726. Vice-Chairman English seconded the motion.

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

Workforce Development

22. Approve the Southern Arizona Workforce Investment Area for Local Governance Agreement to Establish the Fiscal and Administrative Responsibilities for the ARIZONA@WORK, Southeastern Arizona Workforce.

Ms. Vada Phelps presented and represented the Southern Arizona Workforce Board of Directors. The Board requires 13 elements to be board certified, and this is the final element. She stated the team has worked on this for over a year, and described the components, with the largest change addressing conflict of interests between the Board and the County.

Mr. Hanson said the federal rules require more Board oversight by the County, but the operation will not change, and he recommended approval.

Vice-Chairman English said the public is not aware of this association, the County knows how important it is, and complemented them on the work they do.

Ms. Phelps said they receive 30 services a month, and the area offices are the only ones that meet 100% of the Federal and State performance requirements.

Supervisor Judd thanked Ms. Phelps and the organization.

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

Vice-Chairman English made a motion to approve the Southern Arizona Workforce Investment Area for Local Governance Agreement to Establish the Fiscal and Administrative Responsibilities for the ARIZONA@WORK, Southeastern Arizona Workforce. Supervisor Judd seconded the motion.

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

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

Mr. Gilligan stated he had tendered his resignation on June 18, 2020, effective August 28. He said it was an honor and privilege to work for the Board. He praised the professional team at the County and said they are well-equipped to move the Strategic Plan forward. It was a hard decision for him to leave this extraordinary team but, he received an extraordinary opportunity to improve the quality of life for him and his family. He said he was willing to help the County with the appointment of the next County Administrator.

SUMMARY OF CURRENT EVENTS

Report by District 1 Supervisor, Thomas E. Borer

Supervisor Borer said this is summer like no other and deferred his report.

Report by District 2 Supervisor, Ann English

Supervisor English said there is not much to discuss for District 2.

Report by District 3 Supervisor, Peggy Judd

Supervisor Judd said District 3 is also quiet right now and mentioned summer programs for children.

Chairman Borer adjourned the meeting at 11:57 a.m.

APPROVED:

Thomas E. Borer, Chairman

ATTEST:

Kim Lemons, Clerk of the Board