

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

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

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

Present: Administrator; Britt Hanson, Of Counsel, County Attorney; Kim Lemons, Clerk of the Board; Melissa Tucker, Administrative Assistant

Chairman Borer called the meeting to order at 10:20 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

Adult Probation

1. Approve Proclamation for the week of July 19-25, 2020 as: Pretrial, Probation and Parole Week in Cochise County and encourage all citizens to honor these professionals for their important record of public services faithfully rendered.

Board of Supervisors

2. Approve the Minutes of the regular meeting of the Board of Supervisors of July 7, 2020.
3. Adopt Resolution 20-08 designating Mr. Keith Buonocore, Chief Fiscal Officer, for submitting the Fiscal Year 2021 Expenditure Limitation Report per ARS 41-1279.07(E).
4. Adopt Resolution 20-09 authorizing the Cochise County Board of Supervisors to designate Emergency Voting Locations for the Primary Election set for Tuesday, August 4, 2020.

County Assessor

5. Approve the Assessor's recommendation to approve the attached list of 46 (2020) property tax exemption applications that qualify for the exemption, but were filed with the Assessor after the statutory filing deadline of March 1, 2020.

Finance

6. Approve demands and budget amendments for operating transfers.

Human Resources

7. Adopt Resolution 20-10, to amend Resolution 19-08 with regard to Cochise County Membership in the Cochise Combined Trust (CCT), effective July 1, 2020 through June 30, 2023.

Workforce Development

8. Approve appointments of Mr. Merritt Essig and Ms. Martha Lujan to the Local Workforce Development Board to fill an unexpired term, effective immediately through June 2024.

Vice-Chairman English made a motion to approve items 1-8 on the consent agenda. Supervisor Judd seconded the motion and it carried unanimously.

PUBLIC HEARINGS

County Attorney

9. Adopt Ordinance 050-21, amending Regulations and Licenses to Video Services Providers to Construct, Install and Operate Video Service Networks Along, Across, Under and Upon Highways in Cochise County, to Increase Fee from 3% to 5% of Licensee's Gross Revenue.

Mr. Hanson, presented this item. Mr. Hanson said on March 10, 2020, the Cochise County Board of Supervisors approved Ordinance 050-20 establishing the County's fee as three percent (3%) of the Licensee's gross revenues. In the best interest of the County, and to be consistent with the fee charged by other Arizona counties, the proposed amended Ordinance increases the fee charged by the County to five percent (5%) of the Licensee's gross revenue.

Chairman Borer opened the Public Hearing and asked if any additional comments regarding this Public Hearing were received and Ms. Tucker stated there was none.

Chairman Borer closed the Public Hearing.

Vice-Chairman English moved to adopt Ordinance 050-21, amending Regulations and Licenses to Video Services Providers to Construct, Install and Operate Video Service Networks Along, Across, Under and Upon Highways in Cochise County, to Increase the Fee from 3% to 5% of Licensee's Gross Revenue. Supervisor Judd asked questions, answered by Mr. Hanson, before seconding the motion.

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

10. Approve Uniform Video Service License Agreement for Cox Communications Arizona, LLC, effective July 21, 2020 through July 20, 2030.

Mr. Hanson, presented this item. Mr. Hanson stated Cox Communication Arizona, LLC has an existing license agreement with the County, which it has elected to terminate, and has applied for a uniform video service license.

Chairman Borer opened the Public Hearing and asked if any additional comments regarding this Public Hearing were received and Ms. Tucker stated there was none.

Chairman Borer closed the Public Hearing.

Supervisor Judd moved to approve the Uniform Video Service License Agreement for Cox Communications Arizona, LLC, effective July 21, 2020 through July 20, 2030. Vice-Chairman English seconded the motion.

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

11. Approve Uniform Video Service License Agreement for Cable One, Inc., dba Sparklight, effective July 21, 2020 through July 20, 2030.

Mr. Hanson, presented this item. Mr. Hanson stated Cable One, Inc., dba Sparklight previously held a Cochise County cable franchise local license; however, it expired on August 1, 2019, and was not renewed. Cable One, Inc., dba Sparklight has elected to apply for a uniform video service license.

Chairman Borer opened the Public Hearing and asked if any additional comments regarding this Public Hearing were received and Ms. Tucker stated there was none.

Chairman Borer closed the Public Hearing.

Vice-Chairman English moved to approve Uniform Video Service License Agreement for Cable One, Inc., dba Sparklight, effective July 21, 2020 through July 20, 2030. Supervisor Judd seconded the motion.

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

Development Services

12. Adopt Zoning Ordinance 20-11 to rezone 79 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 Lisa and Michael Carroll.

Mr. Dan Coxworth, Development Services Director, presented this item using a PowerPoint presentation. Mr. Coxworth stated the applicant seeks to rezone 79 acres from R-36 (Residential; one dwelling per 36,000-square feet) to RU-4 (Rural; one dwelling per four acres). The parcel was conditionally rezoned from RU-4 to TR-36 in 2006, to subdivide the property. Since conditions have not been met, the Applicants, Lisa and Michael Carroll, seek to revert the zoning to RU-4. Mr. Coxworth presented a location map and an aerial photo of the area. The Cochise County Planning and Zoning Commission unanimously recommended approval 7-0 at their July 8, 2020 meeting. He said staff recommended approval.

Vice-Chairman English and Supervisor Judd shared their comments and questions.

Chairman Borer opened the Public Hearing and asked if any additional comments regarding this Public Hearing were received and Ms. Tucker stated there was none.

Chairman Borer closed the Public Hearing.

Supervisor Judd made a motion to adopt Zoning Ordinance 20-11 to rezone 79 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 Lisa and Michael Carroll. Vice-Chairman English seconded the motion.

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

ACTION

Board of Supervisors

13. Renew and/or revise committee appointments for members of the Board of Supervisors and executive staff for the 2020-21 Fiscal Year and approve continuing annual memberships for 2020-21, with payment of associated dues as described herein.

Ms. Lemons presented this item referring to the Committee or Board Assignment spreadsheet. Ms. Lemons stated this is the annual approval of committee and board assignments for the Board and executive staff and associated dues. Changes include Mr. Gilligan's assignments to be noted as County Administrator, and one highlighted entry for a possible membership addition at the request of Chairman Borer.

Chairman Borer addressed the addition of the Association of Defense Communities.

Vice-Chairman English and Supervisor Judd agreed with the addition.

There was a short discussion about the Cochise Conservation & Recharge Network (CCRN) membership and a possible conflict of interest. Vice-Chairman English, Supervisor Judd, and Mr. Hanson agreed there was no conflict of interest.

Mr. Gilligan recommended Vice-Chairman English for the Homeland Security Regional Advisory Council Appointment. Mr. Lavine requested the addition of a Board member to the Local Emergency Planning Committee and Mr. Gilligan suggested Chairman Borer for the appointment.

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

Vice-Chairman English made a motion to renew and/or revise committee appointments for members of the Board of Supervisors and executive staff for the 2020-21 Fiscal Year and approve continuing annual memberships for 2020-21, with payment of associated dues as described therein. Supervisor Judd seconded the motion.

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

County Attorney

14. Approve the Crime Victim Compensation Grant No. VC-21-050, in the amount of \$69,335, effective July 1, 2020 through June 30, 2021.

Mr. Brian McIntyre, County Attorney, presented this item. He stated it is a re-up of a continuing grant and explained that the majority of this money covers certain costs for victims including medical and funeral expenses, lost wages, and counseling. He stated that approval of these payments is completed through a volunteer board, passing through the County Attorney's office for review.

Vice-Chairman English and Supervisor Judd shared their comments and questions.

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

Supervisor Judd made a motion to approve the Crime Victim Compensation Grant No. VC-21-050, in the amount of \$69,335, effective July 1, 2020 through June 30, 2021. Vice-Chairman English seconded the motion.

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

County Sheriff

15. Approve Software Service Subscription Agreement Addendum No. 1 with Cogniac Corporation for visual observation automation, in the amount of \$105,000, effective August 1, 2020 through August 1, 2021, with a one-year automatic renewal.

Lieutenant Curtis Wilkins, Sheriff's Department, presented this item. He stated this software analyzes photographs from camera systems at the border, allowing resources to interdict illegal activity quickly. The cost increased from \$90,000 to \$105,000, since last year, due to system expansion. He stated this is paid for by Border Strike Force funds received from the State yearly.

Chairman Borer and Vice-Chairman English asked questions and gave comments.

Supervisor Judd thanked Lieutenant Wilkins for keeping track of the illegal activity taking place at the border.

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

Vice-Chairman English made a motion to approve Software Service Subscription Agreement Addendum No. 1 with Cogniac Corporation for visual observation automation, in the amount of \$105,000, effective August 1, 2020 through August 1, 2021, with a one-year automatic renewal. Supervisor Judd seconded the motion.

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

16. Approve Arizona Criminal Justice Commission (ACJC) Grant No. DC-21-003 to fund overtime for the Sheriff's Office Special Operations Division in support of narcotics and smuggling investigations, in the amount of \$92,228, effective July 1, 2020 through June 30, 2021.

Lieutenant Curtis Wilkins, Sheriff's Department, presented this item. He stated that this is the funding used for overtime to support street crimes and their K9s and some work done with the Drug Enforcement Administration (DEA). He stated this focuses mostly on interdiction of street narcotics and some smuggling with harder drugs. Lastly, he mentioned there is a matching fund that is taken out of Racketeer Influenced and Corrupt Organization (RICO) funds for the overtime expenditures.

Vice-Chairman English asked if the matching fund was equal, Lieutenant Curtis answered no, and said it is about 25%.

Chairman Borer asked if we had received any public comment on this item. Ms. Tucker

stated there was none.

Supervisor Judd made a motion to approve Arizona Criminal Justice Commission (ACJC) Grant No. DC-21-003 to fund overtime for the Sheriff's Office Special Operations Division in support of narcotics and smuggling investigations, in the amount of \$92,228, effective July 1, 2020 through June 30, 2021. Vice-Chairman English seconded the motion.

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

Court Administration

17. Approve Federal Fiscal Year 2020 grant funding/reimbursement between the Cochise County Superior Court and the Arizona Department of Economic Security for reimbursable access and visitation activities, in the amount of \$60,074.19, effective October 1, 2019 through September 30, 2020.

Ms. Rita Shipley, Courts Budget & Finance Manager, presented this item. She said the purpose of this grant funding is to support mediation, conciliation services, development of parenting plans, supervised visitation, counseling, visitation enforcement and parent education obligations. Lastly, she said that the Arizona Department of Economic Security will reimburse 90% of cost incurred. The 10% match is paid from court fees collected from court filings.

Vice-Chairman English asked Ms. Shipley about the grant dates not being current and Ms. Shipley stated it is based on a federal fiscal year.

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

Vice-Chairman English made a motion to approve Federal Fiscal Year 2020 grant funding/reimbursement between the Cochise County Superior Court and the Arizona Department of Economic Security for reimbursable access and visitation activities, in the amount of \$60,074.19, effective October 1, 2019 through September 30, 2020. Supervisor Judd seconded the motion.

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

18. Approve Fiscal Year 2020-2021 Court Appointed Special Advocate (CASA) funding agreement as provided by the Arizona Supreme Court, Administrative Office of the Courts (AOC), in the amount of \$110,005, effective July 1, 2020 through June 30, 2021.

Ms. Rita Shipley, Courts Budget & Finance Manager, presented this item. She said the purpose of the allocation for the CASA program is to recruit and train community-based volunteers who represent, and advocate for, the best interests of abused and neglected children in the courts.

Supervisor Judd stated she appreciates all the efforts that the CASA volunteers and the Courts provide.

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

Supervisor Judd made a motion to approve the Fiscal Year 2020-2021 Court Appointed Special Advocate (CASA) funding agreement as provided by the Arizona Supreme Court,

Administrative Office of the Courts (AOC), in the amount of \$110,005, effective July 1, 2020 through June 30, 2021. Vice-Chairman English seconded the motion.

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

Health & Social Services

19. Approve ADHS IGA2020-015, Healthy People Healthy Communities, between the Arizona Department of Health Services and Cochise County Health Department, in the amount of \$554,079, effective July 1, 2020 through June 30, 2021.

Ms. Suzanne Hagle, Health Promotion Manager, presented this item. She said the purpose of this IGA is to leverage multiple public health funding sources to support implementation of health priorities identified in the Arizona Health Improvement Plan and the Cochise County Health Improvement Plan. Services in this IGA address several health priorities which include cardiovascular disease, chronic lower respiratory diseases, Alzheimer's, unintentional injury, obesity, teen pregnancy, tobacco prevention, and access to well care. Lastly, she stated the amount expands across four programs and funds nine full-time positions.

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

Vice-Chairman English made a motion to approve ADHS IGA2020-015, Healthy People Healthy Communities, between the Arizona Department of Health Services and Cochise County Health Department, in the amount of \$554,079, effective July 1, 2020 through June 30, 2021. Supervisor Judd seconded the motion.

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

Housing Authority

20. Approve Grant #AZ-H2001W033 for the Housing Authority of Cochise County HOPWA CARES Act Program, in the amount of \$68,198, effective July 2020 to June 2023; and ratify HUD Forms SF424 and SF424D dated May 29, 2020 submitted for the grant application.

Ms. Anita Baca, Housing Director, presented this item. She said this is additional funding under the CARES Act, for rental assistance, supportive services, and other necessary actions in order to prevent, prepare and respond to Covid-19. She provided a detailed breakdown of how the funds are to be allocated for transportation, essential services, nutrition, education, infection control, short-term rent and utility assistance, lodging, permanent housing, and referral and relocation services.

Vice-Chairman English thanked Ms. Baca for looking at opportunities in the CARES Act that afforded more resources.

Supervisor Judd thanked Ms. Baca for the funding update.

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

Vice-Chairman English made a motion to approve Grant #AZ-H2001W033 for the Housing Authority of Cochise County HOPWA CARES Act Program, in the amount of \$68,198, effective July 2020 to June 2023; and ratify HUD Forms SF424 and SF424D

dated May 29, 2020 submitted for the grant application. 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 touched on a few projects including the new well at BDI. Testing by the State of Arizona has been ongoing since last Fall, when there were reports of possible contamination in the new well. Comprehensive site analysis was completed, and most recently, water sampling through the entire depth of the well. No source of oil or contamination has been identified. He stated there is current analysis on locations relatively close to the existing well, so piping, upgraded years ago, can be utilized. The State is funding all analysis concerning the new well. He also touched on building projects and various bid packages. The Douglas road yard improvements had high cost projections so a smaller structure plan will go out for bid. He also stated there is light construction underway in the old elections building, to increase cold storage for immunizations and the location of that space. Lastly, he noted they continue to explore site alternatives for library services. The biggest factor is cost containment for all projects.

SUMMARY OF CURRENT EVENTS

Report by District 1 Supervisor, Thomas E. Borer

Chairman Borer deferred his report.

Report by District 2 Supervisor, Ann English

Vice-Chairman English stated she was part of a conversation this past week between Mexico, the City of Douglas, the County, and Arizona Highways regarding the Port Project. Property has been allocated, but the size of the right-of-way is needed. Congresswoman Kirkpatrick's office and information received from Washington D.C., barring Senate budget cuts, indicates a good chance of funding in the next year. They will continue to move forward with the project analysis and to look for money to fund the right-of-way.

Report by District 3 Supervisor, Peggy Judd

Supervisor Judd deferred her report.

Chairman Borer adjourned the meeting at 11:23 a.m.

APPROVED:

Thomas E. Borer, Chairman

ATTEST:

Melissa Tucker, Administrative Assistant