

**PROCEEDINGS OF THE COCHISE COUNTY BOARD OF SUPERVISORS  
REGULAR MEETING HELD ON  
TUESDAY, SEPTEMBER 29, 2020**

A regular board meeting of the Cochise County Board of Supervisors was held on Tuesday, September 29, 2020 at 10:15 a.m. in the Board of Supervisors' Executive Conference Room, 1415 Melody Lane, Building G, Bisbee, Arizona.

Present: Thomas E. Borer, Chairman; Ann English, Vice-Chairman; Peggy Judd, Supervisor  
Staff Present: Sharon Gilman, Interim County Administrator; Melissa Tucker, Administrative Assistant

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**

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***CONSENT***

**Board of Supervisors**

1. Approve the Minutes of the regular meeting of the Board of Supervisors of September 15, 2020.
2. Adopt Resolution 20-16 accepting a grant award from the Gila River Indian Community (GRIC) in the amount of \$44,682 for the Sunsites-Pearce Fire District Handheld Radios project, replacing equipment that is almost 20 years old; grant funding is awarded through a portion of the GRIC's revenue sharing pursuant to the terms of the Gaming Compact agreement between Arizona Tribes and the State of Arizona Government.

**Development Services**

3. Approve the appointment of Mr. Gerry Gonzalez to the Planning & Zoning Commission, representing District 2, to complete the term of Pat Edie Butler, effective immediately through December 31, 2020.

**Finance**

4. Approve demands and budget amendments for operating transfers.

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

***PUBLIC HEARINGS***

## **Development Services**

5. Adopt Zoning Ordinance 20-13 amending certain Zoning district boundaries from SR-22 (one dwelling per 22,000 square feet) to RU-2 (one dwelling per two acres), pursuant to the application of Mr. and Mrs. Allen.

Mr. Robert Kirschmann, Planner II, presented this item using a PowerPoint presentation. He gave the property's location, acreage, and parcel numbers, then stated the applicants, Mr. and Ms. Allen, are requesting rezoning from SR-22 to RU-2, and Special Use Authorization to legitimize an existing well drilling business. Mr. Kirschmann went over the factors both in favor and against approval, then explained the staff-recommended conditions.

Vice-Chairman English and Supervisor Judd shared their comments.

Mr. Kirschmann answered questions from Supervisor Judd.

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

Chairman Borer closed the Public Hearing.

Vice-Chairman English moved to adopt Zoning Ordinance 20-13 amending certain Zoning district boundaries from SR-22 (one dwelling per 22,000 square feet) to RU-2 (one dwelling per two acres), pursuant to the application of Mr. and Mrs. Allen. Supervisor Judd seconded the motion.

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

## ***ACTION***

### **Board of Supervisors**

6. Approve Consolidated Court Agreement with the City of Sierra Vista, effective July 1, 2020 through December 31, 2020.

Mr. Dan Duchon, Budget Manager, presented this item. Mr. Duchon elaborated on the background, stating this agreement was updated from an annual term to a six-month pro-rated term.

Chairman Borer asked what the amount is, and Mr. Duchon responded \$100,000 annually for the Consolidated Court Services, and \$61,000 annually for a Pro-Temp Justice.

Mr. Duchon answered questions from the Board.

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 Consolidated Court Agreement with the City of Sierra Vista, effective July 1, 2020 through December 31, 2020. Vice-Chairman English seconded the motion.

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

7. Approve the revised Qualifying Tax Rate (QTR) County Education District, for Fiscal Year 2020-21.

Mr. Dan Duchon, Budget Manager, presented this item. Mr. Duchon provided the background stating there was an error with one of the property tax rates, specifically the Qualifying Tax Rate, also known as the County Education District. It was recommended by the Arizona Department of Revenue, and the Property Tax Oversight Commission, that the Board vote on the revised rate.

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 the revised Qualifying Tax Rate (QTR) County Education District, for Fiscal Year 2020-21. Supervisor Judd seconded the motion.

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

### **Court Administration**

8. Certify that the total court revenues collected in Fiscal Year 2019-20 exceeded total court revenues collected in Fiscal Year 1997-98, and authorize distribution of the 5% set-aside revenues, pursuant to A.R.S. 41-2421.

Ms. Rita Shipley, Budget & Finance Director, presented this item. Ms. Shipley elaborated on the background and said Court Administration is requesting the Board the total court revenues for Fiscal Year 2019-20. She stated the amount, comparing it to the baseline, then specified by percentage the distribution to the Courts, County Attorney, Indigent Defense, and the State, adding disbursement is for supplemental funding of criminal cases processed.

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 certify that the total court revenues collected in Fiscal Year 2019-20 exceeded total court revenues collected in Fiscal Year 1997-98, and authorize distribution of the 5% set-aside revenues, pursuant to A.R.S. 41-2421. Vice-Chairman seconded the motion.

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

### **Emergency Services**

9. Approve the Fiscal Year 2020-21 State Homeland Security Grant Program sub-recipient agreement 20-AZDOHS-HSGP-200400-01, for \$23,500, in support of active shooter hostile event response equipment, effective October 1, 2020 through September 30, 2021.

Mr. Gabe Lavine, Emergency Management Director, presented this item. Mr. Lavine provided the background, and said this Homeland Security Grant Program provides funding for gaps in local preparedness, and response to terrorism related events, including ballistic vests and medical equipment, to Fire, Emergency Medical Services, and Law Enforcement personnel who respond to violent incidents in the County. All equipment will be distributed to local first response agencies for use and upkeep.

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 the Fiscal Year 2020-21 State Homeland Security Grant Program sub-recipient agreement 20-AZDOHS-HSGP-200400-01, for \$23,500, in support of active shooter hostile event response equipment, effective October 1, 2020 through September 30, 2021.

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

10. Approve the Fiscal Year 2020-21 State Homeland Security Grant Program sub-recipient agreement 20-AZDOHS-HSGP-200400-02, for \$17,600, in support of cyber resiliency equipment, effective October 1, 2020 through September 30, 2021.

Mr. Gabe Lavine, Emergency Management Director, presented this item. Mr. Lavine stated this Homeland Security Grant program provides funding for redundant battery back-ups, remote access dispatching, and command post capability for countywide 911 centers and command posts.

Mr. Lavine answered questions and comments from Vice-Chairman English.

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 2020-21 State Homeland Security Grant Program sub-recipient agreement 20-AZDOHS-HSGP-200400-02, for \$17,600, in support of cyber resiliency equipment, effective October 1, 2020 through September 30, 2021. Vice-Chairman English seconded the motion.

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

11. Approve the Fiscal Year 2020-21 State Homeland Security Grant Program sub-recipient agreement 20-AZDOHS-HSGP-200400-03, for \$11,500, in support of drone surveillance equipment to protect special events and large incidents, effective October 1, 2020 through September 30, 2021.

Mr. Gabe Lavine, Emergency Management Director, presented this item. Mr. Lavine stated this third Homeland Security Grant program provides funding for equipment which allows local responders to identify threats and take appropriate action to ensure the safety of the public and public safety aviation resources, by providing a more mobile platform. All equipment will be available for use by all Law Enforcement, Emergency Medical Service, and Fire Agencies in the County.

Mr. Lavine answered questions from Supervisor Judd.

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 the Fiscal Year 2020-21 State Homeland Security Grant Program sub-recipient agreement 20-AZDOHS-HSGP-200400-03, for \$11,500, in support of drone surveillance equipment to protect special events and large incidents, effective October 1, 2020 through September 30, 2021.

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

## **Health & Social Services**

12. Approve Request for Proposal No. BPM002372 for Grant No. CTR050594 Health Start Program between the Arizona Department of Health Services and Cochise Health & Social Services (CHSS), in the annual amount of \$353,000, effective July 1, 2020 through June 30, 2021.

Ms. Judith Gilligan, Prevention Services Director, presented this item. Ms. Gilligan stated the purpose of the grant, and gave the background, goals, and other program details. This grant has been received for over 30 years, promoting healthy births and healthy families in Cochise County.

Vice-Chairman English and Supervisor Judd gave accolades for the program, acknowledging how valuable it is for the people in the County.

Ms. Gilligan answered Chairman Borer's questions.

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

Vice-Chairman English moved to approve Request for Proposal No. BPM002372 for Grant No. CTR050594 Health Start Program between the Arizona Department of Health Services and Cochise Health & Social Services (CHSS), in the annual amount of \$353,000, 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.

## **Risk Management**

13. Approve the Informal Settlement Agreement from the Industrial Commission of Arizona, Division of Occupational Safety and Health, in the matter of Cochise County - Douglas Road Yard, OSHA Numbers T3633 1472337.

Ms. Julie Morales, Risk Management Director, presented this item. Ms. Morales said the agreement is in response to a workplace inspection conducted by the Industrial Commission and will finalize actions to be taken in regard to workplace safety programs and training.

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 the Informal Settlement Agreement from the Industrial Commission of Arizona, Division of Occupational Safety and Health, in the matter of Cochise County - Douglas Road Yard, OSHA Numbers T3633 1472337. Supervisor Judd seconded the motion.

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

## ***REPORT BY SHARON GILMAN, INTERIM COUNTY ADMINISTRATOR -- RECENT AND PENDING COUNTY MATTERS***

Ms. Gilman gave an update on the status of the roof of the old administration building, located on Ledge Avenue in Bisbee, stating work is ahead of schedule and should be finished by the end of this week. She said this will be her last report as Interim County Administrator, gave thanks to everyone for their support, and said it has been a pleasure to work in their service. Lastly, she introduced Ms. Jennifer Lakosil, Interim Director of the Health Department, who has been working with the County for a month and will continue through October.

***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 deferred her report.

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

Supervisor Judd mentioned recently attending the Willcox Expo, Rex Allen Days, a pilot program, and a tractor pull.

Chairman Borer adjourned the meeting at 11:03 a.m.

APPROVED:

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Thomas E. Borer, Chairman

ATTEST:

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Melissa Tucker, Administrative Assistant