

**PROCEEDINGS OF THE COCHISE COUNTY BOARD OF SUPERVISORS
REGULAR MEETING HELD ON
TUESDAY, FEBRUARY 23, 2021**

A regular board meeting of the Cochise County Board of Supervisors was held on Tuesday, February 23, 2021 at 10:00 a.m. in the Board of Supervisors' Executive Conference Room, 1415 Melody Lane, Building G, Bisbee, Arizona.

Present: Ann English, Chairman; Peggy Judd, Vice-Chairman, telephonic; Tom Crosby, Supervisor

Staff Present: Richard G. Karwaczka, County Administrator; Sharon Gilman, Associate County Administrator; Christine Roberts, Chief Civil Deputy County Attorney; Kim Lemons, Clerk of the Board

Chairman English 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 February 9, 2021.
2. Approve the 2021 Redistricting Principles as outlined in attached document.

Court Administration

3. Approve the appointment of Justice of the Peace Kenneth Curfman to serve as Juvenile Hearing Officer, authorized under A.R.S. § 8-323, effective February 23, 2021.

Finance

4. Approve demands and budget amendments for operating transfers.

Supervisor Crosby made a motion to approve items 1-6 on the Consent Agenda. Vice-Chairman Judd seconded the motion.

Supervisor Crosby acknowledged Justice of the Peace Curfman.

Chairman English called for the vote and it carried unanimously.

PUBLIC HEARINGS

Development Services

5. Adopt Zoning Ordinance 21-03 to rezone a 5.48-acre parcel from RU-2 (Rural; one dwelling per 2 acres) to RU-4 (Rural; one dwelling per four-acres), pursuant to the application of Brad Loring.

Mr. Dan Coxworth, Development Services Director, presented this item using a PowerPoint presentation. He stated that the request is to downzone a property from RU-2 to RU-4. He gave the property's location and total acreage, and noted that staff does not find that the downzoning will have any negative impact on the surrounding area. He described the applicant's site plan, and reviewed the factors in favor of and against approval. One letter in opposition was submitted, relating to reducing property value; the individual did not provide a phone number and Mr. Coxworth was unable to follow up. Staff recommends approval with two standard conditions, and the Planning and Zoning Commission voted unanimously to recommend approval.

Chairman English opened the Public Hearing and asked if any public comments were received. Ms. Lemons stated that there were none.

The Board discussed the letter of opposition and wording to use in the motion.

Chairman English closed the Public Hearing.

Vice-Chairman Judd made a motion to adopt Zoning Ordinance 21-03 to rezone a 5.48-acre parcel from RU-2 (Rural; one dwelling per 2 acres) to RU-4 (Rural; one dwelling per four-acres), pursuant to the application of Brad Loring, with the conditions of approval recommended by staff. Supervisor Crosby seconded the motion.

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

ACTION

Board of Supervisors

6. Adopt the Strategic Plan for Cochise County for 2021-2024.

Chairman English presented this item. She stated that the Strategic Plan was a collaborative effort between all of the Supervisors to determine where to spend time and resources for the next four years. She read each of the seven priorities, and noted that everything the Board hopes to do or gain within the next four years should fall within one of the categories.

Supervisor Crosby made a motion to adopt the Strategic Plan for Cochise County for 2021-2024. Vice-Chairman Judd seconded the motion.

Vice-Chairman Judd requested a change to rename Priority 2 "Promote Environmental Solutions". Supervisor Crosby noted that, for Priority 2, item "Support Fort Huachuca with environmental efforts", people may interpret "environmental efforts" differently.

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

7. Approve Community Enhancement Fund expenditures for District 3: Remove a portion of a dirt bank from Cascabel Road at the not to exceed amount of \$9,900 per attached project bid.

Vice-Chairman Judd presented this item. She stated that constituents approached her about a sight issue along their driveway and Cascabel Road. She listed previous actions that the County has taken, such as signage. The improvement is near the road and would improve sightlines so people on the road would be able to see them coming down their driveway and vice-versa. She provided background information on the history of this.

The Board discussed whether this is on County or private property, and whether the County may spend funds on private property. Vice-Chairman Judd stated that this solution was proposed originally by County engineering staff, and discussed a previous meeting with County staff about this.

Vice-Chairman Judd made a motion to approve Community Enhancement Fund expenditures for District 3: Remove a portion of a dirt bank from Cascabel Road at the not to exceed amount of \$9,900 per attached project bid. Supervisor Crosby seconded the motion.

The Board continued to discuss private property and use of county funds.

Supervisor Crosby made a motion to table the item until the next Regular Meeting on March 9, 2021, and send the item to the County Attorney to see if the County can take possession of the minimum amount of private property prior to further development or modification of the property. Vice-Chairman Judd seconded the motion.

Chairman English noted that the motion to table the item takes precedence, and called for the vote. The motion to table the item was approved 3-0.

County Sheriff

8. Approve Operation Stonegarden Contracts 20-AZDOHS-OPSG-200412-01 in the amount of \$741,428 for overtime and mileage and 20-AZDOHS-OPSG-200412-02 in the amount of \$69,736 for equipment, both effective January 1, 2021 through March 31, 2022, with the understanding grant administration will be transferred to the County Finance Department in fiscal year 2022.

Lieutenant Ken Foster, Sheriff's Department (Sheriff), presented this item. He gave an overview of each grant, including the dollar amounts, and noted that the equipment authorized in the second grant is a license plate reader and density reader. Acceptance of the grants will allow the Sheriff to schedule additional deputies daily in different areas, and will help to lower crime and with additional border security. The Sheriff is limiting Deputies to up to eight hours of overtime per pay period, rather than week, to assist with impacts to Public Safety Personnel Retirement System (PSPRS) liabilities. Lieutenant Foster provided a history of Operation Stonegarden grants accepted by the County and the total dollar amount.

In response to the Board, Sheriff Chief of Staff Mark Napier confirmed that the grants will allow the Sheriff to deploy resources in traditionally underserved areas.

Supervisor Crosby made a motion to approve Operation Stonegarden Contracts 20-AZDOHS-OPSG-200412-01 in the amount of \$741,428 for overtime and mileage and 20-AZDOHS-OPSG-200412-02 in the amount of \$69,736 for equipment, both effective January 1, 2021 through March 31, 2022, with the understanding grant administration will be transferred to the County Finance Department in fiscal year 2022.

The Board and staff discussed the Sheriff's engagement in federal task force operations; philosophies about accepting federal funding; the potential to use Certificates of Participation to address PSPRS unfunded liabilities; and, having a future Executive Session discussion on the Sheriff's plan to address human trafficking enforcement and federal law enforcement issues.

Supervisor Crosby moved to table this agenda item to the March 9, 2021 Regular Board meeting. The motion failed for lack of a second.

The Board discussed transferring administration of the grant to the Finance Department and the reason for it; past conversations with the Sheriff concerning the impact of overtime on PSPRS pension funding; and, the importance of terminology in messaging, such as not using the term "defund". The Board continued to discuss the financial impact of overtime on PSPRS pensions. In response to the Board, Chief Napier confirmed that the Sheriff is comfortable with the wording in the motion pertaining to the Finance Department taking on administration of grants. The Board discussed the importance of having grants be administered by the Finance Department; having a future discussion about capping grants; and, a recent District 3 community meeting with Border Patrol and the Sheriff pertaining to border security.

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

Health & Social Services

9. Approve Intergovernmental Agreement (IGA) ADHS18-177676 Amendment 4, Immunization Services, between the Arizona Department of Health Services and Cochise Health & Social Services for an Immunization Program, adding \$125,000 to the Program.

Ms. Alicia Thompson, Health and Social Services Director, presented this item. She stated that the County has received funds for this program since 1993. The state provides vaccines to the County free of charge; the grant funds pay for various operating costs. She provided an overview of the program. This Amendment 4 adds an additional \$125,000 for Enhancing the Vaccine for Children vaccination capacity, and listed what the funds may be used for.

The Board noted that this program is not related to Covid-19; rather, it is to continue the County's immunization program for other disease prevention.

Supervisor Crosby made a motion to approve Intergovernmental Agreement (IGA) ADHS18-177676 Amendment 4, Immunization Services, between the Arizona Department of Health Services and Cochise Health & Social Services for an Immunization Program, adding \$125,000 to the Program. Vice-Chairman Judd seconded the motion.

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

Housing Authority

10. Approve the Housing Opportunities for Persons With AIDS (HOPWA) Grant Agreement AZ-H200016 with the United States Department of Housing and Urban Development (HUD) in the amount of \$616,323 for program administration by the Housing Authority of Cochise County, effective March 1, 2021 to February 28, 2024.

Ms. Anita Baca, Housing Authority Director, presented this item. She stated that the HOPWA Program was established to provide housing assistance and related services for low-income persons living with HIV/AIDS and their families. She reviewed in detail the eligible activities and the award amount for each. This is a renewal of a grant that the County has been administering since 2004; between 2009 and 2019, there have been 647 beneficiaries.

Vice-Chairman Judd made a motion to approve the Housing Opportunities for Persons With AIDS (HOPWA) Grant Agreement AZ-H200016 with the United States Department of Housing and Urban Development (HUD) in the amount of \$616,323 for program administration by the Housing Authority of Cochise County, effective March 1, 2021 to February 28, 2024. Supervisor Crosby seconded the motion.

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

STATE & FEDERAL LEGISLATION

11. 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.

Chairman English noted that the Board receives the same information through the County Supervisors' Association, and requested that information from AACo be provided in the future.

No Board Action was taken on this item.

REPORT BY RICHARD G. KARWACZKA, COUNTY ADMINISTRATOR -- RECENT AND PENDING COUNTY MATTERS

Mr. Karwaczka reported that figures from the United States Census Bureau will not be available until September 30; however, staff is moving forward where possible on the redistricting process. He noted that remediation is in process at the Administration building in Bisbee and in the interim, staff has moved into the Melody Lane complex. Last, he recognized Felix Dagnino, Chief Deputy Assessor, for his knowledge and work.

SUMMARY OF CURRENT EVENTS

Report by District 1 Supervisor, Tom Crosby

Supervisor Crosby commended Mr. Dan Duchon, Budget Manager, and Ms. Thompson and staff in the Health and Social Services department.

Report by District 2 Supervisor, Ann English

Chairman English reported that not many events are happening in District 2 due to the Covid-19 pandemic.

Report by District 3 Supervisor, Peggy Judd

Vice-Chairman Judd reported on activities in District 3, including that the Junior Rodeo has commenced. She reported on a community meeting with Border Patrol and thanked the Sheriff's Department for attending.

Chairman English adjourned the meeting at 11:10 a.m.

APPROVED:

Ann English, Chairman

ATTEST:

Kim Lemons, Clerk of the Board