

**PROCEEDINGS OF THE COCHISE COUNTY BOARD OF SUPERVISORS
REGULAR MEETING HELD ON
TUESDAY, JUNE 8, 2021**

A regular board meeting of the Cochise County Board of Supervisors was held on Tuesday, June 8, 2021 at 10:00 a.m. in the Board of Supervisors' Hearing Room, 1415 Melody Lane, Building G, Bisbee, Arizona.

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

Staff Present: Sharon Gilman, Associate County Administrator; Christine Roberts, Chief Civil Deputy County Attorney; Kim Lemons, Clerk of the Board; Camila Rochin, Public Information Officer

Chairman English called the meeting to order at 10:05 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 May 18, 2021.
2. Approve a contract with the Arizona State Board of Equalization for hearing officer services from June 8, 2021, through February 28, 2022.
3. Adopt Resolution 21-10 regarding efforts to negotiate an agreement between Cochise County and the Humane Society of Southern Arizona to provide animal shelter services.

Development Services

4. Approve Amended Assurance Agreement for Lot 151 (former Lot 10), Kings Ranch at Coronado subdivision.

Finance

5. Approve demands and budget amendments for operating transfers.

Information Technology

6. Approve a request to transfer one Dell monitor from the Cochise County Information Technology Department to the Bisbee Mining & Historical Museum.

Juvenile Probation

7. Adopt Resolution 21-11 to approve Fiscal Year 2021-2022 Family Counseling Funding Agreement as provided by the Arizona Supreme Court, Administrative Office of the Courts (AOC), in the amount of \$12,584 and the required \$3,146 matching funds, effective July 1, 2021 through June 30, 2022.

Supervisor Crosby made a motion to approve items 1-7 on the Consent Agenda. Vice-Chairman Judd seconded the motion and it carried unanimously.

PUBLIC HEARINGS

Development Services

8. Adopt Zoning Ordinance 21-08 to approve Docket R-21-02 - Accessory Living Quarters, an amendment to the Cochise County Zoning Regulations.

Ms. Christine McLachlan, Planner II, presented this item using a PowerPoint presentation. She stated that this proposed change to the Zoning Regulations (Regulations) is staff-initiated; each year, staff prepares amendments to improve the Regulations. She reviewed the existing and proposed definition of Accessory Living Quarter (ALQ); impacts to other definitions and sections of the Regulations; changes to the procedure and process of issuing permits for ALQs; the existing and proposed review and approval process; and, the differences in Special Use Authorization requirements. An appeal process to the Board of Adjustment is included. The Planning and Zoning Commission and staff recommend approval.

Chairman English opened the Public Hearing.

In response to the Board, Ms. McLachlan stated that the changes are being proposed to streamline the process; this is intended to give citizens more flexibility; and, that this will not impact the opt-out or limited opt-out building permit process.

No one chose to speak and Chairman English closed the Public Hearing.

Supervisor Crosby made a motion to adopt Zoning Ordinance 21-08 to approve Docket R-21-02 - Accessory Living Quarters, an amendment to the Cochise County Zoning Regulations. Vice-Chairman Judd seconded the motion.

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

ACTION

County Sheriff

9. Approve the Organized Crime Drug Enforcement Task Forces (OCDETF) Overtime Reimbursement Agreement in the amount of \$25,000 between the Cochise County Sheriff's Office and Homeland Security Investigations (HSI), effective October 1, 2020 through September 30, 2021.

Chief Mark Napier, Chief of Staff, Sheriff's Office, presented this item. He stated that this agreement is to reimburse the County for monies already spent on an investigation. In response to the Board, he stated that this is part of the Organized Crime Drug Enforcement Task Force, which involves elaborate, long-term investigations.

Vice-Chairman Judd made a motion to approve the Organized Crime Drug Enforcement Task Forces (OCDETF) Overtime Reimbursement Agreement in the amount of \$25,000 between the Cochise County Sheriff's Office and Homeland Security Investigations (HSI), effective October 1, 2020 through September 30, 2021. Supervisor Crosby seconded the motion.

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

10. Approve Software Service Subscription Agreement Addendum No. 3 between Cogniac Corporation and the Cochise County Sheriff's Office for visual observation automation, in the amount of \$105,000, effective August 1, 2021 through August 1, 2022, with a one-year automatic renewal.

Chief Napier presented this item. He stated that this Agreement Addendum is for software that parses out animals and other movement from camera recordings, isolating human beings. Without the software, many hours of staff time would be spent reviewing irrelevant images. Sufficient funding is available through Southeast Arizona Border Region Enforcement (SABRE) monies.

Supervisor Crosby distributed information to the Board regarding SABRE statistics and various state statutes regarding powers of the Board, Executive Sessions, and cooperative enforcement of immigration laws. He discussed the agenda item wording differing from information presented previously by the Sheriff's Office, and spoke regarding immigration, trafficking, and the information he distributed. The Board and Ms. Roberts discussed Open Meeting Law requirements for staying on topic to the agenda item.

Supervisor Crosby made a motion to table the item for approximately two weeks, until after the Board has held an Executive Session with the Sheriff to discuss Security as noted in A.R.S. § 38-431.03(A)(9). The motion failed for lack of a second.

Vice-Chairman Judd made a motion to approve Software Service Subscription Agreement Addendum No. 3 between Cogniac Corporation and the Cochise County Sheriff's Office for visual observation automation, in the amount of \$105,000, effective August 1, 2021 through August 1, 2022, with a one-year automatic renewal. Supervisor Crosby seconded the motion.

Chairman English called for the vote and it was approved 2-1 (Crosby opposed).

County Treasurer

11. Approve the recommendation of the County Treasurer for the abatement of property taxes and interest on personal property and the removal of personal property tax liens on Treasurer's Certificate of Clearance No. 2021-001 to 2021-036.

Ms. Cathy Traywick, Treasurer, presented this item. She stated that the reason for the abatement is that the parcels are no longer able to be collected on or livable. She thanked the Sheriff's Office for providing a dedicated, full-time staff member to research the properties.

Supervisor Crosby made a motion to approve the recommendation of the County Treasurer for the abatement of property taxes and interest on personal property and the removal of personal property tax liens on Treasurer's Certificate of Clearance No. 2021-001 to 2021-036. Vice-Chairman Judd seconded the motion.

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

Court Administration

12. Approve Intergovernmental Agreement (IGA) for Court Co-Location and Operations between Cochise County, City of Benson, Cochise County Superior Court and Benson Justice Court #3, effective retroactively to July 1, 2020 through June 30, 2022, with automatic one-year renewals.

Ms. Gilman presented this item. She stated that the IGA is a change from the past Court Consolidation model; it is nearly identical to the Court Co-Location IGAs approved by the Board on May 4, 2021. She outlined various IGA provisions and confirmed that it uses the same cost model as the earlier IGAs.

Vice-Chairman Judd made a motion to approve Intergovernmental Agreement (IGA) for Court Co-Location and Operations between Cochise County, City of Benson, Cochise County Superior Court and Benson Justice Court #3, effective retroactively to July 1, 2020 through June 30, 2022, with automatic one-year renewals. Supervisor Crosby seconded the motion.

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

Development Services

13. Approve Lease Agreement between Cochise County and the Arizona Department of Forestry and Fire Management, at the Bisbee-Douglas International Airport, for office space and fenced area to be used for vehicle storage, effective July 1, 2021 through June 30, 2026.

Ms. Gilman presented this item. She stated that this is a standard Lease Agreement that the County has previously had with the Arizona Department of Forestry and Fire Management (State). As abatement work is being done inside the terminal, the County will lease a modular building to the State. The lease is for five years at \$1,500 per month; a fenced area outside the hangar will be used for storage, as in the past.

The Board and Ms. Gilman discussed the storage area being the same as used in the past and the status of the modular building.

Supervisor Crosby made a motion to approve Lease Agreement between Cochise County and the Arizona Department of Forestry and Fire Management, at the Bisbee-Douglas International Airport, for office space and fenced area to be used for vehicle storage, effective July 1, 2021 through June 30, 2026. Vice-Chairman Judd seconded the motion.

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

Emergency Services

14. Approve the designation of Ms. Judy Lynn, Director of Emergency Management, as the Applicant's Agent for the Arizona Department of Emergency and Military Affairs Public Assistance Grant; this supersedes the June 9, 2020 approval.

Ms. Judy Lynn, Emergency Services Director, presented this item. She reviewed background information on Public Assistance Grants (Grants) and Grants that the County applied for under the previous Emergency Services Director's name. This item will designate Ms. Lynn as the Applicant's Agent to proceed with currently-awarded reimbursements and future applications.

Vice-Chairman Judd made a motion to approve the designation of Ms. Judy Lynn, Director of Emergency Management, as the Applicant's Agent for the Arizona Department of Emergency and Military Affairs Public Assistance Grant; this supersedes the June 9, 2020 approval. Supervisor Crosby seconded the motion.

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

Health & Social Services

15. Approve Amendment 1 to Intergovernmental Agreement (IGA) 2020-038 between the Arizona Department of Health Services (ADHS) and Cochise Health and Social Services, for improvement of the health and well-being of America's mothers, children, and families, to revise the contract number and terms of the IGA, effective July 1, 2021 through June 30, 2022.

Dr. Alicia Thompson, Health and Social Services Director, presented this item. She reviewed the background, purpose, and objectives of Title V Maternal and Child Health Services Block Grants. This Amendment funds year two of the five-year agreement. The evidence-based strategies selected align with the National Performance Measures Framework for Maternal and Child Health programs. The Measures are Well Women Visits, Breastfeeding, and Adolescent Well-being. The amount of this Amendment is the same as in previous years, \$112,520.

In response to the Board, Dr. Thompson stated that about 60 women per month are served by this program; in 2020, the breastfeeding lactation consultant was pulled to assist with contact tracing and as a result, those numbers were down.

Supervisor Crosby noted a correction to the agenda wording and motion, to include "in the amount of \$112,520".

Supervisor Crosby made a motion to approve Amendment 1 to Intergovernmental Agreement (IGA) 2020-038 between the Arizona Department of Health Services (ADHS) and Cochise Health and Social Services, in the amount of \$112,520, for improvement of the health and well-being of America's mothers, children, and families, to revise the contract number and terms of the IGA, effective July 1, 2021 through June 30, 2022. Vice-Chairman Judd seconded the motion.

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

16. Approve Contract CTR055207, Public Health Emergency Preparedness Program, between the Arizona Department of Health Services (ADHS) and Cochise Health and Social Services in the amount of \$241,241, effective July 1, through June 30, 2022.

Mr. Craig Janiszewski, Emergency Preparedness Specialist, presented this item. He stated that this contract will continue funding for the Public Health Emergency Preparedness Program (PHEP). The Contract is designed to increase participation in the ongoing development of the State and County Health Preparedness Infrastructure. He reviewed the activities and functions of the PHEP team.

The Board commended Mr. Janiszewski for his work throughout the COVID-19 pandemic.

Vice-Chairman Judd made a motion to approve Contract CTR055207, Public Health Emergency Preparedness Program, between the Arizona Department of Health Services (ADHS) and Cochise Health and Social Services in the amount of \$241,241, effective July 1, through June 30, 2022. Supervisor Crosby seconded the motion.

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

Information Technology

17. Approve Interfund Transfer of \$116,000 from Fund 450, IT replacement fund, to Fund 216, Southeastern Arizona Communication (SEACOM) fund, for the County's share of the Motorola Radio System.

Mr. Dan Duchon, Budget Manager, presented this item. He stated that the \$750,000 spent on the Motorola Radio System was split with other entities and funding sources; the last piece was for the County to pay its portion. The payment has been made; this item is to move the funds to the SEACOM fund, to repay the expenditure.

Supervisor Crosby made a motion to approve Interfund Transfer of \$116,000 from Fund 450, IT replacement fund, to Fund 216, Southeastern Arizona Communication (SEACOM) fund, for the County's share of the Motorola Radio System. Vice-Chairman Judd seconded the motion.

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

STATE & FEDERAL LEGISLATION

18. 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 stated that the state legislature is continuing to work on the budget, and requested the Board continue to monitor emails from the County Supervisors Association regarding the state budget.

No Board Action was taken on this item.

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

Ms. Gilman reported that beginning with the June 14, 2021 Work Session, Board of Supervisors' meetings will reopen to in-person public attendance; video and teleconference attendance options will still be available. Masks are encouraged for those not yet vaccinated. In-person training activities for County staff are also resuming.

SUMMARY OF CURRENT EVENTS

Report by District 1 Supervisor, Tom Crosby

Supervisor Crosby recognized Veritas Christian Community School students for sweeping the Grand and First Prizes in the Youth Engineering and Science Fair (YES Fair).

Report by District 2 Supervisor, Ann English

Chairman English deferred her report.

Report by District 3 Supervisor, Peggy Judd

Vice-Chairman Judd reported on a Zoom meeting this afternoon that she will be attending, regarding rainwater harvesting.

Chairman English adjourned the meeting at 10:56 a.m.

APPROVED:

Ann English, Chairman

ATTEST:

Kim Lemons, Clerk of the Board