

**PROCEEDINGS OF THE COCHISE COUNTY BOARD OF SUPERVISORS
REGULAR MEETING HELD ON
TUESDAY, SEPTEMBER 28, 2021**

A regular board meeting of the Cochise County Board of Supervisors was held on Tuesday, September 28, 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: Richard G. Karwaczka, County Administrator; 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 10:00 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

CALL TO THE PUBLIC

Reverend Samuel B. Johnson addressed the Board and spoke regarding voter integrity.

Ms. Emily Smith addressed the Board and spoke regarding vaccinations and voting.

CONSENT

Board of Supervisors

1. Approve the Minutes of the regular meeting of the Board of Supervisors of September 14, 2021.
2. Approve the appointment of Mr. Marty Minnick to the Redistricting Advisory Commission as a representative from District 3.

3. Approve an application for a Permanent Extension of Premises liquor license submitted by Ms. Jessica Sarinana, for Urbano Coffee Company, located at 4711 S Highway 92, Sierra Vista, AZ 85650.
4. Approve a Proclamation declaring September 27 - October 3, 2021 as National Diaper Need Awareness Week.

County Sheriff

5. Approve an Intergovernmental Agreement (IGA) renewal between the Fry Fire Department and the Cochise County Sheriff's Office, effective July 27, 2021 and renewed annually for five years, for the use of certified paramedics to participate in the Sheriff's Office SWAT Tactical Emergency Medical (TEM's) program.

This item was removed from the Consent Agenda for separate consideration.

Vice-Chairman Judd made a motion to approve an Intergovernmental Agreement (IGA) renewal between the Fry Fire Department and the Cochise County Sheriff's Office, effective July 27, 2021 and renewed annually for five years, for the use of certified paramedics to participate in the Sheriff's Office SWAT Tactical Emergency Medical (TEM's) program. Supervisor Crosby seconded the motion.

Lieutenant Sean Gijanto, Sheriff's Office, presented this item. He reviewed the history of using Fry Fire Department to support the SWAT Team as medics, the service provided, and the history of the agreement. In response to the Board, Lieutenant Gijanto stated that the medics are not deputized and that the Sheriff's Office provides them with a handgun for self-defense as they are closer to a threat environment.

Supervisor Crosby explained his concerns with the wording of Paragraph 11. Ms. Roberts stated that she reviewed the contract and approved it as to form; she has no legal issues with it.

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

6. Approve the Governor's Office and Highway Safety (GOHS) Grant, Contract Number 2022-AL-012, in the amount of \$35,136, for the DUI / Impaired Driver Enforcement program effective October 1, 2021 through September 30, 2022.

Finance

7. Approve demands and budget amendments for operating transfers.

Legal Advocate

8. Approve State Grant for Public Defender training funds, per ARS 12-117, in the amount of \$2,500 for the Legal Advocate, effective July 1, 2021, through June 30, 2022.

Legal Defender

9. Approve State Grant for Public Defender Training funds, per ARS 12-117, in the amount of \$1,500 for the Legal Defender, effective July 1, 2021, through June 30, 2022.

Public Defender

10. Approve State Grant for Public Defender Training funds, per ARS 12-117, in the amount of \$3,000, effective July 1, 2021 through June 30, 2022.

Supervisor Crosby made a motion to approve items 1-4 and 6-10 on the Consent Agenda. Vice-Chairman Judd seconded the motion and it carried unanimously.

PUBLIC HEARINGS

Board of Supervisors

11. Approve a Series #12 (Restaurant) new Liquor License application submitted by Mr. Alfonso Dominic Galindo, for Palo Verde El Toro Steakhouse, located at 3219B N Washington Ave, Douglas, AZ 85607.

Ms. Lemons presented this item. She stated that the application was reviewed and recommended for approval by the appropriate departments; property taxes are current; there have been no formal protests; and, the applicant paid the \$100 processing fee. Board staff recommended approval.

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

Supervisor Crosby made a motion to approve a Series #12 (Restaurant) new Liquor License application submitted by Mr. Alfonso Dominic Galindo, for Palo Verde El Toro Steakhouse, located at 3219B N Washington Ave, Douglas, AZ 85607. Vice-Chairman Judd seconded the motion.

In response to Mr. Alfonso Dominic Galindo, applicant, the Board explained that today's decision will be sent to the state for final approval.

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

ACTION

Board of Supervisors

12. Approve the transfer of \$150,000 from the General Fund Contingency to Community Enhancement Funds, \$50,000 for each Supervisor District.

Mr. Daniel Duchon, Budget Manager, presented this item. He reviewed the history of the Community Enhancement Funds (Fund), funding levels in previous years, and authorized project categories for Fund usage. Following transfer, the General Fund Contingency balance will remain at \$17.75 million.

Vice-Chairman Judd made a motion to approve the transfer of \$150,000 from the General

Fund Contingency to Community Enhancement Funds, \$50,000 for each Supervisor District. Supervisor Crosby seconded the motion.

The Board discussed the Fund's importance.

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

County Sheriff

13. Approve Operation Stonegarden (OPSG) Grant from the Arizona Department of Homeland Security (AZDOHS), Subrecipient Agreement Number 190411-02, in the amount of \$142,919.61 for OPSG equipment, effective August 5, 2021 through July 31, 2022.

Supervisor Crosby made a motion to approve Operation Stonegarden (OPSG) Grant from the Arizona Department of Homeland Security (AZDOHS), Subrecipient Agreement Number 190411-02, in the amount of \$142,919.61 for OPSG equipment, effective August 5, 2021 through July 31, 2022. Chairman English seconded the motion.

Lieutenant Ken Foster, Sheriff's Office, presented this item. He reviewed the Grant purpose and amount, noting that portable Density/X-ray machines will be purchased; he explained why the equipment is necessary and what they will be used for. In response to the Board, he stated that the machines will be provided to each region for use, and gave further detail about the machines.

Supervisor Crosby discussed, and explained the reasons for, his concerns with Paragraph VI(E) of the Grant Agreement and messaging from the Sheriff's Office regarding Operation Stonegarden. The Board discussed the County Attorney's Office having reviewed and approved the legality of every contract and agreement. The Board discussed various reasons for supporting or opposing this item.

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

Fleet Services

14. Approve purchase of heavy equipment replacements for the Public Works Department, Solid Waste and Highways Divisions, in the total amount of \$1,455,483, as appropriated in the Fiscal Year 2021-22 budget.

Mr. Marty Haverty, Public Works Director, presented this item. He reviewed the Funds that will be used for the purchases and stated that the Rate Review Advisory Board unanimously recommended approval. He reviewed the equipment that will be purchased and the purchase cost.

Vice-Chairman Judd made a motion to approve purchase of heavy equipment replacements for the Public Works Department, Solid Waste and Highways Divisions, in the total amount of \$1,455,483, as appropriated in the Fiscal Year 2021-22 budget. Supervisor Crosby seconded the motion.

In response to the Board, Mr. Haverty provided information on the plan and funding for equipment repair at the Urban Transfer Stations. The Board discussed the purchase having been appropriated in the Fiscal Year 2021-2022 budget.

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

15. Approve purchase of replacement vehicles for the Light Fleet Division in the total amount of \$523,641.76, as appropriated in the Fiscal Year 2021-22 budget.

Supervisor Crosby made a motion to approve purchase of replacement vehicles for the Light Fleet Division in the total amount of \$523,641.76, as appropriated in the Fiscal Year 2021-22 budget. Vice-Chairman Judd seconded the motion.

Mr. Haverty presented this item. He stated that 11 vehicles are slated for replacement due to mileage and condition and reviewed changes made in managing the light fleet since Public Works took it over. The emphasis is to maximize the use of the initial investment rather than resale value. He noted that with the current economy and supply chain, receipt of vehicles may be eight months after purchase, and addressed maintenance measures being taken. In response to the Board, Mr. Haverty stated that a policy and effectiveness of assigning a vehicle to a specific deputy is a matter for the Sheriff's Office.

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

Health & Social Services

16. Approve Amendment 1 to Intergovernmental Agreement (IGA) CTR040475, STD Control Services, between the Arizona Department of Health Services (ADHS) and Cochise Health & Social Services, to increase the annual amount to \$55,878, effective January 1, 2021 through December 31, 2021.

Vice-Chairman Judd made a motion to approve Amendment 1 to Intergovernmental Agreement (IGA) CTR040475, STD Control Services, between the Arizona Department of Health Services (ADHS) and Cochise Health & Social Services, to increase the annual amount to \$55,878, effective January 1, 2021 through December 31, 2021. Supervisor Crosby seconded the motion.

Ms. Vicky King, Director of Clinical Services, presented this item. She reviewed Arizona Administrative Code requirements regarding STDs and the purpose of the grant. Funding will be used for a 0.5 full-time equivalent STD Disease Investigator; she reviewed the responsibilities of the position. In response to the Board, she and Dr. Alicia Thompson, Health & Social Services Director, clarified the increased amount and the grant period. The Board and staff discussed the various methods by which individuals come to the County for service.

Vice-Chairman Judd noted a correction to the motion, to change "to \$55,878" to "by \$55,878".

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

17. Approve Amendment 1 to Grant Agreement GRA-STATE-19-0968-01-Y4, Child Care Health Consultation, between First Things First and Cochise Health & Social Services to increase the annual award amount from \$88,980 to \$100,500, effective October 1, 2021 through June 30, 2022.

Vice-Chairman Judd made a motion to approve Amendment 1 to Grant Agreement GRA-STATE-19-0968-01-Y4, Child Care Health Consultation, between First Things First and Cochise Health & Social Services to increase the annual award amount from \$88,980

to \$100,500, effective October 1, 2021 through June 30, 2022. Supervisor Crosby seconded the motion.

Ms. King presented this item. She stated that this Amendment will expand the number of childcare providers and consultation services. She explained the services and purchases that will be made using the additional funds. In response to the Board, she stated that 25-30 agencies will be served and confirmed that this is in conjunction with First Things First.

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

18. Approve Subaward Agreement 107-22 between SouthEastern Arizona Governments Organization (SEAGO) and Cochise Health & Social Services for Area Agency on Aging (AAA) Case Management services, in the amount of \$185,000, effective July 1, 2021 through June 30, 2022.

Vice-Chairman Judd made a motion to approve Subaward Agreement 107-22 between SouthEastern Arizona Governments Organization (SEAGO) and Cochise Health & Social Services for Area Agency on Aging (AAA) Case Management services, in the amount of \$185,000, effective July 1, 2021 through June 30, 2022. Supervisor Crosby seconded the motion.

Ms. Belvet Elsouhag, Public Fiduciary, presented this item. She stated this Agreement is for AAA Case Management services and detailed the services provided, noting that this program prevents early enrollment in the Arizona Long Term Care System. The grant has been in place for over 20 years. She noted the importance of the program in the last year due to the COVID-19 pandemic.

The Board discussed the program helping people to have a better quality of life.

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

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

Mr. Karwaczka reported on the status of projects at the Courthouse Bridge; Douglas Roadyard; dirt road maintenance and mowing in County rights-of-way; and, the Willcox Transfer Station. He recognized Ms. Camila Rochin, Public Information Officer, for her work at the County Fair.

SUMMARY OF CURRENT EVENTS

Report by District 1 Supervisor, Tom Crosby

Supervisor Crosby deferred his report.

Report by District 2 Supervisor, Ann English

Chairman English reported that she is working with counsel in Douglas regarding the Two Port Solution.

Report by District 3 Supervisor, Peggy Judd

Vice-Chairman Judd reported on two upcoming events, Rex Allen Days and the Butterfield Stage Days.

Chairman English adjourned the meeting at 11:00 a.m.

APPROVED:

Ann English, Chairman

ATTEST:

Kim Lemons, Clerk of the Board