

**PROCEEDINGS OF THE COCHISE COUNTY BOARD OF SUPERVISORS
REGULAR MEETING HELD ON
TUESDAY, NOVEMBER 30, 2021**

A regular board meeting of the Cochise County Board of Supervisors was held on Tuesday, November 30, 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, telephonic

Staff Present: Richard G. Karwaczka, County Administrator; Sharon Gilman, Associate County Administrator; Kris Carlson, 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

No one chose to speak.

CONSENT

Board of Supervisors

1. Approve the Minutes of the regular meeting of the Board of Supervisors of November 16, 2021.
2. Accept a grant from the Ak-Chin Indian Community as a pass-through for the Sunsites-Pearce Fire District in the amount of \$198,132.

Finance

3. Approve demands and budget amendments for operating transfers.

Supervisor Crosby made a motion to approve items 1-3 on the Consent Agenda. Vice-Chairman Judd seconded the motion and it carried unanimously.

PUBLIC HEARINGS

Development Services

4. Adopt Zoning Ordinance 21-14 to rezone parcel 106-16-041L from RU-4 (Rural, one dwelling per 4 acres) to RU-2 (Rural, one dwelling per 2 acres), pursuant to the application of Mr. Victor Bruzee.

Chairman English opened the Public Hearing.

Mr. Robert Kirschmann, Planner II, presented this item using a PowerPoint presentation. He stated that the request is to rezone a parcel from RU-4 to RU-2 so that another home may be added; the applicant requested to rezone rather than an Accessory Living Quarter (ALQ). He gave the property's location, parcel number, total acreage, and reviewed the comprehensive plan for the area. The Planning and Zoning Commission recommended approval. He reviewed the factors in favor of and against approval, including the eight letters received in opposition to the request, and the three recommended conditions of approval.

The Board and Mr. Kirschmann discussed neighboring ALQs and the impact to, and concerns raised by, neighbors.

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

Vice-Chairman Judd made a motion to adopt Zoning Ordinance 21-14 to rezone parcel 106-16-041L from RU-4 (Rural, one dwelling per 4 acres) to RU-2 (Rural, one dwelling per 2 acres), pursuant to the application of Mr. Victor Bruzee. Supervisor Crosby seconded the motion.

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

5. Adopt Zoning Ordinance 21-15 to rezone parcels 406-01-026K and L (Formerly 406-01-026H) from SR-12 (Single-Household Residential, one dwelling per 12,000 square feet) to RU-4 (Rural, one dwelling per 4 acres), pursuant to the application of Mr. Francisco Hurtado.

Chairman English opened the Public Hearing.

Mr. Kirschmann presented this item using a PowerPoint presentation. This request is to downzone two parcels from SR-12 to RU-4. He gave the property's location, total acreage, site plan, and the existing and proposed uses. The Planning and Zoning Commission recommended approval. He reviewed the factors in favor of and against approval, the one letter in opposition to the request, and the five recommended conditions of approval, noting those that the applicant has already complied with.

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

Supervisor Crosby made a motion to adopt Zoning Ordinance 21-15 to rezone parcels

406-01-026K and L (Formerly 406-01-026H) from SR-12 (Single-Household Residential, one dwelling per 12,000 square feet) to RU-4 (Rural, one dwelling per 4 acres), pursuant to the application of Mr. Francisco Hurtado. Vice-Chairman Judd seconded the motion.

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

6. Adopt Zoning Ordinance 21-16 to approve Docket R-21-03 - Water Conservation, an amendment to the Cochise County Zoning Regulations and adopt Resolution 21-23, an amendment to International Residential Code (IRC) 2015 Edition, Appendix Q, Tiny Homes 2018 IRC Edition, and International Plumbing Code 2015 Edition.

Chairman English opened the Public Hearing.

Ms. Christine McLachlan, Planner II, presented this item using a PowerPoint presentation. The general focus of this item is water conservation and general organizational improvements. She reviewed the purpose of the amendments and detailed the amendments, and reasons for them, to the Building Codes and Zoning Regulations. She reviewed the Sierra Vista Sub-Watershed area and a list of approved landscape plants (trees). The Planning and Zoning Commission unanimously recommended approval.

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

Vice-Chairman Judd made a motion to adopt Zoning Ordinance 21-16 to approve Docket R-21-03 - Water Conservation, an amendment to the Cochise County Zoning Regulations and adopt Resolution 21-23, an amendment to International Residential Code (IRC) 2015 Edition, Appendix Q, Tiny Homes 2018 IRC Edition, and International Plumbing Code 2015 Edition. Supervisor Crosby seconded the motion.

The Board discussed the reasons for their support of, or opposition to, the item.

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

ACTION

Court Administration

7. Certify that the total court revenues collected in Fiscal Year 2020-21 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. Teresa Rockrich, Interim Budget & Finance Director, presented this item. She compared the total court revenues for Fiscal Year (FY) 2020-2021 to FY 1997-1998. The set-aside was \$320,613.66; she reviewed how it will be apportioned and distributed to the Court, County Attorney, Indigent Defense, and the State. The funding is for the processing of criminal cases.

Supervisor Crosby made a motion to certify that the total court revenues collected in Fiscal Year 2020-21 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 Judd seconded the motion.

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

Finance

8. Approve a payment of \$285,929.56 to the Public Safety Personnel Retirement System (PSPRS), pursuant to the Cochise County PSPRS Policy.

Mr. Daniel Duchon, Budget Manager, presented this item. Pursuant to the PSPRS Policy, staff is requesting a payment be made to PSPRS from savings in the previous year's Sheriff's Office General Fund budget. He reviewed payment amounts to PSPRS this year and the current unfunded liability amount and funding ratio.

Vice-Chairman Judd made a motion to approve a payment of \$285,929.56 to the Public Safety Personnel Retirement System (PSPRS), pursuant to the Cochise County PSPRS Policy. Supervisor Crosby seconded the motion.

Supervisor Crosby noted his approval of the payment and disagreement with the PSPRS Policy.

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

Indigent Defense

9. Approve the addition of one Position Control Number to the total positions in the Office of Legal Advocate, utilizing funds from Title-IV E (Indigent Defense) reimbursements, for the purpose of improving parent and/or child representation in dependency cases.

Ms. Xochitl Orozco, Legal Advocate, presented this item. She reviewed the purpose of Title-IV E grants, allowable fund usage, and grant goals. The position will help with the increase in dependency filings, which require time-sensitive work. In response to the Board, she stated that the position is full-time, reviewed the salary and employee-related expenses, and noted that the position is fully grant-funded.

Vice-Chairman Judd made a motion to approve the addition of one Position Control Number to the total positions in the Office of Legal Advocate, utilizing funds from Title-IV E (Indigent Defense) reimbursements, for the purpose of improving parent and/or child representation in dependency cases. Supervisor Crosby seconded the motion.

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 various projects, including the Courthouse Bridge; Sierra Vista Foothills complex Heating, Ventilation and Air Conditioning (HVAC) system; Willcox Transfer Station; Treasurer's Office Remodel; and, the Courthouse HVAC system. He also reported on grading and mowing work throughout the County.

SUMMARY OF CURRENT EVENTS

Report by District 1 Supervisor, Tom Crosby

Supervisor Crosby reported on water issues and a recent editorial in the Sierra Vista Herald Review.

Report by District 2 Supervisor, Ann English

Chairman English reported on Thanksgiving and Christmas parade events.

Report by District 3 Supervisor, Peggy Judd

Vice-Chairman Judd reported on an added activity in Bowie.

Chairman English adjourned the meeting at 10:41 a.m.

APPROVED:

Ann English, Chairman

ATTEST:

Kim Lemons, Clerk of the Board