

**PROCEEDINGS OF THE COCHISE COUNTY BOARD OF SUPERVISORS
REGULAR MEETING HELD ON
TUESDAY, JANUARY 25, 2022**

A regular board meeting of the Cochise County Board of Supervisors was held on Tuesday, January 25, 2022 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; Tom Crosby, Supervisor
Staff Present: Richard G. Karwaczka, County Administrator (remote); Sharon Gilman, Deputy 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

This is the time for the public to comment. Members of the Board may not discuss items that are not specifically identified on the agenda.

Mr. George Morin, citizen, spoke of water and drainage issues on Frontier Road and squatter camps in the Sulphur Springs Valley area.

Chairman English advised Mr. Morin that the appropriate departments will be notified, but the Board cannot discuss items not on the agenda.

CONSENT

Board of Supervisors

1. Approve the Minutes of the regular meeting of the Board of Supervisors of January 4, 2022.

Finance

2. Approve demands and budget amendments for operating transfers.

Workforce Development

3. Approve the appointment of Ms. Kimberly Henderson to the Local Workforce Development Board to fill an unexpired term, effective immediately through June 30, 2024.

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

PUBLIC HEARINGS

Board of Supervisors

4. Approve a Series #10 (Beer & Wine Store) new liquor license application submitted by Mr. Timothy John Heine, for Heine's Store, located at 1036 Eastland Road, Pearce, AZ 85625.

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 #10 (Beer & Wine Store) new liquor license application submitted by Mr. Timothy John Heine, for Heine's Store, located at 1036 Eastland Road, Pearce, AZ 85625. Vice-Chairman Judd seconded the motion.

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

5. Approve a Series #9 (Liquor Store) new liquor license application submitted by Ms. Rozina Shilpi Islam, for SV Foodmart, located at 430 N 7th Street, Suite A, Sierra Vista, AZ 85635.

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.

Vice-Chairman Judd made a motion to approve a Series #9 (Liquor Store) new liquor license application submitted by Ms. Rozina Shilpi Islam, for SV Foodmart, located at 430 N 7th Street, Suite A, Sierra Vista, AZ 85635. Supervisor Crosby seconded the motion.

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

Development Services

6. Adopt Zoning Ordinance 22-01 to rezone parcels 114-30-183-185 and 190-191 from SR-22 (Single-Household Residential, one dwelling per 22,000 square feet) to RU-4 (Rural, one dwelling per 4 acres), pursuant to the application of Mr. Donald Kolinski.

Mr. Robert Kirschmann, Planner II, presented this item using a PowerPoint presentation. He stated that the request is to rezone a parcel from SR-22 to RU-4. He gave the property's location, parcel number, total acreage, site plan and showed photos of the area. The Planning and Zoning Commission recommended approval. He reviewed the factors in favor of and against approval, 11 of 15 of the criteria to evaluate a proposal apply to this request, 1 criteria - compliance with area plan does not comply, and the recommended conditions of approval.

The Board and Mr. Kirschmann discussed the non-compliance criteria.

Chairman English opened the Public Hearing.

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

Supervisor Crosby made a motion to adopt Zoning Ordinance 22-01 to rezone parcels 114-30-183-185 and 190-191 from SR-22 (Single-Household Residential, one dwelling per 22,000 square feet) to RU-4 (Rural, one dwelling per 4 acres), pursuant to the application of Mr. Donald Kolinski. Vice-Chairman Judd seconded the motion.

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

Health & Social Services

7. Adopt Resolution 22-02 amending Resolution 13-35, and Amending Fees for Environmental Health Services for Cochise Health & Social Services effective January 25, 2022.

Ms. Alicia Thompson, Health & Social Services Director, presented this item, and she said this resolution will amend the previous resolution and associated fee schedule. She noted requirements to recover costs of services per statute. These fees have not been raised since 2012 and 2014. Two previous work sessions on the proposed fee schedules and requested changes took place in 2021. She noted the required public notices posted on the County website and published in the newspaper.

Chairman English opened the Public Hearing.

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

Vice-Chairman Judd made a motion to adopt Resolution 22-02 amending Resolution 13-35, and Amending Fees for Environmental Health Services for Cochise Health & Social Services effective January 25, 2022. Supervisor Crosby seconded the motion.

The Board and staff discussed the 20% increase in fees that will not cover the total cost for services rendered by the County.

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

ACTION

Emergency Services

8. Approve Emergency Management Performance Grant (EMPG) EMF-2021-EP-00016-S01 between the Arizona Department of Emergency and Military Affairs and Cochise County for reimbursement of emergency management related services, not to exceed \$371,969.87, effective July 1, 2021, through June 30, 2022.

Ms. Judith Lynn, Emergency Services Director, presented this item and said the EMPG program supports the goals of building a culture of preparedness for catastrophic disasters and provides reimbursement of 50% of generally funded county emergency management related expenses and programs. The program meets national standards and includes additional funding to help offset the cost of countywide radio maintenance.

The Board and staff discussed the lag in reimbursement, funds already expended for operations, and liaisons with other state agencies for emergency management. Ms. Lynn distinguished the difference between border protection and protection of citizens in the community and stated the reimbursement will not be used to help illegal immigrants or other law enforcement activities regarding border protection. It will support reimbursement for countywide use of radios to support public safety, emergency management and fire personnel.

Vice-Chairman Judd made a motion to approve Emergency Management Performance Grant (EMPG) EMF-2021-EP-00016-S01 between the Arizona Department of Emergency and Military Affairs and Cochise County for reimbursement of emergency management related services, not to exceed \$371,969.87, effective July 1, 2021, through June 30, 2022. Supervisor Crosby seconded the motion.

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

Facilities

9. Approve Contract 22-04-FAC-01 with Desert Springs Construction & Remodeling, LLC, for the remodel of the Terminal Building at the Bisbee-Douglas International Airport, in the amount of \$663,027.

Mr. Henry Meraz, Facilities Director, presented this item. He gave an assessment of the building including hazardous materials and the County's obligations with the FAA and other businesses. After an abatement process is completed, the vendor can start the four-month remodel. He detailed the remodel and noted previous work session cost estimates have increased because of materials and supply change issues. The Facilities Department project manager agrees with the vendor selection and the Procurement Department did their due diligence to vet vendors to address pricing differences among them.

The Board and staff discussed the budget and Mr. Daniel Duchon, Budget Manager, clarified the use of capital contingent funds that are budgeted for these types of capital projects.

Supervisor Crosby made a motion to approve Contract 22-04-FAC-01 with Desert Springs

Construction & Remodeling, LLC, for the remodel of the Terminal Building at the Bisbee-Douglas International Airport, in the amount of \$663,027. Vice-Chairman Judd seconded the motion.

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

Health & Social Services

10. Approve Amendment 4 to Intergovernmental Agreement (IGA) ADHS18-180472, Arizona Prescription Drug Overdose Prevention Program, between the Arizona Department of Health Services (ADHS) and Cochise Health & Social Services in the amount of \$470,720, effective September 1, 2021 through September 29, 2022.

Ms. Alicia Thompson, Health & Social Services Director, presented this item and stated this is an amendment to a 2017 contract to extend the contract period, and she outlined the coverage. This state and federal funding amount remains the same, and she detailed which staff salaries are covered.

Vice-Chairman Judd made a motion to approve Amendment 4 to Intergovernmental Agreement (IGA) ADHS18-180472, Arizona Prescription Drug Overdose Prevention Program, between the Arizona Department of Health Services (ADHS) and Cochise Health & Social Services in the amount of \$470,720, effective September 1, 2021 through September 29, 2022. Supervisor Crosby seconded the motion.

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

11. Approve Mutual Aid and Cooperative Assistance Memorandum of Understanding (MOU) between the Arizona Coalition for Healthcare Emergency Response (AzCHER) and Cochise Health & Social Services.

Ms. Alicia Thompson, Health & Social Services Director, presented this item. Ms. Thompson said that AzCHER is a statewide coalition of healthcare organizations, emergency services providers, public health agencies, and emergency preparedness partners in the state of Arizona and gave their purpose. This MOU is a voluntary agreement among the participants to cooperate and coordinate communications and responses in the event of a disaster and what services that could entail. It is a voluntary, nonbinding agreement among the participants with no fiscal impact. She read and answered questions submitted to her via email from Supervisor Crosby.

Chairman English and Vice-Chairman Judd stated reasons in support of the MOU.

Vice-Chairman Judd made a motion to approve Mutual Aid and Cooperative Assistance Memorandum of Understanding (MOU) between the Arizona Coalition for Healthcare Emergency Response (AzCHER) and Cochise Health & Social Services. Supervisor Crosby seconded the motion.

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

12. Approve Amendment 3 to Intergovernmental Agreement (IGA) YH16-0018-13 between the Arizona Health Care Cost Containment System (AHCCCS) and Cochise County, effective May 1, 2022 through April 30, 2023.

Ms. Alicia Thompson, Health & Social Services Director, presented this item and stated this agreement is important because it covers AHCCCS inmate costs for hospitalizations that would normally be paid by the County.

Supervisor Crosby made a motion to approve Amendment 3 to Intergovernmental Agreement (IGA) YH16-0018-13 between the Arizona Health Care Cost Containment System (AHCCCS) and Cochise County, effective May 1, 2022 through April 30, 2023. Vice-Chairman Judd seconded the motion.

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

Information Technology

13. Approve Contract 22-05-ITD-01 with Finley Engineering Company, Inc., using American Rescue Plan Act (ARPA) funds, to conduct a Broadband Feasibility Study for Cochise County in the amount of \$98,000.

Mr. Joe Casey, Chief Information Officer, presented this item. Mr. Casey stated the importance of the feasibility study especially for our rural communities. It will assist providers in working with the stakeholders to pinpoint critical areas that need broadband coverage.

The Board reiterated the growing need for broadband coverage in the County.

Supervisor Crosby made a motion to approve Contract 22-05-ITD-01 with Finley Engineering Company, Inc., using American Rescue Plan Act (ARPA) funds, to conduct a Broadband Feasibility Study for Cochise County in the amount of \$98,000. Vice-Chairman Judd seconded the motion.

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

STATE & FEDERAL LEGISLATION

14. 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 legislative committee information has been disseminated and department input received. The Board discussed some bills in general and the role of CSA.

No action was taken on this item.

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

Ms. Sharon Gilman reported for Mr. Rich Karwaczka. She noted the retirement of Ms. Kim Lemons, Clerk of the Board, who has held several positions at the County since 2008. The Board and staff thanked her for her service.

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 deferred her report.

Report by District 3 Supervisor, Peggy Judd

Vice-Chairman Judd noted the Wings over Willcox event and the future opening of Tirrito Farms in Willcox.

Chairman English adjourned the meeting at 11:22 a.m.

APPROVED:

Ann English, Chairman

ATTEST:

Kim Lemons, Clerk of the Board