

**PROCEEDINGS OF THE COCHISE COUNTY BOARD OF SUPERVISORS
REGULAR MEETING HELD ON
TUESDAY, JULY 12, 2022**

A regular board meeting of the Cochise County Board of Supervisors was held on Tuesday, July 12, 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, telephonic; Tom Crosby, Supervisor

Staff Present: Richard G. Karwaczka, County Administrator; Sharon Gilman, Deputy County Administrator; Christine Roberts, Chief Civil Deputy County Attorney; Tim Mattix, 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

Mr. Fred Kern addressed the Board regarding the maintenance of Calle Principal.

CONSENT

Board of Supervisors

1. Approve the Minutes of the regular meeting of the Board of Supervisors of June 21, 2022.
2. Renew and/or revise committee appointments for members of the Board of Supervisors and executive staff for the 2022-23 Fiscal Year and approve continuing annual memberships for 2022-23, with payment of associated dues as described herein.

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

Mr. Karwaczka read the following changes to the committee appointments into the

record: removed the Homeland Security Regional Advisory Council, as the Governor is no longer appointing members; and, replaced Gwen Calhoun with Vice-Chairman Judd as the elected representative to the SouthEastern Arizona Community Action Plan (SEACAP).

Vice-Chairman Judd made a motion to renew and/or revise committee appointments for members of the Board of Supervisors and executive staff for the 2022-23 Fiscal Year and approve continuing annual memberships for 2022-23, with payment of associated dues as described herein. Supervisor Crosby seconded the motion.

Supervisor Crosby expressed various concerns with the Sierra Vista Metropolitan Planning Organization (SVMPO), Upper San Pedro Partnership (USPP), and Cochise Conservation & Recharge Network (CCRN).

Supervisor Crosby made a motion to table the agenda item for approximately a month until the Board of Supervisors holds a Work Session on the origins, missions and productivity of these committees. The motion failed for lack of a second.

The Board discussed the appointment to the USPP Executive Committee. Board consensus was to leave the existing assignment as-is.

A handout was distributed on behalf of Vice-Chairman Judd. Vice-Chairman Judd requested the Board consider adding the Coalition of Arizona/New Mexico Counties to the committee assignments, noting that the County was previously a member, and discussed various reasons for re-joining. The Board discussed the request and the consensus was to not re-join.

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

3. Adopt Resolution 22-16 authorizing the use of Emergency Voting Locations for the Primary Election on Tuesday, August 2, 2022.

County Sheriff

4. Approve a Memorandum of Understanding (MOU) between the United States Marshals Service and Cochise County Sheriff's Office to conduct a joint short-term Sex Offender Compliance Operation in Cochise County in July 2022.

Finance

5. Approve demands and budget amendments for operating transfers.

Supervisor Crosby made a motion to approve items 1 and 3-5 on the Consent Agenda. Vice-Chairman Judd seconded the motion and it carried unanimously.

PUBLIC HEARINGS

Board of Supervisors

6. Approve a Series #10 (Beer & Wine Store) new liquor license application submitted by Ms. Brenda E. Sallard, for Family Dollar #31340, located at 10391 N Highway 191, Elfrida AZ 85610.

Supervisor Crosby made a motion to approve a Series #10 (Beer & Wine Store) new liquor license application submitted by Ms. Brenda E. Sallard, for Family Dollar #31340, located at 10391 N Highway 191, Elfrida AZ 85610. Vice-Chairman Judd seconded the motion.

Chairman English opened the Public Hearing.

Mr. Mattix presented this item. He stated that the application was reviewed and recommended for approval by the appropriate departments and property taxes are current. Notice was posted as required by statute and no formal protests were filed. The applicant paid the \$100 processing fee. Board staff recommends approval.

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

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

Development Services

7. Adopt Zoning Ordinance 22-13 to rezone parcel 406-23-092A from SR-12 (Single Household Residential, one dwelling per 12,000 square feet) to RU-2 (Rural, one dwelling per 2 acres), pursuant to the application of Mr. Jessie Worley and Ms. June Salazar.

Vice-Chairman Judd made a motion to adopt Zoning Ordinance 22-13 to rezone parcel 406-23-092A from SR-12 (Single Household Residential, one dwelling per 12,000 square feet) to RU-2 (Rural, one dwelling per 2 acres), pursuant to the application of Mr. Jessie Worley and Ms. June Salazar. Supervisor Crosby seconded the motion.

Chairman English opened the Public Hearing.

Mr. Robert Kirschmann, Planner II, presented this item using a PowerPoint presentation. The request is to rezone a parcel from SR-12 to RU-2. He gave the location, parcel number, total acreage, and existing and proposed uses, and displayed the site plan and photos of the area. The Planning and Zoning Commission recommends approval. He reviewed factors in favor of approval, noting that none were identified as being against, and the two standard recommended conditions of approval.

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

The Board recessed from 10:27 a.m. until 10:40 a.m. due to technical problems. All Board members were present upon reconvening (Vice-Chairman Judd telephonically).

Chairman English stated that a motion was on the floor to adopt the Zoning Ordinance.

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

ACTION

Board of Supervisors

8. Approve Intergovernmental Agreement (IGA) with the Pima County Mental Health Defender's Office for attorney coverage of Cochise County Title 36 hearings, including both Court-Ordered Evaluations (COEs) and Court-Ordered Treatment (COT), at a per-case cost as outlined in the IGA, with a total estimated cost of \$37,454, effective July 5, 2022 through July 4, 2023.

Supervisor Crosby made a motion to approve Intergovernmental Agreement (IGA) with the Pima County Mental Health Defender's Office for attorney coverage of Cochise County Title 36 hearings, including both Court-Ordered Evaluations (COEs) and Court-Ordered Treatment (COT), at a per-case cost as outlined in the IGA, with a total estimated cost of \$37,454, effective July 5, 2022 through July 4, 2023. Vice-Chairman Judd seconded the motion.

Mr. Karwaczka presented this item. Title 36 cases are increasing; when individuals are involuntarily hospitalized, they are taken to one of three hospitals in Pima County. Ms. Sara Dent, Legal Defender, then travels to Pima County to visit her client. Staff continues to work with facilities located in the County to take in these patients. The Pima County Mental Health Defender's Office is able to absorb and take representation of the County's clients. He reviewed the estimated costs associated with the IGA.

The Board expressed their support for this item.

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

County Sheriff

9. Approve Arizona Criminal Justice Commission (ACJC) Grant No. DC-23-003 to the Cochise County Sheriff's Office to fund the Special Operations Division's overtime and Employee-Related Expenses (EREs) related to its narcotics and smuggling investigations, in the amount of \$131,883.11, effective July 1, 2022 through June 30, 2023.

Vice-Chairman Judd made a motion to approve Arizona Criminal Justice Commission (ACJC) Grant No. DC-23-003 to the Cochise County Sheriff's Office to fund the Special Operations Division's overtime and Employee-Related Expenses (EREs) related to its narcotics and smuggling investigations, in the amount of \$131,883.11, effective July 1, 2022 through June 30, 2023. Supervisor Crosby seconded the motion.

Lieutenant Sean Gijanto, Sheriff's Office, presented this item. This recurring Grant supports overtime operations for narcotic, human smuggling, and trafficking investigations. Without the grant, the budget would not be able to support the necessary overtime that is required. Funds from Proposition 207 revenues will be utilized for the 25% matching funds requirement.

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

County Treasurer

10. 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. 2022-039 to 2022-069.

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. 2022-039 to 2022-069. Vice-Chairman Judd seconded the motion.

Ms. Cathy Traywick, County Treasurer, presented this item. She recognized the Sheriff's Office, including Deputies Estrada and Romero, and the Sheriff's Assist Team, for their assistance. They inspect and determine if properties are nontaxable, and also get people to pay delinquent taxes.

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

Development Services

11. Approve Grant Agreement for Airport Improvement Program (AIP) No. 3-04-0049-011-2022 between the Federal Aviation Administration (FAA) and Cochise County, in the amount of \$331,604, to install an Automated Weather Observing System (AWOS) at the Cochise County Airport.

Vice-Chairman Judd made a motion to approve Grant Agreement for Airport Improvement Program (AIP) No. 3-04-0049-011-2022 between the Federal Aviation Administration (FAA) and Cochise County, in the amount of \$331,604, to install an Automated Weather Observing System (AWOS) at the Cochise County Airport. Supervisor Crosby seconded the motion.

Mr. Dan Coxworth, Development Services Director, presented this item. The matching funds requirement of \$14,822 will be paid from the Airport budget. AWOS collects and reports data about airport weather conditions; pilots have requested that this be installed. The Board and Mr. Coxworth discussed AWOS functionality in more detail.

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

Elections

12. Approve Poll Workers for the 2022 Primary and General Elections and authorize the Elections Director to make substitutions as necessary prior to each election, to ensure that all Vote Centers are staffed adequately with trained election Poll Workers.

Supervisor Crosby made a motion to approve Poll Workers for the 2022 Primary and General Elections and authorize the Elections Director to make substitutions as necessary prior to each election, to ensure that all Vote Centers are staffed adequately with trained election Poll Workers. Vice-Chairman Judd seconded the motion.

Ms. Lisa Marra, Elections Director, presented this item. A.R.S. § 16-531 requires Board approval of Poll Workers. She reviewed the process to maintain and attract Poll Workers, and discussed cross-training. The Board and Ms. Marra discussed the

commitment made by Poll Workers.

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

13. Adopt Resolution 22-17 canceling the election of certain Precinct Committeemen, for the 2022 Primary Election on August 2, 2022, and appointing all candidates that filed to run for Precinct Committeemen for those precincts in which no election is required.

Vice-Chairman Judd made a motion to adopt Resolution 22-17 canceling the election of certain Precinct Committeemen, for the 2022 Primary Election on August 2, 2022, and appointing all candidates that filed to run for Precinct Committeemen for those precincts in which no election is required. Supervisor Crosby seconded the motion.

Ms. Marra presented this item. A.R.S. § 16-410 and § 16-822 authorize certain elections, including those of Precinct Committeemen, to be canceled. If the same number or fewer people file to run as the number of open seats, they are appointed into elected positions and have the same authority as if they were on a ballot and elected. She outlined the number of recognized political parties in Arizona, and the number of Precinct Committeemen to be appointed by this Resolution. Those appointed by this Resolution will be provided a Certificate of Election.

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 noted that the Legislature adjourned sine die.

No action was taken on this item.

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

Mr. Karwaczka noted the recent rain.

SUMMARY OF CURRENT EVENTS

Report by District 1 Supervisor, Tom Crosby

Supervisor Crosby distributed a handout and reported his opinions on a July 11, 2022 article by Jordan Conradson regarding Ms. Marra.

Report by District 2 Supervisor, Ann English

Chairman English deferred her report.

Report by District 3 Supervisor, Peggy Judd

Vice-Chairman Judd deferred her report.

Chairman English adjourned the meeting at 11:07 a.m.

APPROVED:

Ann English, Chairman

ATTEST:

Tim Mattix, Clerk of the Board