

**PROCEEDINGS OF THE COCHISE COUNTY BOARD OF SUPERVISORS
REGULAR MEETING HELD ON
TUESDAY, NOVEMBER 14, 2023**

A regular board meeting of the Cochise County Board of Supervisors was held on Tuesday, November 14, 2023 at 10:00 a.m. in the Board of Supervisors' Hearing Room, 1415 Melody Lane, Building G, Bisbee, Arizona.

Present: Peggy Judd, Chairman; Tom Crosby, Vice-Chairman; Ann English, Supervisor
Staff Richard G. Karwaczka, County Administrator; Sharon Gilman, Deputy County
Present: Administrator/Interim Clerk of the Board; Christine Roberts, Chief Civil Deputy County
Attorney; Lara Loewenheim, Deputy Clerk of the Board

Chairman Judd called the meeting to order at 10:23 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

Alfred Kern discussed his frustration over a lack of action by the Board regarding his road concerns raised over the last two years.

The Board took a 10 minute recess to resolve technical difficulties.

Allison Morse expressed gratitude for the successful mail-in ballot election, highlighted the importance of secure elections and commended the Elections Department for their efforts.

Jeff Sturges critiqued the passionate support for Tom Crosby, Peggy Judd, and David Stevens in Cochise County, highlighting their defiance of legal advice, their alleged illegal actions, and urging an end to supporting politicians who disregard the rule of law.

Tricia Gerrodette expressed confidence in the voting process in Cochise County, citing checks and certifications ensuring accuracy, urging education and trust in the system ahead of upcoming elections.

Sandy Trull emphasized the significance of secure elections, citing constitutional rights, advocating for reestablishing precincts, eliminating third-party voting technology, opposing mass mail-in voting without proper protocols, and highlighting the importance of transparency and accountability in the electoral process.

CONSENT

Board of Supervisors

1. Approve the Minutes of the regular meeting of the Board of Supervisors of October 24, 2023.
2. Approve the 2024 Cochise County calendar reflecting the schedule of the Regular Board of Supervisor meetings for the calendar year 2024, the 2024 holidays and pay days, and authorize the Clerk of the Board to post the Public Notice of the 2024 meeting schedule.

Court Administration

3. Approve the Proclamation declaring November 17, 2023 as National Adoption Day in Cochise County.

Finance

4. Approve demands and budget amendments for operating transfers.
5. Approve Interfund transfer of \$419.48 from Local Court Assistance Fund 161 to the General Fund.

Supervisor English made a motion to approve Consent Agenda items 1 through 5. Vice-Chairman Crosby seconded the motion and it was carried unanimously.

ACTION

Board of Supervisors

6. Approve the sales of the September 11- 22, 2023, Tax Deed Land Auction held online through Public Surplus of parcels listed on Exhibits A and B and authorize the Clerk of the Board to post the remaining unsold properties for sale on an over-the-counter basis (see Exhibit C).

Vice-Chairman Crosby made a motion to approve the sales of the September 11- 22, 2023, Tax Deed Land Auction held online through Public Surplus of parcels listed on Exhibits A and B and authorize the Clerk of the Board to post the remaining unsold properties for sale on an over-the-counter basis (see Exhibit C). Supervisor English seconded the motion.

Ms. Gilman presented this item. Ms. Gilman provided details of an online tax deed land auction that yielded property sales worth \$307,994.00. She explained the handling of funds through the vendor, Public Surplus, and the apportionment by the Treasurer's office per state statute. She referred to a previous Work Session where the Board directed staff to remove the parcels related to the Miracle Valley Bible College for future abatement and remediation and asked the Board to authorize the remaining unsold parcels to be sold via an over-the-counter sale in January 2024.

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

7. Approve the Intergovernmental Agreement (IGA), Amendment 3 between Cochise County and the City of Sierra Vista authorizing both entities to administer programs and to receive and disburse funds for the Upper San Pedro Partnership for successive five-year periods with automatic renewal until terminated, effective upon signing by both parties.

Supervisor English made a motion to approve the Intergovernmental Agreement (IGA), Amendment 3 between Cochise County and the City of Sierra Vista authorizing both entities to administer programs and to receive and disburse funds for the Upper San Pedro Partnership for successive five-year periods with automatic renewal until terminated, effective upon signing by both parties. Vice-Chairman Crosby seconded the motion.

Ms. Gilman presented this item. Mr. Gilman discussed the ongoing agreement between the County and Sierra Vista dating back to February 2010, outlining the extensions in five-year increments for the Inter-Governmental Agreement (IGA) which serves as the foundation for the Upper San Pedro Partnership. She stated this IGA covers the Waterwise program and oversees non-flood control projects, with both the County and City contributing \$10,000 annually. She stated the IGA would extend in five-year increments unless either party terminates the agreement.

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

8. Approve the Third Amendment to the Agreement for Employment of County Administrator Richard G. Karwaczka to increase the annual compensation by \$10,000 for a total gross annual salary of \$175,000 per year, effective as of the pay period immediately following the execution of the amendment.

Supervisor English made a motion to approve the Third Amendment to the Agreement for Employment of County Administrator Richard G. Karwaczka to increase the annual compensation by \$10,000 for a total gross annual salary of \$175,000 per year, effective as of the pay period immediately following the execution of the amendment. Vice-Chairman Crosby seconded the motion.

Chairman Judd and Supervisor English discussed Mr. Karwaczka's effective leadership while noting his salary falls below market-based rates and emphasized the importance of acknowledging employee efforts through salary adjustments.

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

9. Approve the re-titling and sale transaction of the Casa Loma Triangle Apartments, located at 204 W Allen Street, Tombstone, Arizona 85638 to Desert Sage Apartments, LLC, as described by Inner Pacific Advantage Asset Management, LLC in the attached correspondence.

Vice-Chairman Crosby made a motion to approve the re-titling and sale transaction of the Casa Loma Triangle Apartments, located at 204 W Allen Street, Tombstone, Arizona 85638 to Desert Sage Apartments, LLC, as described by Inner Pacific Advantage Asset Management, LLC in the attached correspondence. Supervisor English seconded the motion,

Ms. Gilman presented this item. Ms. Gilman explained that the Industrial Development

Authority of Cochise County dissolved, and as a result, the County assumed responsibility for its interest in Casa Loma Triangle Apartments in Tombstone. She stated that the County needs to grant permission to the asset management company to sell the property. It is expected that the proceeds from the sale will be approximately \$90,000, and it is anticipated to occur in December. She also explained the motion would allow the re-title process to begin and Chairman Judd to sign on the County's behalf.

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

County Sheriff

10. Approve an Intergovernmental Agreement (IGA) between the Cochise County Sheriff's Office and Cochise County Community College District for shared expenses of acquiring, the ownership of, and maintenance of, three full-motion police car simulators and one AIRMEDICSIM simulator, with the County portion being a one time payment of \$125,000, effective from date of signing by all parties through June 30, 2026.

Supervisor English made a motion to approve an Intergovernmental Agreement (IGA) between the Cochise County Sheriff's Office and Cochise County Community College District for shared expenses of acquiring, the ownership of, and maintenance of, three full-motion police car simulators and one AIRMEDICSIM simulator, with the County portion being a one time payment of \$125,000, effective from date of signing by all parties through June 30, 2026. Vice-Chairman Crosby seconded the motion.

Tom Alinen, Sheriff's Office Chief of Staff, presented this item. In response to the Board, Chief Alinen and Ms. Roberts clarified that the County would not be responsible for the maintenance of the simulators. Chief Alinen praised Cochise College's public safety partnership and highlighted the popularity of the local law enforcement academy. He stated the recent addition of the driving track greatly benefits law enforcement and public safety. He discussed the development and functionality of a driving simulator, for training purposes, and the benefits thereof. The Board and Chief Alinen discussed funding sources, air medic SIM definitions and helicopter ambulances.

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

Court Administration

11. Certify that the total court revenues collected in Fiscal Year 2022-2023 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.

Supervisor English made a motion to certify that the total court revenues collected in Fiscal Year 2022-2023 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 Crosby seconded the motion.

Rita Shipley, Courts Budget and Finance Director, presented this item. Ms. Shipley requested that the Board certify that court revenues in fiscal year 2022-2023 exceeded those in fiscal year 1997-1998, detailing an increase of \$3,877,825.20, and proposed the distribution of the 5% set-aside revenues totaling \$298,892.46 among the Court,

County Attorney, Indigent Defense, and the state to support criminal case processing.

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

Information Technology

12. Approve grant amendment for Arizona 911 Program Grant Agreement, ADOA-AZ911-24-01 with the Arizona Department of Administration to fund Public Safety Answering Points services for a total of \$770,397.00 through June 30, 2024.

Vice-Chairman Crosby made a motion to approve grant amendment for Arizona 911 Program Grant Agreement, ADOA-AZ911-24-01 with the Arizona Department of Administration to fund Public Safety Answering Points services for a total of \$770,397.00 through June 30, 2024. Supervisor English seconded the motion.

Joe Casey, Associate County Administrator/Chief Information Officer, presented this item. Mr. Casey stated that this grant amendment will increase the funding for managing and maintaining the 911 system at Southeastern Arizona Communications (SEACOM) from \$554,009 to \$770,397. He stated the increase is due to updated bills received from AT&T. In response to the Board, Mr. Casey stated that AT&T did not provide a specific reason for the increase.

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

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

SUMMARY OF CURRENT EVENTS

Report by District 1 Supervisor, Tom Crosby

Vice-Chairman Crosby deferred his report.

Report by District 2 Supervisor, Ann English

Supervisor English acknowledged the numerous Veterans Day events across Cochise County, and praised the enthusiastic turnout in Douglas, emphasizing the community's pride in the country and its veterans during this important time of year.

Report by District 3 Supervisor, Peggy Judd

Chairman Judd deferred her report.

Chairman Judd adjourned the meeting at 11:10 a.m.

APPROVED:

Peggy Judd, Chairman

ATTEST:

Sharon Gilman, Interim Clerk of the Board