

**PROCEEDINGS OF THE COCHISE COUNTY BOARD OF SUPERVISORS
REGULAR MEETING HELD ON
TUESDAY, AUGUST 13, 2024**

A regular board meeting of the Cochise County Board of Supervisors was held on Tuesday, August 13, 2024 at 10:00 a.m. in the Board of Supervisors' Hearing Room, 1415 Melody Lane, Building G, Bisbee, Arizona.

Present: Ann English, Chairman; Tom Crosby, Vice-Chairman; Peggy Judd, Supervisor

Staff Richard G. Karwaczka, County Administrator; Sharon Gilman, Deputy County
Present: Administrator; Christine Roberts, Chief Civil Deputy County Attorney; Lara Loewenheim,
Clerk of the Board

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

Tricia Gerrodette expressed happiness about the smooth and quick meeting last Friday and hopes that the November election canvassing will go just as well. Ms. Gerrodette shared her positive experience of observing and participating in the hand count verification process, encouraging others to volunteer in future election efforts.

CONSENT

Board of Supervisors

1. Approve the Minutes of the regular meeting of the Board of Supervisors of July 23, 2024.
2. Approve a letter to the State Broadband Director, Sandip Bhowmick, requesting the State's support and submission to the National Telecommunications and Information Administration (NTIA) a waiver that would allow Broadband, Equity, Access, and Deployment (BEAD) funding to be used for all areas in Cochise County designated under the Rural Digital Opportunity Fund (RDOF) program.

County Schools

3. Adopt Resolution 24-16 canceling the regular elections of November 5, 2024, for certain School District Governing Boards, and appointing those who filed nomination petitions and nomination papers for uncontested district positions, pursuant to A.R.S. 15-424(D).

Development Services

4. Approve an inter-fund transfer of \$83,473.12 from Development Services General Fund, 100-1900-1910, to Development Services Grants Fund, 118-1900-1928, for the remaining cash match required for the Federal Highway Administration grant agreement, Fueling, and Infrastructure Grant Program.

Emergency Services

5. Approve amended budget and extended period of performance from July 1, 2023 through June 30, 2024 to July 1, 2023 through June 30, 2025 for the Emergency Management Performance Grant EMF-2023-EP-00008-S01.

Finance

6. Approve demands and budget amendments for operating transfers.

Legal Advocate

7. Approve State Grant for Public Defender Training funds, per A.R.S. § 12-117, in the amount of \$3,000 for the Legal Advocate, effective July 1, 2024 through June 30, 2025.

Legal Defender

8. Approve State Grant for Public Defender Training funds, per A.R.S. § 12-117, in the amount of \$1,500 for the Legal Defender, effective July 1, 2024 through June 30, 2025.

Public Defender

9. Approve State Grant for Public Defender Training funds, per A.R.S. § 12-117, in the amount of \$3,000 for the Public Defender, effective July 1, 2024 through June 30, 2025.

Supervisor Judd made a motion to approve consent agenda items 1-9. Vice-Chairman Crosby seconded the motion and it was approved unanimously.

PUBLIC HEARINGS

Development Services

10. Adopt Resolution 24-17 that selects Owner-Occupied Housing Repair as the project for which Cochise County will seek Community Development Block Grant (CDBG) State Special Project grant funds.

Vice-Chairman Crosby made a motion to adopt Resolution 24-17 that selects Owner-Occupied Housing Repair as the project for which Cochise County will seek Community Development Block Grant (CDBG) State Special Project grant funds. Supervisor Judd seconded the motion.

Susan Bronson, Planner I, presented this item using a PowerPoint presentation. Ms. Bronson stated the Arizona Department of Housing has an opportunity to apply for a competitive State Special Project CDBG grant, offered every two years, which must benefit low to moderate-income individuals, eliminate slum or blight, or address an urgent community need. She stated previous funds have been used for housing repairs, including fixing broken water pipes, installing heat pumps, safety showers, and repairing home exteriors.

Chairman English clarified that the owner-occupied housing rehabilitation project must meet income criteria, including rental properties, unless the owner meets the income requirements.

Vice-Chairman Crosby mentioned concerns about squatters on a specific property causing issues for law enforcement.

Chairman English clarified that the request was to seek permission from the Board to apply for new funding using the same criteria as the previous CDBG grant, Ms. Bronson, confirmed that was correct.

Chairman English closed the public hearing.

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

11. Adopt Resolution 24-18 that authorizes the Development Services Department to submit a Community Development Block Grant (CDBG) State Special Projects grant application to the Arizona Department of Housing to fund owner-occupied housing repairs in Cochise County.

Supervisor Judd made a motion to adopt Resolution 24-18 that authorizes the Development Services Department to submit a Community Development Block Grant (CDBG) State Special Projects grant application to the Arizona Department of Housing to fund owner-occupied housing repairs in Cochise County. Vice-Chairman Crosby seconded the motion.

Chairman English opened the public hearing and no one chose to speak.

In response to the Board, Ms. Bronson stated the Arizona Department of Housing requires the Board to authorize the department to submit the grant application.

Chairman English closed the public hearing.

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

ACTION

Board of Supervisors

12. Approve Community Enhancement Fund expenditures for District 2: Golden Acres Community Cleanup, in the total amount of \$2,000.

Vice-Chairman Crosby made a motion to approve Community Enhancement Fund expenditures for District 2: Golden Acres Community Cleanup, in the total amount of \$2,000. Supervisor Judd seconded the motion.

Chairman English spoke of the past successes of a community cleanup project in an area with older housing and residents who may need extra assistance. Volunteers help remove items like old furniture, contributing to a cleaner and safer community.

In response to Vice-Chairman Crosby, Chairman English stated the \$2,000 budget is primarily allocated for the dumping fees at the transfer station and the cost of one large dumpster. She noted it does not include fuel or other incidental expenses for privately owned pickup trucks that might be used in the project.

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

13. Approve a Proclamation designating August 12-16, 2024 as Willcox Little League 12U Softball Week.

Supervisor Judd made a motion to approve a Proclamation designating August 12-16, 2024 as Willcox Little League 12U Softball Week. Vice-Chairman Crosby seconded the motion.

Supervisor Judd presented this item. She shared excitement about the success of the Willcox softball girls' competition, noting that it was a source of pride for the community. Supervisor Judd read the proclamation from the county to officially express appreciation.

Patrick McCumber expressed gratitude on behalf of the coaches and the softball girls, who were unable to attend due to school commitments. Mr. McCumber thanked the people of Willcox and all of Cochise County for the overwhelming support throughout the team's summer journey.

Nancy Welker expressed gratitude for the proclamation, appreciating the recognition of citizens of all ages. Ms. Welker acknowledged the hard work of coaches, parents, and the community. She emphasized how impressed they were by the resilience and dedication of the young women.

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

14. Approve Community Enhancement Fund FY25 expenditures for District 3 and inter-fund transfer to Development Services to meet the County match for Grant Award No. 693JJ32440373 from the Federal Highways Administration (FHWA) to place electric vehicle charging stations around Cochise County, in the amount of \$25,000.

Vice-Chairman Crosby made a motion to approve Community Enhancement Fund FY25 expenditures for District 3 and inter-fund transfer to Development Services to meet the County match for Grant Award No. 693JJ32440373 from the Federal Highways Administration (FHWA) to place electric vehicle charging stations around Cochise County, in the amount of \$25,000. Supervisor Judd seconded the motion.

Supervisor Judd presented this item. She highlighted the importance of meeting the needs of their community by supporting the placement of solar car chargers, particularly in downtown areas where visitors, such as those attending wine festivals, can easily access them.

Vice-Chairman Crosby commented he will be voting against the item because it violates free market principles by being subsidy and therefore an involuntary redistribution of wealth.

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

County Sheriff

15. Approve transfer of 2014 Chevy Equinox, vehicle #344, to the Tombstone Marshal's Office.

Supervisor Judd made a motion to approve transfer of 2014 Chevy Equinox, vehicle #344, to the Tombstone Marshal's Office. Vice-Chairman Crosby seconded the motion.

Lieutenant Sean Gijanto, Sheriff's Office presented this item. He stated the Chevy Equinox will be transferred to the Tombstone Marshall's Office, which also has a task force member in need of a vehicle. He stated the replacement vehicle is funded entirely by the High Intensity Drug Trafficking Areas (HIDTA) grant, with no additional costs to the Sheriff's Office.

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

Development Services

16. Approve an Assurance Agreement extension to September 12, 2029 for The Highlands at Inde Subdivision with Pioneer Title Agency, Inc., as Trustee under Trust No.70100206 and Inde Motorsport Ranch, LLC, as Beneficiary of Trust No.70100206.

Vice-Chairman Crosby made a motion to approve an Assurance Agreement extension to September 12, 2029 for The Highlands at Inde Subdivision with Pioneer Title Agency, Inc., as Trustee under Trust No.70100206 and Inde Motorsport Ranch, LLC, as Beneficiary of Trust No.70100206. Supervisor Judd seconded the motion.

Paul Esparza presented this item using a PowerPoint presentation. Mr. Esparza stated that the Highlands at Indie subdivision, which is located about 8 miles west of Willcox on Airport Road, near the Indie Motorsports Ranch. Mr. Esparza stated the original agreement allowed for the release of up to four lots, but only two have been released so

far, with no improvements made to date. He stated the extension request seeks to prolong the Assurance Agreement for another five years, until September 12, 2029.

Supervisor Judd commented on the project's future development and stated she remains hopeful for its success.

CJ Dorland, President of Inde Motorsports Inc, explained that the project was put on hold due to the market downturn during COVID, focusing on other priorities. He stated they are optimistic about the extended five-year period, which will allow for renewed marketing efforts and attracting buyers. He noted the current focus is on promoting deeded properties, as there has been a preference for them over ground lease options.

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

Emergency Services

17. Approve Arizona Department of Forestry and Fire Management Cooperative Agreement for reimbursement of County resources used for incident support, effective for a period of (10) ten-years from the date of final signature.

Superivsor Judd made a motion to approve Arizona Department of Forestry and Fire Management Cooperative Agreement for reimbursement of County resources used for incident support, effective for a period of (10) ten-years from the date of final signature. Vice-Chairman Crosby seconded the motion.

Dan Duchon presented this item. He stated the agreement outlined logistical support for fire and non-fire emergencies, including resource ordering and reimbursement expectations for County equipment and staff. He stated that the agreement designates the County Emergency Management Department as the main point of contact and sets guidelines for handling large emergencies with Federal Emergency Management Agency (FEMA) grants.

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

18. Approve the designation of Daniel S. Duchon as the Applicant's Authorized Representative to the Arizona Department of Emergency and Military Affairs, which designates the County representative for applying for certain Public Assistance and Hazard Mitigation Assistance and authorizes the Applicant's Authorized Representative to execute and deliver said applications on behalf of Cochise County.

Vice-Chairman Crosby made a motion to approve the designation of Daniel S. Duchon as the Applicant's Authorized Representative to the Arizona Department of Emergency and Military Affairs, which designates the County representative for applying for certain Public Assistance and Hazard Mitigation Assistance and authorizes the Applicant's Authorized Representative to execute and deliver said applications on behalf of Cochise County. Supervisor Judd seconded the motion.

Dan Duchon presented this item.

Chairman English expressed gratitude for Mr. Duchon's efforts in managing the transportation of migrants, emphasizing his role in keeping things organized and preventing the public from feeling overwhelmed.

Mr. Duchon explained that the public assistance grant allows for partial reimbursement of expenses incurred during a declared emergency.

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

19. Approve the designation of Albert Echave as the Alternate Applicant's Authorized Representative to the Arizona Department of Emergency and Military Affairs, which designates the County representative for applying for certain public assistance and authorizes the alternate applicants authorized representative to execute and deliver said application on behalf of Cochise County.

Supervisor Judd made a motion to approve the designation of Albert Echave as the Alternate Applicant's Authorized Representative to the Arizona Department of Emergency and Military Affairs, which designates the County representative for applying for certain public assistance and authorizes the alternate applicants authorized representative to execute and deliver said application on behalf of Cochise County. Vice-Chairman Crosby seconded the motion.

Dan Duchon presented this item. He stated that it is the same process and that it would be valuable to have an alternate.

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

STATE & FEDERAL LEGISLATION

20. 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.

Supervisor Judd informed the Board about the Eastern Counties Organization's annual policy meeting, which involves six Eastern counties and is funded by the state. Supervisor Judd encouraged Board members to suggest any relevant policies, especially those related to forests, public safety, and fire management. Supervisor Judd noted that ideas can be presented to Mr. Karwaczka, and a work session could be arranged if needed.

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

Chairman English expressed gratitude to the emergency services in southeast Arizona, and highlighted her satisfaction with the region's flying service and emergency medical care.

Report by District 3 Supervisor, Peggy Judd

Supervisor Judd shared her current event earlier in the agenda.

Chairman English adjourned the meeting at 10:53 a.m.

APPROVED:

Ann English, Chairman

ATTEST:

Lara Loewenheim, Clerk of the Board