

**PROCEEDINGS OF THE COCHISE COUNTY BOARD OF SUPERVISORS
REGULAR MEETING HELD ON
TUESDAY, DECEMBER 10, 2024**

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

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

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

Vice-Chairman Crosby called the meeting to order at 10:20 a.m.

ANY ITEM ON THIS AGENDA IS OPEN FOR DISCUSSION AND POSSIBLE ACTION

CALL TO THE PUBLIC

Radford Hyde appreciated another speaker's expertise on water issues, highlighted his own IT and cybersecurity qualifications, criticized skepticism of his views on vote tabulation, supported Supervisor Crosby's comments on the jail district, warned against hiring amid litigation, and opposed raising procurement thresholds.

Tricia Gerrodette expressed appreciation for the relative lack of drama surrounding this year's election, contrasted it with tensions in past years, and extended gratitude and best wishes to Peggy Judd, Ann English, and Richard Karwaczka for their service and contributions to the county.

CONSENT

Board of Supervisors

1. Approve the Minutes of the regular meeting of the Board of Supervisors of November 26, 2024.
2. Accept the amended resignation of Richard G. Karwaczka, County Administrator, effective January 4, 2025.
3. Accept a grant from the Ak-Chin Indian Community as a pass-through for the Sunsites-Pearce Fire District in the amount of \$153,063.64.

4. Accept a grant from the Ak-Chin Indian Community as a pass-through for the Elfrida Fire District in the amount of \$35,000.
5. Accept a grant from the Ak-Chin Indian Community as a pass-through for the Palominas Fire District in the amount of \$22,987.

County Sheriff

6. Approve amendment of an Intergovernmental Agreement (IGA) with Cochise College, Sierra Vista Police Department, and the Cochise County Sheriff's Office which amends Academy dates, and housing and meal plan rates.

Court Administration

7. Approve Federal Fiscal Year 2025 grant funding reimbursement between the Cochise County Superior Court and the Arizona Department of Economic Security for reimbursable access and visitation activities, in the amount of \$25,659.19, effective October 1, 2024, through September 30, 2025.

Development Services

8. Approve the reappointment of Kim DePew to the Planning & Zoning Commission representing District 1, effective January 1, 2025, through December 31, 2028.
9. Approve the reappointment of Mr. Gerry Gonzalez to the Planning & Zoning Commission representing District 2, effective January 1, 2025, through December 31, 2028.

Elections

10. Approve the appointment of eight Democratic Party Precinct Committeemen, by recommendation of their Cochise County Party Chairman, to serve through the October 1, 2026 term.

Finance

11. Approve demands and budget amendments for operating transfers.

Supervisor Judd made a motion to approve Consent Agenda Items 1 through 11. Chairman English seconded the motion and it carried unanimously.

PUBLIC HEARINGS

Board of Supervisors

12. Approve a new license application for a Class A Bingo license submitted by Morgan Salas, located at 70 N. Cherokee Trail, Benson, AZ 85602.

Supervisor Judd made a motion to approve a new license application for a Class A Bingo license submitted by Morgan Salas, located at 70 N. Cherokee Trail, Benson, AZ 85602. Chairman English seconded the motion.

Vice-Chairman Crosby opened the public hearing and no one chose to speak.

Vice-Chairman Crosby closed the public hearing.

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

ACTION

Board of Supervisors

13. Approve Second Amended Non-Exclusive Lease Agreement with St. Patrick Roman Catholic Parish - Bisbee, for parking lot use by County employees and the public attending court proceedings, effective January 1, 2025 through January 1, 2029.

Supervisor Judd made a motion to approve Second Amended Non-Exclusive Lease Agreement with St. Patrick Roman Catholic Parish - Bisbee, for parking lot use by County employees and the public attending court proceedings, effective January 1, 2025, through January 1, 2029. Chairman English seconded the motion.

Richard Karwaczka, County Administrator, presented this item. Mr. Karwaczka discussed the renewal of a parking agreement for St. Patrick's parking lot near the courthouse on Quality Hill. He stated parking in the area is limited, making the arrangement beneficial for county employees and accommodating jury-related needs. He stated the four-year agreement includes fixed daily charges of \$7.50 for jury-related parking, with no increases in the first two years but incremental increases in the later years.

In response to the Board, Mr. Karwaczka stated the County is leasing the parking lot so county employees and people that come to court as jurors don't have to pay.

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

County Schools

14. Approve Department of Justice (DOJ), Office of Justice Programs Bureau of Justice Assistance (BJA) STOP School Violence grant, to enhance the development and implementation of Behavioral Threat Assessment (BTA) teams, in the amount of \$971,352, effective October 1, 2024, through September 30, 2027.

Supervisor Judd made a motion to approve Department of Justice (DOJ), Office of Justice Programs Bureau of Justice Assistance (BJA) STOP School Violence grant, to enhance the development and implementation of Behavioral Threat Assessment (BTA) teams, in the amount of \$971,352, effective October 1, 2024, through September 30, 2027. Chairman English seconded the motion.

Dr. Jacqui Clay, School Superintendent, presented this item using a PowerPoint presentation. Dr. Clay discussed the continuation of a school safety initiative funded by the STOP Grant, focusing on rural schools' need for improved safety measures. She stated the grant supports a culture of safety, ensuring students feel secure to learn and teachers can focus on teaching. She stated key initiatives include an anonymous tip line, behavior threat assessment teams, and school mapping, with systems already tested and functioning. The emphasis was placed on prevention and preparedness, response, and recovery to create a comprehensive and proactive approach to school safety, in collaboration with the Sheriff's Office and their care team.

Cynthia Meyers, Outreach Manager, highlighted the development of a school safety model built on best practices, supported initially by a Sheriff's Office interoperability grant. She stated that funding enhanced response, recovery, and preparedness efforts through improved technology in schools and the current BJA STOP Grant shifts the focus toward prevention. She stated key initiatives include an anonymous tip line operated by the Sandy Hook Promise crisis center, behavior threat assessment teams with a "train-the-trainer" approach, a case management platform for monitoring at-risk students, and behavioral intervention specialists.

In response to the Board, Dr. Clay shared a success story demonstrating the effectiveness of the county's school safety system.

In response to the Board, Ms. Meyers stated the care team, staffed with certified mental health professionals, complements the work of behavioral health intervention specialists by addressing cases requiring more extensive services; together, they operate a school-based crisis response team, providing clinical oversight and support during emergencies.

In response to the Board, Dr. Clay stated the Federal Education's Right to Privacy Act (FERPA) is the law that says schools cannot divulge any student information to anybody.

In response to the Board, Ms. Meyers stated 360Navigate system includes 911 panic buttons on laptops and phones, integrated with Southern Arizona Communication Center (SEACOM), providing law enforcement with interactive school maps during emergencies. She stated the additions support compliance with FERPA laws and help schools monitor at-risk students, ensuring consistent communication and documentation.

In response to the Board, Dr. Clay stated a safe culture or environment means that students can focus on learning without fear of harm, bullying, or disruptions.

Chairman English commented on the importance of investing in preparedness programs, noting that while they may seem costly, they are essential for creating a sense of safety. She stated these programs have been carefully tested and proven effective, ensuring that students and teachers benefit from them.

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

15. Approve US Department of Education, School Based Mental Health Services Grant, in the amount of \$2,785,652, effective January 1, 2025, through December 31, 2029.

Supervisor Judd made a motion to approve US Department of Education, School Based Mental Health Services Grant, in the amount of \$2,785,652, effective January 1, 2025, through December 31, 2029. Chairman English seconded the motion.

Dr. Clay presented this item using a PowerPoint presentation. Dr. Clay highlighted a \$2.7 million grant that will support the continued development of safety, behavior, and mental health programs in Cochise County over the next five years. She emphasized that Cochise County was the only one in Arizona to receive this grant, citing the collaborative approach between schools, law enforcement, and other agencies as a key factor. She stated the program's goal is to expand the capacity to provide services to more schools and address the shortage of mental health professionals, especially in rural areas.

Ms. Meyers explained that the two grants—one for behavioral threat assessment teams and the other for mental health professionals—work together to address mental and behavioral health challenges in the schools. She stated the goal is to establish behavioral threat assessment teams and manage them effectively, but with a shortage of professionals in the county, the grants will also fund the hiring of staff.

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

Court Administration

16. Approve the appointment of Gary Douglas, Zachary Forman, and Nathaniel Redmon, as county-wide Justices of the Peace Pro Tempore for emergency or temporary coverage pursuant to ARS §22-121; and approve authorization to call upon an appropriately appointed Justice of the Peace Pro Tempore from another county in extenuating circumstances pursuant to ARS §22-122, effective December 23, 2024, through June 30, 2025.

Supervisor Judd made a motion to approve the appointment Gary Douglas, Zachary Forman, and Nathaniel Redmon, as county-wide Justices of the Peace Pro Tempore for emergency or temporary coverage pursuant to ARS §22-121; and approve authorization to call upon an appropriately appointed Justice of the Peace Pro Tempore from another county in extenuating circumstances pursuant to ARS §22-122, effective December 23, 2024, through June 30, 2025. Chairman English seconded the motion.

Niltza Flores, Court Administrator, presented this item. Ms. Flores explained that a recruitment process was conducted for new Justices of the Peace Pro Tempore, following a similar procedure used for the Benson Justice of the Peace appointment. She stated the process aimed to fill a vacancy created by the appointment of Judge Judd, which left a need for temporary or emergency coverage. She stated the Justices of the Peace Pro Tempore assist with initial appearances, weekend and holiday coverage, and any scheduling conflicts when judges are unavailable.

In response to the Board, Ms. Flores confirmed the selection committee was used for the process, consisting of the same members who served on the committee for the Benson Justice of the Peace recruitment. She stated interviews were held, and as a result, three candidates were selected and presented to the committee for consideration. Ms. Flores also mentioned that they will request reappointment for the

Pro Tems yearly as required by statute.

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

17. Approve the appointment of Gary Ramaeker, as county-wide Roving Justice of the Peace Pro Tempore, where no other elected Justice of the Peace is available or otherwise able to conduct a necessary hearing pursuant to ARS §22-121, effective December 23, 2024, through June 30, 2025.

Supervisor Judd made a motion to approve the appointment of Gary Ramaeker, as county-wide Roving Justice of the Peace Pro Tempore, where no other elected Justice of the Peace is available or otherwise able to conduct a necessary hearing pursuant to ARS §22-121, effective December 23, 2024, through June 30, 2025. Chairman English seconded the motion.

Niltza Flores, Court Administrator, presented this item. Ms. Flores explained that a recruitment process was held for the position of Justice of the Peace Pro Tempore; the role would address conflicts that arise, such as when a Judge recuses themselves or when a party requests a change of Judge. She stated Pro Tempore would reduce delays and ensure timely adjudications, the court is requesting approval to establish a rotating Justice of the Peace Pro Tempore to hear conflict cases as they arise, avoiding further delays in proceedings.

In response to the Board, Ms. Flores stated the proposed rotating Justice of the Peace pro tempore would travel to the relevant court, hear the case, and reduce delays or backlogs caused by reassignment or continued hearings.

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

Development Services

18. Adopt Resolution 24-32 for authorization to submit a grant application and enter into an agreement for Home Investment Partnership Program to fund housing repairs for Cochise County income-qualified residents.

Supervisor Judd made a motion to adopt Resolution 24-32 for authorization to submit a grant application and enter into an agreement for Home Investment Partnership Program to fund housing repairs for Cochise County income-qualified residents. Chairman English seconded the motion.

Susan Bronson, Planner II, presented this item. Ms. Bronson stated a new funding opportunity from the Arizona Department of Housing, aimed at supporting housing repairs for low-moderate-income residents. She stated there are sixteen applications currently on the waiting list, this grant would enable the provision of those necessary repairs.

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

19. Approve a Contract with Pacific Energy Concepts for the installation of EV Charging Stations in the amount of \$594,883.56.

Supervisor Judd made a motion to approve a Contract with Pacific Energy Concepts for the installation of EV Charging Stations in the amount of \$594,883.56. Chairman English seconded the motion.

Dan Coxworth, Development Services Director, presented this item. Mr. Coxworth stated the County was awarded a \$500,000 Charging and Fueling Infrastructure Grant from the Federal Highway Administration, with a 20% cash match, bringing the total budget to \$625,000. He stated the board had initially approved and planned for solar-powered units but has since decided to install traditional EV charging units from ChargePoint; these charging stations will be located in Willcox, Sierra Vista, and Bisbee, with the total cost of installation estimated at \$594,883.

In response to the Board, Mr. Coxworth stated that the general public do have to pay for the service and the county will ensure that they are charging enough to recoup the cost of providing that electricity to charge the vehicle.

Chairman English emphasized the importance of accepting the presence of electric vehicles and with the growing number of electric vehicle owners, the county must prepare for their needs.

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

Engineering & Natural Resources

20. Approve Intergovernmental Agreement (IGA) 24-0010890-I, Douglas Port of Entry (POE) Connector Road, between the Arizona Department of Transportation (ADOT) and Cochise County, to administer the design of the Connector Road from State Route 80 to the new Commercial Land Port of Entry.

Supervisor Judd made a motion to approve Intergovernmental Agreement (IGA) 24-0010890-I, Douglas Port of Entry (POE) Connector Road, between the Arizona Department of Transportation (ADOT) and Cochise County, to administer the design of the Connector Road from State Route 80 to the new Commercial Land Port of Entry. Chairman English seconded the motion.

Jackie Watkins, Engineering and Natural Resources Director, presented this item. Ms. Watkins stated the grant involves a partnership with the City of Douglas, which is contributing \$500,000, and the county, which is contributing \$100,000 from its Highway User Revenue Fund (HURF). She stated the grant requires an IGA for the design work, which will be managed by ADOT.

In response to the Board, Ms. Watkins stated the county will be responsible for acquiring the necessary right-of-way using funds from the City of Douglas' \$8.1 million state grant. She stated the project will involve over 11,000 consultant hours, with work covering 1.5 miles of the Connector Road and necessary improvements to Highway 80 to address flooding concerns in the area. She also noted that the City of Douglas is heavily involved in the project, as they will be providing sewer, water, and broadband services to the Port of Entry. She stated this expansion is expected to increase the city's capacity and facilitate the relocation of some commercial facilities to the Port of Entry area.

Supervisor Judd stated the Port of Entry area in Douglas is facing significant congestion issues, particularly with commercial trucks struggling to access the city. She stated the location of the port is not ideal due to security concerns and limited space for trucks and moving the Port of Entry outside the city will help alleviate these issues, allowing for smoother truck traffic and enhancing security. She stated the relocation is expected to bring increased economic activity and provide the space needed for better operations.

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

Health & Social Services

21. Approve Amendment 1 of Intergovernmental Agreement (IGA) CTR067930, between the Arizona Department of Health Services (ADHS) and Cochise County Health & Social Services (CCHSS) for Women, Infants, and Children (WIC) and the Breastfeeding Peer Counselor (BFPC) Programs, in the amount of \$676,410 for WIC and \$63,824 for BFPC, effective October 1, 2024, through September 30, 2025.

Supervisor Judd made a motion to approve Amendment 1 of Intergovernmental Agreement (IGA) CTR067930, between the Arizona Department of Health Services (ADHS) and Cochise County Health & Social Services (CCHSS) for Women, Infants, and Children (WIC) and the Breastfeeding Peer Counselor (BFPC) Programs, in the amount of \$676,410 for WIC and \$63,824 for BFPC, effective October 1, 2024, through September 30, 2025. Chairman English seconded the motion.

Suzanne Hagle, Prevention Services Division Director, presented this item. Ms. Hagle stated the amendment reflects an increase in the dollar amount, but the services provided, including nutrition education, breastfeeding education, and nutritious food for mothers and children up to age five, will remain the same.

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

Procurement

22. Approve revisions to the Cochise County Procurement Policy as presented in attachments, effective December 10, 2024.

Supervisor Judd made a motion to approve revisions to the Cochise County Procurement Policy as presented in attachments, effective December 10, 2024. Chairman English seconded the motion.

Anne Coppola, Contracts Administrator, presented this item. Ms. Coppola stated there are two major changes, raising the dollar threshold for projects or services that require public bidding from \$50,000 to \$100,000, aligning with other cities and counties in Arizona, and streamlining the language on the sole-source process to eliminate confusion and contradictions. She stated the rest of the changes are administrative.

Radfor Hyde, expressed concerns about the proposed changes to the County's procurement policy.

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

Public Works

23. Approve Contract 25-04-SWD-01 with Desert Springs Construction and Remodeling, LLC for the Reconstruction of the Douglas Transfer Station in the amount of \$58,595.00.

Supervisor Judd made a motion to approve Contract 25-04-SWD-01 with Desert Springs Construction and Remodeling, LLC for the Reconstruction of the Douglas Transfer Station in the amount of \$58,595.00. Chairman English seconded the motion.

Jason Faccio, Public Works Director, presented this item. Mr. Faccio requested the approval of the contract with Desert Springs Construction and Remodeling, LLC for the reconstruction of the Douglas Transfer Station.

In response to the Board, Mr. Faccio stated the plan for the Douglas transfer station involves replacing the bottom 12 feet of the building, which has been severely damaged over time due to trash buildup, machine impacts, and customer interactions. He stated the project includes reskinning, or replacing, the sheet metal along the lower portion of the structure and replacing four doors.

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

STATE & FEDERAL LEGISLATION

24. 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.

No legislation to discuss.

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

Mr. Karwaczka thanked the facilities crew for their excellent work in painting and installing new carpet in the Board of Supervisors Office and how quickly the team completed the job while accommodating our schedules.

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 shared that a significant milestone was reached with the U.S. General Services Administration's (GSA) approval to transfer the necessary acreage for the new port in Douglas. Chairman English expressed hope that these developments will bring economic benefits to Southeast Arizona and the state as a whole.

Report by District 3 Supervisor, Peggy Judd

Supervisor Judd encouraged everyone to participate in community activities, such as supporting local events like Christmas light parades, volunteering, and contributing to Giving Trees. She emphasized the importance of giving, loving, and taking care of neighbors during this season.

Vice-Chairman Crosby adjourned the meeting at 11:32 a.m.

APPROVED:

Tom Crosby, Vice-Chairman

ATTEST:

Lara Loewenheim, Clerk of the Board