

**PROCEEDINGS OF THE COCHISE COUNTY BOARD OF SUPERVISORS
WORK SESSION HELD ON
Monday, August 27, 2018**

A work session of the Cochise County Board of Supervisors was held on Monday, August 27, 2018 at 10:00 a.m. in the Board of Supervisors' Executive Conference Room, 1415 Melody Lane, Building G, Bisbee, Arizona.

Present: Peggy Judd, Chairman; Patrick G. Call, Vice-Chairman; Ann English, Supervisor

Staff Present: Edward T. Gilligan, County Administrator
Britt W. Hanson, Chief Civil Deputy County Attorney
Arlethe G. Rios, Clerk of the Board

Attendees: Amanda Baillie, Public Information Officer
Kenny Bradshaw, Jail Commander, Sheriff's Office
Brian Jones, Battalion Chief, Sierra Vista Fire Department
Carol Capas, Public Information Officer, Sheriff's Office
Shar Porier, Sierra Vista Herald

Chairman Judd 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

INTRODUCTIONS

ITEMS FOR DISCUSSION

Board of Supervisors

1. Discussion and possible direction regarding amending the Southeastern Arizona Communication Center (SEACOM) Intergovernmental Agreement (IGA) regarding the governing structure and other incidental provisions.

Chairman Judd gave an overview of the discussion and explained why the Board wanted to review the current agreement. She noted that the last ten minutes of the meeting would be used for public input.

Mr. Gilligan said that the purpose of the meeting was to review proposed amendments to the IGA regarding SEACOM. He stated that the terminology needed to be clarified. He noted that all stakeholders had been involved in the creation of the agreement and attended several public meetings and work sessions where all the details were discussed. He added that the

Board's intent was unchanged. He described the current governing structure and clarified that it followed other structures nationwide. He stated that the structure was never designed for the sheriff to vote as this would give the County two votes, which would be unfair to all other agencies.

Chief Deputy Smith said that he disagreed that the amendment was not removing the Sheriff. He explained that the Sheriff's Office had attended public meetings regarding SEACOM but noted that it was never made clear that the Sheriff would not be a voting member. He added that the County Attorney had offered a legal opinion regarding the Sheriff's right to vote on the SEACOM Board and said he did not understand why this was still a problem. He clarified that having both the County and the Sheriff as voting members was not unfair and that not allowing the sheriff to vote would prevent the Sheriff from performing his statutory duties. He believed that the best path forward was to allow the Sheriff to remain as ex officio with voting rights.

Chairman Judd said that an ex officio member could vote but did not have to vote.

Mr. Gilligan said that the use of that term with the original intent was not to allow the ex officio position to have voting privileges. He added that the Sheriff or his staff had been included in all discussions and there had not been any concerns about the term until the SEACOM Board began meeting and the Sheriff was told he could not vote. He also clarified that changes suggested were to ensure the viability of SEACOM for the future and not be based on current individuals.

Vice-Chairman Call asked for Mr. Potucek's thoughts on the matter. He added that he did not think meeting was a waste of time as the issue needed clarification before the SEACOM Board could move forward.

Mr. Potucek said that he was currently the chair of SEACOM and was involved in all draft discussions and meetings. He clarified that it was initially the intent to name the Sheriff an ex officio and non-voting member but recognize his importance. He stated that this issue did need to be clarified so that business discussions could continue.

Sheriff Dannels said that he did not know he would not be a voting member, and no one communicated this change to him. He added that he worked hard to make SEACOM happen and deserved to have a voting voice.

Mr. Gilligan said that he disagreed and that the Sheriff and his staff was made aware of the non-voting ex officio status for the Sheriff.

Sheriff Dannels said Chief Adam Thrasher, City of Sierra Vista Police Department, was the one who notified him and Commander Alinen, Sheriff's Office, had told him that the title change did not mean anything. He added that regardless of the intent, the County Attorney, Brian McIntyre, had given a legal opinion that allowed the Sheriff to vote.

Vice-Chairman Call said that he just wanted to figure out how to move forward.

Mayor Mueller said that he appreciated everything the sheriff had done, but that the projects finalization had been an effort that many people participated in. He stated that ex officio in practice is a non-voting member and that was the City's practice as well. He said that the Sheriff was the best person to run the Operations Committee and bring concerns to the SEACOM Board. He added that the council when approving the current agreement understood that the Sheriff would be a non-voting member of the SEACOM Board and the Chair of the Operations Committee. He stated that he would not like this issue to become the reason that SEACOM is not successful.

Supervisor English said that agreements are about outcomes and the Board wanted to ensure that clarifications were made for the future. She thanked Commander Alinen for all his work on the project and said everyone had come together to ensure this would become a reality but clarified that taxing entities should oversee financial decisions. She noted that the Board had a clear understanding that sheriff was a non-voting member and the Board wanted to make changes to clarify their original intent.

Sheriff Dannels said that he was a team player and had participated in all the changes so that SEACOM could be operational but thought that as the County's leader of law enforcement he should have a vote.

Chairman Judd opened the discussion for public input.

Mr. Mark Savage, Fry Fire District Chief, said he disagreed with changes to the IGA and fully supported the Sheriff being a voting member of the SEACOM Board.

Sgt. Randy Wilson, Sheriff Deputies Association, said that it was important to keep the Sheriff as a voting member as he was the voice of the law enforcement community and it was an injustice to remove the Sheriff.

Mr. Steve Ziegler, Sheriff's Assist Team/Search and Rescue Representative, said that it was a grave disservice for the County to remove the Sheriff as a voting member.

Mackenzie Kimbro, Rancher, said she agreed with everyone who was in support of the Sheriff being a voting member.

Kelly Glenn-Kimbrow, Rancher, said she was in support of keeping the Sheriff as voting member and added that the Sheriff should be the only representative of the County.

Lieutenant Forest Hauser, Sheriff's Office, said that it was a disservice if the Sheriff could not vote.

Mr. Josh Steinberg, Sunsites/Pearce Fire District Chief, said that he was in support of the Sheriff voting.

Mr. Scott Arena, rural land owner of a property on the boarder with Mexico, said that he wanted to assure that Sheriff stays as permanent board member.

Chief Deputy Thad Smith, Sheriff's Office, said that he also received letters from Governor and the Director of Public Safety and read them aloud, with their support for the Sheriff to be a voting member of SEACOM.

Chairman Judd said that she appreciated everyone's input.

Supervisor English said that the Board would discuss at their next meeting what the best way to move forward would be.

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

APPROVED:

Peggy Judd, Chairman

ATTEST:

Arlthe G. Rios, Clerk of the Board