

**PROCEEDINGS OF THE COCHISE COUNTY BOARD OF SUPERVISORS  
REGULAR MEETING HELD ON  
TUESDAY, DECEMBER 15, 2020**

A regular board meeting of the Cochise County Board of Supervisors was held on Tuesday, December 15, 2020 at 10:15 a.m. in the Board of Supervisors' Executive Conference Room, 1415 Melody Lane, Building G, Bisbee, Arizona.

Present: Thomas E. Borer, Chairman; Ann English, Vice-Chairman; Peggy Judd, Supervisor, telephonic

Staff Present: Richard G. Karwaczka, County Administrator; Sharon Gilman, Associate County Administrator; Britt W. Hanson, Of Counsel, County Attorney; Kim Lemons, Clerk of the Board; Tim Mattix, Deputy Clerk of the Board

Chairman Borer called the meeting to order at 10:15 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**

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***PRESENTATION***

Ms. Karen Lamberton in recognition of Chairman Borer for his work on the Sierra Vista Metropolitan Planning Organization (SVMPO).

Ms. Lamberton, SVMPO Administrator, expressed appreciation to the Board for their support and involvement with SVMPO. She thanked Chairman Borer for his service and spoke of accomplishments during his tenure. Chairman Borer thanked Ms. Lamberton for her work and stated that he enjoyed the time with SVMPO.

Supervisors English and Judd in appreciation of Chairman Borer's leadership and service to the citizens of Cochise County.

Vice-Chairman English presented Chairman Borer with a plaque and Vice-Chairman English and Supervisor Judd spoke in appreciation of Chairman Borer's service and of working with him. Chairman Borer expressed his appreciation and noted that he would hold his comments until the end of the meeting.

***CONSENT***

**Board of Supervisors**

1. Approve the Minutes of the regular meeting of the Board of Supervisors of December 1, 2020.

2. Approve revisions to the 2021 Cochise County calendar for the month of July 2021 for the Regular Board of Supervisor meetings, and authorize the Clerk to post the revised Public Notice of the 2021 meeting schedule.

### **Development Services**

3. Approve the appointment of Ms. Kim DePew to the Planning & Zoning Commission, representing District 1, effective January 1, 2021 through December 31, 2024.
4. Approve the appointment of Mr. Gerry Gonzalez to the Planning & Zoning Commission, representing District 2, effective January 1, 2021 through December 31, 2024.
5. Approve the appointment of Mr. Gary Bracula to the Planning & Zoning Commission representing District 3, effective January 1, 2021, through December 31, 2024.
6. Adopt amended and previously recorded Zoning Ordinance 19-04, approved by the Board of Supervisors on June 11, 2019, to correct errors and omissions.

### **Finance**

7. Approve demands and budget amendments for operating transfers.

### **Workforce Development**

8. Approve the Local Workforce Development Plan 2020-2023, Infrastructure Funding Agreement (IFA) effective July 2020, IFA effective January 2021, Memorandum of Understanding (MOU), Shared Governance Agreement and Consortia Agreement, and acknowledge the receipt and review of the Fiscal Year 2020-21 Budget at the December 3, 2020 Work Session, all related to the Southeastern Arizona Workforce Investment Area One Stop Operator System Certification for 2021 to 2023.

Supervisor Judd made a motion to approve items 1-8 on the Consent Agenda. Vice-Chairman English seconded the motion and it carried unanimously.

### ***PUBLIC HEARINGS***

#### **Development Services**

9. Adopt Zoning Ordinance 20-17 to rezone two parcels totaling 28 acres, from RU-2 (Rural; one dwelling per 2 acres) to RU-4 (Rural; one dwelling per four-acres), pursuant to the application of Valerie Simon.

Mr. Dan Coxworth, Development Services Director, presented this item using a PowerPoint presentation. He gave the property's location, parcel numbers, and total acreage. This request is to downzone the property from RU-2 to RU-4. Mr. Coxworth reviewed the property's history and noted that there are three factors in favor of approving the request and none against it. The Planning and Zoning Commission voted unanimously to recommend approval; staff also recommends approval.

The Board spoke in support of downzoning.

Chairman Borer opened the Public Hearing.

Chairman Borer asked if any public comments regarding this public hearing item were received and Ms. Lemons stated there were none.

Chairman Borer closed the Public Hearing.

Vice-Chairman English made a motion to adopt Zoning Ordinance 20-17 to rezone two parcels totaling 28 acres, from RU-2 (Rural; one dwelling per 2 acres) to RU-4 (Rural; one dwelling per four acres), pursuant to the application of Valerie Simon. Supervisor Judd seconded the motion.

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

## **Engineering & Natural Resources**

10. Adopt Resolution 20-21 to accept the County Engineer's recommendation and alter the declared width of Davis Road, an established County Highway, from 100 feet to 200 feet.

Ms. Teresa Murphy, Right-of-Way Agent I, presented this item using a PowerPoint presentation. She stated that the Board previously approved an Intergovernmental Agreement (IGA) with the Arizona Department of Transportation (ADOT) for improvements to Davis Road. Due to the nature of the improvements, it is necessary to increase the width from 100 feet to 200 feet. She displayed a map showing the area to be improved.

The Board asked about the cost, funding source and the type of improvement. Ms. Murphy responded that the cost is approximately \$125,000 and will be reimbursed through the ADOT IGA. The improvements include widening the road and making the intersections of Central Highway and Davis Road and Highway 191 and Davis Road more compatible with future development.

Chairman Borer opened the Public Hearing and asked if any public comments were received. Ms. Lemons responded that there were none.

Chairman Borer closed the Public Hearing.

Supervisor Judd made a motion to adopt Resolution 20-21 to accept the County Engineer's recommendation and alter the declared width of Davis Road, an established County Highway, from 100 feet to 200 feet. Vice-Chairman English seconded the motion.

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

## ***ACTION***

### **Board of Supervisors**

11. Approve the sales of the October 12-23, 2020 Tax Deed Land Auction held online through Public Surplus of parcels listed on Exhibit A and authorize the Clerk to post the remaining unsold properties for sale on an over-the-counter basis (see Exhibit B).

Ms. Lemons presented this item. She stated that from October 12-23, 2020, the online tax deed land auction was conducted, resulting in property sales of \$72,610.12 which were collected and will be apportioned by the Treasurer's Office according to state statute. Staff is also requesting authorization to post the remaining unsold properties online for an over-the-counter sale.

The Board discussed this item being routine, to get properties back on the tax roll.

Vice-Chairman English made a motion to approve the sales of the October 12-23, 2020 Tax Deed Land Auction held online through Public Surplus of parcels listed on Exhibit A and authorize the Clerk to post the remaining unsold properties for sale on an over-the-counter basis (see Exhibit B). Supervisor Judd seconded the motion.

Chairman Borer asked if any public comments were received in accordance with the rules for any of the action items on the agenda. Ms. Lemons responded that there were none.

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

12. Approve Community Enhancement Fund expenditures for District 3: Community Cleanup in Bowie.

Supervisor Judd presented this item. She stated that following a meeting with Mr. Coxworth in Bowie, it was determined that there was a need to place on-site trash receptacles for a Community Cleanup, held from August 14 to September 1, 2020. The Development Services Department provided the dumpsters. This request is to reimburse the Department for the total cost of \$2,609.

Supervisor Judd made a motion to approve Community Enhancement Fund expenditures for District 3: Community Cleanup in Bowie. Vice-Chairman English seconded the motion.

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

13. Approve Community Enhancement Fund expenditures for District 3: Community Cleanup in San Simon.

Supervisor Judd presented this item. She stated that she spoke with Mr. Martin Haverty, Public Works Director, about holding a Community Cleanup in San Simon. The cost would be \$1,250 and would include at least one roll-off dumpster for those without reliable transportation, and free tipping fees for one month at the local transfer station to encourage use of the station.

The Board discussed Bowie, which does not have tipping fees, in relation to San Simon. Supervisor Judd provided additional background information about the request, which started from the local Fire Department, and the reasoning behind encouraging use of the transfer station.

Vice-Chairman English made a motion to approve Community Enhancement Fund expenditures for District 3: Community Cleanup in San Simon. Supervisor Judd seconded the motion.

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

## **County Sheriff**

14. Approve Grant Agreement HT-20-2912 with the Southwest Border Arizona Region High Intensity Drug Trafficking Area (HIDTA) for the Sheriff's Office, to participate in the Southern Arizona Major Investigative Team (SAMIT) in the amount of \$70,845 for salaries, partial fringe benefits (ERE), and supplies, effective January 1, 2020 through December 31, 2021.

Lieutenant Curtis Wilkins, Sheriff's Department, presented this item. He stated that this is an

annual item that relates to drug investigations; the County will receive \$70,845 for salaries, partial fringe benefits, and supplies. There is a matching fund requirement of approximately \$32,000, which is available in the Sheriff's Department General Fund.

The Board and Lieutenant Wilkins discussed the effective date of January 1, 2020, which is based on the federal grant.

Supervisor Judd made a motion to approve Grant Agreement HT-20-2912 with the Southwest Border Arizona Region High Intensity Drug Trafficking Area (HIDTA) for the Sheriff's Office, to participate in the Southern Arizona Major Investigative Team (SAMIT) in the amount of \$70,845 for salaries, partial fringe benefits (ERE), and supplies, effective January 1, 2020 through December 31, 2021. Vice-Chairman English seconded the motion.

The Board requested clarification on the matching fund requirement and Lieutenant Wilkins stated that it is a 25% match.

Chairman Borer called for the vote and it passed 3-0.

15. Approve Reimbursement Grant from the 100 Club of Arizona, not to exceed \$10,000, for the purchase of 5 automated external defibrillators.

Sergeant Dave Noland, Sheriff's Department, presented this item. He stated that the Sheriff's Department applied for a grant from the 100 Club of Arizona (Club) to replace all 20 automated external defibrillators (AEDs); the Club authorized the purchase of five, which will replace five end-of-life AEDs. AEDs are located in patrol vehicles throughout the County.

The Board asked questions about replacing the remaining AEDs, the normal life of AEDs, and the frequency that they are used. Sergeant Noland responded.

Vice-Chairman English made a motion to approve the Reimbursement Grant from the 100 Club of Arizona, not to exceed \$10,000, for the purchase of five automated external defibrillators. Supervisor Judd seconded the motion.

Chairman Borer called for the vote and it passed 3-0.

## **Facilities**

16. Approve Contract 21-12-FAC-01 for Electrician Services for Multiple Vendors located within Cochise County, with Conklin Electric, Sierra Vista Electric, Southwest Systems Engineering and Tim's Electric, effective December 15, 2020 through December 14, 2021, with 4 one-year renewal options.

Mr. Henry Meraz, Facilities Management Director, presented this item. He stated that due to increased use of electronic devices, there is a big demand for electrical work, which creates challenges to hire an electrician. This contract will allow the County to use multiple contractors throughout the County to complete smaller projects and assist in other areas.

The Board expressed support for this type of contract.

Vice-Chairman English made a motion to approve Contract 21-12-FAC-01 for Electrician Services for Multiple Vendors located within Cochise County, with Conklin Electric, Sierra Vista Electric, Southwest Systems Engineering and Tim's Electric, effective December 15, 2020 through December 14, 2021, with four one-year renewal options. Supervisor Judd seconded the motion.

Chairman Borer called for the vote and it passed 3-0.

## **Health & Social Services**

17. Approve the Arizona Department of Health Services Intergovernmental Agreement (IGA) Contract # IGA2021-074, COVID-19 Response Staffing, between the Arizona Department of Health Services and Cochise Health and Social Services in the amount of \$352,000, effective September 1, 2020 through February 28, 2022.

Mr. Craig Janiszewski, Emergency Preparedness Specialist, presented this item. He stated that the IGA will allow the County to contract for additional case investigation and contact tracing with respect to the Covid-19 pandemic, with a focus on priority groups such as long-term care facilities and schools.

In response to a question from the Board, Mr. Janiszewski stated that staff will issue a bid; staffing agencies across the country have the ability to provide these services.

Supervisor Judd made a motion to approve the Arizona Department of Health Services Intergovernmental Agreement (IGA) Contract # IGA2021-074, COVID-19 Response Staffing, between the Arizona Department of Health Services and Cochise Health and Social Services in the amount of \$352,000, effective September 1, 2020 through February 28, 2022. Vice-Chairman English seconded the motion.

Chairman Borer called for the vote and it passed 3-0.

## **Risk Management**

18. Approve an agreement with the Arizona Division of Occupational Safety and Health (ADOSH) for the Public Entities Partnership Program (PEPP).

Mr. Randy Denney, Risk & Safety Administrator, presented this item. He stated that PEPP was created by ADOSH to engage with public sector employees to improve safety and health practices. This partnership is expected to reduce the frequency and severity of injuries.

In response to the Board, Mr. Denney stated that there is no cost to this agreement; rather, the County will gain hours of training at no cost, which it otherwise would need to pay for.

Vice-Chairman English made a motion to approve an agreement with the Arizona Division of Occupational Safety and Health (ADOSH) for the Public Entities Partnership Program (PEPP). Supervisor Judd seconded the motion.

Chairman Borer called for the vote and it passed 3-0.

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

Mr. Karwaczka reported that Covid-19 numbers are continuing to rise and encouraged people to follow Centers for Disease Control and Prevention (CDC) recommendations. He recognized and expressed appreciation for Chairman Borer's service.

## ***SUMMARY OF CURRENT EVENTS***

**Report by District 1 Supervisor, Thomas E. Borer**

Chairman Borer spoke about his time on the Board of Supervisors and expressed his appreciation to the Board and County staff.

**Report by District 2 Supervisor, Ann English**

Vice-Chairman English discussed various aspects of the Covid-19 pandemic and encouraged people to keep in contact with others during the pandemic. She recognized Mr. Britt Hanson, Of Counsel, County Attorney, for his service to the County.

**Report by District 3 Supervisor, Peggy Judd**

Supervisor Judd reported on a recent Christmas parade, which was held as a drive-in event and streamed online. She spoke about various aspects of Covid-19 and other resources that are available.

Chairman Borer adjourned the meeting at 11:11 a.m.

APPROVED:

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Thomas E. Borer, Chairman

ATTEST:

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Kim Lemons, Clerk of the Board