

**PROCEEDINGS OF THE COCHISE COUNTY BOARD OF SUPERVISORS  
REGULAR MEETING HELD ON  
TUESDAY, JANUARY 5, 2021**

A regular board meeting of the Cochise County Board of Supervisors was held on Tuesday, January 5, 2021 at 10:00 a.m. in the Board of Supervisors' Hearing Room, 1415 Melody Lane, Building G, Bisbee, Arizona.

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

Staff Present: Richard G. Karwaczka, County Administrator; Sharon Gilman, Associate County Administrator; Christine Roberts, Chief Civil Deputy County Attorney; Kim Lemons, Clerk of the Board; Tim Mattix, Deputy Clerk of the Board

Vice-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**

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Vice-Chairman English asked if any public comments regarding any agenda items were received and Ms. Lemons stated there were none.

***CONSENT***

**Board of Supervisors**

1. Approve the Minutes of the regular meeting of the Board of Supervisors of December 15, 2020.

**Finance**

2. Approve demands and budget amendments for operating transfers.

This item was removed from the consent agenda for separate consideration.

Supervisor Crosby made a motion to approve item 1 on the consent agenda. Supervisor Judd seconded the motion and it carried 2-0-1 (Crosby abstained).

Supervisor Crosby acknowledged Mr. Keith Buonocore, Finance Director, on the

presentation format of the warrants and demands report, and noted concern with a \$91,486 warrant labeled as a Miscellaneous Expense.

Supervisor Judd made a motion to approve item 2 on the consent agenda. Supervisor Crosby seconded the motion and it carried unanimously.

## **PUBLIC HEARINGS**

### **Board of Supervisors**

3. Approve a Series #12 (Restaurant) new Liquor License application submitted by Ms. Kimberly Brant, for Sun Sites Cafe LLC, located at 229 N. Frontage Road, Pearce, AZ 85625.

Ms. Lemons presented this item. She stated that the application had been reviewed and recommended for approval by the appropriate departments; property taxes are current; there have been no formal protests; and, the applicant paid the \$100 processing fee. Board staff recommended approval.

Vice-Chairman English opened the Public Hearing. No one chose to speak and Vice-Chairman English closed the Public Hearing.

Supervisor Judd made a motion to approve a Series #12 (Restaurant) new Liquor License application submitted by Ms. Kimberly Brant, for Sun Sites Cafe LLC, located at 229 N. Frontage Road, Pearce, AZ 85625. Supervisor Crosby seconded the motion.

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

### **Development Services**

4. Table until the January 26, 2021 Board of Supervisors Meeting, Zoning Ordinance 21-01, to rezone parcel 107-01-001C totaling 232.31 acres, from R-36 (Residential, one dwelling per 36,000 square feet) to RU-2 (Rural; one dwelling per two-acres), pursuant to the application of Derek Fromm of Greenstone Capital LLC.

Ms. Christine McLachlan, Planner II, presented this item. Ms. McLachlan stated that on December 9, 2021, the Planning and Zoning Commission tabled the item until their January 6, 2021 meeting. The Public Hearing before the Board of Supervisors had been advertised for this date. Staff requests that the Board table the public hearing until the January 26, 2021 Board meeting.

Vice-Chairman English opened the Public Hearing. No one chose to speak.

Supervisor Crosby made a motion to table until the January 26, 2021 Board of Supervisors Meeting, Zoning Ordinance 21-01, to rezone parcel 107-01-001C totaling 232.31 acres, from R-36 (Residential, one dwelling per 36,000 square feet) to RU-2 (Rural; one dwelling per two-acres), pursuant to the application of Derek Fromm of Greenstone Capital LLC. Supervisor Judd seconded the motion.

Vice-Chairman English addressed the logistics of properly voting to table the item prior to closing the Public Hearing.

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

## **ACTION**

### **Board of Supervisors**

5. Elect \_\_\_\_\_ as Chairman of the Board of Supervisors, effective January 6, 2021.

Supervisor Judd made a motion to appoint Ann English as Chairman of the Board of Supervisors, effective January 6, 2021. Supervisor Crosby seconded the motion.

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

6. Elect \_\_\_\_\_ as Vice-Chairman to the Board of Supervisors, effective January 6, 2021.

Supervisor Crosby made a motion to elect Peggy Judd as Vice-Chairman to the Board of Supervisors, effective January 6, 2021. Vice-Chairman English seconded the motion.

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

7. Approve a Memorandum of Understanding (MOU) supporting the Proposed Sun Corridor Trail, among Arizona State Park and Trails, and the counties of Pima, Cochise, Mohave, Coconino, Maricopa, Pinal and Yavapai.

Supervisor Judd presented this item. She stated that this is a long-distance regional trail from southern Arizona through Douglas, Tucson, Phoenix, and Flagstaff, ending in Las Vegas, Nevada. She discussed efforts that have gone into reaching the current status.

The Board discussed the MOU having no cost; the Trail promoting tourism; paragraphs 10 and 15 of the MOU; and, that other Counties have approved and signed the MOU or are in the process of doing so.

Supervisor Crosby made a motion to remove the entirety of paragraph 10 and the last sentence of paragraph 15 from the MOU. At the request of the Board, Ms. Roberts spoke on the item, and stated that MOUs are not legally binding, discussed the reason for the indemnification clause, and noted that she does not recommend striking the provisions. The Board discussed the MOU further. The motion failed due to lack of a second.

Supervisor Judd made a motion to approve a Memorandum of Understanding (MOU) supporting the Proposed Sun Corridor Trail, among Arizona State Park and Trails, and the counties of Pima, Cochise, Mohave, Coconino, Maricopa, Pinal and Yavapai. Vice-Chairman English seconded the motion.

There was further Board discussion concerning the MOU and the MOU helping with potential future funding opportunities.

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

## Facilities

8. Approve Contract 21-13-FAC-01 for the Construction of the Corrugated Metal Split Office/Storage Building at the Cochise County Road Yard with KDC Construction Services LLC in the amount of \$177,742.

Mr. Henry Meraz, Facilities Director, presented this item. He stated that the existing modular building had mold and staff was moved to a temporary location. Staff went out to bid for a new building and went in this direction after costs came back too expensive. KDC Construction was the lowest bidder; he discussed the timing for completing construction.

The Board asked about the existing building status and a square footage comparison. Mr. Meraz responded that the existing building will need to come down, and that the current building is approximately 1,000 square feet, while the new building will have 900 interior square feet and a 450 square-foot porch. He noted that this is included in the current year's budget.

Supervisor Judd made a motion to approve Contract 21-13-FAC-01 for the Construction of the Corrugated Metal Split Office/Storage Building at the Cochise County Road Yard with KDC Construction Services LLC in the amount of \$177,742. Supervisor Crosby seconded the motion.

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

## Health & Social Services

9. Approve Contract 21-17-HEA-01 for COVID-19 Testing Services with Chiricahua Community Health Centers, Inc., and Embry Health, effective January 5, 2021 through February 28, 2022.

Ms. Tammi-Jo Wilkins, Emergency Preparedness Specialist, presented this item. She stated that this contract will award authority to the selected qualified bidders to establish COVID-19 testing sites and is based on a previously-approved Intergovernmental Agreement (IGA) with the Arizona Department of Health Services (ADHS) to fund the testing sites.

The Board asked about the amount of the contract and the refrigeration capabilities. Ms. Wilkins noted that the contract with ADHS is \$1 million, and Ms. Wilkins and Mr. Karwaczka provided information about the existing refrigerated storage capacity.

Supervisor Crosby made a motion to approve Contract 21-17-HEA-01 for COVID-19 Testing Services with Chiricahua Community Health Centers, Inc., and Embry Health, effective January 5, 2021 through February 28, 2022. Supervisor Judd seconded the motion.

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

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

Mr. Karwaczka welcomed Supervisor Crosby. He reported that Phase 1B of the COVID-19 vaccination distribution will open to individuals aged 75 and over starting January 9, 2021 and to the remainder of Phase 1B on January 23, 2021. Work Sessions for COVID-19 updates will resume on Fridays, beginning January 8, 2021. Mr. Karwaczka acknowledged staff members Ms. Elaine Esparza, Accountant II, for her work on updating the format of the warrants and demands report, and Mr. Jorge Trevino, Cyber Security Analyst, for his work on cybersecurity.

**SUMMARY OF CURRENT EVENTS**

**Report by District 1 Supervisor, Tom Crosby**

Supervisor Crosby reported on a meeting he attended on January 4, 2021.

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

Vice-Chairman English reported that due to the COVID-19 pandemic, there is not a lot happening in District 2.

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

Supervisor Judd reported on the San Simon cleanup project.

Vice-Chairman English adjourned the meeting at 10:34 a.m.

APPROVED:

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Ann English, Vice-Chairman

ATTEST:

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Kim Lemons, Clerk of the Board