

**PROCEEDINGS OF THE COCHISE COUNTY BOARD OF SUPERVISORS  
REGULAR MEETING HELD ON  
TUESDAY, MARCH 9, 2021**

A regular board meeting of the Cochise County Board of Supervisors was held on Tuesday, March 9, 2021 at 10:00 a.m. in the Board of Supervisors' Hearing Room, 1415 Melody Lane, Building G, Bisbee, Arizona.

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

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

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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Chairman English asked if public comments on 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 February 23, 2021.

**Development Services**

2. Approve the appointment of Mr. Robert Montgomery to the Planning & Zoning Commission to fill the remaining term of David Koch, representing District 1, effective March 9, 2021, through December 31, 2021.

**Elections**

3. Approve the appointment of one Libertarian Precinct Committeemen, by recommendation of their Cochise County Party Chairman or State Party Chairman, to serve through the October 1, 2022 term.

## **Finance**

4. Approve demands and budget amendments for operating transfers.

## **Human Resources**

5. Approve the appointment of Mr. Stephen J. Pauken to the Cochise County Merit Commission, commencing March 9, 2021 and ending March 21, 2024, to complete an unexpired term due to a resignation.

Vice-Chairman Judd made a motion to approve items 1-5 on the Consent Agenda. Supervisor Crosby seconded the motion and it carried unanimously.

## ***PUBLIC HEARINGS***

### **Board of Supervisors**

6. [Item tabled from the February 9, 2021 meeting] Table to the April 6, 2021, Regular Board Meeting, at the request of Arizona Public Service Company (APS), the Public Hearing and possible adoption of Resolution 21-01 granting an Electricity Services Franchise to APS.

Supervisor Crosby made a motion to remove agenda item 6 from the table. Vice-Chairman Judd seconded the motion. Chairman English called for the vote and it was approved 3-0.

Mr. Paul Correa, Civil Deputy County Attorney, presented this item. He stated that APS has been operating without a Franchise, and reviewed the status of negotiations with APS. APS expressed concerns with wording that grants options to the County if the Franchise ceases to exist. APS asked that the Franchise be tabled again. He recommended that it be removed entirely rather than tabled to a date certain, for re-advertising purposes. APS has agreed to pay for re-advertising.

Supervisor Crosby made a motion to remove the request of Arizona Public Service Company (APS), the Public Hearing and possible adoption of Resolution 21-01 granting an Electricity Services Franchise to APS. In response to the Board, Ms. Roberts confirmed that it can be removed without a formal motion. The motion failed for lack of a second.

## ***ACTION***

### **Board of Supervisors**

7. [Item tabled from the March 2, 2021 meeting] Approve the over-the-counter sale of tax deed properties from the Special Meeting auction held on March 2, 2021, for a total of \$48,645 as set forth in attached Exhibit A, plus \$400 administrative fees.

Vice-Chairman Judd made a motion to remove agenda item 7 from the table. Supervisor Crosby seconded the motion. Chairman English called for the vote and it was approved 3-0.

Ms. Lemons presented this item. She stated that this item was tabled in order to compile the necessary forms and payments. Board staff has received those documents and recommends approval.

Supervisor Crosby made a motion to approve the over-the-counter sale of tax deed properties from the Special Meeting auction held on March 2, 2021, for a total of \$48,645 as set forth in attached Exhibit A, plus \$400 administrative fees.

Vice-Chairman Judd seconded the motion.

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

8. [Item tabled from the February 23, 2021 meeting] Approve Community Enhancement Fund expenditures for District 3: Remove a portion of a dirt bank from Cascabel Road at the not to exceed amount of \$9,900 per attached project bid.

Vice-Chairman Judd made a motion to remove agenda item 8 from the table. Supervisor Crosby seconded the motion. Chairman English called for the vote and it was approved 3-0.

Vice-Chairman Judd presented this item. She stated that the work is primarily on County-owned property. A small portion is owned by neighbors across the road and their written authorization has been received. Ms. Jackie Watkins, Engineering and Natural Resources Director, will conduct a survey to verify County ownership. Vice-Chairman Judd stated that the item will be tabled for two weeks to allow for the survey.

In response to the Board, Ms. Watkins confirmed that the property will be surveyed on March 10, 2021, and that the County has approximately 20 feet of right-of-way. She will be able to report to the Board at the next Regular Meeting as to ownership.

Supervisor Crosby made a motion to table to the March 23, 2021 Regular Board Meeting the approval of Community Enhancement Fund expenditures for District 3: Remove a portion of a dirt bank from Cascabel Road at the not to exceed amount of \$9,900 per attached project bid. Vice-Chairman Judd seconded the motion.

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

## **Court Administration**

9. Approve proposal between Revolutionary Text, LLC and Cochise County Superior Courts for Interim Remote Court Reporting Services, in the amount of \$75,000, effective February 23, 2021 through June 30, 2021.

Supervisor Crosby made a motion to approve proposal between Revolutionary Text, LLC and Cochise County Superior Courts for Interim Remote Court Reporting

Services, in the amount of \$75,000, effective February 23, 2021 through June 30, 2021. Vice-Chairman Judd seconded the motion.

Ms. Rita Shipley, Budget and Finance Director, Superior Court, presented this item. She stated that Revolutionary Text, LLC, has been providing this service since 2016, at which time a five-year contract was entered into. The program has been successful. There is a nationwide Court Reporter shortage; the County began to experience a shortage in 2014. She discussed pending legislation, Senate Bill 1267, which would end the requirement of utilizing Court Reporters. Court staff is initiating a Request for Proposals (RFP) process to evaluate the market; the services will not be needed if the Senate Bill passes. She gave an overview of the cost breakdown for this proposal, which totals \$75,000; funding was budgeted in the General Fund.

The Board discussed the existing contract being adequate for the Court, the history of using Revolutionary Text, LLC, and the Court Reporter shortage.

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

### ***STATE & FEDERAL LEGISLATION***

10. 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.

Chairman English noted that this the legislative session's current focus is on moving legislation between chambers, and encouraged the Board to review the materials provided by the County Supervisors Association and provide feedback.

Supervisor Crosby discussed House Bill 2420, which has now been defeated.

No Board Action was taken on this item.

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

Mr. Karwaczka reported that the remediation efforts at the Administration building in Bisbee are progressing and on track. He recognized County staff Brenda Gojkovich-Brewster on her retirement after 31 years of service in the Treasurer's Office, and Todd Appel, Environmental Health Specialist, for the way he worked through a difficult situation.

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

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

Supervisor Crosby discussed House Bill 2420.

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

Chairman English deferred her report.

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

Vice-Chairman Judd reported on Martin Rubber Corporation, a multi-state company, which recently moved into Willcox.

Chairman English adjourned the meeting at 10:32 a.m.

APPROVED:

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Ann English, Chairman

ATTEST:

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Kim Lemons, Clerk of the Board