

**PROCEEDINGS OF THE COCHISE COUNTY BOARD OF SUPERVISORS
REGULAR MEETING HELD ON
TUESDAY, OCTOBER 11, 2022**

A regular board meeting of the Cochise County Board of Supervisors was held on Tuesday, October 11, 2022 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, Deputy County Administrator; Christine Roberts, Chief Civil Deputy County Attorney; Tim Mattix, Clerk of the Board

Chairman English called the meeting to order at 10:08 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

CALL TO THE PUBLIC

Ms. Joan A. Murphy discussed reasons for her opposition to the proposal to hand count ballots and for her concerns with the appointment of Mr. Robert Montgomery to the Planning and Zoning Commission (P&Z) and the Palominas Fire District Governing Board (Palominas Board).

Mr. Jeff Sturges discussed reasons for his opposition to the proposal to hand count ballots and for his concerns with the appointment of Mr. Montgomery to the P&Z and Palominas Board.

Ms. Laura Janette Davie was called upon to speak but was not present.

Mr. Fernando Jack Dona discussed reasons for his support of the proposal to hand count ballots.

Ms. Jenny Walston was called upon to speak but was not present.

Mr. Randall Limbach discussed reasons for his support of the proposal to hand count ballots.

Ms. Jennifer Druckman discussed reasons for her opposition to the proposal to hand count ballots.

Mr. Andrew Poznanski discussed reasons for his support of the proposal to hand count ballots.

Mr. Joseph Patterson discussed reasons for his support of the proposal to hand count ballots.

Ms. Gwynn Patterson discussed reasons for her support of the proposal to hand count ballots.

Mr. Richard Cisar discussed reasons for his support of the proposal to hand count ballots.

Ms. Elizabeth Lopez discussed reasons for her opposition to the proposal to hand count ballots.

Mr. Steven L. Marlatt discussed reasons for his opposition to the proposal to hand count ballots.

Mr. Johnny Lee Wilson, Sr., discussed reasons for his support of the proposal to hand count ballots.

Mr. Kale Kiyabu discussed reasons for his support of the proposal to hand count ballots.

Ms. Kate Scott discussed reasons for her opposition to the proposal to hand count ballots this close to the election.

Mr. Daniel LaChance discussed reasons for his support of the proposal to hand count ballots.

Mr. Joe D. Gilliland discussed the history of voting and his opinions on the difficulty of democracy.

Ms. Jean Giuffrida commended the Board for consideration of the request from their constituents and taking on this initiative, and discussed reasons for her concern with agenda item 13.

Ms. Kim DePew discussed reasons for her support of the proposal to hand count ballots.

Ms. Pamela Gravely discussed reasons for her support of the proposal to hand count ballots.

Ms. Carolyn Sue Harris discussed reasons for her concerns with the appointment of Mr. Montgomery to the P&Z and Palominas Board.

Mr. Robert Montgomery discussed the process for the electoral college and a failure of trust in elections.

Ms. Inga McCord discussed reasons for her support of the proposal to hand count ballots.

Ms. Sanda Clark discussed reasons for her opposition to the proposal to hand count ballots this close to the election.

The Board recessed at 11:22 a.m. and reconvened at 11:32 a.m. Chairman English, Vice-Chairman Judd (telephonic), and Supervisor Crosby were all present.

PRESENTATION

Presentation by Mr. Javier Caltenco, U.S. Small Business Administration (SBA) - Office of Disaster Assistance, regarding Disaster Assistance Programs offered by the SBA.

Mr. Daniel Duchon, Interim Emergency Management Director, introduced Mr. Caltenco, and noted that the SBA was onsite due to the recent heavy rains and flooding in Elfrida and St. David. Mr. Caltenco stated that individuals who suffer storm damage may apply for assistance from the SBA for costs not covered by insurance. He reviewed programs offered by the SBA for homeowners, small businesses, nonprofits, and agricultural businesses. The deadline to apply is November 18, 2022 for renters and homeowners, and June 19, 2023 for businesses. To date, the SBA has received 12 applications; three have been approved for over \$98,000.

CONSENT

Board of Supervisors

1. Approve the Minutes of the regular meeting of the Board of Supervisors of September 27, 2022.

County Sheriff

2. Approve Grant Agreement No. 2023-043, with the Arizona Attorney General's Office, in the amount of \$8,400, for the continuation of funding assistance for personnel who perform Victims' Rights services for the Cochise County Sheriff's Office, effective July 1, 2022 through June 30, 2023.

Court Administration

3. Approve fiscal year 2022-2023 Court Security Improvements Funding Agreement, as provided by the Arizona Supreme Court, Administrative Office of the Courts (AOC), effective July 1, 2022 through June 30, 2023, in the amount of \$48,714.
4. Approve fiscal year 2022-2023 Court Security Improvements Funding Agreement, as provided by the Arizona Supreme Court, Administrative Office of the Courts (AOC), effective July 1, 2022 through June 30, 2023, in the amount of \$9,961.

Emergency Services

5. Approve the designation of Mr. Daniel S. Duchon as the Applicant Agent for the Arizona Department of Emergency and Military Affairs' Public Assistance program.

Finance

6. Approve demands and budget amendments for operating transfers.

Housing Authority

7. Adopt Amended Resolution 22-27 agreeing to accept the Housing Choice Vouchers and Family Self-Sufficiency Programs from the Douglas Housing Authority.

Supervisor Crosby made a motion to approve items 1-7 on the Consent Agenda. Vice-Chairman Judd seconded the motion and it carried unanimously.

ACTION

Adult Probation

8. Approve fiscal year 2022-2023 Adult Probation Funding Agreement, as provided by the Arizona Supreme Court, Administrative Office of the Courts (AOC), effective July 1, 2022 through June 30, 2023, in the amount of \$2,093,677.

Ms. Teresa Rockrich, Administrative Finance Manager, presented this item. This item is for state funding for Adult Probation for fiscal year 2023; it is received annually.

Vice-Chairman Judd made a motion to approve fiscal year 2022-2023 Adult Probation Funding Agreement, as provided by the Arizona Supreme Court, Administrative Office of the Courts (AOC), effective July 1, 2022 through June 30, 2023, in the amount of \$2,093,677. Supervisor Crosby seconded the motion.

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

9. Approve fiscal year 2022-2023 Drug, Gang, and Violent Crime Control Program (DGVCCP) Funding Agreement, as provided by the Arizona Supreme Court, Administrative Office of the Courts (AOC), in the amount of \$60,628 and the required \$20,210 matching funds, as budgeted in the general fund budget submitted by Adult Probation, effective July 1, 2022 through June 30, 2023.

Supervisor Crosby made a motion to approve fiscal year 2022-2023 Drug, Gang, and Violent Crime Control Program (DGVCCP) Funding Agreement, as provided by the Arizona Supreme Court, Administrative Office of the Courts (AOC), in the amount of \$60,628 and the required \$20,210 matching funds, as budgeted in the general fund budget submitted by Adult Probation, effective July 1, 2022 through June 30, 2023. Vice-Chairman Judd seconded the motion.

The Board noted that these agreements are annual.

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

Board of Supervisors

10. Approve the Second Amendment to Agreement for Employment of County Administrator Richard G. Karwaczka.

Chairman English stated that there was a meeting this morning regarding the County Administrator's annual performance review.

Chairman English made a motion to approve the Second Amendment to Agreement for Employment of County Administrator Richard G. Karwaczka with the following amendments: Amend Section 3, Compensation, to read that the Administrator shall be paid a gross annual salary of \$165,000 per year, and Amend Section 5, Term of Agreement, for the term of office to continue through 12/31/25, with the Board of Supervisors determining whether to extend the Agreement on or before 6/1/25. Vice-Chairman Judd seconded the motion.

Supervisor Crosby referenced comments he made at the morning's Special Meeting.

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

County Attorney

11. Approve the City of Tucson High Intensity Drug Trafficking Area (HIDTA) Grant Agreement HT-22-2909, between the City of Tucson and Cochise County, in the amount of \$148,113, effective January 1, 2022 through December 31, 2023.

Supervisor Crosby made a motion to approve the City of Tucson High Intensity Drug Trafficking Area (HIDTA) Grant Agreement HT-22-2909, between the City of Tucson and Cochise County, in the amount of \$148,113, effective January 1, 2022 through December 31, 2023. Vice-Chairman Judd seconded the motion.

Mr. Brian McIntyre, County Attorney, presented this item. This will continue a Grant that has been in place for many years. The Grant pays most of the costs for one drug Prosecutor and one Legal Secretary III.

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

12. Approve the County Attorney's recommendation to purchase new crime scene reconstruction equipment and software used in criminal prosecutions.

Vice-Chairman Judd made a motion to approve the County Attorney's recommendation to purchase new crime scene reconstruction equipment and software used in criminal prosecutions. Supervisor Crosby seconded the motion.

Mr. McIntyre presented this item. The County Attorney's Office receives all investigations from every law enforcement agency in the County. This software will be used to create 3D maps of points of interest at crime scenes. Border crime funds will be used to pay for the software; this will ensure the same level of quality on complex crime scenes regardless of which law enforcement agency is investigating.

In response to the Board, Mr. McIntyre stated that the cost is \$107,322.44, including all equipment, software, and training. Funding is from the County Attorney's portion of Border Strike Task Force grant monies. The Board and Mr. McIntyre discussed the software's capabilities to recreate both indoor and outdoor crime scenes.

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

County Schools

13. Approve Grant Intergovernmental Agreement (IGA) between the County School Superintendent and the Arizona Department of Education (ADE) for the Cochise County Mental Health Consortium, in the amount of \$1,288,990, effective upon execution of the IGA through September 30, 2024.

Supervisor Crosby made a motion to approve Grant Intergovernmental Agreement (IGA) between the County School Superintendent and the Arizona Department of Education (ADE) for the Cochise County Mental Health Consortium, in the amount of \$1,288,990, effective upon execution of the IGA through September 30, 2024. Vice-Chairman Judd seconded the motion.

Ms. Jacqui Clay, School Superintendent, presented this item using a PowerPoint presentation. She reviewed the role of the School Superintendent's Office. A problem facing schools is that there are not enough psychologists and mental health

professionals to work in the schools. This will help ensure that students in the jail and detention center receive needed mental health services. The Consortium Director will be hired in the first year; she reviewed the positions that will be hired by the Director in the second year, the costs associated with each, and the reasons the positions are needed. By law, students with special needs are required to receive services; due to a lack of availability in the County, the majority of services are through providers in Tucson. She displayed first- and second-year timelines for the Consortium, lists of Letters of Support and Letters of Commitment, and testimonials from the field.

The Board and Ms. Clay discussed the roles of the School Superintendent and Sheriff's Offices in relation to the Jail, including psychologists for individuals with special needs and the establishment of an education plan.

Chairman English read the name of Ms. Jenny Walston in opposition to the item.

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

Juvenile Probation

14. Approve fiscal year 2022-2023 Juvenile Probation Funding Agreement, as provided by the Arizona Supreme Court, Administrative Office of the Courts (AOC), effective July 1, 2022 through June 30, 2023 in the amount of \$885,027.

Ms. Rockrich presented this item. This item is the yearly funding for Juvenile Probation through the Administrative Office of the Courts.

Supervisor Crosby made a motion to approve fiscal year 2022-2023 Juvenile Probation Funding Agreement, as provided by the Arizona Supreme Court, Administrative Office of the Courts (AOC), effective July 1, 2022 through June 30, 2023 in the amount of \$885,027. Vice-Chairman Judd seconded the motion.

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 reported that the Douglas Roadyard project is complete and that the date of completion for the Bisbee-Douglas International Airport is to be determined.

SUMMARY OF CURRENT EVENTS

Report by District 1 Supervisor, Tom Crosby

Supervisor Crosby deferred his report.

Report by District 2 Supervisor, Ann English

Chairman English deferred her report.

Report by District 3 Supervisor, Peggy Judd

Vice-Chairman Judd deferred her report.

Chairman English stated that the Work Session scheduled for 11:00 a.m. will begin at 12:30 p.m.

Chairman English adjourned the meeting at 12:07 p.m.

APPROVED:

Ann English, Chairman

ATTEST:

Tim Mattix, Clerk of the Board