

**PROCEEDINGS OF THE COCHISE COUNTY BOARD OF SUPERVISORS  
REGULAR MEETING HELD ON  
TUESDAY, DECEMBER 13, 2022**

A regular board meeting of the Cochise County Board of Supervisors was held on Tuesday, December 13, 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 10:05 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. Allison Morse discussed various concerns regarding Board of Supervisors actions during the 2022 General Election.

Mr. Jeff Sturges discussed various concerns regarding Board of Supervisors actions during the 2022 General Election.

Ms. Jill Hamilton inquired about the status of the various lawsuits initiated during the 2022 General Election.

Supervisor Crosby responded to criticism mentioned in call to the public.

Chairman English stated that the only response during call to the public should be if somebody has been maligned.

***CONSENT***

**Board of Supervisors**

1. Approve the Minutes of the regular meeting of the Board of Supervisors of November 29, 2022.
2. Approve the 2023 Cochise County calendar reflecting the schedule of the Regular Board of Supervisor meetings for the calendar year 2023, the 2023 holidays and pay days, and authorize the Clerk of the Board to post the Public Notice of the 2023 meeting schedule.

## **Elections**

3. Approve the appointment of one Libertarian Precinct Committeeman, by recommendation of their Cochise County Party Chairman (or State Party Chairman if Libertarian PC) to serve through the October 1, 2024 term.

## **Finance**

4. Approve demands and budget amendments for operating transfers.

Vice-Chairman Judd made a motion to approve items 1-4 on the Consent Agenda. Supervisor Crosby seconded the motion and it carried unanimously.

## ***ACTION***

## **Board of Supervisors**

5. Approve the Second Amended Intergovernmental Agreement (IGA) between Cochise County and the City of Sierra Vista for Regional 911 Communications and the Establishment of the Southeastern Arizona Communications Center (SEACOM), effective December 13, 2022.

Supervisor Crosby made a motion to approve the Second Amended Intergovernmental Agreement (IGA) between Cochise County and the City of Sierra Vista for Regional 911 Communications and the Establishment of the Southeastern Arizona Communications Center (SEACOM), effective December 13, 2022. Vice-Chairman Judd seconded the motion.

Mr. Richard Karwaczka, County Administrator, presented and highlighted amendments to the subscriber portion of the IGA, regarding tier I and tier II subscribers. Mr. Karwaczka stated changes were made to aid in achieving quorum in the operations committee. This IGA was approved on December 8, 2022 by the Sierra Vista City Council. The Board requested changes be highlighted in the future.

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

## **County Attorney**

6. Approve Grant Agreement RCAPD-23-002 between the Arizona Criminal Justice Commission (ACJC) and the Cochise County Attorney's Office (CAO) in the amount of \$503,349.76, effective December 1, 2022 through December 1, 2025, for the Rural County Alternative Prosecution and Diversion Program.

Supervisor Crosby made a motion to approve Grant Agreement RCAPD-23-002 between the Arizona Criminal Justice Commission (ACJC) and the Cochise County Attorney's Office (CAO) in the amount of \$503,349.76, effective December 1, 2022 through December 1, 2025, for the Rural County Alternative Prosecution and Diversion Program. Vice-Chairman Judd seconded the motion.

Krist-Anah Watkins, Mental Health Coordinator presented. Ms. Watkins stated two additional positions will be added with these funds to enhance the diversion program, a diversion coordinator and a secretary. In addition a vehicle, funds for translation and an Automated External Defibrillator (AED) machine will be acquired. Discussion ensued between the Board and staff clarifying the additional positions and expressing support.

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

## County Sheriff

7. Approve Agreement DBFFY23L22CH31302 between the Arizona Department of Administration and Cochise County, effective October 1, 2022 through June 30, 2025, for one-time payments to line-level deputies and detention officers.

Vice-Chairman Judd made a motion to approve Agreement DBFFY23L22CH31302 between the Arizona Department of Administration and Cochise County, effective October 1, 2022 through June 30, 2025, for one-time payments to line-level deputies and detention officers. Supervisor Crosby seconded the motion.

Sheriff Mark Dannels presented this item. Sheriff Dannels stated that this recruitment and retention bill is for sheriff's deputies, first line supervisors, line staff and detention officers. Retention and recruitment of law enforcement personnel for Cochise County and nationwide has been an issue. This will provide a \$10,000 payment to all deputies and detention officers to be paid over the next 24 months. A \$5,000 sign on bonus will be given for deputies and detention officers hired through May 2023. This will be no cost to the County. The Board reiterated that this will not affect the pension or long term salaries and discussed the importance of including detention officers as it is a similar problem or even greater than the retention of deputies.

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

8. Approve Grant Agreement M22-0051 between the Arizona Department of Emergency and Military Affairs (DEMA), Cochise County, and the Cochise County Sheriff's Office (CCSO), in the amount of \$1,947,500, effective October 1, 2022 through December 31, 2024, for equipment and/or activities associated with the prosecution and imprisonment of individuals charged with drug trafficking, human smuggling, illegal immigration, and other border-related crimes.

Supervisor Crosby made a motion to approve Grant Agreement M22-0051 between the

Arizona Department of Emergency and Military Affairs (DEMA), Cochise County, and the Cochise County Sheriff's Office (CCSO), in the amount of \$1,947,500, effective October 1, 2022 through December 31, 2024, for equipment and/or activities associated with the prosecution and imprisonment of individuals charged with drug trafficking, human smuggling, illegal immigration, and other border-related crimes. Vice-Chairman Judd seconded the motion.

Robert Watkins, Cochise County Sheriff's Office Commander presented. Commander Watkins reported that a grant was secured to purchase 15 three-quarter ton, four-wheel drive trucks including fuel, maintenance and training totaling \$1,947,500. The grant enables the County to purchase vehicles off the lot to circumvent supply chain issues. In response to the Board, Commander Watkins clarified that these vehicles will replace existing vehicles in the fleet and will not cause additional costs to the County.

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

9. Approve Grant Agreement M22-0062 between the Arizona Department of Emergency and Military Affairs (DEMA), Cochise County, and the Cochise County Sheriff's Office, in the amount of \$9,069,000, effective October 1, 2022 through December 31, 2027, to purchase equipment, and lease a helicopter from Western Sky Helicopters for a period of five years.

Vice-Chairman Judd made a motion to approve Grant Agreement M22-0062 between the Arizona Department of Emergency and Military Affairs (DEMA), Cochise County, and the Cochise County Sheriff's Office, in the amount of \$9,069,000, effective October 1, 2022 through December 31, 2027, to purchase equipment, and lease a helicopter from Western Sky Helicopters for a period of five years. Supervisor Crosby seconded the motion.

Commander Watkins presented this item. The Sheriff's Office leveraged relationships to secure a grant to bring an aviation law enforcement program to Cochise County. Commander Watkins reported that there were five incidents within the last month where they needed a helicopter. There are extended response times for Border Patrol and the Department of Public Safety (DPS) Ranger out of Tucson. The availability of a law enforcement helicopter during the active shooter incident in Whetstone may have allowed the incident to be resolved sooner. This grant provides a lease agreement with Western Sky solutions to provide a fully outfitted helicopter for five years in the amount of \$1.6 million per year. The grant will also provide special equipment in the amount of \$1.069 million that Cochise County will retain after the lease term. The Board discussed leasing versus owning helicopters and that this helicopter will not be misused and will only be used for law enforcement purposes. Commander Watkins reviewed Western Sky's impeccable record and confirmed it will only be used for law enforcement purposes.

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

## County Treasurer

10. Approve the recommendation of the County Treasurer for the abatement of property taxes and interest on personal property and the removal of personal property tax liens on Treasurer's Certificate of Clearance No. 2022-290 to 2022-352.

Supervisor Crosby made a motion to approve the recommendation of the County Treasurer for the abatement of property taxes and interest on personal property and the removal of personal property tax liens on Treasurer's Certificate of Clearance No. 2022-290 to 2022-352. Vice-Chairman Judd seconded the motion.

Cathrine Traywick, County Treasurer presented. Ms. Traywick recognized the Sheriff and staff for assisting the Treasurer's Office in clearing up 63 properties that are derelict and uncollectible. The total is \$57,063.43.

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

## Court Administration

11. Certify that the total court revenues collected in Fiscal Year 2021-22 exceeded total court revenues collected in Fiscal Year 1997-98, and authorize distribution of the 5% set-aside revenues, pursuant to A.R.S. 41-2421.

Supervisor Crosby made a motion to certify that the total court revenues collected in Fiscal Year 2021-22 exceeded total court revenues collected in Fiscal Year 1997-98, and authorize distribution of the 5% set-aside revenues, pursuant to A.R.S. 41-2421. Vice-Chairman Judd seconded the motion.

Teresa Rockrich, Interim Budget and Finance Director presented this item. Ms. Rockrich explained that this represents revenue for the court in fiscal year 2022 which was \$6,346,516.20. Revenue needs to exceed that of fiscal year 1998 which was \$2,100,024. Once certified, the court is able to redistribute 5% which is \$317,325.81. This will be distributed as follows; Courts (57%), County Attorney Office (21.61%), Indigent Defense (20.53%) and the state (.5%).

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

## Emergency Services

12. Approve Cooperative Agreement between the Arizona Department of Forestry and Fire Management, and Cochise County, for a term of five years.

Supervisor Crosby made a motion to approve Cooperative Agreement between the Arizona Department of Forestry and Fire Management, and Cochise County, for a term of five years. Vice-Chairman Judd seconded the motion.

Daniel Duchon, Director, Emergency Management presented this item. Mr. Duchon stated this is a mutual aid agreement with the Arizona Department of Forestry and Fire

(DFFM). The agreement outlines mutual interests and how they would cooperate together in the event of wildfires. DFFM has been a strong partner recently with fires in Willcox and Carr Canyon. The agreement outlines operating procedures, financial reimbursement, standardizes training for equipment sharing and could allow for joint projects in the future. In response to the Board Mr. Duchon stated that the County has had similar mutual aid agreements and clarified the jurisdiction of DFFM.

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

## Health & Social Services

13. Approve Intergovernmental Agreement (IGA) CTR062088, Prop 201 Smoke Free Arizona, between the Arizona Department of Health Services (ADHS) and Cochise Health & Social Services, in the amount of \$63,001 annually, effective July 1, 2022 through June 30, 2027.

Vice-Chairman Judd made a motion to approve Intergovernmental Agreement (IGA) CTR062088, Prop 201 Smoke Free Arizona, between the Arizona Department of Health Services (ADHS) and Cochise Health & Social Services, in the amount of \$63,001 annually, effective July 1, 2022 through June 30, 2027. Supervisor Crosby seconded the motion.

Natalie Johnson, Division Director Environmental Health, presented this item. Ms. Johnson stated that this is a renewal of the IGA with the ADHS. This IGA is used to educate the public on the Smoke Free Arizona Act. This IGA is renewed every 5 years. In response to the Board, Ms. Johnson stated that they have not added vaping to the legislation but it is in the process.

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

14. Approve Professional Services Agreement PSA 23-15-HEA-01 between Arbo Scientific, LLC and Cochise Health & Social Services for Vector Surveillance, effective April, 2023 thru October, 2027, in the amount of \$587,871.

Supervisor Crosby made a motion to approve Professional Services Agreement PSA 23-15-HEA-01 between Arbo Scientific, LLC and Cochise Health & Social Services for Vector Surveillance, effective April, 2023 thru October, 2027, in the amount of \$587,871. Vice-Chairman Judd seconded the motion.

Alicia M. Thompson DrPH, LMSW, Health Director, presented this item. Dr. Thompson stated this is for a 5 year contract with ARBO Scientific, who has provided mosquito surveillance for the last year. ARBO Scientific will provide the County with comprehensive surveillance for 5 years by setting mosquito collection traps biweekly for 14 weeks. Results will be reported weekly and when positive tests are received, public health communications will commence to problem areas via press releases, social media and public service announcements. In response to the Board, Dr. Thompson stated that mosquito-borne illnesses such as West Nile Virus are what they are watching for.

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

15. Approve Amendment 1 to Intergovernmental Agreement (IGA) CTR059344, Senate Bill 1847 Funding, between the Arizona Department of Health Services (ADHS) and Cochise Health & Social Services, in the amount of \$91,500, effective May 10, 2022 through May 9, 2027.

Vice-Chairman Judd made a motion to approve Amendment 1 to Intergovernmental Agreement (IGA) CTR059344, Senate Bill 1847 Funding, between the Arizona Department of Health Services (ADHS) and Cochise Health & Social Services, in the amount of \$91,500, effective May 10, 2022 through May 9, 2027. Supervisor Crosby seconded the motion.

Dr. Thompson presented this item. Dr. Thompson stated that this amends the IGA between the ADHS and Cochise Health & Social Services. This amendment corrects the erroneous date in the original agreement. The agreement is valid 5 years from May 22, 2022. The Board and staff discussed overdose statistics and the Fatality Review Board.

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

### **Indigent Defense**

16. Approve Amendment to the Title IV-E Interagency Agreement between Arizona Department of Child Safety (DCS), Arizona Supreme Court, Administrative Office of Courts (AOC), and Cochise County for expenditure reimbursement related to child welfare dependency cases.

Supervisor Crosby made a motion to approve Amendment to the Title IV-E Interagency Agreement between Arizona Department of Child Safety (DCS), Arizona Supreme Court, Administrative Office of Courts (AOC), and Cochise County for expenditure reimbursement related to child welfare dependency cases. Vice-Chairman Judd seconded the motion.

Sharon Gilman, Deputy County Administrator, presented this item. Ms. Gilman reported that this amendment to an agreement originally approved on March 26, 2020, provides a 20% reimbursement for costs related to dependency cases. The change was made to make it more consistent with Federal regulations. The main changes to the agreement are with reporting requirements, different forms and reporting on children in foster care. In response to the Board, Ms. Gilman stated that there will be no change in reimbursement ratios.

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 thanked county employees for coming in early today after the snowfall last night. Mr. Karwaczka reported that there were no juveniles in custody at this time and thanked Judge Bannon, the County Attorney's office, Juvenile Probation and Defense office for coming together for a positive result.

**SUMMARY OF CURRENT EVENTS**

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

Supervisor Crosby referred to a letter by Mr. Frank Antenori regarding Jail District funding and distributed copies. Supervisor Crosby referred to a report from the Gateway Pundit by Kurt Olson regarding the November 2022 election.

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

Chairman English deferred her report.

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

Vice-Chairman Judd wished everyone a Merry Christmas and welcomed people to come visit District 3 and see the Christmas decorations throughout the District.

Chairman English adjourned the meeting at 11:15 a.m.

APPROVED:

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Ann English, Chairman

ATTEST:

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Tim Mattix, Clerk of the Board