

**PROCEEDINGS OF THE COCHISE COUNTY BOARD OF SUPERVISORS  
REGULAR MEETING HELD ON  
TUESDAY, FEBRUARY 7, 2023**

A regular board meeting of the Cochise County Board of Supervisors was held on Tuesday, February 7, 2023 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; Tom Crosby, Supervisor  
Staff Richard G. Karwaczka, County Administrator; Sharon Gilman, Deputy County  
Present: Administrator; Christine Roberts, Chief Civil Deputy County Attorney; Tim Mattix, 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**

***CALL TO THE PUBLIC***

Madeline Bolesawski was called upon but did not speak.

Jeff Sturges discussed reasons for and requested Supervisor Crosby and Vice-Chairman Judd's resignation.

Allison Morse discussed Vice-Chairman Judd and Supervisor Crosby's role in the resignation of the elections director.

Sanda Clark discussed the lawsuits and charges associated with the 2022 election and requested Supervisor Crosby's resignation.

Supervisor Crosby and Vice-Chairman Judd responded to the criticism mentioned in Call to the Public.

***PRESENTATION***

Presentation by County Attorney's Office on Legal Statistics and Trends for calendar year 2022.

Ms. Roberts and Ms. Catherine Barney, Senior Paralegal, presented this item using a PowerPoint presentation. Ms. Roberts presented legal statistics and trends for adoptions; public fiduciary; tax appeals; tax lien foreclosure cases; bankruptcy cases; eminent domain and excess proceeds cases; election cases; Merit Commission cases; Civil Rights Commission cases; notices of claim; civil cases; public record requests and, Zoning violations. Ms. Barney presented information and statistics on cases involving Mental Health (Title 36) cases; Mental Health Petitions; Mental Health Dismissals; Mental Health Contested Hearings; Mental Health Revocations and Mental Health Facility Usage. Ms. Roberts concluded with a list of the County Attorney's Office staff and their experience, and of the Office's various clients. In response to the Board, Ms. Roberts stated the increased number of patients going to Tucson is because Canyon Vista Medical Center was not taking Title 36 patients for almost a year.

## **CONSENT**

### **Board of Supervisors**

1. Approve the Minutes of the regular meeting of the Board of Supervisors of January 24, 2023.

### **County Sheriff**

2. Approve Cooperative Law Enforcement Agreement 23-LE-11030500-048 between the United States Department of Agriculture (USDA) Forest Service and the Cochise County Sheriff's Office, in the amount of \$13,000 for overtime, employer related expenses and fleet costs for Sheriff's deputies to patrol various recreation areas of the Coronado National Forest, effective January 1, 2023 through December 31, 2023.

### **Finance**

3. Approve demands and budget amendments for operating transfers.

Supervisor Crosby made a motion to approve items 1-3 on the consent agenda.  
Vice-Chairman Judd seconded the motion and it carried unanimously.

## **PUBLIC HEARINGS**

### **Board of Supervisors**

4. Adopt Resolution 23-06 granting a Water Services Franchise renewal to Holiday Enterprises Inc.

Vice-Chairman Judd made a motion to adopt Resolution 23-06 granting a Water Services Franchise renewal to Holiday Enterprises Inc. Supervisor Crosby seconded the motion.

Chairman English opened the public hearing.

Paul Correa, Civil Deputy County Attorney, presented this item. In response to the Board, Mr. Correa stated that there is a provision if the legislature approves franchise fees. In that

event, a future Board of Supervisors would vote on it.

Chairman English closed the public hearing.

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

## **ACTION**

### **County Sheriff**

5. Approve Agreement M22-0063 between the Arizona Department of Emergency and Military Affairs (DEMA), Cochise County, and the Cochise County Sheriff's Office (CCSO) in the amount of \$6,000,000, effective October 1, 2022 through December 31, 2024, to purchase portable radios for Cochise County law enforcement and fire department first responders.

Supervisor Crosby made a motion to approve Agreement M22-0063 between the Arizona Department of Emergency and Military Affairs (DEMA), Cochise County, and the Cochise County Sheriff's Office (CCSO) in the amount of \$6,000,000, effective October 1, 2022 through December 31, 2024, to purchase portable radios for Cochise County law enforcement and fire department first responders. Vice-Chairman Judd seconded the motion.

Chief Tom Alinen, Sheriff's Office, presented this item. Chief Alinen stated that a request for portable radios was submitted under the border security and technology portion of the DEMA grant. This would provide 500 Next Gen portable radios, microphones, 7 years of warranty, installation and training for fire and law enforcement. In response to the Board, he stated that the number of radios will cover their needs. Some of the radios that were purchased 7 or 8 years ago will be distributed to the 20 volunteer departments that do not currently have them.

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

6. Approve Agreement M22-0056 between the Arizona Department of Emergency and Military Affairs (DEMA), Cochise County, and the Cochise County Sheriff's Office (CCSO) in the amount of \$18,029,131, effective October 1, 2022 through December 31, 2027, to fully fund the Southeastern Arizona Border Region Enforcement Team (SABRE) program for a period of five years.

Vice-Chairman Judd made a motion to approve Agreement M22-0056 between the Arizona Department of Emergency and Military Affairs (DEMA), Cochise County, and the Cochise County Sheriff's Office (CCSO) in the amount of \$18,029,131, effective October 1, 2022 through December 31, 2027, to fully fund the Southeastern Arizona Border Region Enforcement Team (SABRE) program for a period of five years. Supervisor Crosby seconded the motion.

Commander Robert Watkins, Sheriff's Office, presented this item. Commander Watkins stated this grant will fund the SABRE team for 5 years and will bring in 34 high-paying jobs with zero fiscal impact on the County. In response to the Board, Commander Watkins explained there are 60 days from the time of approval that funding can be pulled. He was unaware of Governor Hobbs' specific comments regarding the SABRE team but was aware of the Governor's intentions to pull National Guard support. Commander Watkins stated that these would be civilian personnel and be under the Arizona State Retirement System (ASRS) rather than the Public Safety Personnel Retirement System (PSPRS). Commander Watkins provided current statistics for the SABRE team.

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

## **County Treasurer**

7. 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. 2023-038 to 2023-069.

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. 2023-038 to 2023-069. Vice-Chairman Judd seconded the motion.

Cathy Traywick, County Treasurer, presented this item. Ms. Traywick stated that this represents 32 abatements totaling \$24,003.50 for derelict properties that are being removed from the tax roll.

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

## **Health & Social Services**

8. Approve Amendment 2 to Intergovernmental Agreement (IGA) CTR058657, previously IGA2021-074, COVID-19 Response Staffing, between the Arizona Department of Health Services (ADHS) and Cochise Health & Social Services, effective March 1, 2023 through May 31, 2024.

Vice-Chairman Judd made a motion to approve Amendment 2 to Intergovernmental Agreement (IGA) CTR058657, previously IGA2021-074, COVID-19 Response Staffing, between the Arizona Department of Health Services (ADHS) and Cochise Health & Social Services, effective March 1, 2023 through May 31, 2024. Supervisor Crosby seconded the motion.

Dr. Alicia M. Thompson, Health and Social Services Director, presented this item. Dr. Thompson stated that this second amendment will extend the IGA until May 31, 2024 which will pay for the contracted School Epidemiologist. In response to the Board, Dr. Thompson stated that these funds do not have anything to do with vaccinations.

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

## **Legal Advocate**

9. Approve the addition of one Position Control Number to the total positions in the Office of Legal Advocate, to create a Social Worker position utilizing funds from Title IV-E (Indigent Defense) reimbursements, for the purpose of improving parent and/or child representation in dependency cases.

Supervisor Crosby made a motion to approve the addition of one Position Control Number to the total positions in the Office of Legal Advocate, to create a Social Worker position utilizing funds from Title IV-E (Indigent Defense) reimbursements, for the purpose of improving parent and/or child representation in dependency cases. Vice-Chairman Judd seconded the

motion.

Xochitl Orozco, Legal Advocate, presented this item. Ms. Orozco stated that this Social Worker would help with representation of parents in dependency cases.

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 encouraged the Board to speak up regarding current legislation. No Board action was taken on this item.

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

Mr. Karwaczka stated that arguments for and against the proposed jail district excise tax need to be submitted to the Clerk of the Board by February 15, 2023 by 5:00 p.m. Information can be found on the website.

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

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

Supervisor Crosby began to quote a letter from the Board of Supervisors dated October 26, 2022 regarding the hand count. Ms. Roberts cautioned that this is not a current event and would be a violation of the open meeting law. Discussion ensued.

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

Chairman English deferred her report.

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

Vice-Chairman Judd reported that tomorrow in Willcox is the Agriculture and Livestock trade show and her 18th grandchild was born last night.

Chairman English adjourned the meeting at 11:04 a.m.

APPROVED:

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Ann English, Chairman

ATTEST:

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Tim Mattix, Clerk of the Board