

**PROCEEDINGS OF THE COCHISE COUNTY BOARD OF SUPERVISORS  
REGULAR MEETING HELD ON  
TUESDAY, APRIL 11, 2023**

A regular board meeting of the Cochise County Board of Supervisors was held on Tuesday, April 11, 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, 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 10:00 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***

Dr. Melvin Harter spoke in opposition to the demolition of the Miracle Valley Church and Dome and discussed the reasons.

Darryl Willhite discussed the history of Miracle Valley and spoke in opposition to the demolition of the Miracle Valley Church and Dome.

Sanda Clark spoke in opposition to the County paying for Supervisor Crosby and Vice-Chairman Judd's legal expenses in the pending lawsuits and asked for their resignation.

Frances Alvarez discussed her family's connection to Miracle Valley and spoke in opposition to the demolition of the Miracle Valley Church and Dome.

Rebekah Allen Jones discussed involving Historic Preservation in the decision to demolish the Miracle Valley Church and Dome.

Jeff Sturges spoke in opposition to the cost of legal fees incurred by the County from the lawsuits filed and in favor of the petition to recall Supervisor Crosby.

Elizabeth Lopez was called upon but did not speak.

Radford Hyde spoke against the current election process and discussed the reasons.

Randall Limbach spoke against the current election process and discussed the reasons.

Allison Morse spoke regarding the legal expenses incurred from the pending lawsuits.

Hoang Quan spoke against the current election process and discussed the reasons.

Kara Harris asked for the Jail District election to be delayed and that Supervisor Crosby be nominated for Chairman.

Alfred Kern spoke regarding grading of various roads near his home and asked that County trucks not travel those roads if they are not maintaining them.

Linda Coonts spoke against the Jail District election and discussed the reasons.

Johnny Wilson spoke against the current election process and discussed the reasons.

Jean Giuffrida spoke in favor of the Board's decision to move the responsibility of elections to the County Recorder.

Joseph Patterson spoke regarding the public's confidence in elections.

Chairman English stated that the Board had received the handouts from Ms. Jones and they will be part of the record.

Supervisor Crosby responded to criticism mentioned in Call to the Public. Supervisor Crosby discussed A.R.S. § 16-602(B) and stated that all of the lawsuits were results of errant advice given by County Attorney Brian McIntyre.

## **CONSENT**

### **Board of Supervisors**

1. Approve the Minutes of the regular meeting of the Board of Supervisors of March 28, 2023.
2. Appoint Mr. Charles Kendall as the Public Defender, effective April 16, 2023.

### **Court Administration**

3. Approve the reappointment of Justice Court Precinct Five Pro Tempore, Justin C. Allred; the reappointments of Derek Baroumes, Gerald F. Till, Randy Judd, Roger Contreras, and William Moore as county-wide Justices of the Peace Pro Tempores for emergency or temporary coverage pursuant to ARS 22-121; and approve authorization to call upon an appropriately appointed Justice of the Peace Pro Tempore from another county in extenuating circumstances pursuant to ARS 22-122, effective July 1, 2023, through June, 30, 2024.
4. Approve the reappointment of Candyce Pardee to serve as Superior Court Pro Tempore, on a part-time basis pursuant to ARS 12-141 and ARS 8-231, and authorize Court Administration to call upon an appropriately appointed Superior Court Judge Pro Tempore from another county in extenuating circumstances pursuant to ARS 12-144, effective July 1, 2023, through June 30, 2024.

5. Approve the reappointment of Superior Court Judge Pro Tempore, Terry Bannon, pursuant to ARS 12-141 and ARS 8-231, and authorize Court Administration to call upon an appropriately appointed Superior Court Judge Pro Tempore from another county in extenuating circumstances, pursuant to ARS 12-144, effective July 1, 2023, through June 30, 2024.

## **Finance**

6. Approve demands and budget amendments for operating transfers.

## **Workforce Development**

7. Approve the appointment of Ms. Maryann Hockstad to the Local Workforce Investment Board, effective immediately through June 30, 2026.

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

## ***ACTION***

### **Board of Supervisors**

8. Approve Community Enhancement Fund expenditures for District 3: Roll-offs for San Simon Community Cleanup, in the amount of \$3,000.

Vice-Chairman Judd made a motion to approve Community Enhancement Fund expenditures for District 3: Roll-offs for San Simon Community Cleanup, in the amount of \$3,000. Supervisor Crosby seconded the motion.

Vice-Chairman Judd presented this item. Vice-Chairman Judd stated that in the past, community clean-ups were held in San Simon and this will be an additional clean-up there.

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

9. Approve Community Enhancement Fund expenditures for District 3: Roll-offs for Willow Lakes Community Cleanup, in the amount of \$3,000.

Vice-Chairman Judd made a motion to approve Community Enhancement Fund expenditures for District 3: Roll-offs for Willow Lakes Community Cleanup, in the amount of \$3,000. Supervisor Crosby seconded the motion.

Vice-Chairman Judd presented this item. Vice-Chairman stated that Willow Lakes will use these funds to have a community clean-up and concentrate on families that are facing violations with the County.

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

### **County Attorney**

10. Approve the City of Tucson High Intensity Drug Trafficking Area (HIDTA) Grant Agreement HT-23-2909, between the City of Tucson and Cochise County, in the amount of \$171,113 effective January 1, 2023 through December 31, 2024.

Supervisor Crosby made a motion to approve the City of Tucson High Intensity Drug Trafficking Area (HIDTA) Grant Agreement HT-23-2909, between the City of Tucson and Cochise County, in the amount of \$171,113 effective January 1, 2023 through December 31, 2024. Vice-Chairman Judd seconded the motion.

Kenny Reeves, Chief of Staff County Attorney's Office, presented this item. Mr. Reeves stated that this grant has been with their office for the last 20 years and it provides funding for a drug prosecutor and a legal secretary for the drug unit. In response to the Board, Mr. Reeves stated that he has been employed by the County for 10 years.

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

## **County Sheriff**

11. Approve Congressional Community Oriented Policing Services (COPS) Grant 15JCOPS-22-GG-01462-TECP awarded to the Cochise County Sheriff's Office (CCSO) in the amount of \$246,000, effective March 15, 2022 through March 31, 2024, to purchase Search and Rescue radio equipment, TRACS integrated citation equipment, Panasonic Tablet, and miscellaneous cell phone equipment, including all associated taxes and fees.

Vice-Chairman Judd made a motion to approve Congressional Community Oriented Policing Services (COPS) Grant 15JCOPS-22-GG-01462-TECP awarded to the Cochise County Sheriff's Office (CCSO) in the amount of \$246,000, effective March 15, 2022 through March 31, 2024, to purchase Search and Rescue radio equipment, TRACS integrated citation equipment, Panasonic Tablet, and miscellaneous cell phone equipment, including all associated taxes and fees. Supervisor Crosby seconded the motion.

Captain Randal Wilson, Sheriff's Office, presented this item. Captain Wilson stated that they are also looking to purchase some additional Mobile Data Computers (MDC). In response to the Board, Captain Wilson stated that the MDC's that will be purchased will replace obsolete equipment.

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

## **Court Administration**

12. Approve Family Conciliation Court Per Diem Mediators Professional Service Agreements, 23-08-SUP-01, between the Cochise County Superior Court and Clark Arizona Legal Services and David M. Juarez for mediation and conciliation services, effective April 11, 2023.

Supervisor Crosby made a motion to approve Family Conciliation Court Per Diem Mediators Professional Service Agreements, 23-08-SUP-01, between the Cochise County Superior Court and Clark Arizona Legal Services and David M. Juarez for mediation and conciliation services, effective April 11, 2023. Vice-Chairman Judd seconded the motion.

Niltza Flores, Deputy Court Administrator, presented this item. Ms. Flores stated that the

County provides family conciliation services under A.R.S. § 25-381 for married parties who are considering or in the process of divorce. In response to the Board, Ms. Flores stated the cost is \$525 per case and they process 12 to 15 cases per month. In response to the Board, Ms. Flores stated services are provided for families who would like to do conciliation.

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

## **Development Services**

13. Approve Contract 23-17-DEV-01 with Stantec Consulting Services and Terracon for Environmental Protection Agency (EPA) Brownfields Grant Implementation Assistance, effective April 11, 2023.

Vice-Chairman Judd made a motion to approve Contract 23-17-DEV-01 with Stantec Consulting Services and Terracon for Environmental Protection Agency (EPA) Brownfields Grant Implementation Assistance, effective April 11, 2023. Supervisor Crosby seconded the motion.

Dan Coxworth, Development Services Director, presented this item. Mr. Coxworth stated that a grant was previously accepted from the Environmental Protection Agency (EPA) for \$500,000. A Request for Proposals (RFP) went out to perform assessments and administrative tasks associated with this grant. Staff recommends awarding the contract to Stantec to complete tasks one and two of the grant, which includes public outreach and reporting to the EPA, and to Terracon to complete tasks four and five, which includes phase one and two environmental assessments. Mr. Coxworth stated that this is the second round of funding that the County has received from the EPA, which has been a benefit and encourages the redevelopment of the Brownfield sites in the County. In response to the Board, Mr. Coxworth stated that this grant is for assessment only and does not cover clean up.

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

14. Approve Interfund Transfer of \$22,700 from Contingency, Capital Improvements Fund (Fund 400) to Bisbee-Douglas International (BDI) Airport, Professional Services Fund (Fund 105) for landscape installation at the BDI Airport terminal building.

Supervisor Crosby made a motion to approve Interfund Transfer of \$22,700 from Contingency, Capital Improvements Fund (Fund 400) to Bisbee-Douglas International (BDI) Airport, Professional Services Fund (Fund 105) for landscape installation at the BDI Airport terminal building. Vice-Chairman Judd seconded the motion.

Mr. Coxworth presented this item. In response to the Board, Mr. Coxworth stated that when the weather starts to get warm, staff will start by treating the invasive grass and then move forward by landscaping and it will be the last item of the terminal building remodel.

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

## **Information Technology**

15. Approve an additional obligation of \$30,000 of American Rescue Plan Act (ARPA) funds for the Countywide Fire Alerting System.

Supervisor Crosby made a motion to approve an additional obligation of \$30,000 of American Rescue Plan Act (ARPA) funds for the Countywide Fire Alerting System. Vice-Chairman Judd seconded the motion.

Joe Casey, Chief Information Officer, presented this item. Mr. Casey stated that the additional funds will be used to install additional antennas and equipment to insure backup service in case the internet goes down, in order to get alerts out of the fire stations. This will complete the fire installation system. In response to the Board, Mr. Casey stated that most fire stations have been installed, except those undergoing construction projects.

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

### **STATE & FEDERAL LEGISLATION**

16. 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 stated that the Board received information on this item. No Board action was taken on this item.

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

Mr. Karwaczka stated that regarding the Jail District election, people must register to vote by April 17th, ballots will be mailed on April 19th and the day of the election is May 19th.

### **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 referred to an article in the Sulphur Springs Valley Electric Cooperative (SSVEC) *Currents* magazine in the March-April edition that her sister and brother-in-law were featured regarding their sunflower crop. Vice-Chairman Judd also spoke about an article that featured Rabbi Benzion Shemtov, Chabad of Sierra Vista and the Acts of Random Kindness (ARK) project.

Chairman English adjourned the meeting at 11:16 a.m.

APPROVED:

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Ann English, Chairman

ATTEST:

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Tim Mattix, Clerk of the Board