

**PROCEEDINGS OF THE COCHISE COUNTY BOARD OF SUPERVISORS
REGULAR MEETING HELD ON
TUESDAY, JANUARY 9, 2024**

A regular board meeting of the Cochise County Board of Supervisors was held on Tuesday, January 9, 2024 at 9:00 a.m. in the Board of Supervisors' Hearing Room, 1415 Melody Lane, Building G, Bisbee, Arizona.

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

Staff Present: Richard G. Karwaczka, County Administrator; Sharon Gilman, Deputy County Administrator/Interim Clerk of the Board; Christine Roberts, Chief Civil Deputy County Attorney; Lara Loewenheim, Deputy Clerk of the Board

Vice-Chairman Crosby called the meeting to order at 9:00 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

Paul Varble was called upon but did not speak.

Radford Hyde expressed dissatisfaction with Chairman Judd, accused her of betraying constituents, questioned her stance on election machines, and sought clarity on the scheduling of a meeting for a detailed machine problem presentation.

Allison Morse commended the Elections Department for efforts to educate the public on voting equipment, raised concerns about transparency and responsiveness in the County Recorder's Office regarding grant expenditures, questioned the location of goods purchased with grant money, and called for respect, transparency, and timely responsiveness in county government.

CONSENT

Board of Supervisors

1. Approve the Minutes of the regular meeting of the Board of Supervisors of December 12, 2023.
2. Adopt Resolution 24-01 authorizing the use of Emergency Voting Locations for the Presidential Preference Election on Tuesday, March 19, 2024.

County Sheriff

3. Approve Amendment 2 to the Intergovernmental Agreement (IGA) between Cochise College, Sierra Vista Police Department, and the Cochise County Sheriff's Office to continue operating the Southeast Arizona Law Enforcement Training Academy (SEALETA), effective July 24, 2023, through May 31, 2024.

Finance

4. Approve demands and budget amendments for operating transfers.

Indigent Defense

5. Approve Amendment 3 to the Title IV-E Interagency Service Agreement (ISA) between the Arizona Department of Child Safety (DCS), the Arizona Supreme Court, Administrative Office of Courts (AOC), and Cochise County for expenditure reimbursement related to child welfare dependency cases, effective upon signing by all parties.

Workforce Development

6. Approve the appointment of Teresa Celestine to the Local Workforce Investment Board, effective immediately and through June 30, 2026.

Chairman Judd made a motion to approve items 1-6 on the Consent Agenda. Supervisor English seconded the motion and it carried unanimously.

ACTION

County Sheriff

7. Approve the reprogramming request for Grant Agreement HT-23-2912 with the City of Tucson, Southwest Border Arizona Region High Intensity Drug Trafficking Area (HIDTA) Program, and the Cochise County Sheriff's Office, for the purchase of a vehicle to be used by the HIDTA task force, in the amount of \$48,854.31, effective January 1, 2023, through December 31, 2024.

Supervisor English made a motion to approve the reprogramming request for Grant Agreement HT-23-2912 with the City of Tucson, Southwest Border Arizona Region High Intensity Drug Trafficking Area (HIDTA) Program, and the Cochise County Sheriff's Office, for the purchase of a vehicle to be used by the HIDTA task force, in the amount of \$48,854.31, effective January 1, 2023, through December 31, 2024. Chairman Judd seconded the motion.

Lieutenant Sean Gijanto, Sheriff's Office, presented this item. Lieutenant Gijanto stated that these funds would be used for the purchase of a specialty vehicle intended for surveillance and covert actions related to narcotics enforcement activities. He stated there would be no matching funds required and there may be funds left over to go towards outfitting vehicles, which is estimated at \$5000 to \$10,000.

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

Engineering & Natural Resources

8. Approve Amendment 1 to the Memorandum of Understanding (MOU) between the Bureau of Land Management, Fort Huachuca, City of Sierra Vista and Cochise County for Cooperative Monitoring and Management of the San Pedro Riparian National Conservation Area and surrounding areas within Cochise County, effective upon signing by all parties.

Chairman Judd made a motion to approve Amendment 1 to the Memorandum of Understanding (MOU) between the Bureau of Land Management, Fort Huachuca, City of Sierra Vista and Cochise County for Cooperative Monitoring and Management of the San Pedro Riparian National Conservation Area and surrounding areas within Cochise County, effective upon signing by all parties. Supervisor English seconded the motion.

Joe Casey, Associate County Administrator, presented this item. Mr. Casey stated that this amendment would add Sierra Vista as a fiscal agent to the previously approved MOU.

Tricia Gerrodette spoke in opposition to this item and discussed the reasons.

Vice-Chairman Crosby questioned the expansion of governmental service agreements and partnerships mentioned on page three of the agreement. He also expressed reservations about the undefined regions and areas, and a reluctance to share water resources. He raised questions about the lack of definitions for terms like "region" and "area," expressing fears of water redistribution away from the Sierra Vista sub-watershed. Vice-Chairman Crosby also questioned how conflicts related to local

water use and federal reserved rights would be avoided, considering it as a potential consequence of what he perceives as "trickle-down bribery."

Ms. Roberts interjected and stated she believed Vice-Chairman Crosby's comments were outside the scope of the noticed item. Discussion ensued between Vice-Chairman Crosby and Ms. Roberts. Ms. Roberts advised Vice-Chairman Crosby that he is committing an open meeting law violation by going beyond the scope of this item. Vice-Chairman Crosby disagreed. He went on to question the legitimacy of federal reserved water rights and proposed two rhetorical questions related to the founding fathers' perspective on environmental threats to national security and the exchange of land between states, and ultimately expressed a negative opinion on both scenarios.

Supervisor English advocated for a collaborative approach within the board, suggesting a positive stance towards cooperation and emphasizing the benefits it brings to everyone involved.

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

Finance

9. Approve funding request of \$50,000 to the Elections department for purchase of additional voting equipment at vote centers.

Supervisor English made a motion to approve funding request of \$50,000 to the Elections department for purchase of additional voting equipment at vote centers. Chairman Judd seconded the motion.

Radford Hyde spoke in opposition and discussed the reasons.

Juan Frisby, Budget Manager, presented this item. Mr. Frisby stated that the Elections Department is seeking \$50,000 to purchase additional voting equipment to reduce wait times, a matter previously discussed in the December 19th work session. Mr. Frisby mentioned the need to amend the budget amendment with the correct account code for data product repair and maintenance.

Nancy Olmstead spoke in opposition to this item and discussed the reasons.

Vice-Chairman Crosby stated that he agreed with Ms. Olmstead in that the 55 precincts should have been reestablished when the vote center resolution was not previously approved.

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

Health & Social Services

10. Approve Intergovernmental Agreement (IGA) CTR067930, Women, Infants, and Children (WIC) and the Breastfeeding Peer Counselor (BFPC) Program between the Arizona Department of Health Services (ADHS) and Cochise County Health & Social Services (CHSS) in the amount of \$653,741 for WIC and \$63,824 for BFPC, for the period of October 1, 2023, through September 30, 2024.

Chairman Judd made a motion to approve Intergovernmental Agreement (IGA) CTR067930, Women, Infants, and Children (WIC) and the Breastfeeding Peer

Counselor (BFPC) Program between the Arizona Department of Health Services (ADHS) and Cochise County Health & Social Services (CHSS) in the amount of \$653,741 for WIC and \$63,824 for BFPC, for the period of October 1, 2023, through September 30, 2024. Supervisor English seconded the motion.

Suzanne Hagle, Prevention Services Division Director, presented this item. Ms. Hagle requested approval for the WIC Intergovernmental Agreement, and outlined that it marks the first year of a five-year agreement to provide WIC services for postpartum women, infants, and children. In response to the Board, Ms. Hagle stated that 3,160 clients are served.

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

11. Approve Contract Amendment 4 CTR050594 Health Start Program, between the Arizona Department of Health Services and Cochise County Health & Social Services (CHSS), in the amount of \$353,000, for the period July 1, 2023, through July 5, 2024.

Supervisor English made a motion to approve Contract Amendment 4 CTR050594 Health Start Program, between the Arizona Department of Health Services and Cochise County Health & Social Services (CHSS), in the amount of \$353,000, for the period July 1, 2023, through July 5, 2024. Chairman Judd seconded the motion.

Ms. Hagle requested approval for Amendment 4, and noted that Amendment 3 was previously approved as a renewal on July 25th, and clarified that today's amendment involves the addition of a price sheet to the IGA. She highlighted a shift from a fixed price to a cost reimbursement IGA. In response to the Board, Ms. Hagle stated that these funds will continue home visiting services and is not an increase in funding but will add the price sheet that was omitted from Amendment 3.

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

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

Mr. Karwaczka deferred his report.

Mr. Karwaczka acknowledged that Mr. Varble submitted a speaker request form but may have not known that the meeting time changed to 9:00 am. Vice-Chairman Crosby asked Mr. Varble if his comments can wait until the next meeting. Mr. Varble indicated that they could.

SUMMARY OF CURRENT EVENTS

Report by District 1 Supervisor, Tom Crosby

Vice-Chairman Crosby deferred his report.

Report by District 2 Supervisor, Ann English

Supervisor English deferred her report.

Report by District 3 Supervisor, Peggy Judd

Chairman Judd reminded people about Wings Over Willcox coming on Martin Luther King weekend and encouraged them to explore the event.

Vice-Chairman Crosby adjourned the meeting at 9:35 a.m.

APPROVED:

Tom Crosby, Vice-Chairman

ATTEST:

Sharon Gilman, Interim Clerk of the Board