

**PROCEEDINGS OF THE COCHISE COUNTY BOARD OF SUPERVISORS  
REGULAR MEETING HELD ON  
TUESDAY, FEBRUARY 6, 2024**

A regular board meeting of the Cochise County Board of Supervisors was held on Tuesday, February 6, 2024 at 10:00 a.m. in the Board of Supervisors' Hearing Room, 1415 Melody Lane, Building G, Bisbee, Arizona.

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

Staff Present: Richard G. Karwaczka, County Administrator; Christine Roberts, Chief Civil Deputy County Attorney; Joe Casey, Associate County Administrator; Lara Loewenheim, Deputy 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***

Allison Morse expressed gratitude for the transparency and voter education provided by the Elections department, highlighted the preference of about 80% of voters for early mail-in ballots and urged Supervisors Judd and Crosby to acknowledge the majority's preferences. She emphasized the impracticality of hand counting ballots and the tight deadlines for the 2024 election calendar.

At 10:07 am, the meeting was stopped due to technical difficulties and resumed at 10:25 am; all Supervisors were present.

Radford Hyde criticized politicians like Lindsey Graham, Mitch McConnell, Liz Cheney, Mitt Romney, and Supervisor Judd for betraying American citizens who supported and voted for them. He accused Supervisor Judd of lying about her views on election integrity, and questioned her decision to hand over the chair to a Democrat.

Tricia Gerrodette expressed distress and a desire for more civility in disagreements, asserting that the 2020 and 2022 elections in Cochise County were accurate, with no court challenges, and requested acceptance of certified election results. She thanked the Board for the approval of voting centers for the 2024 elections.

Kara L. Harris asserted that law enforcement agencies, including Border Patrol and the Sheriff's Office, were in violation of their oath of office by processing border crossings instead

of preventing them. She cited constitutional authority and demanded enforcement of self-defense rights. She urged the Sheriff to deputize retired military personnel to protect the borders.

Sandy Trull expressed concern that District 1 voters were being disenfranchised by the Board of Supervisors by passing the chairman position between Districts 2 and 3. She called for elected officials violating their oath to step down, criticized the setup of 18 vote centers for the 2024 elections. She advocated for a return to 55 precincts with in-person paper ballots for election integrity, and highlighted concerns about third-party corporations, and lack of oversight.

Nancy Olmstead voiced her opposition to Senate Bill 1221, and asserted that it erodes water rights, and violates statute. She advocated for water management to regulate exploitation rather than taking away water rights.

Christian Sawyer discussed residing in the Douglas Basin for 3 1/2 years, expressed hope to reclaim Douglas residency and move back into the area. He provided perspectives on the Douglas Irrigation Non-Expansion Area (INA) and its history, and highlighted the importance of limiting groundwater decline through the Active Management Area (AMA). He proposed a gradual management plan over 70 years for sustainable water use to stabilize water tables and support residents and small farmers economically.

Paul Varble asserted that all machines, especially those used in elections, are not secure due to wireless connections. He advocated for secure elections without machines, and criticized elected officials for making changes against citizens' wishes and breaking the law. He accused Supervisor Judd of unethical behavior, and opposed Senate Bill 1221 related to water.

Kim Depew urged the Board to rectify its violation of statute in September by voting against vote centers. She stated that the County should have defaulted to precincts in December after missing the October 1st deadline. She expressed frustration over the Board's decision-making process regarding precincts and vote centers.

## ***PRESENTATION***

Presentation by County Attorney's Office on Legal Statistics and Trends for calendar year 2023.

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. She also presented on election cases, Merit Commission cases, Civil Rights Commission cases, notices of claim, civil cases, U.S. District Courts of Arizona 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 professional experience, and of the Office's various clients.

In response to the Board, Ms. Roberts assured the Board that the zoning violation cases are being worked on and are in the pipeline and the increase in tax appeals may be a product of the economy.

## **CONSENT**

### **Board of Supervisors**

1. Approve the Minutes of the regular meeting of the Board of Supervisors of January 23, 2024.

### **Development Services**

2. Approve the resignation of Ms. Nancy Welch and the appointment of Ms. Pati Fickett to the Planning & Zoning Commission, representing District 3, for a term of office from February 6, 2024, through December 31, 2026.

### **Finance**

3. Approve demands and budget amendments for operating transfers.

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

## **ACTION**

### **Board of Supervisors**

4. Approve the Over-the-Counter sale of tax deed properties as set forth in the attached Exhibit A, plus related administrative fees.

Vice-Chairman Crosby made a motion to approve the Over-the-Counter sale of tax deed properties as set forth in the attached Exhibit A, plus related administrative fees. Supervisor Judd seconded the motion.

Ms. Loewenheim presented this item. Ms. Loewenheim stated that two bids were received for parcels that were offered for sale during the Over-the-Counter Tax Deed Land Sale. A total of \$4,125 was bid and received, which included the \$25 administrative fee.

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

### **County Attorney**

5. Approve Grant Agreement between State of Arizona, Department of Public Safety (DPS) and Cochise County, County Attorney's Office (CCAO) in the amount of \$10,000 for Fentanyl Prosecution, Diversion, and Testing, effective July 1, 2023, through June 30, 2024.

Supervisor Judd made a motion to approve Grant Agreement between State of Arizona, Department of Public Safety (DPS) and Cochise County, County Attorney's

Office (CCAO) in the amount of \$10,000 for Fentanyl Prosecution, Diversion, and Testing, effective July 1, 2023, through June 30, 2024. Vice-Chairman Crosby seconded the motion.

Monica McCall, Diversion Coordinator, presented this item. Ms. McCall stated that this grant will secure funding from DPS to cover drug testing costs for participants in the Cochise County Drug Diversion Program, as well as funding for 2 fentanyl exposure response kits. In response to the Board, Ms. McCall stated that the safety kit is used for cleaning areas after exposure to certain substances to prevent further exposure and to implement safety procedures.

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

## **County Schools**

6. Approve Memorandum of Understanding (MOU) between Tu Nidito Children and Family Services and the Cochise County School Superintendent's Office (CCSSO), to establish the Cochise County School Superintendent's Office Behavioral Health Consortium (CCSSO BHC) Grief Support Group, effective November 15, 2023, through June 30, 2024.

Vice-Chairman Crosby made a motion to approve Memorandum of Understanding (MOU) between Tu Nidito Children and Family Services and the Cochise County School Superintendent's Office (CCSSO), to establish the Cochise County School Superintendent's Office Behavioral Health Consortium (CCSSO BHC) Grief Support Group, effective November 15, 2023, through June 30, 2024. Supervisor Judd seconded the motion.

Chalotte Taylor, Mental Health Consortium Manager, presented this item. Ms. Taylor stated that the MOU would enable staff to utilize a grief curriculum and receive support from trained professionals to address county-wide grief issues. In response to the Board, Ms. Taylor stated while the Sheriff Office's personal intervention works with individuals this MOU would allow training for grief conversations with schools and staff.

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. 2024-001 to 2024-101.

Supervisor Judd 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. 2024-001 to 2024-101. Vice-Chairman Crosby seconded the motion.

Cathy Traywick, County Treasurer, presented this item. Ms. Traywick mentioned the repetition of cases coming back for presentation, and explained that many older cases, previously abated, are being revisited due to the assessor's statutory requirement to conduct field inspections to verify the absence of taxable property. These actions aim to clear old cases where taxes continued to accumulate despite

previous abatements.

Chairman English expressed gratitude for cleaning up the property tax rolls, emphasizing the importance of managing expectations for those who participate in taxes, stating that maintaining clean rolls allows for an expectation of collecting about 95% of the taxes for the organizations that rely on them.

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

## **Health & Social Services**

8. Approve Amendment 2 to Intergovernmental Agreement (IGA) CTR060269 Immunization Services between the Arizona Department of Health Services (ADHS) and Cochise County Health and Social Services (CHSS) for July 1, 2022 through June 30, 2025.

Vice-Chairman Crosby made a motion approve Amendment 2 to Intergovernmental Agreement (IGA) CTR060269 Immunization Services between the Arizona Department of Health Services (ADHS) and Cochise County Health and Social Services (CHSS) for July 1, 2022 through June 30, 2025. Supervisor Judd seconded the motion.

Tomanie Allen, Immunization Program Coordinator, presented this item. Ms. Allen explained that the amendment revises exhibits one through five to reflect the extension date and involves a cost reimbursement contract covering various activities, including supplemental flu vaccination, improving vaccine storage, data entry, and supporting the vaccine for children program and COVID-19 activities.

Kim Depew spoke in opposition and discussed the reasons.

Sam Sigoloff was called upon but did not speak. He signed in opposition to this item.

Vice-Chairman Crosby stated that if people want vaccines they can get them from a private provider and he will be voting against this item.

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

9. Approve Intergovernmental Agreement (IGA) CTR068849 Sexually Transmitted Infection Investigations (STI) between the Arizona Department of Health Services (ADHS) and Cochise County Health and Social Services (CHSS) in the amount of \$61,161, from January 1, 2024, through June 30, 2028.

Supervisor Judd made a motion to approve Intergovernmental Agreement (IGA) CTR068849 Sexually Transmitted Infection Investigations (STI) between the Arizona Department of Health Services (ADHS) and Cochise County Health and Social Services (CHSS) in the amount of \$61,161, from January 1, 2024, through June 30, 2028. Vice-Chairman Crosby seconded the motion.

Maira Ibarra, Director of Clinical Services, presented this item. Ms. Ibarra stated that this IGA would enhance clinical services, including surveillance, disease investigation, prevention, and interventions, such as screening and treatment for various sexually transmitted infections, along with promoting community collaborations with healthcare providers. In response to the Board, Ms. Ibarra stated that some, but not all, of these

diseases could be transmitted by needle sharing.

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 stated that this item is posted so that the public is aware of current legislation.

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

Mr. Karwaczka discussed ongoing recruitment of poll workers, specifically targeting experienced workers for various vote centers and urging the community to spread the word about the need for assistance.

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

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

Vice-Chairman Crosby deferred his report.

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

Chairman English deferred her report.

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

Supervisor Judd deferred her report.

Chairman English adjourned the meeting at 11:23 a.m.

APPROVED:

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Ann English, Chairman

ATTEST:

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Sharon Gilman, Interim Clerk of the Board