

**PROCEEDINGS OF THE COCHISE COUNTY BOARD OF SUPERVISORS  
REGULAR MEETING HELD ON  
TUESDAY, MAY 7, 2024**

A regular board meeting of the Cochise County Board of Supervisors was held on Tuesday, May 7, 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; Sharon Gilman, Deputy County Administrator/Interim Clerk of the Board; Christine Roberts, Chief Civil Deputy County Attorney; 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***

Tricia Gerrodette expressed gratitude for remote access to meetings, raised questions about meetings on the county's web page, and encouraged public engagement in important topics discussed.

Radford Hyde expressed concern over the requirement of filling out a speaker request form an hour prior to Board of Supervisors meetings, and suggested revisiting this rule. He discussed voting irregularities in Arizona, specifically referencing Proposition 309 and questioned the credibility of individuals discussing voting machine security.

Allison Morse highlighted concerns about delayed public records requests, referenced lawsuits against the county, questioned the adequacy of staffing in the public records department, and urged the Board to consider hiring additional staff to expedite responses to requests.

Sandy Trull expressed opposition to current election practices, advocated for one-day paper ballots, voter ID requirements, and the elimination of third-party involvement and electronic voting machines.

***PRESENTATION***

Presentation by the Public Works and the Engineering & Natural Resources Departments on the Cochise County Road Maintenance System and the criteria and requirements for maintained and non-maintained roads.

Chairman English stated that the presentation by the Public Works and the Engineering & Natural Resources Department will be continued to another time to be determined.

Presentation by Ms. Krist-Anah Watkins, Mental Health Coordinator, on the Giving Recovery a Chance (GRACe) Program.

Ms. Watkins presented this item using a PowerPoint presentation. Ms. Watkins detailed the state of existing programs prior to 2023, emphasizing GRACe's focus on mental health recovery and traditional diversion. Ms. Watkins stated that in 2023, following approval of a grant, additional staff were hired, including a drug diversion coordinator and administrative assistant, and new programs like drug and traffic diversion were introduced. She stated this led to an increase in cases processed from less than 200 to 832 annually, along with a rise in revenue from less than \$30,000 to \$127,000 per year, resulting in significant cost savings for the county. In response to the Board, Ms. Watkins reported a total of 832 cases processed this year, with a breakdown of participants including 36 in traditional diversion, 44 in felony drug diversion, 455 in misdemeanors, 297 in traffic diversion, and 167 in the GRACe program.

## **CONSENT**

### **Board of Supervisors**

1. Approve the Minutes of the regular meeting of the Board of Supervisors of April 23, 2024.
2. Approve Second Amended Intergovernmental Agreement (IGA) with the City of Willcox for the operation of an animal shelter in the amount of \$77,570 effective May 7, 2024, with a renewal option of three fiscal years.

### **County Sheriff**

3. Approve the renewal of an Intergovernmental Agreement (IGA) with 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 22, 2024 through May 25, 2025.
4. Approve the renewal of the Master Services Agreement with Cochise County, Cochise County Sheriff's Office and Off Duty Management for coordination of off-duty employment of Sheriff's deputies for an additional year effective May 17, 2024, through May 17, 2025.

### **Court Administration**

5. Approve Proclamation declaring June 2024 Family Reunification Month in Cochise County.

### **Finance**

6. Approve demands and budget amendments for operating transfers.

## **Human Resources**

7. Approve the Merit Commission member reappointment of Ms. Elda Orduño effective May 7, 2024, through May 7, 2028.
8. Approve the Merit Commission member reappointment of Mr. Stephen Pauken, effective May 7, 2024 through May 7, 2028.
9. Approve the Merit Commission member appointment of Ms. Joelle Landers, effective May 7, 2024 through May 7, 2028.

Vice-Chairman Crosby made a motion to approve items 1-9 on the consent agenda. Supervisor Judd seconded the motion and it was approved unanimously.

## ***PUBLIC HEARINGS***

### **Board of Supervisors**

10. Approve Series 10 (Beer and Wine Store) new liquor license application submitted by Adan Alcantar Aragon, for Mini-Super Aragon, located at 5773 W. McDonald Drive, Willcox, AZ 85643.

Supervisor Judd made a motion to approve Series 10 (Beer and Wine Store) new liquor license application submitted by Adan Alcantar Aragon, for Mini-Super Aragon, located at 5773 W. McDonald Drive, Willcox, AZ 85643. Vice-Chairman Crosby seconded the motion.

Chairman English opened the Public Hearing and no one chose to speak.

Ms. Loewenheim presented this item. Ms. Loewenheim stated that the application received for Mini-Super Aragon, located in Willcox was reviewed and recommended for approval by the relevant departments and property taxes are current. She stated that the notice and application were posted as required by state law and the applicant paid the processing fee.

Chairman English closed the Public Hearing.

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

## ***ACTION***

### **Board of Supervisors**

11. Approve holding a work session or executive session, on a date certain, to review the County Attorney's legal strategy regarding the hearing for 2 CA-CV 2023-0236, Daniel LaChance, Henry Stephen Conroy, et al. v. County of Cochise; Cochise County Jail District, et al., to be held in Division Two of the Arizona Court of Appeals on May 22, 2024.

Vice-Chairman Crosby made a motion to approve holding a work session or executive session, on a date certain, to review the County Attorney's legal strategy regarding the hearing for 2 CA-CV 2023-0236, Daniel LaChance, Henry Stephen Conroy, et al. v. County of Cochise; Cochise County Jail District, et al., to be held in Division Two of the Arizona Court of Appeals on May 22, 2024. Supervisor Judd seconded the motion.

Chairman English stated that there are two people that did not wish to speak but are in favor of this item.

Lee Chadbourne spoke in favor of this item and discussed the reasons.

Vice-Chairman Crosby stated that sanctions against an Arizona political party were rightly disapproved this week, shifting the focus to the threat against individuals regarding the matter, and expressed openness to discussing related issues.

Chairman English expressed her belief that it was inappropriate for the Board to openly discuss how their attorney would represent them in an already adjudicated court case. Chairman English emphasized the importance of confidentiality and not disclosing their strategies to the public or the opposing side.

Supervisor Judd expressed agreement with Chairman English's sentiment regarding discussing legal representation openly. Supervisor Judd suggested that such discussions could be held in executive session but questioned the purpose and timing, feeling that it was out of order.

Chairman English called for the vote. Vice-Chairman Crosby voted aye and Supervisor Judd voted aye. Supervisor Judd stated that she voted aye accidentally.

Ms. Roberts suggested that the Chairman recall for the vote.

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

12. Approve Intergovernmental Agreement (IGA) between the City of Benson and Cochise County for Animal Shelter Services in Benson, AZ, in the amount of \$63,000 per fiscal year, with the option to renew for three successive fiscal years, effective May 7, 2024.

Vice-Chairman made a motion to approve Intergovernmental Agreement (IGA) between the City of Benson and Cochise County for Animal Shelter Services in Benson, AZ, in the amount of \$63,000 per fiscal year, with the option to renew for three successive fiscal years, effective May 7, 2024. Supervisor Judd seconded the motion.

Ms. Gilman presented this item. Ms. Gilman stated that this IGA would allow Animal Control Officers to drop off impounded animals from unincorporated areas, primarily around Benson, at the Benson Animal Shelter. She stated that the IGA aims to streamline pick-up processes for animal owners and reduce transportation time for officers, thereby increasing overall efficiency.

Chairman English acknowledged Supervisor Judd's contribution of \$45,000 from her

Community Enhancement Funds to the City of Benson to expand their animal shelter, and highlighted that this enabled the shelter to accommodate more animals.

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

13. Approve contract for Architecture and Engineering Design Services, Part 1, between Cochise County and The Architecture Company (Richard Fe, Principal), for the animal shelter project located at 915 S. Tovreaville Road, Bisbee, AZ, in the amount of \$65,000, effective May 7, 2024.

Vice-Chairman Crosby made a motion to approve contract for Architecture and Engineering Design Services, Part 1, between Cochise County and The Architecture Company (Richard Fe, Principal), for the animal shelter project located at 915 S. Tovreaville Road, Bisbee, AZ, in the amount of \$65,000, effective May 7, 2024. Supervisor Judd seconded the motion.

Ms. Gilman presented this item. Ms. Gilman stated that, as discussed at the previous Work Session, this contract was for architecture, engineering, and design services for the project on Tovreaville Road. She stated that this would primarily focus on conducting a needs assessment and program development for a shelter in Bisbee, which would be a new program for the County. Ms. Gilman stated that this would gather crucial information to determine the feasibility and cost of utilizing the building for this purpose and facilitate progress on the project.

Vice-Chairman Crosby stated that he would be more in favor of expediting the other facility.

Chairman English emphasized the importance of understanding the status of the facility designated for the animal shelter, funded through congressional allocation rather than USDA, indicating a reluctance to abandon it until confirming its infeasibility.

Supervisor Judd highlighted the value of conducting scoping and feasibility work, including needs assessment and the property. Supervisor Judd emphasized the ongoing benefits to the county regardless of the outcome of the current project or potential future uses of the property.

Vice-Chairman Crosby suggested that the work and studies mentioned could be completed at a later time, and emphasized the importance of expeditiously establishing the service.

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

## **County Attorney**

14. Approve Grant Agreement HT-24-2909 City of Tucson High Intensity Drug Trafficking Area (HIDTA), between the City of Tucson and Cochise County, in the amount of \$150,353, effective January 1, 2024, through December 31, 2025.

Vice-Chairman Crosby made a motion to approve Grant Agreement HT-24-2909 City of Tucson High Intensity Drug Trafficking Area (HIDTA), between the City of Tucson and Cochise County, in the amount of \$150,353, effective January 1, 2024, through December 31, 2025. Supervisor Judd seconded the motion.

Kenny Reeves, County Attorney Chief of Staff, presented this item. Mr. Reeves stated that this a renewal of a grant, held for approximately 13 years, which supports an attorney and a legal secretary, covering 73% and 100% of their salaries respectively, which aids in handling 675 drug referrals over the last three quarters.

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

## County Sheriff

15. Approve an agreement between Cochise County Sheriff's Office and Axon Enterprises Incorporated for Body Worn Cameras, TASERS, and Digital Video Storage with all related supplies, software, training, certifications, and warranties, in the amount of \$832,009.50 to be paid over a five-year period, effective from April 15, 2024, through April 15, 2029.

Vice-Chairman Crosby made a motion to approve an agreement between Cochise County Sheriff's Office and Axon Enterprises Incorporated for Body Worn Cameras, TASERS, and Digital Video Storage with all related supplies, software, training, certifications, and warranties, in the amount of \$832,009.50 to be paid over a five-year period, effective from April 15, 2024, through April 15, 2029. Supervisor Judd seconded the motion.

Robert Watkins, Sheriff's Office Commander, presented this item. Commander Watkins stated that the agreement with Axon, the facilitators and creators of their Tasers and body-worn cameras, was achieved after leveraging a relationship with Motorola to reduce the contract by \$94,000. He stated that the five-year contract valued at \$832,000 is essential for effective job performance to meet public standards. In response to the Board, Commander Watkins stated that the service purchased would be, if a Taser or body-worn camera broke, they were replaced, and the majority of the cost was attributed to data storage, with hopes that advancing technology would lower costs by the next contract period.

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

16. Approve Intergovernmental Agreement (IGA) 2024-053, between the State of Arizona through its Department of Public Safety (DPS), and Cochise County, specifically Cochise County Sheriff's Office (CCSO), to enhance law enforcement services to deter, apprehend, prosecute and detain individuals charged with drug trafficking, human smuggling, illegal immigration and other border-related crimes within Cochise County, in the amount of \$1.4 million, effective July 1, 2023, to June 30, 2025.

Vice-Chairman Crosby made a motion to approve Intergovernmental Agreement (IGA) 2024-053, between the State of Arizona through its Department of Public Safety (DPS), and Cochise County, specifically Cochise County Sheriff's Office (CCSO), to enhance law enforcement services to deter, apprehend, prosecute and detain individuals charged with drug trafficking, human smuggling, illegal immigration and other border-related crimes within Cochise County, in the amount of \$1.4 million, effective July 1, 2023, to June 30, 2025. Supervisor Judd seconded the motion.

Commander Watkins presented this item. Commander Watkins provided a quick backstory, mentioning the previous Border Strike Force funds, rebranded by Governor Hobbs in 2023 as the local Border Support Fund, with the grant amount doubling from \$700,000 to \$1.4 million. Commander Watkins emphasized the critical need for approval

to sustain operational practices, particularly due to a significant portion of calls for service involving border issues. He noted a nine-month delay in receiving the grant from the Governor's office despite a prior handshake agreement to support detective operations with anticipated reimbursement.

Vice-Chairman Crosby reiterated his platform's focus on preventing illegal entry and highlighted the potential reduction in costs associated with high-speed pursuits, incarceration, and deaths, emphasized the importance of preventing the crossing of both individuals and contraband at the border.

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

17. Approve Grant Agreement HT-24-2912 with the City of Tucson, Southwest Border Arizona Region High Intensity Drug Trafficking Area (HIDTA) Program, and the Cochise County Sheriff's Office, to participate in the Southern Arizona Major Investigative Team (SAMIT) in the amount of \$102,246 for salaries, partial employee related expenses (ERE), services, and supplies, effective January 1, 2024 through December 31, 2025.

Vice-Chairman Crosby made a motion to approve Grant Agreement HT-24-2912 with the City of Tucson, Southwest Border Arizona Region High Intensity Drug Trafficking Area (HIDTA) Program, and the Cochise County Sheriff's Office, to participate in the Southern Arizona Major Investigative Team (SAMIT) in the amount of \$102,246 for salaries, partial employee related expenses (ERE), services, and supplies, effective January 1, 2024 through December 31, 2025. Supervisor Judd seconded the motion.

Sean Gijanto, Sheriff's Office Lieutenant, presented this item. Lieutenant Gijanto described a long-term grant renewal, supporting a task force officer assigned to the DEA for narcotics investigations throughout the county. In response to the Board, Lieutenant Gijanto stated that this grant has been active for 15 years and is for one individual.

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

18. Approve recurring grant agreements between Cochise County and the Arizona Department of Homeland Security (AZDOHS) for Operation Stone Garden Subrecipient Agreement Number 230411-01, in the amount of \$112,000 for overtime and mileage, and Subrecipient Agreement Number 230411-02, in the amount of \$201,782 for OPSG Equipment, effective April 1, 2024, to March 31, 2025.

Vice-Chairman Crosby made a motion to approve recurring grant agreements between Cochise County and the Arizona Department of Homeland Security (AZDOHS) for Operation Stone Garden Subrecipient Agreement Number 230411-01, in the amount of \$112,000 for overtime and mileage, and Subrecipient Agreement Number 230411-02, in the amount of \$201,782 for OPSG Equipment, effective April 1, 2024, to March 31, 2025. Supervisor Judd seconded the motion.

Commander Watkins presented this item. Commander Watkins stated that this is a grant request of approximately \$313,000 from the Arizona Department of Homeland Security for Operation Stone Garden. He stated that it included allocations of \$107,000 for overtime and mileage, and \$201,000 for equipment aimed at combating child and human trafficking by extracting cell phone data. Commander Watkins emphasized the critical role of the program in maintaining deputies' presence in remote areas and enabling prompt response to emergencies like domestic violence disputes.

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

19. Approve a contract extension of the Operation Stone Garden 2023 Subrecipient Agreement Number 22-AZDOHS-OPSG-220420-01 from the Arizona Department of Homeland Security (AZDOHS) from April 3, 2024, to January 31, 2025 to allow the Cochise County Sheriff's Office to exhaust remaining funds of \$201,707.20.

Vice-Chairman Crosby made a motion to approve a contract extension of the Operation Stone Garden 2023 Subrecipient Agreement Number 22-AZDOHS-OPSG-220420-01 from the Arizona Department of Homeland Security (AZDOHS) from April 3, 2024, to January 31, 2025 to allow the Cochise County Sheriff's Office to exhaust remaining funds of \$201,707.20. Supervisor Judd seconded the motion.

Commander Watkins presented this item. Commander Watkins stated that the current grant request mirrors last year's, with a previous allocation of approximately \$550,000 from the Arizona Department of Homeland Security in 2023, which they were unable to fully utilize, thus requesting its continuation. In response to the Board, Commander Watkins confirmed that the same criteria would be used for this grant.

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

### **Development Services**

20. Approve Professional Services Agreement 24-36-DEV-01 for the Hearing Officer to address violations of Zoning and Floodplain Regulations according to the fee schedule outlined in Exhibit B, effective May 7, 2024.

Vice-Chairman Crosby made a motion to approve Professional Services Agreement 24-36-DEV-01 for the Hearing Officer to address violations of Zoning and Floodplain Regulations according to the fee schedule outlined in Exhibit B, effective May 7, 2024. Supervisor Judd seconded the motion.

Dan Coxworth, Development Services Director, presented this item. Mr. Coxworth stated that this a renewal of the professional services agreement with Gregory Johnson to continue as the County's Hearing Officer, noting an increase in his hourly rate from \$50 to \$75. Mr. Coxworth expressed agreement with Johnson's request for an increase, and emphasized Mr. Johnson's value to the County and his effective performance since 2016. In response to the Board, Mr. Coxworth clarified that Gregory Johnson did not threaten to quit if an increase was not granted, and although his current contract expires in November, it was decided to renew it early due to his request for an increase in compensation. Mr. Coxworth also noted that Mr. Johnson typically holds hearings every other month, with a workload ranging from 10 to 30 cases per session, primarily in Sierra Vista and his contract does not cover mileage.

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

### **Health & Social Services**

21. Approve Amendment 4 of Intergovernmental Agreement (IGA) CTR055256 between Arizona Department of Health Services (ADHS), Title V Maternal and Child Health (MCH), Healthy Arizona Families and Cochise County Health and Social Services (CHSS), in the amount of \$166,176, effective July 1, 2024, to June 30, 2025.

Vice-Chairman Crosby made a motion to approve Amendment 4 of Intergovernmental Agreement (IGA) CTR055256 between Arizona Department of Health Services (ADHS), Title V Maternal and Child Health (MCH), Healthy Arizona Families and Cochise County Health and Social Services (CHSS), in the amount of \$166,176, effective July 1, 2024, to June 30, 2025. Supervisor Judd seconded the motion.

Maira Ibarra, Division Director Clinical Services, presented this item. Ms. Ibarra explained that the amendment would finance the fifth and final year of the grant cycle, supporting reproductive health services, breastfeeding strategies, and physical activities including sports physicals provided by nurse practitioners at all locations, ensuring continued provision of these services to the community until the end of fiscal year 2025. In response to the Board, Ms. Ibarra stated reproductive health did not involve abortions.

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

22. Approve Amendment 5 of Contract CTR050594 between the Arizona Department of Health Services (ADHS) and Cochise County Health & Social Services (CHSS) for the Health Start Program, in the amount of \$353,000, effective July 1, 2024, through July 5, 2025.

Vice-Chairman Crosby made a motion to approve Amendment 5 of Contract CTR050594 between the Arizona Department of Health Services (ADHS) and Cochise County Health & Social Services (CHSS) for the Health Start Program, in the amount of \$353,000, effective July 1, 2024, through July 5, 2025. Supervisor Judd seconded the motion.

Suzanne Hagle, Prevention Services Division Director, presented this item. Ms. Hagle stated that this amendment will allow the County to continue to provide services to families in various areas, including Sierra Vista, Bisbee, Naco, Elfrida, Douglas, Pirtleville, and Willcox, while expanding to serve the Winchester Heights community with the Healthy Start program. Ms. Hagle stated that this involves home visiting to educate parents on safety, nutrition, child development, and utilizes an approved curriculum from the Arizona Department of Health Services. In response to the Board, Ms. Hagle stated that the program does not include vaccinations.

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

## **Information Technology**

23. Approve obligation of \$3 million dollars from the Local Assistance and Tribal Consistency Fund for the County Enterprise Resource Planning (ERP) project in accordance with Cochise County Procurement Policy.

Vice-Chairman Crosby made a motion to approve obligation of \$3 million dollars from the Local Assistance and Tribal Consistency Fund for the County Enterprise Resource Planning (ERP) project in accordance with Cochise County Procurement Policy. Supervisor Judd seconded the motion.

Joe Casey, Associate County Administrator, presented this item. Mr. Casey stated that

this is a request to obligate \$3 million as discussed in a previous work session on April 10th regarding the Enterprise Resource Planning (ERP) system, which aims to advance the project and implement a more efficient system for the county's HR and finance. In response to the Board, Mr. Casey explained that the new system would significantly reduce manual processes, currently constituting about 60% of payroll, accounts payable, and other finance and HR department functions, aiming for increased efficiency.

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

## **Public Works**

24. Approve purchase of a AL300-EZ Mid-Carriage Striping Vehicle from EZ-Liner, in the amount of \$229,960.

Vice-Chairman Crosby made a motion to approve purchase of a AL300-EZ Mid-Carriage Striping Vehicle from EZ-Liner, in the amount of \$229,960. Supervisor Judd seconded the motion.

Jason Faccio, Public Works Director, presented this item. Mr. Faccio requested approval to purchase a striper truck for the Highways division, explaining that while similar to the existing one, it is a used truck with updated features due to difficulties rehabbing the current truck. Mr. Faccio stated that the current truck faces obsolescence issues and a high rehabilitation cost of \$202,000, which could cause a potential two-year downtime necessitating contracted striping services. In response to the Board, Mr. Faccio stated that the current truck is being used while it is operational. He stated that its pumps are now obsolete, necessitating temporary fixes until it can be auctioned off.

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

## **STATE & FEDERAL LEGISLATION**

25. 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 indicated that there was nothing to report.

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

Mr. Karwaczka noted that it was Public Service Recognition Week and encouraged applause for all public service workers.

## **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 reported that the wine festival in Willcox is this weekend.

Chairman English adjourned the meeting at 10:57 a.m.

APPROVED:

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Ann English, Chairman

ATTEST:

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Sharon Gilman, Interim Clerk of the Board