

**PROCEEDINGS OF THE COCHISE COUNTY BOARD OF SUPERVISORS
REGULAR MEETING HELD ON
TUESDAY, JUNE 18, 2024**

A regular board meeting of the Cochise County Board of Supervisors was held on Tuesday, June 18, 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 10:13 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 discussed the upcoming primary elections next month, specifically focusing on races in Districts 1, 2, and 3, the reelection of Supervisor Crosby, and her concerns about counting and certifying the vote results.

Sandy Trull criticized the Board of Supervisors for not allowing Vice-Chairman Crosby to finish his discussion last week during the Jail District meeting before voting, limiting public speaking time while excluding board members from discussions, rubber-stamping decisions, and collecting jail tax money despite ongoing litigation.

PRESENTATION

Presentation by the Arizona Auditor General's Office of the fiscal year 2022-2023 audit results and findings.

Chairman English introduced Rene Carrasco and Catherine Decker from the Auditor General's office.

Catherine Edwards Decker, Deputy Director of the Financial Audit Division for the Arizona Auditor General, presented three audit reports for the county's fiscal year 2023. The first report was the county's annual financial report, which received an unmodified

opinion, indicating reliable financial statements. The second report focused on internal control and compliance, reporting one financial statement finding. The third report was the single audit report, assessing compliance with federal program requirements, with no findings reported. Ms. Decker noted that the audits provided reasonable assurance but not absolute certainty and highlighted key financial information and trends from the past five years.

Rene Carrasco, Senior Financial Auditor, stated that in the prior fiscal year, three financial statement findings and one federal compliance finding was reported. Mr. Carrasco stated that the county implemented additional internal controls to correct the first finding related to payroll processing activities. He stated the second finding, concerning IT systems and data controls, was also fully corrected through enhanced data management controls. Mr. Carrasco reported the third financial statement finding and the federal compliance finding, both regarding missing the reporting deadline, were resolved as the county issued its audit package on March 29, 2024. Mr. Carrasco stated that the current financial statement finding identified deficiencies in the county's purchasing card process, and the county plans to correct this by June 30, 2024, through updated policies, improved documentation, and training for employees and supervisors.

The Board expressed gratitude for auditors' involvement in reviewing financial statements, acknowledging their role in highlighting any shortcomings and prompting the Board to consider policies or procedures to rectify any issues.

In response to the Board, Ms. Decker detailed findings from the audit, including \$6,948 in transactions lacking itemized receipts, \$2,863 spent on prohibited restroom sink replacements, \$1,087 split into two transactions to bypass the \$1,000 limit, \$944 spent on prohibited uniforms, and \$2,976 on undocumented food, beverages, and entertainment expenses, emphasizing the need for improved policies, training, and documentation for purchasing card transactions to ensure compliance and transparency.

Mr. Karwaczka expressed gratitude for the constructive relationship with the Auditor General, highlighting that their findings prompt policy revisions and enhanced training opportunities regarding purchasing card procedures, aiming to address issues and ensure compliance across staff transitions and updates in policies.

CONSENT

Probation

1. Adopt Resolution 24-08 to approve Fiscal Year 2024-2025 Family Counseling Funding Agreement, as provided by the Arizona Supreme Court, Administrative Office of the Courts (AOC), in the amount of \$11,986 and the required \$2,997 matching funds, effective July 1, 2024 through June 30, 2025.
2. Approve Proclamation declaring the week of July 21-27, 2024 as Pretrial, Probation and Parole Week in Cochise County.

Board of Supervisors

3. Approve the Minutes of the regular meeting of the Board of Supervisors of June 4, 2024.
4. Approve the Fifth Amended Intergovernmental Agreement (IGA) with the Arizona Counties Insurance Pool (ACIP) for renewal of insurance and insurance services relating to exposures for property, fidelity, employment, employer liability, workers' compensation, liability losses and other losses as may be permitted by law, effective July 1, 2024, for a period of ten years.

Clerk of Superior Courts

5. Approve interfund transfer of \$6,409.57 from General Fund to Title IV-D Processing (Fund 569) effective June 19, 2024, to clear the fund deficit.
6. Approve receipt of funds according to Amendment 3 of Intergovernmental Agreement (IGA) D118-002171, Title IV-D Child Support Processing, between Cochise County Clerk of the Superior Court and the Arizona Department of Economic Security, Division of Child Support Services, effective October 1, 2023, through April 30, 2028.

Court Administration

7. Approve Fiscal Year 2025 Court Security Improvements Funding Agreement, as provided by the Arizona Supreme Court, Administrative Office of the Courts (AOC), in the amount of \$46,424, effective July 1, 2024, through June 30, 2025.

Finance

8. Approve demands and budget amendments for operating transfers.

Health & Social Services

9. Approve Amendment 5 clerical correction only 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.

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

ACTION

Board of Supervisors

10. Approve Community Enhancement Fund expenditures for District 3: Roll-offs for San Simon Community Cleanup, not to exceed \$3,000.

Vice-Chairman Crosby made a motion to approve Community Enhancement Fund expenditures for District 3: Roll-offs for San Simon Community Cleanup, not to exceed \$3,000. Supervisor Judd seconded the motion.

Supervisor Judd stated that San Simon fire department had requested the initiative, which would facilitate community cooperation and funding for a cleanup day.

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

11. Approve Community Enhancement Fund expenditures for District 3: Rex Allen Museum repairs to roof and wall, in the amount of \$10,000.

Supervisor Judd made a motion to approve Community Enhancement Fund expenditures for District 3: Rex Allen Museum repairs to roof and wall, in the amount of \$10,000. Vice-Chairman Crosby seconded the motion.

Supervisor Judd explained that the deteriorating flat roof of a 100-year-old building was causing issues, prompting Rex Allen Jr. to worry about relocating his father's collection, which would negatively impact the community. Supervisor Judd stated that to preserve the museum and its local historical significance she would like to use \$10,000 of her Community Enhancement funds to complete the necessary repairs, ensuring the museum continues to attract visitors and educate children about local history. In response to the Board, Ms. Roberts stated the project falls under a 501C3 organization and requires a unanimous board vote since it doesn't align with the board's authorized project categories such as multi-use paths or natural resource projects.

Supervisor Judd highlighted the urgency of repairing the crumbling wall near the sidewalk of the museum building to prevent public danger, and she noted that an expert has been found to handle the repairs.

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

12. Approve Community Enhancement Fund expenditures for District 3: St. Vincent de Paul Clean Up in Willcox, not to exceed \$200.

Vice-Chairman Crosby made a motion to approve Community Enhancement Fund expenditures for District 3: St. Vincent de Paul Clean Up in Willcox, not to exceed \$200. Supervisor Judd seconded the motion.

Supervisor Judd explained that St. Vincent de Paul handles various tasks, including aiding the homeless and indigent population, but has recently been overwhelmed with accumulating items. She stated St. Vincent de Paul does not have its own building, therefore these items risk being damaged by weather, so there's a push to clear them out before they deteriorate further.

Chairman English noted that across the county, many people donate unsellable items, leaving organizations like St. Vincent de Paul to bear the cost of disposing of them at landfills.

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

County Attorney

13. Approve the Arizona Criminal Justice Commission (ACJC) Drug, Gang and Violent Crime Control Grant Agreement DC-25-021 in the amount of \$148,186.18, between the ACJC and Cochise County, effective July 1, 2024, through June 30, 2025.

Vice-Chairman Crosby made a motion to approve the Arizona Criminal Justice Commission (ACJC) Drug, Gang and Violent Crime Control Grant Agreement DC-25-021 in the amount of \$148,186.18, between the ACJC and Cochise County, effective July 1, 2024, through June 30, 2025. Vice-Chairman Crosby seconded the motion.

Kenny Reeves, County Attorney's Office Chief of Staff, presented this item. Mr. Reeves stated that the grant, held since its inception in 2005, supports their drug unit and partially funds attorney salaries, with recent hires affecting the exact salary allocation.

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

County Schools

14. Approve Memorandum of Understanding (MOU) between the Pinal County School Superintendent, the Cochise County School Superintendent, the Pinal County Superior Court Presiding Juvenile Court Judge, and the Cochise County Superior Court Presiding Juvenile Court Judge, agreeing on Pinal County as county of jurisdiction for the County Detention Center Education Program to serve Pinal and Cochise Counties, effective July 1, 2024, to June 30, 2025, with automatic one-year renewal for up to 5 years.

Supervisor Judd made a motion to approve a Memorandum of Understanding (MOU) between the Pinal County School Superintendent, the Cochise County School Superintendent, the Pinal County Superior Court Presiding Juvenile Court Judge, and the Cochise County Superior Court Presiding Juvenile Court Judge, agreeing on Pinal County as county of jurisdiction for the County Detention Center Education Program to serve Pinal and Cochise Counties, effective July 1, 2024, to June 30, 2025, with automatic one-year renewal for up to 5 years. Vice-Chairman Crosby seconded the motion.

Jacqui Clay, County School Superintendent, Dr. Clay stated that while there is an agreement between Pinal and Cochise counties for transporting and housing juvenile offenders since Cochise County's detention center closed in 2020, there hasn't been an intergovernmental agreement (IGA) between the respective County School Superintendents to outline responsibilities for educating these juvenile students. She stated this proposed IGA aims to clarify roles between the Pinal and Cochise County Superintendent to ensure a smooth transition of these students back into their home districts. In response to the Board, Dr. Clay clarified that the issue at hand does not pertain to funding, as funding is already allocated directly from the state to Pinal County.

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

15. Approve an Intergovernmental Agreement (IGA) for Juvenile Detention Center Education Program Services between Pinal County and Cochise County, effective July 1, 2024, to June 30, 2025, with automatic one-year renewal for up to 5 years.

Supervisor Judd made a motion to approve an Intergovernmental Agreement (IGA) for Juvenile Detention Center Education Program Services between Pinal County and Cochise County, effective July 1, 2024, to June 30, 2025, with automatic one-year renewal for up to 5 years. Vice-Chairman Crosby seconded the motion.

Dr. Clay presented this item. Dr. Clay highlighted the need for an MOU between Pinal and Cochise counties concerning the transportation and housing of juvenile offenders since Cochise County's detention center closed in 2020, and emphasized the necessity to establish agreements between County School Superintendents or presiding juvenile court judges to ensure proper education for these students.

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

County Sheriff

16. Approve Grant Agreement DC-25-003 between Arizona Criminal Justice Commission (ACJC) Drug, Gang and Violent Crime Control and the Cochise County Sheriff's Office, to fund the Special Operations Division's overtime and Employee-Related Expenses (EREs) related to its narcotics and smuggling investigations, in the amount of \$131,883.11, effective July 1, 2024, through June 30, 2025.

Vice-Chairman Crosby made a motion to approve Grant Agreement DC-25-003 between Arizona Criminal Justice Commission (ACJC) Drug, Gang and Violent Crime Control and the Cochise County Sheriff's Office, to fund the Special Operations Division's overtime and Employee-Related Expenses (EREs) related to its narcotics and smuggling investigations, in the amount of \$131,883.11, effective July 1, 2024, through June 30, 2025. Supervisor Judd seconded the motion.

Sean Gijanto, County Sheriff Lieutenant, presented this item. Lieutenant Gijanto stated that the ongoing grant, in place since 2005, funds a narcotics officer assigned to the Drug Enforcement Agency (DEA) to investigate drug-related offenses, with its financial requirements supplemented by Prop 207 funding, and noted that the grant amount has remained stable over the past three years. In response to the Board, Lieutenant Gijanto stated that although the employees are part of the Sheriff's Office, they report to the DEA due to their assignment to the HIDTA task force.

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

17. Approve License Agreement for Graykey in the amount of \$35,350.59, for use of a mobile device forensic analysis tool, effective June 28, 2024, through June 27, 2027.

Supervisor Judd made a motion to approve License Agreement for Graykey in the amount of \$35,350.59, for use of a mobile device forensic analysis tool, effective June 28, 2024, through June 27, 2027. Vice-Chairman Crosby seconded the motion.

Lieutenant Gijanto presented this item. Lieutenant Gijanto stated that GrayKey is a software suite currently in use that enables the extraction of information from mobile devices for criminal investigations.

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

18. Approve Subscription Agreement with Traffic Jam in the amount of \$28,131.83, for an information discovery tool that utilizes advanced technology to detect and identify patterns in online data and assist public safety agencies in disrupting systemic trafficking and safeguarding victims, effective June 28, 2024, through June 27, 2027.

Vice-Chairman Crosby made a motion to approve Subscription Agreement with Traffic Jam in the amount of \$28,131.83, for an information discovery tool that utilizes advanced technology to detect and identify patterns in online data and assist public safety agencies in disrupting systemic trafficking and safeguarding victims, effective June 28, 2024, through June 27, 2027. Supervisor Judd seconded the motion.

Lieutenant Gijanto presented this item. Lieutenant Gijanto stated that this software tool searches known criminal communication points online to identify human trafficking victims and aids in building criminal cases.

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

19. Approve Subscription Agreement with Flashpoint Intelligence Platform in the amount of \$63,399, to identify criminal activity, victims & suspects to build criminal investigations, effective June 7, 2024, through June 6, 2027.

Supervisor Judd made a motion to approve Subscription Agreement with Flashpoint Intelligence Platform in the amount of \$63,399, to identify criminal activity, victims & suspects to build criminal investigations, effective June 7, 2024, through June 6, 2027. Vice-Chairman Crosby seconded the motion.

Lieutenant Gijanto presented this item. Lieutenant Gijanto stated that Flashpoint is a comprehensive software tool that scours the internet, including the dark web, for publicly available information related to criminal investigations, streamlining the search process by consolidating it onto one platform.

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

20. Approve agreement with Cellebrite Software in the amount of \$276,243.38 for mobile device investigations solutions, including unlocking, extraction, analysis, and data management, effective June 30, 2024, to June 29, 2027.

Vice-Chairman Crosby made a motion to approve agreement with Cellebrite Software in the amount of \$276,243.38 for mobile device investigations solutions, including unlocking, extraction, analysis, and data management, effective June 30, 2024, to June 29, 2027. Supervisor Judd seconded the motion.

Lieutenant Gijanto presented this item. Lieutenant Gijanto stated that Cellebrite is a suite of tools for mobile device investigation, including unlocking devices, extracting and analyzing data, and performing link analysis to connect information relevant to investigations.

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

21. Approve Subscription Agreement with Clearview AI in the amount of \$43,076.35, for a facial recognition search engine that enables users to search publicly available online images, effective June 18, 2024, through June 17, 2027.

Supervisor Judd made a motion to approve Subscription Agreement with Clearview AI in the amount of \$43,076.35, for a facial recognition search engine that enables users to search publicly available online images, effective June 18, 2024, through June 17, 2027. Vice-Chairman Crosby seconded the motion.

Lieutenant Gijanto presented this item. In response to the Board, Lieutenant Gijanto stated that he is not aware of any limit on the number of times the system can be used or the number of officers that can be trained to use it. Lieutenant Gijanto stated that due to privacy concerns and the sensitivity of facial recognition software, its use will be restricted to special operations detectives with significant oversight, limiting access to specific personnel involved in major criminal investigations.

In response to the Board, Lieutenant Gijanto explained that the limited use of facial recognition software is due to heightened sensitivity and privacy concerns, ensuring it is only used appropriately for significant investigations to avoid unnecessary public concern. Lieutenant Gijanto indicated that while they are optimistic about successfully using the allocated grant money, he will not consider it finalized until the purchase orders and invoices are completed and the items are delivered.

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

Health & Social Services

22. Approve Intergovernmental Agreement (IGA) Grant Renewal Amendment GRA-STATE-24-1242-01 between First Things First and Cochise County Health and Social Services for First Things First Child Care Health Consultation, in the amount of \$126,169, effective July 1, 2024, through June 30, 2025.

Vice-Chairman Crosby made a motion to approve Intergovernmental Agreement (IGA) Grant Renewal Amendment GRA-STATE-24-1242-01 between First Things First and Cochise County Health and Social Services for First Things First Child Care Health Consultation, in the amount of \$126,169, effective July 1, 2024, through June 30, 2025. Supervisor Judd seconded the motion.

Maira Ibarra, Division Director Clinical Services, presented this item. Ms. Ibarra explained that the strategy enables childcare health consultants to support facilities in improving health and safety practices through assessments and goal-setting, aiming to ensure the safety of children and families using these centers within the community. In response to the Board, Ms. Ibarra stated that they have 30 childcare facilities under their consultation, with one consultant overseeing 14 centers and another overseeing 16.

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

Information Technology

23. Approve Arizona 911 Program Grant Agreement, ADOA-AZ911-25-04 with the Arizona Department of Administration to fund Public Safety Answering Points services, in the amount of \$388,680, effective July 1, 2024, through June 30, 2025.

Supervisor Judd made a motion to approve Arizona 911 Program Grant Agreement, ADOA-AZ911-25-04 with the Arizona Department of Administration to fund Public Safety Answering Points services, in the amount of \$388,680, effective July 1, 2024, through June 30, 2025. Vice-Chairman Crosby seconded the motion.

Joe Casey, Associate County Administrator, presented this item. Mr. Casey stated that the grant agreement aims to fund 911 phone lines, equipment, and GIS support for Southeastern Arizona Communications (SEACOM) in Cochise County. In response to the Board, Mr. Casey stated that funding for communities served by SEACOM goes directly to SEACOM for 911 services. Mr. Casey stated that SEACOM, headed up by Tammi-Jo Wilkens, is compliant with all the grant requirements.

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

Procurement

24. Approve revisions to the Cochise County Purchasing Card Policy as presented in attachments, effective June 18, 2024.

Supervisor Judd made a motion to approve revisions to the Cochise County Purchasing Card Policy as presented in attachments, effective June 18, 2024. Vice-Chairman Crosby seconded the motion.

Monica Miranda, Finance Director, presented this item. Ms. Miranda stated that this item seeks approval for revisions to the procurement card (P card) policy to clarify acceptable use and enhance enforcement, following steps such as mandatory annual training and implementing a reporting mechanism to address the Auditor General's finding, with these revisions being the final step to resolve the audit finding completely.

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 stated that sine die for the legislature has occurred, and the full impact of their actions or decisions will be clarified in the coming days.

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

Mr. Karwaczka reported that UOCAVA ballots were sent out on June 26, and the logic and accuracy testing for the elections department would be conducted next week. He reminded the public that July 1 is the last day to register to vote, July 19 is the deadline to request early ballots, and mentioned that the health department received the 2024 Healthy Arizona Worksite

award.

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 11:17 a.m.

APPROVED:

Ann English, Chairman

ATTEST:

Sharon Gilman, Interim Clerk of the Board