

**PROCEEDINGS OF THE COCHISE COUNTY BOARD OF SUPERVISORS
REGULAR MEETING HELD ON
TUESDAY, MARCH 11, 2025**

A regular board meeting of the Cochise County Board of Supervisors was held on Tuesday, March 11, 2025, at 10:00 a.m. in the Board of Supervisors' Hearing Room, 1415 Melody Lane, Building G, Bisbee, Arizona.

Present: Frank Antenori, Chairman; Tom Crosby, Vice-Chairman; Kathleen L. Gomez, Supervisor

Staff Present: Sharon Gilman, Interim County Administrator; Joe Casey, Interim Deputy County Administrator; Paul Correa, Chief Civil Deputy County Attorney; Lara Loewenheim, Clerk of the Board

Chairman Antenori called the meeting to order at 10:15 a.m.

ANY ITEM ON THIS AGENDA IS OPEN FOR DISCUSSION AND POSSIBLE ACTION

PLEDGE OF ALLEGIANCE

PRESENTATION

The official swearing-in of County Recorder Billy Cloud.

Judge Poppe administered the Oath of Office for County Recorder, Billy Cloud. Recorder Billy Cloud expressed his appreciation to staff and family present.

CALL TO THE PUBLIC

Henry Copeland expressed concerns about his property in Miracle Valley.

Radford Hyde was called upon but did not speak.

Tamara Birch raised concerns about the shift from voting centers to precinct voting and the potential for 100% hand-counting of ballots.

CONSENT

Board of Supervisors

1. Approve the Minutes of the regular meeting of the Board of Supervisors of February 25, 2025.

2. Approve Intergovernmental Agreement (IGA) with the Arizona State Board of Equalization for property tax reviews and appeals, effective February 28, 2025, through February 27, 2026.

Finance

3. Approve demands and budget amendments for operating transfers.

Workforce Development

4. Approve the appointment of Ms. Cara Elkins to the Local Workforce Investment Board, effective immediately through June 30, 2028

Vice-Chairman Crosby made a motion to approve consent agenda items 1 through 4. Supervisor Gomez seconded the motion.

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

PUBLIC HEARINGS

Board of Supervisors

5. Adopt Resolution 25-03 granting a Water Services Franchise to Cactus State Utility Operating Company, LLC.

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

Mr. Correa presented this item. Mr. Correa explained that the water franchise requires approval from the Board of Supervisors under state law to allow the delivery of water, following the same contract and process used for others, with location details included in the materials. In response to the Board, Mr. Correa emphasized the concept of "unknown unknowns," highlighting the uncertainty of the future, especially regarding long-term franchise agreements, technological advancements, and potential legislative changes, which is why the county includes protective language in agreements. The Board discussed their reservations regarding the language in the agreement. Ms. Gilman reminded the Board that this is a public hearing and this would have to be re-noticed.

Vice-Chairman Crosby made a motion to table Resolution 25-03 granting a Water Service Franchise to Cactus State Utility Operating Company, LLC. Supervisor Gomez seconded that motion.

Chairman Antenori called for the vote and it was tabled 3-0.

Chairman Antenori closed the Public Hearing.

6. Approve Series 09 (Liquor Store) new liquor license application submitted by Andrea Lewkowitz, for Mustang Mall, 13116 S. Hwy. 191, Pearce, AZ 85625.

Supervisor Gomez made a motion to approve Series 09 (Liquor Store) new liquor license application submitted by Andrea Lewkowitz, for Mustang Mall, 13116 S. Hwy. 191, Pearce, AZ 85625. Vice-Chairman Crosby seconded the motion.

Ms. Loewenheim presented this item. Ms. Loewenheim presented a Series 9 liquor license application for Mustang Mall in Pierce, Arizona, for the Board of Supervisors' recommendation. She stated all relevant departments support approval, property taxes are paid, no formal protests were submitted, and the final decision will be made by the Arizona Department of Liquor License Control.

Chairman Antenori opened the public hearing and no one chose to speak.

Chairman Antenori closed the public hearing.

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

ACTION

Board of Supervisors

7. 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 Gomez seconded the motion.

Ms. Loewenheim presented this item. Ms. Loewenheim provided an update on the tax deed land auction item asking for the Board's approval of a bid for a parcel that was unsold after last year's tax deed land sale. She stated the parcel is one of four parcels that remained, a bid of \$3500, along with the \$25 administration fee, was received for the parcel listed in Exhibit A.

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

County Sheriff

8. Approve recurring grant award under Operation Stone Garden Subrecipient Agreement Number 240419-01, from the Arizona Department of Homeland Security (AZDOHS) for overtime and mileage associated with the coordinated and targeted public safety operations to detect, deter and/or arrest subjects who traffic humans and/or drugs illegally into the country, in the amount of \$391,813, effective February 1, 2025, through March 31, 2026.

Vice-Chairman Crosby made a motion to approve the recurring grant award under Operation Stone Garden Subrecipient Agreement Number 240419-01, from the Arizona Department of Homeland Security (AZDOHS) for overtime and mileage associated with the coordinated and targeted public safety operations to detect, deter and/or arrest subjects who traffic humans and/or drugs illegally into the country, in the

amount of \$391,813, effective February 1, 2025, through March 31, 2026. Supervisor Gomez seconded this motion.

In response to the Board, Lieutenant Foster explained that it is a recurring federal grant funding allowing local law enforcement to combat human and drug smuggling. He stated that this supports proactive enforcement and patrols without disrupting schedules, covering employee-related expenses like public safety retirement, workers' compensation, and Social Security taxes. Deputies are deployed seven days a week across three regions—Willcox, Douglas, and Sierra Vista, Lieutenant Foster stated the grant funds up to 8 hours of weekly overtime, enabling extra patrols to support Border Patrol while remaining under the sheriff's command, which enhances law enforcement capacity, allowing flexible response to critical incidents.

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

Development Services

9. Conduct a review, and affirm, modify, or reverse the decision of the Hearing Officer regarding zoning violation case number 24-002851 (Houston), pursuant to the appeal of Mr. Jason Houston (District 3).

Supervisor Gomez made a motion to conduct a review, and affirm, modify, or reverse the decision of the Hearing Officer regarding zoning violation case number 24-002851 (Houston), pursuant to the appeal of Mr. Jason Houston (District 3). Vice-Chairman Crosby seconded the motion.

Dan Coxworth, Development Services Director, and Jackie Watkins, Engineering and Natural Resources Director presented this item. Mr. Coxworth stated that Jason Houston appealed a hearing officer's decision regarding a zoning violation located at 300 N. 6th Street. Mr. Coxworth stated the issue involved a fence over three feet tall with an opaque fabric obstructing the sight triangle at the intersection, violating Cochise County zoning regulations. Mr. Coxworth stated that after three anonymous complaints, the county opened a code violation, and Houston was notified in August 2024. Mr. Coxworth stated Mr. Houston applied for a permit but was told it couldn't be issued until the obstruction was removed. Mr. Coxworth stated that in January 2025, the hearing officer ruled the fence violated zoning laws and ordered the obstruction's removal, imposing a \$750 fee and a \$50 daily penalty until resolved.

Jason Houston explained that he appealed due to unequal justice by the zoning division. He stated the zoning division is focused on him, and they aren't enforcing the regulation across the whole neighborhood. Mr. Houston stated it is unfair for one person to be held to a standard while the whole neighborhood is not. Mr. Houston also pointed out that Cochise College built the fence and their permit was approved when the house was built. Mr. Houston stated he ordered and installed these custom panels and it would cost him several hundred dollars to remove them.

Chairman Antenori stated that the permit was for the fence without the black screen and the black screen placed on the fence later is what caused the code violation. The Board discussed solutions for Houston to fix the fence and also to have the Planning and Zoning department visit the neighborhood surrounding Houston's property to verify existing code violations and possible solutions for compliance.

Vice-Chairman Crosby moved to affirm the decision of the Hearing Officer regarding zoning violation case number 24-002851 (Houston), pursuant to the appeal of Mr. Jason

Houston (District 3). Supervisor Gomez seconded the motion.

Chairman Antenori called for the vote, which was approved 3-0.

Emergency Services

10. Approve an Interfund Transfer of \$15,000 from the Emergency Management General Fund to the Emergency Management Grant Fund for the 10% grant match for the Community Wildfire Defense Grant for the Community Wildfire Protection Plan project.

Vice-Chairman Crosby made a motion to approve an Interfund Transfer of \$15,000 from the Emergency Management General Fund to the Emergency Management Grant Fund for the 10% grant match for the Community Wildfire Defense Grant for the Community Wildfire Protection Plan project. Supervisor Gomez seconded the motion.

Dan Duchon, Director of Emergency Management, presented this item. Ducon explained that the Emergency Management Department secured a \$150,000 Community Welfare Defense Grant to update the 2014 Community Welfare Protection Plan. He stated the grant covers 90% (\$135,000), with a 10% (\$15,000) match from the county. Mr. Duchon stated this was approved last fall, and is now seeking a consultant to begin the update, and he requested to move the county's match to the Emergency Management grant fund.

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

Facilities

11. Approve the office lease agreement between Cochise County and the Arizona Board of Regents on behalf of the University of Arizona Cooperative Extension to provide 140 square feet of office space in the Cochise county building located at 1012 N. G Avenue, Douglas Arizona.

Supervisor Gomez made a motion to approve the office lease agreement between Cochise County and the Arizona Board of Regents on behalf of the University of Arizona Cooperative Extension to provide 140 square feet of office space in the Cochise county building located at 1012 N. G Avenue, Douglas, Arizona. Vice-Chairman Crosby seconded the motion.

Supervisor Gomez stated she needs to meet with the Arizona University Cooperative Extension and discuss revitalizing the county building in Douglas, which has unused and unfinished space. She said the Cooperative Extension may use part of it for storage, but the county should explore better uses, like providing services or office space, to bring life and activity back to the building. Supervisor Gomez suggested a future work session to focus on maximizing the building's potential.

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

Housing Authority

12. Approve the renewal of the Family Self-Sufficiency Grant Agreement, FSS25AZ5890-01-00, awarded by the U.S. Department of Housing and Urban Development to the Housing Authority of Cochise County, for the amount of \$80,000, effective January 1, 2025, through December 31, 2025.

Vice-Chairman Crosby made a motion to approve the renewal of the Family Self-Sufficiency Grant Agreement, FSS25AZ5890-01-00, awarded by the U.S. Department of Housing and Urban Development to the Housing Authority of Cochise County, for the amount of \$80,000, effective January 1, 2025, through December 31, 2025. Supervisor Gomez seconded the motion.

Anita Baca, Housing Authority Director, presented this item. Ms. Baca stated that this is a renewal grant based on an annual basis. She stated the Family Self-Sufficiency Grant Agreement has been administered for approximately 20 years, funded completely by the United States Department of Housing and Urban Development (HUD).

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

STATE & FEDERAL LEGISLATION

13. 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 Antenori provided an update on federal funding impacts and legislative developments, noting that while several concerning bills are unlikely to pass due to expected vetoes, the initiative to prohibit taxation on food is likely to go to the ballot. Chairman Antenori also discussed the stalled efforts to hold a special election for education funding through state trust land revenue, predicting that the issue will instead be addressed through budget negotiations between the governor and the legislature later in the session.

REPORT BY SHARON GILMAN, INTERIM COUNTY ADMINISTRATOR -- RECENT AND PENDING COUNTY MATTERS

Ms. Gilman stated she is actively working with department directors on budget preparations, monitoring legislative projections, and assessing potential impacts to ensure informed decision-making for upcoming budget work sessions.

SUMMARY OF CURRENT EVENTS

Report by District 1 Supervisor, Tom Crosby

Vice-Chairman Crosby made mention that Payments in Lieu of Taxes (PILT), does not make up for the taxes and the citizen's use of the land would be more beneficial.

Report by District 2 Supervisor, Kathleen L. Gomez

Supervisor Gomez stated that she and Mayor Jose Grijalva from the City of Douglas would be meeting with Senator Gowan and Representative Diaz in Phoenix to discuss the Port of Entry. Chairman Antenori requested Supervisor Gomez bring up both Highway 80 and Highway 191 as well, so the Arizona Department of Transportation (ADOT) will start thinking about it.

Report by District 3 Supervisor, Frank Antenori

Chairman Antenori advised that he signed a letter supporting the continuation of payments in lieu of tax (PILT) funds. He stated the funds are Federal payments that help local governments offset losses in property taxes due to the existence of nontaxable Federal lands within their boundaries. He asked that the PILT revenue continue. He stated that letters were sent to the entire Arizona Federal Congressional and Senate delegations.

Chairman Antenori adjourned the meeting at 11:33 a.m.

APPROVED:

Frank Antenori, Chairman

ATTEST:

Lara Loewenheim, Clerk of the Board