

**PROCEEDINGS OF THE COCHISE COUNTY BOARD OF SUPERVISORS  
REGULAR MEETING HELD ON  
TUESDAY, JULY 13, 2021**

A regular board meeting of the Cochise County Board of Supervisors was held on Tuesday, July 13, 2021 at 10:00 a.m. in the Board of Supervisors' Hearing Room, 1415 Melody Lane, Building G, Bisbee, Arizona.

Present: Ann English, Chairman; Peggy Judd, Vice-Chairman; Tom Crosby, Supervisor  
Staff Present: Richard G. Karwaczka, County Administrator; Sharon Gilman, Associate County Administrator; Christine Roberts, Chief Civil Deputy County Attorney; Kim Lemons, Clerk of the Board; Camila Rochin, Public Information Officer

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**

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***CALL TO THE PUBLIC***

No one chose to speak.

***PRESENTATION***

Presentation by Mr. Chris Anable, Operations Manager, regarding Mary's Mission and Developmental Center.

Major William Lacey, Jr., Chief Executive Officer, Mary's Mission and Developmental Center (Center), presented this item. He gave background information on the Center, and summarized upcoming events and activities. He distributed a packet of information regarding the Center, and responded to questions from the Board.

***CONSENT***

**Board of Supervisors**

1. Approve the Minutes of the regular meeting of the Board of Supervisors of June 22, 2021.
2. Renew and/or revise committee appointments for members of the Board of Supervisors and executive staff for the 2021-22 Fiscal Year and approve continuing annual memberships for 2021-22, with payment of associated dues as described herein.

### **Engineering & Natural Resources**

3. Adopt Resolution 21-13 transferring lots within Kings Ranch at Coronado to Pioneer Title Agency Inc., as trustee of that certain Trust Agreement known as Trust Number 321365.

### **Finance**

4. Approve demands and budget amendments for operating transfers.

Vice-Chairman Judd made a motion to approve items 1-4 on the Consent Agenda. Supervisor Crosby seconded the motion and it carried unanimously.

### ***PUBLIC HEARINGS***

#### **Board of Supervisors**

5. Approve a Series #7 (Beer & Wine Bar) new liquor license application submitted by Ms. Jessica Sarinana, for Urbano Coffee Company, located at 4711 S. Hwy 92, Sierra Vista, AZ 85650.

Ms. Lemons presented this item. She stated that the application was reviewed and recommended for approval by the appropriate departments; property taxes are current; there have been no formal protests; and, the applicant paid the \$100 processing fee. Board staff recommended approval.

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

Supervisor Crosby made a motion to approve a Series #7 (Beer & Wine Bar) new liquor license application submitted by Ms. Jessica Sarinana, for Urbano Coffee Company, located at 4711 S. Hwy 92, Sierra Vista, AZ 85650. Vice-Chairman Judd seconded the motion.

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

6. Approve a new liquor license for a Series #13 (Farm Winery) application submitted by Mr. Robert Carl Carlson III for Carlson Creek Vineyard LLC, located at 4574 E. Robbs Rd, Willcox, AZ 85643.

Ms. Lemons presented this item. She stated that the application was reviewed and recommended for approval by the appropriate departments; property taxes are current; there have been no formal protests; and, the applicant paid the \$100 processing fee.

Board staff recommended approval.

Chairman English opened the Public Hearing.

Vice-Chairman Judd spoke in support of the business.

No one else chose to speak and Chairman English closed the Public Hearing.

Vice-Chairman Judd made a motion to approve a new liquor license for a Series #13 (Farm Winery) application submitted by Mr. Robert Carl Carlson III for Carlson Creek Vineyard LLC, located at 4574 E. Robbs Rd, Willcox, AZ 85643. Supervisor Crosby seconded the motion.

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

## **Development Services**

7. Adopt Zoning Ordinance 21-11 rezoning two parcels totaling approximately 30 acres from HI (Heavy Industry) to GB (General Business), pursuant to the application of Mr. Ken Perry.

Chairman English opened the Public Hearing.

Mr. Robert Kirschmann, Planner II, presented this item using a PowerPoint presentation. This request is to rezone two parcels from HI to GB. He gave the property's location, total acreage, site plan, and the existing use and proposed use, which is an RV Park. He summarized the 11 letters received in opposition to the rezoning, reviewed the factors in favor of and against approval, and the seven recommended conditions of approval. In addition to the standard conditions, staff recommends conditions to require a traffic study and/or traffic impact analysis; paving of Page Ranch Road; a drainage report; and, improvement plans, including roadway and grading. The Planning and Zoning Commission (Commission) recommended approval.

Mr. Danny Hatch, Mr. Anthony Roberson, Ms. Susan Herman, Mr. Donnell Collins, and Ms. Julia Hamel addressed the Board and discussed various reasons in opposition to the rezoning. Mr. Doajo Hicks was called upon to speak but was not present. Mr. Raymond Hebert, Ms. Wendy Cameron, Mr. Don Herman and Mr. Larry Hamel introduced themselves and stated they were opposed to the rezoning.

At the Board's request, Mr. Kirschmann responded to concerns regarding water and the owner's right to drill a well; traffic and onsite improvements, including drainage; access to the property from Page Ranch Road; and, access to the well site. He stressed that at this time, the site plan is conceptual.

No one else chose to speak and Chairman English closed the Public Hearing.

The Board discussed their thoughts and opinions on the rezoning and the proposed use.

Mr. Ken Perry, applicant representative, addressed the Board and discussed various reasons in support of the rezoning. At the Board's request, he addressed concerns raised during the Public Hearing, including well and aquifer depth; estimated water usage; traffic and drainage; and, access to the existing wells. In response to the Board, Mr. Perry clarified that the proposed use is for both an RV Park and permanent

manufactured home; and, discussed the drainage study and ensuring that Page Ranch Road remains drivable. The Board and Mr. Perry discussed the rezoning, proposed use, and the existing zoning in further detail.

In response to the Board, Mr. Kirschmann confirmed that the Board is considering a rezoning to GB; the RV Park is proposed at this time, though in the future, it could be something else that fits in the GB classification. The Board and Mr. Kirschmann discussed this further; Mr. Kirschmann clarified that the plan regarding water and wastewater will be reviewed and approved by the state. The Board continued to discuss their thoughts and opinions on the matter.

In response to the Board's discussion, Mr. Perry stated that the applicant is willing to limit the number of units to 150; this could be a condition of approval for the rezoning. The Board discussed tabling the item; their thoughts and opinions on the rezoning; and, limiting the number of units. In response to the Board, Ms. Roberts stated that the Board may add a condition of approval to limit the number of units.

In response to the Board, Mr. Kirschmann stated that if the rezoning is approved today, a permitted use would not come back to the Commission or to the Board; if not approved, a Heavy Industrial use could come in without going to the Commission or to the Board.

Supervisor Crosby made a motion to adopt Zoning Ordinance 21-11 rezoning two parcels totaling approximately 30 acres from HI (Heavy Industry) to GB (General Business), pursuant to the application of Mr. Ken Perry, conditional on reducing lots to 150. Vice-Chairman Judd seconded the motion.

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

## ***ACTION***

### **Board of Supervisors**

8. Approve a proclamation opposing the Federal Government's 30 X 30 Land Preservation Goal.

Supervisor Crosby presented this item. He stated that the proclamation was forwarded by State Representative Gail Griffin, read an excerpt of the proclamation, and discussed this being about constitutional rights. The Board discussed their opinions on the proclamation and the County's position on conservation. In response to the Board, Ms. Roberts clarified the effect of voting for or against the item.

Vice-Chairman Judd made a motion to approve a proclamation opposing the Federal Government's 30 X 30 Land Preservation Goal. Supervisor Crosby seconded the motion.

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

### **County Attorney**

9. Approve the Crime Victim Compensation Grant No. VC-22-002 in the amount of \$72,461, effective July 1, 2021 through June 30, 2022.

Supervisor Crosby made a motion to approve the Crime Victim Compensation Grant No. VC-22-002 in the amount of \$72,461, effective July 1, 2021 through June 30, 2022. Vice-Chairman Judd seconded the motion.

Ms. Roberts presented this item. She provided background information on this annual grant, including the amount, purpose, and what the funds will be used for. There is no matching fund requirement.

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

## **County Schools**

10. Approve Software License Agreement between Hane Solutions, LLC, and the Cochise County School Superintendent's Office for a school management system in the amount of \$5,430, effective May 1, 2021 through June 30, 2022.

Ms. Jacqui Clay, School Superintendent, presented this item. She stated that this agreement is for a School Information System (System) that allows for the centralization of student information. A System is required to stay in compliance with state statute.

Vice-Chairman Judd made a motion to approve Software License Agreement between Hane Solutions, LLC, and the Cochise County School Superintendent's Office for a school management system in the amount of \$5,430, effective May 1, 2021 through June 30, 2022. Supervisor Crosby seconded the motion.

The Board, Ms. Clay and Mr. Karwaczka discussed compliance with A.R.S. § 15-1001(A)(5) and the System being used for students at the New Crossroads Academy, jail, and detention center.

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

## **Health & Social Services**

11. Approve Amendment 1 to Contract CTR050594 (Health Start Program) between the Arizona Department of Health Services and Cochise Health & Social Services, in the annual amount of \$353,000, to extend the contract to the second of five grant years, effective July 1, 2021 through July 5, 2022.

Supervisor Crosby made a motion to approve Amendment 1 to Contract CTR050594 (Health Start Program) between the Arizona Department of Health Services and Cochise Health & Social Services, in the annual amount of \$353,000, to extend the contract to the second of five grant years, effective July 1, 2021 through July 5, 2022. Vice-Chairman Judd seconded the motion.

Ms. Larae Swartz, Health Start Director, presented this item. She provided background information on the Health Start grant and the Health Start Program (Program), including the purpose of and services provided through the Program. There are approximately 3,000 families in the County with children under the age of two. She reviewed the number of staff and number of families served.

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

## **Human Resources**

12. Approve Policy Number 2233, Background Screening for all potential new hires.

Vice-Chairman Judd made a motion to approve Policy Number 2233, Background Screening for all potential new hires. Supervisor Crosby seconded the motion.

Ms. Elda Orduno, Human Resources Director, presented this item. She provided background information on the development of and reason for the Policy, and the County's existing practice. Previously, Human Resources performed background checks without clear guidance. The Sheriff's Office performs background checks on all Deputies and certain County Elected Officials. The County is the only one in Arizona that does not perform background checks on all employees. She discussed various reasons for implementing the Policy. Funding is included in Human Resources' budget.

Supervisor Crosby stated his concern with background checks done by the Sheriff's Office. In response to the Board, Mr. Karwaczka detailed a clarification made to Policy Section II.B, that background screenings are for applicants of departments or elected offices.

Chairman English 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 English noted that she was not yet ready to present information.

No Board Action was taken on this item.

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

Mr. Karwaczka reported on the status of the reinforcement of the Courthouse bridge; a fallen tree at the Courthouse due to a recent storm event; construction at the Douglas Roadyard; concrete slurry application to fissures near Dragoon Road and Cochise Stronghold Road; work beginning for Shelton Road; and, a box culvert replacement on Geronimo Trail. He acknowledged retired employee Ms. Aleen Contapay, Judicial Assistant, and Ms. Mariela Maldonado, Housing Specialist, on her twenty years of service to the County.

## **SUMMARY OF CURRENT EVENTS**

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

Supervisor Crosby deferred his report.

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

Chairman English deferred her report.

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

Vice-Chairman Judd reported on Benson 4th of July celebrations; her attendance today at the Good Morning Sierra Vista event; and, her upcoming attendance at the Cattlegrowers' Conference in Springerville, including an award that she will receive.

Chairman English adjourned the meeting at 11:48 a.m.

APPROVED:

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Ann English, Chairman

ATTEST:

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Kim Lemons, Clerk of the Board