

**PROCEEDINGS OF THE COCHISE COUNTY BOARD OF SUPERVISORS
REGULAR MEETING HELD ON
TUESDAY, JANUARY 4, 2022**

A regular board meeting of the Cochise County Board of Supervisors was held on Tuesday, January 4, 2022 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

Chairman English asked if anyone requested to speak and Ms. Lemons stated there were none.

CALL TO THE PUBLIC

No one chose to speak.

CONSENT

Board of Supervisors

1. Approve the Minutes of the regular meeting of the Board of Supervisors of December 14, 2021.

Development Services

2. Approve the appointment of Mr. Robert Montgomery to the Planning & Zoning Commission representing District 1, effective January 4, 2022, through December 31, 2025.

3. Approve the appointment of Mr. Nathan Watkins to the Planning & Zoning Commission representing District 2, effective January 4, 2022, through December 31, 2025.
4. Approve the appointments of Mr. Larry Saunders, term of office January 4, 2022 through December 31, 2024, and Mr. Jim Martzke, term of office January 4, 2022 through December 31, 2025, to the Planning & Zoning Commission, representing District 3.

Elections

5. Approve the resignation of 17 Republican Precinct Committeeman and appoint 3 Republican Precinct Committeemen by recommendation of the Cochise County Party Chairman to serve through the October 1, 2022 term.

Finance

6. Approve demands and budget amendments for operating transfers.

Vice-Chairman Judd made a motion to approve items 1-6 on the Consent Agenda. Supervisor Crosby seconded the motion and it carried unanimously.

PUBLIC HEARINGS

Board of Supervisors

7. Approve a Series #6 (Bar) Acquisition of Control liquor license application submitted by Mr. David Andrew Russell, for Thirsty Lizard Bar & Grill, located at 5838 W Double Adobe Road, McNeal, AZ 85617.

Chairman English opened the Public Hearing.

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.

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

Supervisor Crosby made a motion to approve a Series #6 (Bar) Acquisition of Control liquor license application submitted by Mr. David Andrew Russell, for Thirsty Lizard Bar & Grill, located at 5838 W Double Adobe Road, McNeal, AZ 85617. Vice-Chairman Judd seconded the motion.

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

Court Administration

8. Adopt Resolution 22-01, approving the Revised Judicial Administrative Fee schedule.

Chairman English opened the Public Hearing.

Judge Timothy Dickerson, Presiding Judge, presented this item. He reviewed background information on the court fees; due to state law changes, the Justice Courts are no longer able to impose the \$75 suspension fee. He reviewed the history, purpose, and amount collected from the suspension fee. A new default fee, for individuals who fail to appear for civil traffic hearings, in the amount of \$100, will replace the suspension fee. The suspension fee, which has not changed since 2004, will be increased to \$100, but will only be applied if state law changes again.

The Board and Judge Dickerson discussed the percentage of individuals who fail to appear and likelihood of collecting the default fee, and fees being for cost recovery.

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

Vice-Chairman Judd made a motion to adopt Resolution 22-01, approving the Revised Judicial Administrative Fee schedule. Supervisor Crosby seconded the motion.

In response to the Board, Ms. Roberts stated she will review statute to determine the Resolution's effective date. Chairman English noted that the motion is amended to add that the effective date is to be determined by the County Attorney's Office.

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

ACTION

Board of Supervisors

9. Approve single contract award to Stantec Consulting Services, Inc for 30% engineering design documents for water, wastewater, and broadband utilities to serve the proposed Douglas, Arizona Port of Entry in the amount of \$353,266.

Ms. Gilman presented this item. She stated that Stantec completed the water and wastewater feasibility study; the next step is for the 30% design. She detailed the importance of the contract. Funding is from the County's Capital Fund, which is funded by the half-cent sales tax. In response to the Board, Ms. Jackie Watkins, Engineering & Natural Resources Director, reviewed the standard stages and their purpose in engineering design. The total project cost is anticipated to be over \$1 million. The Board discussed the importance of the Port of Entry.

Supervisor Crosby made a motion to approve single contract award to Stantec Consulting Services, Inc for 30% engineering design documents for water, wastewater, and broadband utilities to serve the proposed Douglas, Arizona Port of Entry in the amount of \$353,266. Vice-Chairman Judd seconded the motion.

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

10. Approve Community Enhancement Fund expenditures for District 3: Center of Art and Heritage Willcox, in the amount of \$2,500.

Vice-Chairman Judd presented this item and distributed a handout. The Willcox Theater and Arts, Inc., needs an Economic Impact Study (Study) costing approximately \$10,000, for a Center of Art and Heritage (Center). She described the Center project and purpose of the Study. The Board expressed their support of economic development.

Vice-Chairman Judd made a motion to approve Community Enhancement Fund expenditures for District 3: Center of Art and Heritage Willcox, in the amount of \$2,500. Supervisor Crosby seconded the motion.

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

Development Services

11. Approve an Assurance Agreement extension to May 22, 2025, for Red Hawk II Units 2 and 3 Subdivision with Pioneer Title Agency, Inc. as Trustee under Trust No. 140133 with Red Hawk Ranch Properties, LLC and Cochise County as Beneficiary of Trust No. 140133.

Mr. Paul Esparza, Building Official, presented this item using a PowerPoint presentation. He reviewed the Subdivision location, lots, acreage, and zoning, and noted improvements that have been completed or partially completed. Recent completion of improvements will permit the release of 13 lots for sale. He displayed a Subdivision phase and aerial map. Staff recommends approval.

The Board discussed their responsibility to ensure that there is progress.

Supervisor Crosby made a motion to approve an Assurance Agreement extension to May 22, 2025, for Red Hawk II Units 2 and 3 Subdivision with Pioneer Title Agency, Inc. as Trustee under Trust No. 140133 with Red Hawk Ranch Properties, LLC and Cochise County as Beneficiary of Trust No. 140133. Vice-Chairman Judd seconded the motion.

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

Health & Social Services

12. Approve Intergovernmental Agreement (IGA) No. CTR057557, COVID-19 Expansion Project, between the Arizona Department of Health Services (ADHS) and Cochise Health & Social Services, in the amount of \$1,900,000, effective March 1, 2021, through May 1, 2023.

Dr. Alicia Thompson, Health & Social Services Director, presented this item. She stated that this funding will fill shortfalls exposed during the COVID-19 pandemic and reviewed the shortfall causes. Funding will be used to develop a mobile community health capacity; hire a grant-funded Finance/Accounting Director; implement a system for alerting and providing information to the community; conduct a community-wide assessment; expand access to free testing; and, for case investigations and contact tracing.

The Board held a detailed discussion regarding their thoughts and reasons in support of and against the IGA, including concerns with IGA Sections 1.4 and 1.6; contact tracing; security needs; and, the community assessment. Dr. Thompson explained the security needs, responded to further questions regarding the discussed topics, and confirmed that contact tracing is a law. Mr. Karwaczka stated that further discussions regarding security of County facilities should occur in Executive Session.

Supervisor Crosby made a motion to approve Intergovernmental Agreement (IGA) No. CTR057557, COVID-19 Expansion Project, between the Arizona Department of Health Services (ADHS) and Cochise Health & Social Services, in the amount of \$1,900,000, effective March 1, 2021, through May 1, 2023. Vice-Chairman Judd seconded the motion.

The Board discussed their thoughts regarding the COVID-19 pandemic; the County's role in prevention and/or treatment, such as for tuberculosis; and, the purpose of the IGA.

Chairman English called for the vote and the motion failed 1-2 (Crosby and Judd opposed).

13. Approve Amendment 1 to Intergovernmental Agreement (IGA) No. CTR055207, Public Health Emergency Preparedness Program, between the Arizona Department of Health Services (ADHS) and Cochise Health & Social Services, in the amount of \$669,376, effective July 1, 2021, through June 30, 2023.

Dr. Thompson presented this item. She reviewed background information on the IGA and the amendment, and noted the purposes for which grant funds will be used. She described the goal of the IGA, outlined the strategies that will be used to accomplish the goal, and the steps taken to achieve each strategy.

The Board discussed wording under Domain Strategies 1 and 2, and Dr. Thompson provided background information on the original IGA for the Public Health Emergency Preparedness (PHEP) program and the Domain Strategies. In response to the Board, Dr. Thompson confirmed that staff will provide information to the Board regarding the referenced National Incident Management System (NIMS) training.

Vice-Chairman Judd made a motion to approve Amendment 1 to Intergovernmental Agreement (IGA) No. CTR055207, Public Health Emergency Preparedness Program, between the Arizona Department of Health Services (ADHS) and Cochise Health & Social Services, in the amount of \$669,376, effective July 1, 2021, through June 30, 2023. Supervisor Crosby seconded the motion.

The Board discussed their opinions and reasons for and against supporting Amendment 1 and the COVID-19 pandemic and vaccinations.

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

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

Mr. Karwaczka reported on the status of the electrical panel at the Sierra Vista Foothills Complex (Foothills) and the status of various projects, including: Foothills Heating, Ventilation and Air Conditioning (HVAC) system; Treasurer's Office remodel; Courthouse HVAC; Melody Lane stucco repair; and, winterization at the Old Bisbee High School.

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 the upcoming Southeast Arizona Economic Development Group (SAEDG) meeting and the Wings Over Willcox event.

Chairman English adjourned the meeting at 11:09 a.m.

APPROVED:

Ann English, Chairman

ATTEST:

Kim Lemons, Clerk of the Board