

**PROCEEDINGS OF THE COCHISE COUNTY BOARD OF SUPERVISORS
REGULAR MEETING HELD ON
TUESDAY, FEBRUARY 8, 2022**

A regular board meeting of the Cochise County Board of Supervisors was held on Tuesday, February 8, 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 Richard G. Karwaczka, County Administrator; Sharon Gilman, Deputy County
Present: Administrator; Christine Roberts, Chief Civil Deputy County Attorney; Tim Mattix, Interim
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 Mr. Mattix stated there were none.

CALL TO THE PUBLIC

No one chose to speak.

PRESENTATION

Presentation by County Attorney's Office on Legal Statistics and Trends for calendar year 2021.

Ms. Roberts and Ms. Catherine Barney, Senior Paralegal, presented this item using a PowerPoint presentation. Ms. Roberts presented legal statistics and trends for adoptions; public fiduciary; tax appeals; tax lien foreclosure cases; bankruptcy cases; eminent domain and excess proceeds cases; election cases; Merit Commission cases; Civil Rights Commission cases; notices of claim; civil cases; public record requests; and, Zoning violations. Ms. Barney presented information and statistics on cases involving Mental Health (Title 36) cases and the Giving Recovery a Chance (GRACe) Program. Ms. Roberts concluded with a list of the County Attorney's Office staff and their experience, and of the Office's various clients.

In response to the Board, Ms. Roberts clarified that the primary reason the County Attorney's Office would withdraw a petition is due to insufficient evidence to prove the case.

CONSENT

Board of Supervisors

1. Approve the Minutes of the regular meeting of the Board of Supervisors of January 25, 2022.
2. Approve appointment of Mr. Tim Mattix as Interim Clerk of the Board of Supervisors, effective February 6, 2022.

County Sheriff

3. Approve the modification of Agreement 18-LE-11030500-003 between the United States Department of Agriculture (USDA) Forest Service and the Cochise County Sheriff's Office, in the amount of \$10,000 for overtime, employer related expenses and fleet costs for Sheriff's deputies to patrol various recreation areas of the Coronado National Forest, and changing the administrative point of contact from Mark Napier to Thomas Alinen, effective January 1, 2022, through December 31, 2022.

Elections

4. Approve the appointment of five Republican Precinct Committeemen, by recommendation of their Cochise County Party Chairmen to serve through the October 1, 2022 term.

Finance

5. Approve demands and budget amendments for operating transfers.

Vice-Chairman Judd made a motion to approve items 1-5 on the Consent Agenda. Supervisor Crosby seconded the motion and it carried unanimously.

PUBLIC HEARINGS

Board of Supervisors

6. Approve a Series #6 (Bar) liquor license application submitted by Mr. John Alan Oberreuter, for Cattle Rest Saloon, located at 933 S Haskell Avenue, Willcox, AZ 85643.

Chairman English opened the Public Hearing.

Mr. Mattix presented this item. He stated that the application was reviewed and recommended for approval by the appropriate departments; property taxes are current; notice was posted as required by statute and no formal protests were filed; 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) liquor license application submitted by Mr. John Alan Oberreuter, for Cattle Rest Saloon, located at 933 S Haskell Avenue, Willcox, AZ 85643. Vice-Chairman Judd seconded the motion.

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

Development Services

7. Adopt Zoning Ordinance 22-02 to rezone parcel 101-36-012A from R-36 (Residential, one dwelling per 36,000 square feet) to RU-4 (Rural, one dwelling per 4 acres), pursuant to the application of Mr. Samuel Julovich.

Chairman English opened the Public Hearing.

Mr. Robert Kirschmann, Planner II, presented this item using a PowerPoint presentation. He stated that the request is to rezone a parcel from R-36 to RU-4. He gave the property's location, parcel number, total acreage, existing and proposed uses, and displayed the site plan and photos of the area. The Planning and Zoning Commission recommended approval. He reviewed the factors in favor of approval, noting that none were identified as being against, and the two standard recommended conditions of approval.

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

Vice-Chairman Judd made a motion to adopt Zoning Ordinance 22-02 to rezone parcel 101-36-012A from R-36 (Residential, one dwelling per 36,000 square feet) to RU-4 (Rural, one dwelling per 4 acres), pursuant to the application of Mr. Samuel Julovich. Supervisor Crosby seconded the motion.

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

ACTION

County Sheriff

8. Approve Agreement M21-0079 between the State of Arizona Department of Emergency and Military Affairs, Cochise County, and the Cochise County Sheriff's Office, in the amount of \$675,000, for Pilot Program to Reduce Human Trafficking, effective July 1, 2021 through June 30, 2024.

Sheriff Mark Dannels presented this item. He stated that the four agreements total over \$12,800,000, and recognized all partners involved in these advance-funds agreements. This Agreement, for \$675,000, is for artificial intelligence software to review images from the camera system, which helps detect smuggling. The Sheriffs in Santa Cruz, Pima, and Yuma counties have yielded their funds to Cochise County, as the County administers the system.

In response to the Board, Sheriff Dannels stated that a surge of activity has been seen on the system, with 4,000 to 6,000 encounters seen per month. Customs and Border Patrol statistics show that Cochise County leads the nation in getaways. He provided further details on illegal activity and getaways, or individuals being smuggled across

the border, and addressed impacts to ranchers and the community.

Vice-Chairman Judd made a motion to approve Agreement M21-0079 between the State of Arizona Department of Emergency and Military Affairs, Cochise County, and the Cochise County Sheriff's Office, in the amount of \$675,000, for Pilot Program to Reduce Human Trafficking, effective July 1, 2021 through June 30, 2024. Supervisor Crosby seconded the motion.

In response to the Board, Sheriff Dannels confirmed that the reports for all four agreements will be shared with the Board.

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

9. Approve Agreement M21-0080 between the State of Arizona Department of Emergency and Military Affairs, Cochise County, and the Cochise County Sheriff's Office, in the amount of \$1,100,000, for Arizona Border Region Enforcement Equipment, effective July 1, 2021 through June 30, 2023.

Sheriff Dannels presented this item. The Agreement, for \$1,100,000, is to sustain and grow the camera system; just under 600 new cameras will be purchased. He reviewed the counties and law enforcement partners who will benefit from the system.

Supervisor Crosby made a motion to approve Agreement M21-0080 between the State of Arizona Department of Emergency and Military Affairs, Cochise County, and the Cochise County Sheriff's Office, in the amount of \$1,100,000, for Arizona Border Region Enforcement Equipment, effective July 1, 2021 through June 30, 2023. Vice-Chairman Judd seconded the motion.

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

10. Approve Agreement M21-0081 between the State of Arizona Department of Emergency and Military Affairs, Cochise County, and the Cochise County Sheriff's Office, in the amount of \$3,700,000, for Human Trafficking Prevention and Entry into the United States Prevention, effective July 1, 2021 through June 30, 2025.

Sheriff Dannels presented this item. The Agreement, for \$3,700,000, is allocated as follows: \$751,972 for vehicles and equipment; \$1,788,710 for six personnel; \$1,404,488 for fringes including Employee-Related Expenses (EREs), including retirement, at 100%; and \$118,830 for supplies, including radios and medical supplies for search and rescue teams.

In response to the Board, Sheriff Dannels confirmed that the assignment of personnel to the new positions will not impact service levels; the Sheriff's Office has planned for the transition. He discussed the transition plan in further detail.

Supervisor Crosby made a motion to approve Agreement M21-0081 between the State of Arizona Department of Emergency and Military Affairs, Cochise County, and the Cochise County Sheriff's Office, in the amount of \$3,700,000, for Human Trafficking Prevention and Entry into the United States Prevention, effective July 1, 2021 through June 30, 2025. Vice-Chairman Judd seconded the motion.

The Board discussed their thoughts and opinions on the word "prevention" as opposed to "discouragement" of illegal entry; illegal entry in general; the statutory wording of A.R.S. § 26-105, which established the Border Security Fund; and, on the benefits of the current proactive response. Sheriff Dannels made closing comments in response.

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

11. Approve Agreement M21-0082 between the State of Arizona Department of Emergency and Military Affairs, Cochise County, the Cochise County Sheriff's Office, and the Cochise County Attorney, in the amount of \$7,360,000, for Border Related Crimes, Prosecution and Imprisonment, effective July 1, 2021 through June 30, 2025.

Sheriff Dannels presented this item. The Agreement, for \$7,360,000, is allocated as follows: \$1,000,000 for personnel costs including ERE's; \$680,000 for Prosecution, and \$5,680,000 for Jail costs. He summarized various costs that have been incurred by the Sheriff, Prosecution and Jail.

In response to the Board, Sheriff Dannels stated that invoices will be provided quarterly for reimbursement to the County.

Vice-Chairman Judd made a motion to approve Agreement M21-0082 between the State of Arizona Department of Emergency and Military Affairs, Cochise County, the Cochise County Sheriff's Office, and the Cochise County Attorney, in the amount of \$7,360,000, for Border Related Crimes, Prosecution and Imprisonment, effective July 1, 2021 through June 30, 2025.

In response to the Board, Sheriff Dannels stated that there are no construction costs associated with the Agreement.

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

Health & Social Services

12. Approve a Finance Officer position within Cochise Health & Social Services funded by the American Recovery Plan Act (ARPA) for the term of March 2022 through June 2024, in the amount of \$272,610.

Mr. Karwaczka presented this item. He stated that this request is to approve a Finance Officer position that will be funded through ARPA; the individual selected will be aware that it is a grant-funded position with a term of March 2022 through June 2024. The position will track grant funding, train existing staff, and create policies and procedures in conjunction with the Finance Department.

The Board discussed the importance of maintaining accurate records.

Vice-Chairman Judd made a motion to approve a Finance Officer position within Cochise Health & Social Services funded by the American Recovery Plan Act (ARPA) for the term of March 2022 through June 2024, in the amount of \$272,610. Supervisor Crosby seconded the motion.

Supervisor Crosby discussed reasons for his opposition to the item.

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

Housing Authority

13. Approve the renewal of Family Self-Sufficiency Grant Agreement, FSS22AZ4451-01-00, awarded by the U.S. Department of Housing and Urban Development to the Housing Authority of Cochise County, in the amount of \$58,420, effective January 1, 2022, through December 31, 2022.

Ms. Anita Baca, Housing Authority Director, presented this item. She stated that this is for the renewal of a grant for a program that has been in place for more than 15 years; the grant pays the salary of one full-time coordinator. She explained the Family Self-Sufficiency program and purpose, noting that there have been 39 program graduates.

The Board discussed their opinions on the program and thanked Ms. Baca for her earlier response to inquiries.

Supervisor Crosby made a motion to approve the renewal of Family Self-Sufficiency Grant Agreement, FSS22AZ4451-01-00, awarded by the U.S. Department of Housing and Urban Development to the Housing Authority of Cochise County, in the amount of \$58,420, effective January 1, 2022, through December 31, 2022. Vice-Chairman Judd seconded the motion.

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

STATE & FEDERAL LEGISLATION

14. 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 reported on a proposed Senate Bill and House Bill regarding increasing deputy salaries, and concerns with the bills that she has shared with the state Legislature.

No 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 various projects, including: the Heating, Ventilation and Air Conditioning (HVAC) system and electrical panel at the Sierra Vista Foothills Complex; Willcox Transfer Station; Treasurer's Office remodel; Recorder's Office remodel; Courthouse HVAC; and, the stucco repair at the Melody Lane complex. He recognized Ms. Claudia Aguilera and Ms. Donna Naegle for their 20 and 25 year anniversaries with the County; both are with the Benson Justice Court #3.

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 Southeastern Arizona Farm & Ranch Tradeshow in Willcox.

Chairman English adjourned the meeting at 11:06 a.m.

APPROVED:

Ann English, Chairman

ATTEST:

Tim Mattix, Interim Clerk of the Board