

Board of Supervisors
January 4, 2022
9:30 AM

The Board met in a Regular Meeting at the Santa Cruz County Complex, 2150 N. Congress Drive, Room #120, Nogales, AZ. Present: Manuel Ruiz, Chairman; Bruce Bracker, Vice-Chairman; Rudy Molera, Member; Jennifer St. John, County Manager; Kim Hunley, Chief Deputy County Attorney; Alma Schultz, Clerk of the Board.

CALL TO ORDER/PLEDGE OF ALLEGIANCE

Chairman Ruiz called the meeting to order, and the Pledge of Allegiance was recited, led by Jennifer St. John.

ADOPTION OF AGENDA

Supervisor Molera made a motion to adopt the Agenda as amended, removing Executive Session G. and deviating from the Agenda sequence as necessary; seconded by Vice-Chairman Bracker; motion carried unanimously. (Ayes: Bracker, Molera, Ruiz)

CALL TO THE PUBLIC:

St. John, County Manager, apologized for the confusion of the removed Executive Session as written in the posted Agenda and clarified that the proposed agreement with AZ Minerals was for a donation of land to the county and to grant a temporary easement on a county-owned parcel. Furthermore, she explained the purpose of an executive session and advised the public that no official action can be taken during an executive session. Lastly, expressed her gratitude for the community involvement and emails received.

Vanessa Register, a citizen, spoke in opposition to the executive session item; appreciated the clarification and the removal of the executive session; requested more clarification on the agenda, cost analysis, and impact of such a proposed agreement with AZ Minerals.

Ron Pulliam, a citizen, spoke in opposition to the executive session item, in support of the need to hear from constituents before making a decision and for the protection of wildlife.

Catherine Kulibert, a citizen, spoke in opposition to the executive session item, gathered 63 signatures of support for the opposition, and advised the board of the energy of concerned citizens regarding this matter.

Mary Sky Schoolcraft, a citizen, spoke in opposition to the executive session item, stated she sent letters to all board members regarding her position on the executive session item, and asked for an environmental impact study to mitigate or avoid impacts foreseen.

Ruth LeFebvre, a citizen, spoke in opposition to the executive session item and suggested AZ Minerals produce their private railroad.

Roberto Jacobson spoke in opposition to the executive session item and of the broadband initiative of the county, with a request for the county to be open to engagement and spoke of an application for a

broadband grant with the Arizona Department of Commerce for the rural areas of Patagonia, Sonoita, and Elgin for satellite service.

Ann Goslin, a citizen, spoke in opposition to the executive session and stated there should be enough time for the public to produce comments.

Laura Monti, a citizen, spoke in opposition to the executive session and asked for preference to be given to citizens on decisions made in the area.

Shelly White, a citizen, spoke in opposition to the executive session and advised the board about the health and environmental equity impacts these decisions can have on the SCC residents.

Jonathan White, a citizen, spoke in opposition to the executive session item.

Emmett Ron Oakes was called and did not respond.

Kathleen Pasierb, a citizen, spoke in opposition to the executive session item.

Emails from the public received by the Clerk of the Board regarding the January 4th, 2022 Regular Board of Supervisors Meeting Agenda are available for inspection during working hours and are to be considered as part of these minutes.

CURRENT EVENTS

1. BOARD OF SUPERVISORS

VICE-CHAIRMAN BRACKER wished everyone a happy New Year, apologized for the misleading item on the agenda, and stated he appreciates all of the emails he received and the community involvement. Furthermore, he expressed that the topic discussion has been an ongoing business since before he ran for office and ended his statement with the need to continue practicing safety precautions as a community effort and not as an individual preference, especially during contact with health care workers.

SUPERVISOR MOLERA wished everyone a happy New Year, reminded everyone to continue safety precautions to keep themselves and the community safe, thanked the residents of Patagonia for their input, and apologized for the miscommunication.

CHAIRMAN RUIZ wished everyone a healthy and prosperous year 2022. He indicated the need to continue safety precautions with the rise of cases in the community. Also, he stated he was thankful for the emails he received regarding the executive session item, apologized for the miscommunication on how the reading of the agenda item was done, and assured the public of the efforts made for continued transparency of what the board does. Lastly, he addressed the public to attend the meetings via Zoom or in-person and reflected the opportunity to address the board in the call to the public for every agenda posted.

2. MANAGER

JENNIFER ST. JOHN, COUNTY MANAGER, advised the public of the vaccination and testing information that is posted on the county website; attended meetings with the broadband consultants who will present in the study session, met with the Town of Patagonia and the Sheriff's Office, and lastly met with Jeff Terrell from the health department regarding Senior Center project.

DEPARTMENT REPORTS AND ACTIVITIES

1. FINANCE: CASH & INVESTMENT, EXPENDITURES & REVENUE REPORTS

Jennifer St. John, County Manager on behalf of Mauricio Chavez, Administrative Services Department Director, reported \$17,062,913.32 in the General Fund, of which \$10,287,594.77 is invested; \$2,079,869.54 in the Road Fund, of which \$815,356.41 is invested; \$1,972,161.89 in the Flood Control District Fund, of which \$ 1,862,441.69 is invested; \$1,860,958.78 in the Jail District Fund, of which \$1,001,973.16 is invested; \$40,267,918.45 total for all funds, of which \$15,782,040.59 is invested; \$13,090,500.43 estimated end of month balance, compared to \$7,746,888.07 cash at January 2021, a difference of \$5,343,612.36.

Vice-Chairman Bracker made a motion to recess the Regular Meeting to convene the Flood Control District Board seconded by Supervisor Molera; the motion carried unanimously. (Ayes: Bracker, Molera, Ruiz)

FLOOD CONTROL

1. DIRECTOR'S/PROJECT REPORT

Submitted in writing.

2. MONTHLY REPORT FROM CITY OF NOGALES

No report.

3. MONTHLY REPORT FROM THE TOWN OF PATAGONIA

No report.

4. PUBLIC COMMENT

No public comment.

The Board adjourned as the Flood Control District Board and convened into the Regular Meeting. (Motion: Supervisor Molera; second: Vice-Chairman Bracker; motion carried unanimously) (Ayes: Bracker, Molera, Ruiz)

EXECUTIVE SESSION

1. PURSUANT TO A.R.S. § 38-431.03(A)(3) AND (4), DISCUSSION AND CONSULTATION FOR LEGAL ADVICE REGARDING THE PROPOSED AGREEMENT TO DONATE REAL PROPERTY, INCLUDING PROPOSED TEMPORARY ACCESS AND CONSTRUCTION EASEMENT AGREEMENT (EXHIBIT C) WITH ARIZONA MINERALS (REQ: COUNTY MANAGER; ATTY(S) FOR COUNTY)

Removed. (Refer to Adoption of Agenda)

ACTION ITEMS

1. DISCUSSION/POSSIBLE ACTION FOR AUTHORIZATION TO FILL IN:

Vice-Chairman Bracker made a motion to approve 1a-1d, seconded by Supervisor Molera; the motion carried unanimously. (Ayes: Bracker, Molera, Ruiz)

A VACANT RECORDER CLERK POSITION (REQ: RECORDER)

B CHIEF DEPUTY (REQ: JUSTICE OF THE PEACE)

C SENIOR COURT CLERK (REQ: JUSTICE OF THE PEACE)

D PRINCIPAL COURT CLERK (REQ: JUSTICE OF THE PEACE)

2. DISCUSSION/POSSIBLE ACTION TO APPROVE THE LETTER OF SUPPORT TO SANTA CRUZ VALLEY HERITAGE ALLIANCE INC. (REQ: VICE-CHAIRMAN BRACKER)

Vice-Chairman Bracker made a motion to approve, seconded by Supervisor Molera; the motion carried unanimously. (Ayes: Bracker, Molera, Ruiz)

3. DISCUSSION/POSSIBLE ACTION TO APPROVE A LEASE RENEWAL AGREEMENT WITH THE UNITED STATES DEPARTMENT OF INTERIOR BUREAU OF LAND MANAGEMENT FOR THE SONOITA-ELGIN LANDFILL FOR LAND RECREATION OR PUBLIC PURPOSES FOR THE NEXT 25 YEARS IN THE AMOUNT OF \$2,000 (REQ: PUBLIC WORKS)

Supervisor Molera made a motion to approve, seconded by Vice-Chairman Bracker; the motion carried unanimously. (Ayes: Bracker, Molera, Ruiz)

4. DISCUSSION/POSSIBLE ACTION TO APPROVE INTERGOVERNMENTAL AGREEMENT CONTRACT # CTR055219 AMENDMENT #1, WITH THE ARIZONA DEPARTMENT OF HEALTH SERVICES FOR THE PUBLIC HEALTH EMERGENCY PREPAREDNESS PROGRAM IN THE AMOUNT OF \$621,604 FROM 07/01/2021 THROUGH 06/30/2023 (REQ: HEALTH SERVICES)

Vice-Chairman Bracker made a motion to approve, seconded by Supervisor Molera; the motion carried unanimously. (Ayes: Bracker, Molera, Ruiz)

5. DISCUSSION/POSSIBLE ACTION TO APPROVE SUBRECIPIENT AGREEMENT WITH THE ARIZONA DEPARTMENT OF EMERGENCY AND MILITARY AFFAIRS GRANT # EMF-2021-EP-00016/18 FOR EMERGENCY MANAGEMENT PERFORMANCE IN THE AMOUNT OF \$185,873 FROM 07/01/2021 TO 06/30/2022 (REQ: HEALTH SERVICES)

Vice-Chairman Bracker made a motion to approve, seconded by Supervisor Molera; the motion carried unanimously. (Ayes: Bracker, Molera, Ruiz)

6. DISCUSSION/POSSIBLE ACTION TO APPROVE THE ADULT DRUG COURT AND VETERANS TREATMENT COURT DISCRETIONARY GRANT PROGRAM, GRANT #15PBJA-21-GG-04218-DGCT IN THE AMOUNT OF \$545,050 FROM 10/01/2021 THROUGH 09/30/2025 (REQ: JUSTICE OF THE PEACE)

Supervisor Molera made a motion to approve, seconded by Vice-Chairman Bracker; the motion carried unanimously. (Ayes: Bracker, Molera, Ruiz)

7. DISCUSSION/POSSIBLE ACTION TO APPROVE PROPOSAL AGREEMENT WITH KEN JONES CONSULTING FOR COST ALLOCATION SERVICES IN THE AMOUNT OF \$4,800 (REQ: ADMINISTRATIVE SERVICES)

Vice-Chairman Bracker made a motion to approve, seconded by Supervisor Molera; the motion carried unanimously. (Ayes: Bracker, Molera, Ruiz)

8. APPROVAL OF MINUTES: 12/21/2021 were approved as submitted. (Motion: Supervisor Molera; second: Vice-Chairman Bracker; motion carried unanimously) (Ayes: Bracker, Molera, Ruiz)

9. DEMANDS were approved in the total amount of \$691,762.62, of which \$183,153.29 is from the General Fund. Details of these expenditures are available for inspection during working hours and are to be considered as part of these minutes. (motion: Supervisor Molera; second: Vice-Chairman Bracker; motion carried unanimously) (Ayes: Bracker, Molera, Ruiz)

A five-minute break was conducted prior to the study session.

The Board adjourned Regular Session and convened into the Study Session. (Motion: Vice-Chairman Bracker; second: Chairman Ruiz; motion carried unanimously) (Ayes: Bracker, Ruiz)

STUDY SESSION

1. PRESENTATION OF THE COUNTY'S BROADBAND INFRASTRUCTURE PROJECT BY COMMUNITY BROADBAND ADVOCATES (REQ: INFORMATION TECHNOLOGY)

Presented by Jim Palmer, team member of the Community Broadband Advocates LLC (CBA). The board thanked the Community Broadband Advocates LLC for their presentation and Juan Balderas, Information Technology Director, for their work.

The Board adjourned the Study Session and reconvened into the Regular Session. (Motion: Vice-Chairman Bracker; second: Chairman Ruiz; motion carried unanimously) (Ayes: Bracker, Ruiz)

10. DISCUSSION/POSSIBLE ACTION TO APPROVE RESOLUTION NO. 2022-01 IN SUPPORT OF A BROADBAND INFRASTRUCTURE PROJECT (REQ: INFORMATION TECHNOLOGY)

Vice-Chairman Bracker made a motion to approve, seconded by Supervisor Molera; the motion carried unanimously. (Ayes: Bracker, Molera, Ruiz) Staff recommendation: Valley Telecommunications

ADJOURNMENT

The meeting adjourned at 11:37 a.m. (motion: Vice-Chairman Bracker; second: Supervisor Molera; motion carried unanimously) (Ayes: Bracker, Molera, Ruiz)