

Board of Supervisors
November 2, 2021
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: Manny 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 John Hays.

ADOPTION OF AGENDA

Supervisor Molera made a motion to adopt the Agenda as amended tabling Action Item number 7 for two weeks (11/16/2021, Regular Meeting) and deviate from the Agenda sequence as necessary; seconded by Vice-Chairman Bracker; motion carried unanimously. (Ayes: Bracker, Molera, Ruiz)

CALL TO THE PUBLIC:

No public comment.

CURRENT EVENTS

1. BOARD OF SUPERVISORS

VICE-CHAIRMAN BRACKER reported he attended meetings about the border opening procedures and of the IOI ((International Outfall Interceptor) project, and was present for the 2021 Arizona Historic Preservation Conference.

SUPERVISOR MOLERA stated he attended an event for Marco Lopez who is running for Governor, and he advised of continued efforts to meet with ADQ and ADOT to address the dust complaints from west Rio Rico.

CHAIRMAN RUIZ spoke of the Castro house and efforts made for it to be renovated to become a community center for the community.

2. MANAGER

JENNIFER ST. JOHN, COUNTY MANAGER, reported she took a tour of the Castro house with Chairman Ruiz in efforts for a community renovation; participated in a state park meeting with Jesus Valdez and Supervisor Bracker regarding grant funding; provided details of COVID vaccine operations; welcomed the University of Nebraska alongside with Mariposa Community Health regarding airborne diseases, and continues to participate in meetings with Supervisor Molera in efforts to address the dust issues with ADQ and ADOT.

DEPARTMENT REPORTS AND ACTIVITIES

1. FINANCE: CASH & INVESTMENTS, EXPENDITURES & REVENUES REPORTS

Mauricio Chavez, Administrative Services Department Director, reported \$13,723,928.83 in the General Fund, of which \$10,286,574.37 is invested; \$1,792,726.19 in the Road Fund, of which \$815,275.53 is invested; \$2,121,641.99 in the Flood Control District Fund, of which \$1,862,256.96 is invested; \$2,066,055.29 in the Jail District Fund, of which \$1,001,873.78 is invested; \$37,087,989.33

total for all funds, of which \$15,780,475.43 is invested; \$10,956,849.18 estimated end of month balance, compared to \$5,293,827.07 cash at November 2020, a difference of \$5,663,022.11.

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.

5. DISCUSSION/POSSIBLE ACTION TO APPROVE THE COMMUNITY RATING SYSTEM ANNUAL CERTIFICATION FORM FOR THE COUNTY TO REMAIN AS A GOOD STANDING MEMBER AND SUSTAIN THE FLOOD INSURANCE PREMIUM DISCOUNT (REQ: PUBLIC WORKS)

John Hays advised the Board this is the annual re-certification to update FEMA and their contractor that we are meeting our obligations.

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

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

ACTION ITEMS

1. PRESENTATION BY FIRE MARSHAL JEFF POLCARI FROM THE CITY OF NOGALES FIRE DEPARTMENT AND FIRE MARSHAL GEORGE CLUFF FROM THE RIO RICO MEDICAL AND FIRE DISTRICT ON IFC CHAPTER 57 FLAMMABLE AND COMBUSTIBLE LIQUIDS (REQ: GEORGE CLUFF)

Jeff Polcari and George Cluff provided a presentation to the Board regarding a community safety concern with the support of the Nogales Fire Chief, Nogales City Council, and management. Vice-Chairman Ruiz

Supervisor Molera commended them for their community team efforts in addressing this concern and asked if the City is in the process of creating safeguards for this and would like to see a community

effort among entities so that it is a uniform safeguard.

Jeff Polcari answered by advising the Board that they are in the process of creating an ordinance and also advised that complaints have been made to ADOT, to which they responded if in transit there is nothing they can enforce.

Vice-Chairman Bracker asked in support of the safety concerns and businesses involving the tankers and suggested a group effort with education and coming up with a solution to address the safety concerns without harming the businesses involved and asked about the enforcing agency.

George Cluff answered by stating they would like to educate and communicate so that fire suppression can be in place to benefit them and others involved in case of a fire. Jeff Polcari stated the Department of Homeland Security (DHS) enforcement is a long process that takes longer than the violation reported, causing no enforcement made by DHS.

Chairman Ruiz reiterated the purpose of the presentation that is not in opposition to the business involved but to communicate about the safety concerns and suggested having a roundtable of all involved to have safety protocols in place to keep the community safe.

Kim Hunley, Chief Deputy County Attorney, did not provide legal advice at the moment but will review further and has reached out to Michael Massee from the City of Nogales.

The Board thanked George Cluff and Jeff Polcari for the presentation.

2. DISCUSSION/POSSIBLE ACTION FOR AUTHORIZATION TO RECLASSIFY THE BUILDING INSPECTOR POSITION TO SENIOR BUILDING INSPECTOR IN THE BUILDING DEPARTMENT (REQ: HUMAN RESOURCES)

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

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

Supervisor Molera made a motion to approve 3a through d, seconded by Vice-Chairman Bracker; the motion carried unanimously. (Ayes: Bracker, Molera, Ruiz)

A COURT CLERK POSITION (REQ: JUSTICE OF THE PEACE)

B COURT INTERPRETER POSITION (REQ: SUPERIOR COURT)

C ROAD MAINTENANCE WORKER POSITION (REQ: PUBLIC WORKS)

D BUILDINGS MAINTENANCE WORKER (REQ: PUBLIC WORKS)

4. DISCUSSION/POSSIBLE ACTION TO APPROVE THE RE-APPOINTMENT OF DANIEL BELL AS PLANNING AND ZONING COMMISSION MEMBER FOR DISTRICT NO. 1 (REQ: CHAIRMAN RUIZ)

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

Chairman Ruiz stated that Danny Bell does a great job for us and wants to continue to serve as a member.

5. DISCUSSION/POSSIBLE ACTION TO APPROVE THE RE-APPOINTMENT OF RON CAMPANA AS BOARD OF ADJUSTMENT CHAIRMAN FOR DISTRICT NO. 3 (REQ: VICE-

CHAIRMAN BRACKER)

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 RE-APPOINTMENTS TO THE PLANNING AND ZONING COMMISSION FOR DISTRICT NO. 3 (REQ: VICE-CHAIRMAN BRACKER)

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

A KATHI CAMPANA, CHAIRMAN

B RANDY HEISS, MEMBER

7. DISCUSSION/POSSIBLE ACTION TO APPROVE A COOPERATIVE AGREEMENT WITH ARIZONA MINERALS FOR THE 9001 CROSSING IMPROVEMENT FOR IMPROVEMENTS TO CULVERT(S) IN THE GENERAL LOCATION OF HARSHAW ROAD, BRIDGE #2 (REQ: PUBLIC WORKS)

Item tabled for two weeks (11/16/2021 Regular Meeting).

8. TAX VALUATION ADJUSTMENTS: (REQ: ASSESSOR)

Supervisor Molera made a motion to approve 8a and 8y, seconded by Vice-Chairman Bracker; the motion carried unanimously. (Ayes: Bracker, Molera, Ruiz)

A 106-35-020 - KRIKORIAN JARED M. & LA REAU MINDY J., RESOLUTION NO. 56184

B 106-35-020 - KRIKORIAN JARED M. & LA REAU MINDY J., RESOLUTION NO. 56185

C P975042401 - DE LAGE LANDEN FINANCIAL SERVICES INC., RESOLUTION NO. 56195

D P201100110 - DE LA LAGE LANDEN FINANCIAL SERVICES INC., RESOLUTION 56196

E 112-08-029-B - SHIELDS MARCIA E., RESOLUTION NO. 56200

F 112-08-029-B - SHIELDS MARCIA E., RESOLUTION NO. 56201

G 112-08-029-B - SHIELDS MARCIA E., RESOLUTION NO. 56202

H 112-11-024 - UNDERHILL DOUGLAS 50% INT & BECKSTED TRINA 50% INT., RESOLUTION NO. 56203

I 110-57-009-B - DODSON ALLYN F., RESOLUTION NO. 56204

J 108-57-001 - HEATH HORTON TOWNSEND, RESOLUTION NO. 56205

K 112-26-009-C - NICKLES RANDALL D., RESOLUTION NO. 56206

L 112-26-026 - NICKELS RANDALL D., RESOLUTION NO. 56207

M 112-26-027 - NICKELS RANDALL D., RESOLUTION NO. 56208

N 109-26-010 - QUINTON ROBERT WAYNE & FESLER-SCHWARTE ARMELL, RESOLUTION NO. 56209

O 109-26-010 - QUINTON ROBERT WAYNE & FESLER-SCHWARTE ARMELL, RESOLUTION NO. 56210

P 101-33-126-A - CITY OF NOGALES, RESOLUTION NO. 56212

Q 105-28-010-C - KILLEY KILLIAN CONSULTING INC., RESOLUTION NO. 56213

R 105-28-010-D - KILLEY KILLIAN CONSULTING INC., RESOLUTION NO. 56214

S M970003401 - BORG ODELL DBA HIGH SPIRITS, INC., RESOLUTION NO. 56216

T 116-04-350 - GARCIA HECTOR A. & SOMBRA JEARIM ELIZABETH, RESOLUTION NO. 56217

U 101-36-097-B - GARAVITO MARIA FERNANDA, RESOLUTION NO. 56220

V 101-36-097-B - GARAVITO MARIA FERNANDA, RESOLUTION NO. 56221

W 101-36-097-B - GARAVITO MARIA FERNANDA, RESOLUTION NO. 56222

X P201200121 - AMERICAN GREETINGS CORPORATION, RESOLUTION NO. 56223

Y M970003401 - BORG ODELL DBA HIGH SPIRITS, INC., RESOLUTION NO. 56224

9. APPROVAL OF MINUTES: 10/19/2021

were approved as submitted. (Motion: Vice-Chairman Bracker; second: Supervisor Molera; motion carried unanimously) (Ayes: Bracker, Molera, Ruiz)

10. DEMANDS

were approved in the total amount of \$770,896.65, of which \$139,531.53 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)

ADJOURNMENT

The meeting adjourned at 10:17 a.m. (motion: Vice-Chairman Bracker; second: Supervisor Molera; motion carried unanimously) (Ayes: Bracker, Molera, Ruiz)