

**PROCEEDINGS OF THE COCHISE COUNTY BOARD OF SUPERVISORS
REGULAR MEETING HELD ON
TUESDAY, MARCH 25, 2025**

A regular board meeting of the Cochise County Board of Supervisors was held on Tuesday, March 25, 2025 at 10:00 a.m. in the Board of Supervisors' Hearing Room, 1415 Melody Lane, Building G, Bisbee, Arizona.

Present: Frank Antenori, Chairman; Tom Crosby, Vice-Chairman; Kathleen L. Gomez, Supervisor

Staff Present: Sharon Gilman, Interim County Administrator; Joe Casey, Interim Deputy County Administrator; Paul Correa, Chief Civil Deputy County Attorney; Lara Loewenheim, Clerk of the Board

Chairman Antenori called the meeting to order at 10:05 a.m.

CALL TO THE PUBLIC

Sandy Trull expressed strong support for the Board's decision regarding the jail district lawsuit settlement.

Tamara Birch expressed concerns about county procedures and conditions related to the current and future county jail.

Randall Limbach expressed gratitude to the Board and advocated for dissolving the jail district.

Jennifer Liebertz spoke about ongoing issues with a neighbor's large number of dogs and the county's unclear animal ordinances.

Bruce Harris acknowledged the need for a new jail but expressed concern about how it is being funded.

Eli Dalton-Webb expressed concerns about the new jail's construction, particularly regarding visitation policies, while also highlighting the political composition of the Board of Supervisors and advocating for outreach to individuals from diverse political affiliations to foster community unity.

Radford Hyde raised concerns about financial reporting accuracy, particularly the formatting of numbers in budget documents, and urged a deeper review of election procedures while questioning the process of placing the jail district back on the ballot without voter signatures.

Yvonne Mayer was called upon but did not speak.

CONSENT

Board of Supervisors

1. Approve the Minutes of the regular meeting of the Board of Supervisors of March 11, 2025.
2. Approve a proclamation to declare April 2025 as National County Government Month.

Elections

3. Approve the appointment of eleven Democratic Party Precinct Committeemen, by recommendation of their Cochise County Party Chairman, to serve through the October 1, 2026 term.

Finance

4. Approve demands and budget amendments for operating transfers.

Housing Authority

5. Approve a proclamation to declare April 2025 as Fair Housing Month in Cochise County.

Vice-Chairman Crosby made a motion to approve Consent agenda items 1 through 5. Supervisor Gomez seconded the motion.

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

PUBLIC HEARINGS

Development Services

6. Adopt Zoning Ordinance 25-06 to rezone tax parcels 117-06-063, 064, 066, 067, 074, 075, 076, 077, and 078 (District 3) from SR-43 (Single-Household Residential, one dwelling per 43,000 square feet) to RU-4 (Rural District, one dwelling per 4 acres) pursuant to the application of Paul Prince.

Supervisor Gomez made a motion to adopt Zoning Ordinance 25-06 to rezone tax parcels 117-06-063, 064, 066, 067, 074, 075, 076, 077, and 078 (District 3) from SR-43 (Single-Household Residential, one dwelling per 43,000 square feet) to RU-4 (Rural District, one dwelling per 4 acres) pursuant to the application of Paul Prince.

Vice-Chairman Crosby seconded the motion.

Chairman Antenori opened the Public Hearing.

Matthew Taylor, Planner II, presented this item using a PowerPoint presentation. Mr.

Taylor presented rezoning request RZ 25-01 for applicant Paul Prince, concerning a property in Sunsites Unit 2. He stated the request seeks to change the zoning from SR-43 to RU-4 to allow participation in the Owner-Builder program for constructing residences and accessory structures. Mr. Taylor noted that staff found the request compatible with the residential growth pattern and noted that it would reduce the number of principal dwellings allowed. He stated out of 34 notices sent to nearby property owners, six responses opposed the request. He stated the Planning and Zoning Commission recommended approval by a 7-2 vote, with the condition that no manufactured or rehabilitated mobile homes be placed on the property.

Mickey Shields spoke in opposition and discussed the reasons.

John Seaberg spoke in opposition and discussed the reasons.

The Board and staff engaged in a discussion regarding the rezoning request, with concerns raised about the broader impact of such changes. Mr. Taylor noted that the applicant sought RU-4 zoning to allow larger accessory structures and the ability to build them before the main residence. Chairman Antenori pointed out a recurring pattern where buyers purchase multiple smaller SR-zoned lots, combine them, and then request rezoning to RU-4, altering the character of the community. Supervisor Gomez's concerns were expressed about long-term enforcement and the impact on existing homeowners who originally purchased under SR zoning. The Board suggested a need to reevaluate zoning policies to address ongoing challenges with the opt-out program.

Linda Sue Blake spoke in opposition and discussed the reasons.

Sue Kay Wrigley spoke in opposition and discussed the reasons.

Ken Pohl spoke in opposition and discussed the reasons.

Kevin Todd spoke in opposition and discussed the reasons.

Paul Prince, property owner clarified that the horse trailers on his property are used for storing hay and tack to prevent rats from damaging them. He also explained that he lives on the property for six months each year and contributes to the local economy. He emphasized that while it may seem cheap, the process of acquiring property can be lengthy and costly. Mr. Prince requested the county reconsider zoning options to allow for a multi-use building that would house his horses, feed, and a small shop, rather than constructing smaller structures he finds unattractive.

The Board and staff discussed several issues surrounding zoning and property development, specifically regarding Mr. Prince's situation. Supervisor Crosby noted concerns about the zoning of certain properties, particularly with regard to unpermitted structures and occupancy of recreational vehicles. Mr. Taylor pointed out that conditional down-zoning had been used in the past to address similar concerns but acknowledged the need for revisiting zoning regulations to avoid future conflicts. The Board debated finding a compromise that balanced the rights of property owners and the concerns of neighbors in areas undergoing re-zoning.

Vice-Chairman Crosby and the applicant, Mr. Prince discussed the specifics of the zoning change, with the applicant clarifying that he was not expanding his horse training business but rather trading services by riding and training horses for others in exchange for feed. Vice-Chairman Crosby then shifted to the topic of a variance under SR 174 zoning, which could offer similar rights to those under RU4 zoning but without the mobile home option. Mr. Prince expressed that while he couldn't speak for all his neighbors, he

believed that the SR 174 zoning with a variance might satisfy the opposition based on conversations with some neighbors.

Ms. Shields expressed hesitation but clarified that she was speaking for the group, emphasizing their preference to maintain the SR zoning. She stated the main concern was that if the property was zoned RU4, it could allow for a manufactured home in the future, which they wanted to avoid. She explained that keeping the SR 174 zoning would protect the area from the possibility of manufactured homes being introduced, even if the property changed ownership in the future. The group's primary focus was to preserve the zoning that would ensure only site-built homes were allowed.

The Board discussed potential issues with zoning changes and future property use. Supervisor Gomez's concern was that if the property was sold, new owners could potentially change the zoning, leading to undesirable developments. Mr. Taylor clarified that a variance request would need to go to the Board of Adjustment, which requires a separate public hearing. The board discussed the possibility of using a zoning variance for SR 174, with a condition to allow a larger accessory building than the dwelling, which seemed to be a favorable solution for many, though concerns about pending code violations and zoning policy gaps remained.

Christine McLachlan, Planning Division Manager explained that the Board of Adjustment is an appointed body that specifically rules on variance cases, similar to the Planning and Zoning Commission. She stated a variance request would require a separate application and public hearing before the Board of Adjustment. She clarified that in variance cases, there must be unusual conditions preventing compliance with zoning regulations, which the property owner must prove. While the request to build a larger outbuilding than the dwelling is a factor against approval, it does not eliminate the possibility, but the final decision could be appealed to the courts after the Board of Adjustment's ruling.

The Board discussed tabling the issue to allow for a work session and further discussions.

Vice-Chairman Crosby made a motion to table Agenda item number 6 until July 22, 2025, at 10:00 a.m. to hear and consider Zoning Ordinance 25-06 to rezone tax parcels 117-06-063, 064, 066, 067, 074, 075, 076, 077, and 078 (District 3) from SR-43 (Single-Household Residential, one dwelling per 43,000 square feet) to RU-4 (Rural District, one dwelling per 4 acres) pursuant to the application of Paul Prince. Supervisor Gomez seconded the motion.

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

7. Adopt Resolution 25-04 and Zoning Ordinance 25-07 to amend Comprehensive Plan land use and growth area designations of 33 acres out of tax parcel 302-15-001D (District 3) from Rural to Developing and from Category D - Rural Areas to Category C - Rural Community Areas and rezone tax parcels 302-15-001D and 302-15-011, .6 acres out of tax parcel 302-15-001H, and 2.7 acres out of tax parcel 302-15-013D from RU-4 (Rural District, one dwelling per 4 acres) to General Business District (GB) pursuant to the application of Sunaka LLC - Om Parkash.

Supervisor Gomez made a motion to adopt Resolution 25-04 and Zoning Ordinance 25-07 to amend Comprehensive Plan land use and growth area designations of 33 acres out of tax parcel 302-15-001D (District 3) from Rural to Developing and from Category D - Rural Areas to Category C - Rural Community Areas and rezone tax

parcels 302-15-001D and 302-15-011, .6 acres out of tax parcel 302-15-001H, and 2.7 acres out of tax parcel 302-15-013D from RU-4 (Rural District, one dwelling per 4 acres) to General Business District (GB) pursuant to the application of Sunaka LLC - Om Parkash. Vice-Chairman Crosby seconded the motion.

Chairman Antenori opened the Public Hearing.

Mr. Taylor, presented this item using a PowerPoint presentation. Mr. Taylor presented a staff report for Docket CPA25-01 and RZ25-02, which concerns a request from Sunaka LLC to amend the land use designation from rural to developing and growth area, and rezone the property from RU4 to GB. He stated the property is located along the I-10 Business Loop west of Bowie and includes several parcels. He stated the Planning and Zoning Commission recommended approval of the amendment and zoning change, with no significant opposition, and staff also supports the proposal.

In response to Vice-Chairman Crosby's inquiry, Mr. Taylor mentioned receiving mixed comments from the state regarding access, though the specific jurisdiction (state or federal) is unclear. The applicant is actively working with the state to secure access to the parcel.

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

Chairman Antenori closed the Public Hearing.

ACTION

Board of Supervisors

8. Adopt Resolution 25-02 expressing the Board of Supervisors' support for proposed legislation requiring that all mail-in ballots be returned by 5:00 p.m. on the Friday before Election Day to improve election efficiency, transparency, and timely ballot processing.

Vice-Chairman Crosby made a motion to adopt Resolution 25-02 expressing the Board of Supervisors' support for proposed legislation requiring that all mail-in ballots be returned by 5:00 p.m. on the Friday before Election Day to improve election efficiency, transparency, and timely ballot processing. Supervisor Gomez seconded the motion.

Allison Morse spoke in opposition and discussed the reasons.

Tricia Gerrodette spoke in opposition and discussed the reasons.

Chairman Antenori explained that some states, including Florida, have laws requiring voters who receive mail-in ballots to mail them in rather than drop them off on Election Day, which causes delays. He pointed out that when ballots are dropped off at the polls, the verification process is slowed down, pushing back election results. He emphasized the importance of responsibility in the voting process, noting that there is ample time to mail ballots before Election Day.

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

County Sheriff

9. Approve Amendment 1 to the grant agreement with Legacy Foundation of Southeast Arizona for the Cochise County Mental Health Support Team project, in the amount of \$383,056, extending the agreement through June 1, 2026.

Vice-Chairman Crosby made a motion to approve Amendment 1 to the grant agreement with Legacy Foundation of Southeast Arizona for the Cochise County Mental Health Support Team project, in the amount of \$383,056, extending the agreement through June 1, 2026. Supervisor Gomez seconded the motion.

Commander Watkins presented this item. Commander Watkins emphasized the importance of the process and the invaluable services provided by the team.

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

Housing Authority

10. Adopt Resolution 25-05 to approve AZ034 Streamlined 5-Year 2025-2030 and Section 8 Housing Choice Voucher Administrative Plans.

Supervisor Gomez made a motion to adopt Resolution 25-05 to approve AZ034 Streamlined 5-Year 2025-2030 and Section 8 Housing Choice Voucher Administrative Plans. Vice-Chairman Crosby seconded the motion.

Anita Baca presented this item. Ms. Baca provided a follow-up on the percentages of leased properties in various districts.

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

STATE & FEDERAL LEGISLATION

11. 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 Antenori discussed recent developments regarding state and federal legislation, mentioning that the County Supervisors meeting on Friday was canceled. He stated the budget discussions are now focused on changes to formulas for revenue, including the Highway User Revenue Fund (HURF) and state-shared revenue, which could significantly impact the county. He expressed dissatisfaction with how the current formulas are structured, as they seem to disadvantage the county, and emphasized that efforts are underway to oppose changes that would benefit the state at the county's expense.

REPORT BY SHARON GILMAN, INTERIM COUNTY ADMINISTRATOR -- RECENT AND PENDING COUNTY MATTERS

Ms. Gilman deferred her report.

SUMMARY OF CURRENT EVENTS

Report by District 1 Supervisor, Tom Crosby

Vice-Chairman Crosby deferred his report.

Report by District 2 Supervisor, Kathleen L. Gomez

Supervisor Gomez shared that the Douglas Rotary Club is hosting the Trojan Run on April 12th, starting at 7:00 AM. She stated the event aims to raise funds for the Air Museum, which is home to a rare World War II Trojan plane, one of only four remaining in the world. The museum, located at the former Douglas International Airport, holds historical significance, with ties to Eleanor Roosevelt and the 1932 Powderpuff Derby. She stated the run will cover a route from the park to D Hill and back, and details are available on the event's website.

Report by District 3 Supervisor, Frank Antenori

Chairman Antenor deferred his report.

Chairman Antenori adjourned the meeting at 12:02 p.m.

APPROVED:

Frank Antenori, Chairman

ATTEST:

Lara Loewenheim, Clerk of the Board