

**PROCEEDINGS OF THE COCHISE COUNTY BOARD OF SUPERVISORS  
REGULAR MEETING HELD ON  
TUESDAY, APRIL 7, 2026**

A regular board meeting of the Cochise County Board of Supervisors was held on Tuesday, April 7, 2026, 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, County Administrator; Joe Casey, Deputy County Administrator; Dylan Hendel, Deputy Civil County Attorney; Lara Loewenheim, Clerk of the Board

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

***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 announced several upcoming events: the Trojan Run will take place on Saturday, April 11th, 2026 at 7:00 a.m. at the Douglas airport park in support of the local air museum; the Rose Festival is also scheduled for April 11th, 2026 in Tombstone; and the El Tour De Zona race will occur Friday through Sunday, April 10th–12th. She advised that Charleston Road in Tombstone would be closed for most of the day on April 11th, 2026.

Supervisor Gomez emphasized the urgency of establishing a sterile fly distribution center due to the threat of screwworms to animals and humans, and addressed misinformation by clarifying that no data center project exists, urging the public to rely on official information rather than social media.

**Report by District 3 Supervisor, Frank Antenori**

Chairman Antenori deferred his report.

***CALL TO THE PUBLIC***

Mike Dzicek was called upon but did not speak.

Joan Murphy spoke on various issues.

Karen Fasimpaur spoke on various issues.

Allison Morse spoke on various issues.

Cheryl Knott spoke on various issues.

Mary Ann Boles spoke on various issues.

Donna Quisenberry spoke on various issues.

Jennie Town was called upon but did not speak.

Diane Siers was called upon but did not speak.

Diana LaMar spoke on various issues.

## ***CONSENT***

### **Board of Supervisors**

1. Approve the Minutes of the regular meeting of the Board of Supervisors of March 24, 2026.
2. Approve a proclamation to declare April 2026 as National County Government Month.

### **County Sheriff**

3. Approve renewal of license plates used by the Cochise County Sheriff's Office for undercover and covert operations.

### **Court Administration**

4. Approve the reappointment of Justin C. Allred as a Superior Court Pro Tempore Judge, pursuant to A.R.S. § 12-141 and A.R.S. § 12-142, for a term beginning June 15, 2026, and ending June 18, 2026.
5. Approve the reappointment of Anne M. Borowiec as Superior Court Judge Pro Tempore, pursuant to Article VI, § 31 of the Arizona Constitution and A.R.S. §§ 12-141, 12-144, et seq., and authorize Court Administration to utilize a duly appointed Superior Court Judge Pro Tempore from another county, if necessary under extenuating circumstances, pursuant to A.R.S. § 12-144, effective July 1, 2026, through June 30, 2027.

6. Approve the reappointment of Justin C. Allred as Justice Court Precinct Five Pro Tempore; the reappointment of Gary Douglas Jr., as county-wide Justices of the Peace Pro Tempore for emergency or temporary coverage pursuant to A.R.S. § 22-121, effective from July 1, 2026, through June 30, 2027.

## **Elections**

7. Approve the appointment of two Precinct Committeemen (DEM), and one resignation (DEM) by recommendation of their respective Cochise County Party Chairman, to serve through the October 1, 2026, term.

## **Finance**

8. Approve demands and budget amendments for operating transfers.

Vice-Chairman Crosby made a motion to approve Consent items 1 through 8. Supervisor Gomez seconded the motion.

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

## ***ACTION***

### **Court Administration**

14. Approve the appointment of Terry Bannon as Countywide Roving Justice of the Peace Pro Tempore, to serve when no elected Justice of the Peace is available to conduct necessary hearings, pursuant to ARS § 22-121, for the term of April 7, 2026, through June 30, 2027.

Supervisor Gomez made a motion to approve the appointment of Terry Bannon as Countywide Roving Justice of the Peace Pro Tempore, to serve when no elected Justice of the Peace is available to conduct necessary hearings, pursuant to ARS § 22-121, for the term of April 7, 2026, through June 30, 2027. Vice-Chairman Crosby seconded the motion.

Niltza Flores, Court Administrator, presented this item. Ms. Flores explained that following the retirement of the previous roving justice of the peace, a recruitment process was conducted using a seven-member selection committee composed of attorneys, community members, and justices of the peace, which recommended Terry Bannon for the position. She noted that the role handles conflict cases within justice courts by traveling to local courts, allowing cases to remain within the county and reducing the need for outside judges.

In response to the Board, Mr. Hendel explained that Pro Tem Judges and Pro Tem Justices have the same legal authority as regular judges. Ms. Flores stated they differ in qualifications, as Superior court judges must be licensed attorneys with at least five years of practice, while justices of the peace need to be 18 years of age and have a high school diploma.

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

15. Approve the appointment of Cameron Judd and Randal Wilson as county-wide Justices of the Peace Pro Tempore for emergency or temporary coverage, pursuant to ARS §22-121; and authorize the use of an appropriately appointed Justice of the Peace Pro Tempore from another county in extenuating circumstances, pursuant to ARS §22-122, effective April 7, 2026, through June 30, 2027.

Vice-Chairman Crosby made a motion to approve the appointment of Cameron Judd and Randal Wilson as county-wide Justices of the Peace Pro Tempore for emergency or temporary coverage, pursuant to ARS §22-121; and authorize the use of an appropriately appointed Justice of the Peace Pro Tempore from another county in extenuating circumstances, pursuant to ARS §22-122, effective April 7, 2026, through June 30, 2027. Supervisor Gomez has seconded the motion.

Niltza Flores, Court Administrator, presented this item. Ms. Flores explained that two weekend and holiday pro tem justices of the peace were selected through the same recruitment and committee process as the roving justice of the peace position, and serve to ensure timely initial appearances for both justice and superior courts during weekends and holidays.

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

16. Approve Contract 25-15-SUP-01 with Sloan R. King PhD, LLC. for Return to Competency Services and submit written Rule 11 reports to the Superior Court indicating whether a defendant is competent to stand trial, effective for one year with four additional years, upon mutual agreement of both the County and Dr. King.

Supervisor Gomez made a motion to approve Contract 25-15-SUP-01 with Sloan R. King PhD, LLC, for Return to Competency Services and submit written Rule 11 reports to the Superior Court indicating whether a defendant is competent to stand trial, effective for one year with four additional years, upon mutual agreement of both the County and Dr. King. Vice-Chairman Crosby seconded the motion.

Niltza Flores, County Administrator presented this item. Ms. Flores explained that court administration conducted a bidding process for a local competency restoration evaluator. She stated that due to limited availability and higher costs elsewhere, Dr. King, who is already under contract, was the sole respondent whose proposal was deemed fair, reasonable, and qualified to continue providing the services.

In response to the Board, Ms. Flores stated that Dr. King conducts competency evaluations locally for both in-custody and out-of-custody defendants, reducing the need for costly out-of-county placements, minimizing transport burdens, and avoiding long waitlists that would otherwise keep individuals in jail longer.

In response to the Board, Ms. Flores noted that with competency restoration cases increasing from 14 in prior years to 21 last year, the \$19,500 local evaluation cost represents significant savings compared to \$30,000 or more for out-of-county services, while also avoiding additional transport, personnel, and overtime expenses.

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

## Facilities

17. Approve Lease Agreement Renewal #10 between Cochise County and Northrop Grumman Systems Corporation for the Leased Premises and the Expansion Premises located at 6946 N. Air Terminal Road, Douglas AZ 85604, in the amount of \$2,000 a month, effective May 1, 2026, through April 30, 2027.

Vice-Chairman Crosby made a motion to approve Lease Agreement Renewal #10 between Cochise County and Northrop Grumman Systems Corporation for the Leased Premises and the Expansion Premises located at 6946 N. Air Terminal Road, Douglas AZ 85604, in the amount of \$2,000 a month, effective May 1, 2026, through April 30, 2027. Supervisor Gomez seconded the motion.

Darrel Crowley, Facilities Director, presented this item. Ms. Crowley explained that the agreement is simply a 10-year renewal of an existing lease with Northrop Grumman Systems Corporation at the airport.

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

## **PUBLIC HEARINGS**

### Development Services

9. Approve Ordinance 26-09 amending the Cochise County Zoning Regulations to define "Data Center," require Special Use Authorization in certain districts, and establish standards for their siting, development, and operation.

Supervisor Gomez made a motion to approve Ordinance 26-09 amending the Cochise County Zoning Regulations to define "Data Center," require Special Use Authorization in certain districts, and establish standards for their siting, development, and operation. Vice-Chairman Crosby seconded the motion.

Chairman Antenori opened the Public Hearing.

Christine McLachlan, Development Services Director, presented this item using a PowerPoint presentation. Ms. McLachlan presented a staff-initiated zoning text amendment to establish a regulatory framework for future data centers, emphasizing that it does not approve any specific project but instead creates definitions, standards, and a special use permit process to ensure transparent, case-by-case review. She stated the proposed ordinance outlines where data centers may be located, requires detailed project information upfront, and includes development, operational, environmental, and long-term accountability standards to address impacts such as water use, infrastructure demand, and public safety. She noted the amendment was developed through prior meetings and received unanimous support from the Planning and Zoning Commission, with strong public interest reflecting both concerns primarily about environmental and infrastructure impacts—and some support for economic development. She stated that overall, the ordinance is intended to give the county clear authority and tools to evaluate, condition, or deny future proposals in a consistent and defensible manner.

In response to the Board, Ms. McLachlan clarified that without adopting these regulations, the county would still be required to process data center proposals

under existing zoning rules but without the added safeguards, public review requirements, and impact-specific standards outlined in the ordinance.

Chairman Antenori explained that without a specific data center ordinance, the county would be required to process any application under existing general zoning rules, limiting its ability to impose targeted safeguards or restrictions. He cited the City of Phoenix as an example, where the lack of prior regulations led to lawsuits and forced approvals after attempts to impose restrictions post-application. He emphasized that the county is acting proactively to establish reasonable, legally defensible standards in advance to protect resources, avoid litigation, and guide future development.

Vice-Chairman Crosby commended Ms. McLachlan's expertise in drafting the regulations, noting her strong understanding of the issue and suggesting her work could serve as a model for other municipalities. He acknowledged that the ordinance reflects concerns raised by the Board and commissions.

Karen Fasimpaur spoke in opposition and discussed the reasons.

Samuel Klein spoke in opposition and discussed the reasons.

Clay Greathouse spoke in opposition and discussed the reasons.

Bruce Tassin was called upon but did not speak.

Cado Daily spoke in opposition and discussed the reasons.

Jennifer Druckman spoke in opposition and discussed the reasons.

Ms. Gomez explained that she crafted a response letter to address public concerns about data centers but cannot individually respond to every issue due to the broad scope of her responsibilities and limited time. She emphasized that her comments are thoughtful and personally developed, not generic or automated, and reflect her effort to balance this issue alongside other county priorities.

Chairman Antenori explained that modern data center designs increasingly use little to no water, emphasizing the county does not support high water-use models and is working to ensure future projects adopt more sustainable technologies. He stressed that the county is proactively developing regulations to manage impacts, ensure environmental and infrastructure protections, and prepare for smaller-scale data centers likely to be proposed in the region.

Allison Morse spoke in opposition and discussed the reasons.

Cheryl Knott spoke in opposition and discussed the reasons.

Jennifer Schmidt spoke in opposition and discussed the reasons.

Ronnie Maestas Condos spoke in opposition and discussed the reasons.

Shana Gall spoke in support and discussed the reasons.

Donna Quisenberry spoke in opposition and discussed the reasons.

Dan Baker spoke in opposition and discussed the reasons.

Christine Atchison spoke in opposition and discussed the reasons.

Shira Braiterman spoke in opposition and discussed the reasons.

Chairman Antenori stated that the county will continue improving the data center ordinance over the next year through public input and work sessions, emphasizing a proactive approach to planning ahead. He also highlighted concerns about economic decline and population loss, stressing the need to attract industry and working-age residents to support the county's future.

Tricia Gerrodette spoke in support and discussed the reasons.

Steve Helffrich spoke in opposition and discussed the reasons.

Chairman Antenori read the names of the opposed into the record. Christie Brown, Jeff Sturges, Angela Martinez, James Flynn, Tracy L. Caras, Robert A. Berhstock, Carol A. Garnett, Stephani Stephenson, Simone Kiere, Laura Lea Rowan Scorzelli, Susan Lynn Dalby, Jo Ann Caruthers, Tandi Hoffman, and Joanne Beth Weiner.

Diane LaMar spoke in opposition and discussed the reasons.

Vice-Chairman Crosby stated that he deliberately avoided being influenced by emotional appeals, focusing instead on objective analysis, and acknowledged receiving useful public input. He also expressed skepticism about concepts like net-zero water use, questioned long-term water sustainability, and raised concerns about federal influence over local resources and decision-making.

Supervisor Gomez stated that the ordinance is a flexible, evolving framework that can be amended over time through public work sessions and input, emphasizing the need to adopt it now to move the process forward efficiently. She also affirmed her commitment to engaging with all stakeholders to stay informed, rejected claims of open meeting law violations, and encouraged the public to remain involved and informed as updates are made.

Chairman Antenori directed staff to compile all public and emailed comments and schedule a work session. He stated the work session would be to review the input and determine next steps, including further research and possible amendments. He also confirmed the meeting would be public and accessible, though scheduling may be constrained due to budget season.

Chairman Antenori explained that the county currently lacks resources for services like hazardous materials' response due to limited funding, but emphasized that future large projects could help fund such needs through negotiated impact fees benefiting fire districts, schools, and other public services. He also stated the Board's goal is to proactively establish reasonable regulations for projects like data centers balancing economic benefits with community impacts while continuing to refine the ordinance through public input and future work sessions.

Chairman Antenori closed the Public Hearing.

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

10. Approve, modify, or deny Docket SUA25-04 an appeal by Bennie and Janell Schmidt (applicants) to allow a Special Use Authorization for a recreational vehicle park on tax parcel 104-34-010A along S. Hereford Road in Palominas (Supervisor District 1).

Supervisor Gomez made a motion to approve, modify, or deny Docket SUA25-04 an appeal by Bennie and Janell Schmidt (applicants) to allow a Special Use Authorization for a recreational vehicle park on tax parcel 104-34-010A along S. Hereford Road in Palominas (Supervisor District 1). Vice-Chairman Crosby seconded the motion.

Chairman Antenori opened the Public Hearing.

Matthew Taylor, Planning Division Manager, presented this item using a PowerPoint presentation. Mr. Taylor presented an appeal of a denied special use authorization for a 30-acre RV park near the San Pedro River, noting the Planning and Zoning Commission ultimately recommended conditional approval, reducing spaces from 30 to 24 after reconsideration. He concluded by outlining the Board's options to approve, modify, or deny the request.

Vice-Chairman Crosby discussed site details, including identifying a pond on the property as likely spring-fed and not part of the applicant's parcel. He raised a question about sanitation requirements, particularly pet waste management, and whether livestock had historically contributed to environmental concerns such as E. coli near the river. He emphasized the relationship between the pond, groundwater levels, and the nearby river, noting the area's connection to the local aquifer.

Bennie Schmidt, applicant, presented a proposal for a small RV park, emphasizing its minimal footprint, compatibility with area plans, and limited impacts on traffic, water use, and the surrounding environment. He highlighted significant setbacks from the riparian area, comparisons to similar or closer developments, and efforts to mitigate concerns such as fire risk, sanitation, and environmental preservation. He concluded by stressing that the project supports local economic activity while maintaining conservation goals and addressing what he described as misconceptions about its potential impacts.

Kim DePew, Planning and Zoning Commissioner, noted that the applicant confirmed the use of a septic system and stated that existing county ordinances would guide its regulation.

Joanne Roberts spoke in opposition and discussed the reasons.

Holly Richter spoke in opposition and discussed the reasons.

Cado Daily spoke in opposition and discussed the reasons.

Simone Kiere spoke in opposition and discussed the reasons.

Susan Ostrander spoke in opposition and discussed the reasons.

Tricia Gerrodette spoke in opposition and discussed the reasons.

Lanae Celilo was called upon but did not speak.

Kimberly Kling spoke in opposition and discussed the reasons.

Sandra Creagan was called upon but did not speak.

Chairman Antenori closed the Public Hearing.

Mr. Schmidt responded by defending the validity of petition signatures supporting the project and clarifying that they were informal expressions of support. He emphasized that the RV park proposal would have a smaller environmental impact compared to alternative residential development, outlining plans for water supply, septic use, traffic flow improvements, and minimal land disturbance.

Vice-Chairman Crosby commented that he holds a differing perspective on local water issues, expressing skepticism about the existence of a water shortage and related environmental designations. He stated his primary concern is the introduction of additional sewage and opposed increasing septic systems in the area. He also compared the proposal to other projects that could bring external waste into the district, emphasizing his opposition to such impacts.

Supervisor Gomez stated that after consulting with her Planning and Zoning commissioners, she found they generally supported the proposal, including input from a prior opponent who suggested approval. She acknowledged uncertainty about the applicant's outreach to the community but indicated that residents also share responsibility for engaging proactively. She concluded that, based on the applicant's revisions and the commission's support, she believes the proposal is well intentioned and merits consideration.

Chairman Antenori expressed frustration with what he sees as inconsistent public opposition, noting that while some advocate for tourism-based development, others oppose projects that would support it. He emphasized his strong belief in private property rights, stating that landowners should be allowed to use their property freely unless there is clear, demonstrable harm to others. He concluded that he generally supports applicants in such cases and believes this proposal reflects a reasonable compromise shaped by staff and commission input.

Vice-Chairman Crosby made a motion to approve Docket SUA25-04 an appeal by Bennie and Janell Schmidt (applicants) to allow a Special Use Authorization for a recreational vehicle park on tax parcel 104-34-010A along S. Hereford Road in Palominas (Supervisor District 1). Supervisor Gomez seconded the motion.

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

## ***ACTION***

### **Board of Supervisors**

11. Approve Community Enhancement Fund expenditures for District 3: Pomerene Fire Department tires for brush truck and tender, in the amount \$6,174.76

Vice-Chairman Crosby made a motion to approve Community Enhancement Fund expenditures for District 3: Pomerene Fire Department tires for brush truck and tender, in the amount \$6,174.76. Supervisor Gomez seconded the motion.

Chairman Antenori presented this item. Chairman Antenori expressed support for

assisting local fire districts, emphasizing their need for resources such as equipment and vehicle maintenance, particularly in rural areas with limited infrastructure. He noted personal experience with nearby fires and the importance of having adequate emergency response capabilities, including water tenders where hydrants are unavailable. He concluded by reiterating his willingness to support efforts that strengthen fire protection services.

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

12. Approve Community Enhancement Fund expenditures for District 3: Willcox Theater and Arts installation of direct exhaust ventilation for the auditorium's projection system, in the amount of \$2,000.

Supervisor Gomez made a motion to approve Community Enhancement Fund expenditures for District 3: Willcox Theater and Arts installation of direct exhaust ventilation for the auditorium's projection system, in the amount of \$2,000.

Vice-Chairman Crosby seconded the motion.

Chairman Antenori presented this item. Chairman Antenori explained that the Willcox Theater of the Arts received a grant, but unexpected renovation issues consumed most of the funding, leaving insufficient funds for an air conditioning system. He stated after observing the unfinished and overheated space during a visit, he learned the organization needed funding to complete the project. He offered to support a \$2,000 request to help purchase an air conditioner for the second floor.

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

13. Discussion and possible action to appoint up to three board members to the Sunsites Pearce Fire District Board, selected from the attached letters of intent, to fill vacancies pursuant to A.R.S. § 48-803(B), effective immediately to serve until the next general election.

Chairman Antenori expressed concern about a recurring pattern in fire districts where well intentioned individuals lack the financial and management expertise needed to effectively oversee operations, often leading to funding-related challenges. He emphasized the need for board members with business and finance backgrounds and identified a candidate with such qualifications as a strong choice. He recommended appointing one qualified individual to help establish a quorum, allowing the board to then fill remaining vacancies.

Vice-Chairman Crosby made a motion to appoint James Meister to be a member of the Sunsites Pearce Fire District Board, selected from the attached letters of intent, to fill vacancies pursuant to A.R.S. § 48-803(B), effective immediately to serve until the next general election. Supervisor Gomez seconded the motion.

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

## **STATE & FEDERAL LEGISLATION**

18. 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 explained that while the proposal for the gas tax holiday is currently stalled, it could resurface through budget reconciliation bills tied to appropriations, particularly those affecting transportation funding. He expressed concern that a gas tax holiday could reduce Highway User Revenue Fund distributions to counties, potentially impacting road funding despite proposed general fund backfills.

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

Ms. Gilman recognized and congratulated Lara Loewenheim, Clerk of the Board, for earning the Certified Municipal Clerk designation from the International Institute of Municipal Clerks after several years of dedicated effort.

Chairman Antenori adjourned the meeting at 1:43 p.m.

APPROVED:

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Frank Antenori, Chairman

ATTEST:

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Lara Loewenheim, Clerk of the Board