

**PROCEEDINGS OF THE COCHISE COUNTY BOARD OF SUPERVISORS
SPECIAL/EXECUTIVE MEETING HELD ON
TUESDAY, SEPTEMBER 29, 2020**

A special meeting of the Cochise County Board of Supervisors was held on Tuesday, September 29, 2020 at 1:30 p.m. in the Board of Supervisors' Executive Conference Room, 1415 Melody Lane, Building G, Bisbee, Arizona.

Present: Thomas E. Borer, Chairman; Ann English, Vice-Chairman; Peggy Judd, Supervisor

Staff Present: Sharon Gilman, Associate County Administrator
Brian McIntyre, County Attorney
Christine Roberts, Chief Civil Deputy County Attorney
Kim Lemons, Clerk of the Board

Attendees: Richard Karwazcka, Public Defender

Chairman Borer called the meeting to order at 1:30 p.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

ACTION

Board of Supervisors

1. Discussion and possible approval of Employment Agreement for the County Administrator position for Richard Karwaczka.

Pursuant to A.R.S. § 38-431.03(A)(1), (3) and (4), the Board may go into executive session to discuss employment, its position on employment contracts that are the subject of negotiation and to secure legal advice with the attorney of the public body.

Vice-Chairman English made a motion to go into executive session pursuant to A.R.S. § 38-431.03(A)(1), (3) and (4). Supervisor Judd seconded the motion.

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

The Board went into executive session at 1:32 p.m.

The Board came out of executive session at 2:24 p.m.

Vice-Chairman English made a motion to direct the County Attorney and the Interim County Administrator to create a contract based on the direction received in executive session.

Supervisor Judd seconded the motion.

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

Chairman Borer read item 2 and Mr. Karwaczka was excused from the meeting.

2. Discussion of new developments in the Opioid litigation and direction regarding the County's participation as a bellwether case for the Opioid Multi District Litigation ("MDL").

Pursuant to A.R.S. § 38-431.03(A)(3) and (4), the Board may go into executive session for legal advice with the attorney of the public body and to consider its position and instruct its attorneys regarding the public body's position in pending litigation.

Supervisor Judd made a motion to go into executive session pursuant to A.R.S. § 38-431.03(A)(3) and (4). Vice-Chairman English seconded the motion.

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

The Board went into executive session at 2:25 p.m.

The Board came out of executive session at 2:44 p.m.

Vice-Chairman English made a motion to direct the County Attorney's Office to move forward with the litigation strategy, as discussed in executive session. Supervisor Judd seconded the motion.

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

Chairman Borer adjourned the meeting at 2:45 p.m.

APPROVED:

Thomas E. Borer, Chairman

ATTEST:

Kim Lemons, Clerk of the Board