

**PROCEEDINGS OF THE COCHISE COUNTY BOARD OF SUPERVISORS
EMERGENCY MEETING HELD ON
WEDNESDAY, NOVEMBER 9, 2022**

An emergency meeting of the Cochise County Board of Supervisors was held on Wednesday, November 9, 2022 at 1:00 p.m. virtually via Microsoft Teams computer and mobile app.

Present: Ann English, Chairman, telephonic; Peggy Judd, Vice-Chairman, telephonic; Tom Crosby, Supervisor, telephonic

Staff Present: Richard G. Karwaczka, County Administrator, telephonic
Sharon Gilman, Deputy County Administrator, telephonic

Attendees: Bryan Blehm, Outside Legal Counsel, telephonic

Chairman English called the meeting to order at 1:00 p.m.

ANY ITEM ON THIS AGENDA IS OPEN FOR DISCUSSION AND POSSIBLE ACTION

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 direction to outside legal counsel, Mr. Bryan Blehm from The Valley Law Group, PLLC, regarding litigation and options in the matter of Arizona Alliance of Retired Americans, Inc. and Stephani Stephenson v. Tom Crosby, Ann English, Peggy Judd, David Stevens, and Lisa Marra, all in their official capacities, CV202200518.

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 attorneys regarding the public body's position in pending litigation.

Mr. Blehm confirmed that he recommends the Board should go into Executive Session to receive legal advice.

Chairman English stated that the basis of the Emergency Meeting is for the Board to go into executive session for legal advice with the attorney of the public body and to consider its position and instruct its attorney regarding the public body's position in pending litigation. Mr. Karwaczka added that the decision in the matter was given on Monday, November 7, 2022; based on the urgency, a need for an immediate discussion regarding next steps was required, and an Emergency Meeting was scheduled.

Supervisor Crosby made a motion to enter into Executive Session, according to the purpose stated by the Chair, in A.R.S. § 38-431. Vice-Chairman Judd seconded the motion and it carried unanimously.

The Board moved into Executive Session at 1:08 p.m.

The Board came out of Executive Session at 1:27 p.m. All Supervisors were present telephonically.

Supervisor Crosby made a motion to proceed as the Board directed in Executive Session. Vice-Chairman Judd seconded the motion.

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

Chairman English stated that with the approval, Mr. Blehm was authorized to move forward with an appeal.

Chairman English adjourned the meeting at 1:31 p.m.

APPROVED:

Ann English, Chairman

ATTEST:

Tim Mattix, Clerk of the Board