

**PROCEEDINGS OF THE COCHISE COUNTY BOARD OF SUPERVISORS
SPECIAL/EXECUTIVE MEETING HELD ON
TUESDAY, DECEMBER 6, 2022**

A special meeting of the Cochise County Board of Supervisors was held on Tuesday, December 6, 2022 at 10:00 a.m. in the Board of Supervisors' Executive Conference Room, 1415 Melody Lane, Building G, Bisbee, Arizona.

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

Staff Present: Richard G. Karwaczka, County Administrator
Tim Mattix, Clerk of the Board

Attendees: Daniel McCauley, Outside Legal Counsel, telephonic

Chairman English called the meeting to order at 10:00 a.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. Daniel McCauley from McCauley Law Office, P.C., regarding litigation and options in the matters of Katie Hobbs v. Tom Crosby, et al., CV202200553, and Arizona alliance for Retired Americans, Inc, v. Stephani Stephenson, et al., CV202200552.

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.

Chairman English noted a clerical correction to the agenda. The abbreviated case name for case CV202200552 should read as "Arizona Alliance for Retired Americans, Inc, et al., v. Tom Crosby, et al., CV202200552." In response to the Board, Mr. Mattix clarified the clerical correction to the agenda.

Chairman English made a motion to have discussion and possible direction to outside legal counsel, Mr. Daniel McCauley from McCauley Law Office, P.C., regarding litigation and options in the matters of Katie Hobbs v. Tom Crosby, et al., CV202200553, and Arizona Alliance for Retired Americans, Inc, et al., v. Tom

Crosby, et al., CV202200552. Vice-Chairman Judd seconded the motion. There was no vote on this motion.

Supervisor Crosby made a motion to go into Executive Session, pursuant to A.R.S. § 38-431.03(A)(3) and (4) for legal advice, discussion and instruction with the attorney. Vice-Chairman Judd seconded the motion. Chairman English called for the vote and it was approved unanimously.

The Board moved into Executive Session at 10:06 a.m.

The Board came out of Executive Session at 10:40 a.m. Chairman English, Vice-Chairman Judd (telephonic), and Supervisor Crosby (telephonic) were all present.

Chairman English noted that the Board held a discussion with Mr. McCauley, outside legal counsel, during the Executive Session.

Supervisor Crosby made a motion to instruct the attorney of the Board's desire to follow the advice provided to the Board in Executive Session. Vice-Chairman Judd seconded the motion.

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

Chairman English adjourned the meeting at 10:41 a.m.

APPROVED:

Ann English, Chairman

ATTEST:

Tim Mattix, Clerk of the Board