

**PROCEEDINGS OF THE COCHISE COUNTY BOARD OF SUPERVISORS
SPECIAL/EXECUTIVE MEETING HELD ON
THURSDAY, JULY 27, 2023**

A special meeting of the Cochise County Board of Supervisors was held on Thursday, July 27, 2023 at 9:00 a.m. in the Board of Supervisors' Executive Conference Room, 1415 Melody Lane, Building G, Bisbee, Arizona.

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

Staff Present: Richard G. Karwaczka, County Administrator
Sharon Gilman, Deputy County Administrator/Interim Clerk of the Board
Brian M. McIntyre, County Attorney
Paul Correa, Civil Deputy Attorney
Lara Loewenheim, Deputy Clerk of the Board

Attendees: David Stevens, County Recorder

Chairman Judd called the meeting to order at 9:00 a.m.

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

ACTION

Board of Supervisors

1. Discussion and possible direction regarding the ongoing litigation and options regarding *LaChance, et al. v. County of Cochise, et al.*, CV202300363, election contest litigation re: the May 16, 2023 Jail District Election.

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.

Supervisor English made a motion to go into Executive Session pursuant to A.R.S. § 38-431.03 (A)(3) and (4) for legal advice. Vice-Chairman Crosby seconded the motion. Chairman Judd called for the vote and it was approved 2-1 (Crosby opposed).

The Board moved into Executive Session at 9:03 a.m.

Ms. Loewenheim stepped out of the room during the Executive Session.

The Board came out of Executive Session at 9:40 a.m. Chairman Judd, Vice-Chairman Crosby, and Supervisor English were present.

Supervisor English made a motion to direct the County Attorney to file an answer and notice of hearing to the amended complaint of LaChance et al. Vice-Chairman Crosby seconded the motion. Chairman Judd called for the vote and it was approved 3-0.

Chairman Judd adjourned the meeting at 9:43 a.m.

APPROVED:

Peggy Judd, Chairman

ATTEST:

Sharon Gilman, Interim Clerk of the Board