

**PROCEEDINGS OF THE COCHISE COUNTY BOARD OF SUPERVISORS
WORK SESSION HELD ON
TUESDAY, MAY 9, 2023**

A work session of the Cochise County Board of Supervisors was held on Tuesday, May 9, 2023, at 3:00 p.m. in the Board of Supervisors' Hearing Room, 1415 Melody Lane, Building G, Bisbee, Arizona.

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

Staff Present: Richard G. Karwaczka, County Administrator
Sharon Gilman, Deputy County Administrator
Christine Roberts, Chief Civil Deputy County Attorney
Tim Mattix, Clerk of the Board

Attendees: Dan Coxworth, Development Services Director

Chairman English called the meeting to order at 3:00 p.m.

ANY ITEM ON THIS AGENDA IS OPEN FOR DISCUSSION

ITEMS FOR DISCUSSION

Board of Supervisors

1. Work Session to determine the necessity or level of demolition appropriate for "Miracle Valley" structure. [Miracle Valley Bible College, located at 9229 E. Miracle Valley Loop, Hereford, AZ 85615]

Chairman English stated that no decisions are made at Work Sessions.

Supervisor Crosby stated his thought that demolition should not occur, and discussed his positive experience working with Mr. Coxworth.

Mr. Coxworth presented this item using a PowerPoint presentation. He stated that the decision about what to do with the Miracle Valley Bible College (Property) should be made after considering all factors, including: potential historical significance; current conditions; potential for reuse or redevelopment; and, the best interest of the County. The Property was deeded to the State of Arizona in March 2022, under the care of the Board. Ultimately, the goal is to dispose of the Property; under state law, it is required to be sold at auction. At any time before the Property was deeded to the state, anyone could have purchased the tax lien. The Development Services Department assists the Clerk of the Board in preparing properties for auction. Regarding the Property, a Regulated Building Material Survey was commissioned to determine what hazardous materials exist. The Property has been financially distressed and has deteriorated over time. Staff supports the transition to private ownership of the Property, to increase the potential for reuse and redevelopment. This is done by removing barriers to the development of property, including removal of hazards and code violations. The new owner will be required to obtain proper permits. Disposing of the Property at auction will not eliminate the problem for the County. Cleaning up the Property will support the obligation to the taxpayers to obtain the highest price at auction.

Mr. Coxworth stated that the Property is 37.5 acres, is zoned RU-4, and has legal access from Bethlehem Way. Today's presentation is focused on five buildings, as follows. He displayed pictures of each.

- Laundry Building - No hazardous materials were found; however, it is in bad shape structurally, and staff recommends it be removed. Neighbors have reported that it is used by undocumented individuals awaiting transportation.
- Apartments - The Apartments contain asbestos; staff's recommendation is to abate asbestos greater than 1%. The building is in fairly good shape, and staff also recommends that the Apartments remain.
- Girls' Dorm - The Girls' Dorm has significant damage and was found to have less than 1% asbestos. Staff's recommendation is to demolish and remove it; if it remains, the new owner would need to abate the asbestos.
- Boys' Dorm - The Boys' Dorm is in the worst condition due to a fire. It was found to have asbestos greater than 1% that will need to be abated prior to demolition and removal. Staff's recommendation is to abate the asbestos, and demolish and remove the structure.
- Dome and Tabernacle. Asbestos was found in the Dome but has been abated. The Tabernacle is significantly damaged and contains asbestos that will need to be abated or covered over. Staff's recommendation is for the Dome to remain and to demolish and remove the Tabernacle.

Other buildings are in fairly good shape and should remain on the Property.

Mr. Coxworth stated that state statute requires consultation with the State Historic Preservation Office (SHPO); paperwork has been submitted to SHPO, who indicated that they will have a determination next week. In the auction, the County may recoup costs of preparing the Property from the proceeds of the sale. Mr. Coxworth summarized that all of the buildings are open and exposed; the Property is financially distressed; investors are not interested in the Property due to its condition; the Property will be sold to the highest bidder at auction; and, the County has an opportunity to prepare the Property for sale, to increase the Property value and the chance for reuse and redevelopment.

In response to the Board, Mr. Coxworth confirmed that SHPO will determine historic value and that he is unaware of anyone starting the process to purchase the tax lien. Chairman English noted a misconception by some individuals who that they can purchase the property from the Board, while instead the Board is required to follow state law and go to auction. Ms. Roberts confirmed that once deeded to the State of Arizona, state law requires the property to be auctioned.

Vice-Chairman Judd stated her opinion that the buildings should not be removed any more than necessary to make the property fairly safe, and that the Property should be sold at auction closer to its as-is condition.

In response to the Board, Mr. Coxworth stated that the previous owner used one building as a chapel; neither the Tabernacle nor the Dome were used. He assumed that, if owned by a church, the small chapel would be used.

Chairman English noted that by cleaning the Property up, the County will get more value, and discussed potential liability to the County for auctioning the Property with asbestos or other various problems. Mr. Coxworth stated that staff will disclose the condition as best as possible, and suggested offering time for the public to visit the property.

Supervisor Crosby read a statement that he received from an individual regarding a shooting incident in Miracle Valley, stating that it took place across the street from the Property. He asked about plans to build a new jail on the Property; Mr. Karwaczka stated

that there is no plan, and never was, to build a new jail on the Property.

The Board and Mr. Coxworth discussed potential savings to the County by no further demolition. Mr. Coxworth discussed the impact to potential buyers. Chairman English stated that it may cost the County due to a lower sale price. Supervisor Crosby stated his opinion that no further demolition will save the County money. He discussed the definition of the best interests of the County and potential legal and other expenses for improvement of the Property. Supervisor Crosby discussed his thoughts about the Property being used by illegal immigrants; disclosures to potential buyers; and, whether there is more value if the Property is demolished or sold as-is.

In response to the Board, Mr. Coxworth discussed the approach having been in the best interest of County residents and the difficulty of listening to any one party interested in purchasing the Property as it is unknown who will purchase the Property at the auction. He confirmed that staff is waiting to receive information from SHPO about the historical significance.

The Board and Mr. Karwaczka discussed next steps, including a potential Work Session after receiving information from SHPO. Mr. Karwaczka confirmed that nothing will happen to the property; another Work Session will be held, at which time the Board may provide instructions. He stated that the auction could possibly happen this summer, based on Board direction.

Supervisor Crosby and Mr. Karwaczka discussed the role of SHPO and the requirement for the County to confer with SHPO; upon receipt of SHPO's recommendation, staff can present additional information to the Board. They also discussed the auction requirement.

Supervisor Crosby stated that the Board is providing guidance to Development Services to cease further demolition of the Property. Chairman English noted that staff stated that they will not do anything to the Property.

Chairman English adjourned the meeting at 3:38 p.m.

APPROVED:

Ann English, Chairman

ATTEST:

Tim Mattix, Clerk of the Board