

**PROCEEDINGS OF THE COCHISE COUNTY BOARD OF SUPERVISORS
WORK SESSION HELD ON
TUESDAY, OCTOBER 24, 2023**

A work session of the Cochise County Board of Supervisors was held on Tuesday, October 24, 2023, at 2:00 p.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: Sharon Gilman, Deputy County Administrator
Christine Roberts, Chief Civil Deputy County Attorney
Lara Loewenheim, Deputy Clerk of the Board

Attendees: Dan Duchon, Emergency Services, Director

Chairman Judd called the meeting to order at 2:00 p.m.

ANY ITEM ON THIS AGENDA IS OPEN FOR DISCUSSION

ITEMS FOR DISCUSSION

Board of Supervisors

1. Discussion and possible direction to the Emergency Management Department regarding the potential drafting of a County burn ban ordinance and firework ban ordinance.

Mr. Dan Duchon presented this item using a PowerPoint and answered questions from the Board throughout. Mr. Duchon stated that he will be discussing two items, a burn ban ordinance and firework ban ordinance. He highlighted agencies that provides the public with weekly updates during fire season.

Mr. Duchon stated that for burn permits through the State, are issued by Arizona Department of Environmental Quality (ADEQ). ADEQ can delegate to city, town, or fire districts. He highlighted that under ARS 49-112 the legal authority of County to enact burn bans ordinance must decide the scope of the burn ban. Mr. Duchon stated ARS 36-1606 covers the legal authority of Counties authorized to ban fireworks.

Mr. Duchon discussed that the County would have to be tiered off the other parties in the decision process. He stated the goal of a County ordinance would be that if the State lands are restricted, then all of Cochise County will trigger the same restrictions.

A discussion followed with Attorney Paul Correa, Lori Lewis, Chief Administrative Officer, San Jose Fire and the Board on the statistics of the fires and the benefits of having an ordinance for the County.

Ms. Gilman stated that there is not clear direction from the Board to start a burn ban and firework ordinance.

Mr. Duchon provided some background information regarding the firework bans. He stated that Statute 36-606 authorizes counties to ban fireworks.

The Board had a brief discussion regarding rural community and way of life concerns. The Board directed staff to consider a firework ban without the burn ban ordinance.

Chairman Judd adjourned the meeting at 2:53 p.m.

APPROVED:

Peggy Judd, Chairman

ATTEST:

Sharon Gilman, Interim Clerk of the Board