

**PROCEEDINGS OF THE COCHISE COUNTY BOARD OF SUPERVISORS  
SPECIAL/EXECUTIVE MEETING HELD ON  
TUESDAY, JULY 9, 2024**

A special meeting of the Cochise County Board of Supervisors was held on Tuesday, July 9, 2024 at 9:00 a.m. in the Board of Supervisors' Executive Conference Room, 1415 Melody Lane, Building G, Bisbee, Arizona.

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

Staff Present: Richard G. Karwaczka, County Administrator  
Sharon Gilman, Deputy County Administrator/Interim Clerk of the Board  
Christine Roberts, Chief Civil Deputy County Attorney  
Lara Loewenheim, Deputy Clerk of the Board

Attendees: David Stevens, County Recorder  
Joe Casey, Associate County Administrator  
Paul Correa, Deputy County Attorney

Chairman English called the meeting to order at 9:00 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***

1. Discussion and possible direction regarding the Arizona Court of Appeals decision and options regarding *LaChance, et al. v. County of Cochise, et al.*, CV202300363, election contest litigation regarding 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.*

Vice-Chairman Crosby made a motion to go into Executive Session authorized under A.R.S. § 38.431.03 Section 8 paragraphs (3) and (4). Supervisor Judd seconded the motion. Chairman English called for the vote and it was approved 2-1 (Crosby opposed).

The Board moved into executive session at 9:02 a.m.

The Board came out of executive session at 9:26 p.m. and reconvened the open

meeting at 9:27.

Chairman English, Vice-Chairman Crosby, and Supervisor Judd (telephonic) were all present.

Vice-Chairman Crosby made a motion to vote on one of three choices, the first is don't defend the suit against the plaintiff, second is go to the Supreme Court, and the third is go back to the Superior Court. The motion failed for lack of a second.

Vice-Chairman Crosby made a motion to not defend the suit against the plaintiff. The motion failed for lack of a second.

Vice-Chairman Crosby made a motion to take the case to the Supreme Court and hire outside counsel. Supervisor Judd seconded the motion.

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

Chairman English adjourned the meeting at 9:29 a.m.

APPROVED:

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Ann English, Chairman

ATTEST:

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Sharon Gilman, Interim Clerk of the Board