

**PROCEEDINGS OF THE COCHISE COUNTY BOARD OF SUPERVISORS  
WORK SESSION HELD ON  
THURSDAY, FEBRUARY 5, 2026**

A work session of the Cochise County Board of Supervisors was held on Thursday, February 5, 2026, at 11:30 p.m. in the Board of Supervisors' Executive Conference Room, 1415 Melody Lane, Building G, Bisbee, Arizona.

Present: Frank Antenori, Chairman; Tom Crosby, Vice-Chairman; Kathleen L. Gomez, Supervisor

Staff Present: Sharon Gilman, County Administrator  
Joe Casey, Deputy County Administrator  
Bert Whitehead, Deputy Civil County Attorney  
Lara Loewenheim, Clerk of the Board

Attendees: Christine McLachlan, Development Services Director

Chairman Antenori called the meeting to order at 11:37 a.m.

***ITEMS FOR DISCUSSION***

**Board of Supervisors**

1. Discussion and possible direction regarding the County Anti-Blight/Public Nuisance Ordinance.

Christine McLachlan, Development Services Director, presented this item by PowerPoint presentation. Ms. McLachlan presented a proposed Cochise County anti-blight public nuisance abatement ordinance aimed at modernizing long-standing enforcement tools while building on practices that have historically worked. She stated the current complaint-based enforcement results, showing most cases resolved through voluntary compliance and reflecting steady, consistent county operations. She stated the proposed ordinance would combine older ordinances into a single framework, clarify responsibilities, strengthen due process, and streamline appeals through a hearing officer rather than the Board. Ms. McLachlan requested direction from the Board on the overall approach before moving forward with a public hearing, keeping public health, safety, and property rights in balance.

The Board and staff discussed concerns about shifting initial appeals from the Board to a hearing officer, with Supervisor Gomez expressing that constituents traditionally rely on direct Board involvement for sensitive matters. Ms. McLachlan clarified that the Board would remain the final appeal body, maintaining oversight while streamlining the process.

Chairman Antenori cautioned against the county acting like an HOA, emphasizing the need to focus on true health and fire safety hazards, avoid nitpicking or neighbor-driven complaints, and preserve a balanced, zoning-sensitive approach consistent with long-standing rural and residential distinctions.

Supervisor Gomez expressed concern that code enforcement complaints can become emotional and weaponized between neighbors involved in personal disputes. Chairman Antenori emphasized balancing anonymous complaints for safety with fairness and consistency to prevent harassment and unequal enforcement.

Mr. Whitehead explained that state law gives the Board authority over zoning and blight enforcement while allowing the use of a hearing officer to handle civil penalties through an administrative process. He noted this long-used structure reduces court costs, provides due process with notice and hearings, and preserves the Board as the final appeal body.

The Board discussed concerns about how the ordinance would affect elderly and low-income residents in rural areas who may struggle with fees, transportation, or compliance. The Board focused on fairness, especially where properties are isolated, pose limited risk to others, or involve long-standing rural living patterns. The Board touched on community-based cleanup efforts, clarifying what assistance is legally allowed on private property under existing rules.

Mr. Whitehead explained that enforcement remains a discretionary power of the Board, with flexibility built in at the department level and possible hardship or fee waivers to address fairness and prevent frivolous appeals. He outlined how the current system forces every case through hearings and often costly litigation, even when serious health and safety risks exist. He stated the proposed ordinance would distinguish true public safety hazards from minor nuisances, streamline most cases administratively under state law, and allow abatement and cost recovery without routine court action.

The Board and staff discussed establishing clear, legally defined inspection criteria with checklists to distinguish public health and safety hazards from aesthetic or minor zoning issues. The Board raised concerns about elderly residents understanding the process and retaining meaningful access to appeals and elected officials before facing fines, court action, or legal costs. Mr. Whitehead clarified that appeal rights would remain intact, the process would be more streamlined for serious hazards, and communication options could be improved, so supervisors stay informed and accessible to constituents.

In response to the Board, Mr. Whitehead explained that the new ordinance expands the parties who can be served, including owners, tenants, squatters, and certificate holders, allowing the county to address hazards even when an owner is deceased or absent. He stated the proposed changes allow immediate abatement of public health and safety hazards, with costs assessed to the property owner and recoverable through property taxes over time. This approach ensures hazardous properties can be addressed even when traditional enforcement against the owner isn't possible.

Mr. Whitehead discussed that adding new parties to serve and allowing abatement costs to be placed on property taxes are major improvements under the new law. He confirmed the Treasurer already has a process for adding lawful additional costs to taxes, so implementation would fit within existing systems. He stated the change allows the county to abate hazards and recover costs without court orders, significantly reducing administrative hearings and costly litigation.

Chairman Antenori emphasized the need for clearly defined standards in the updated ordinance, including considerations of density and proximity to neighbors, to avoid enforcing rules on isolated properties unnecessarily.

Mr. Whitehead confirmed definitions would be clearly established, and there would be efforts to inform the public about the process when a notice is issued.

The Board and staff discussed adapting the housing department scale of need to identify residents who may require extra help due to age or financial limitations. The Board explored community support options, such as church assistance, dumpsters, and volunteer cleanups, while noting additional funding might be needed.

Chairman Antenori adjourned the meeting at 12:34 p.m.

APPROVED:

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Frank Antenori, Chairman

ATTEST:

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Lara Loewenheim, Clerk of the Board