

**PROCEEDINGS OF THE COCHISE COUNTY BOARD OF SUPERVISORS
SPECIAL/EXECUTIVE MEETING HELD ON
Tuesday, March 14, 2019**

A special meeting of the Cochise County Board of Supervisors was held on Tuesday, March 14, 2019 at 9:30 a.m. in the Board of Supervisors' Executive Conference Room, 1415 Melody Lane, Building G, Bisbee, Arizona.

Present: Peggy Judd, Chairman; Ann English, Vice-Chairman
Absent: Thomas E. Borer, Supervisor
Staff Present: Edward T. Gilligan, County Administrator
Sharon Gilman, Associate County Administrator
Britt W. Hanson, Chief Civil Deputy County Attorney
Kim Lemons, Deputy Clerk of the Board
Attendees: Tom Crosby, citizen
Terri Jo Neff, media
Warren Neff, citizen
Robert Montgomery, Chairman, CCRC
Robert Hart, CCRC
Kristina Guerrero-Sisneroz, citizen
Jack Ladd, citizen
Craig Mount, citizen
William Benning, citizen

Chairman Judd called the meeting to order at 9:30 a.m.

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

PLEDGE OF ALLEGIANCE

THE ORDER OR DELETION OF ANY ITEM ON THIS AGENDA IS SUBJECT TO MODIFICATION AT THE MEETING

CALL TO THE PUBLIC

This is the time for the public to comment. Members of the Board may not discuss items that are not specifically identified on the agenda.

ACTION

Board of Supervisors

1. Pursuant to A.R.S. 38-431.05, ratify the appointment of Pat Call as Justice of the Peace for Precinct 5, effective as of March 1, 2019, as made in open session at a special meeting held on February 12, 2019.

On February 12, 2019, at a special meeting of the Board, two members of the Board of Supervisors voted to appoint Supervisor Pat Call as Justice of the Peace for Precinct 5, effective as of March 1, 2019. This vote was taken in open session. Supervisor Call, being the subject of the proposed appointment, abstained from voting. This agenda item is being proposed for the Board to have the opportunity to ratify that appointment. A more detailed description of the action to be ratified is in the minutes of the open session for that February 12, 2019 special meeting, which minutes are attached to the agenda item or are available from the Clerk of the Board of Supervisors.

Chairman Judd opened the Call the Public and noted there was only one Speaker Request Form presented to her.

Mr. Craig Mount spoke in opposition to the action item presented today.

Mr. Britt Hanson gave an overview of events after the February 12, 2019 appointment of Patrick Call by the Board of Supervisors to Justice of the Peace for Justice Precinct 5. Following the appointment, Mr. David Welch brought a lawsuit against the Board claiming OML and conflict of interest violations in making the appointment. He defined the ratification process and explained the reason for the Board's action today. He continued with the Ex Parte Order of Preliminary Injunction issued by Judge Cardinal and the County's challenge to that. Judge Stauffer ruled on March 8, 2019 to lift that Injunction. The Plaintiff filed another Ex Parte Emergency Petition to block today's ratification. Mr. Jim Jellison, the Board's attorney notified them that Judge Stauffer had denied that petition on March 13, 2019 and the Board is free to act on the ratification.

Vice-Chairman English commented she did not feel the ratification was necessary but legal counsel advised that this action would perfect it. Today's meeting agenda was posted at least 72 hours in advance to give the public an opportunity to attend and comment.

Vice-Chairman English made a motion to ratify the appointment of Pat Call as Justice of the Peace for Precinct 5, effective as of March 1, 2019, as made in open session at a special meeting held on February 12, 2019. The minutes of the meeting we are ratifying are attached to this item. Vice-Chairman English made a motion to ratify the appointment of Pat Call as Justice of the Peace for Precinct 5, effective as of March 1, 2019, as made in open session at a special meeting held on February 12, 2019. The minutes of the meeting we are ratifying are attached to this item. Chairman Judd seconded the motion.

Chairman Judd added it was unfortunate that the public did not attend the original meeting and/or understand the purpose of an executive session. She stood by her decision made on February 12, 2019.

Mr. Hanson said it was up to Chairman Judd if she would like to hear additional comments from outside the Call to the Public.

Mr. William Benning spoke in opposition to the action item presented today.

Mr. Robert Montgomery spoke in opposition to the action item presented today.

Chairman Judd called for the vote and it was approved 2-0 (Borer, absent).

Chairman Judd adjourned the meeting at 9:45 a.m.

APPROVED:

Peggy Judd, Chairman

ATTEST:

Kim Lemons, Deputy Clerk of the Board