

**PROCEEDINGS OF THE COCHISE COUNTY BOARD OF SUPERVISORS  
SPECIAL/EXECUTIVE MEETING HELD ON  
WEDNESDAY, MAY 26, 2021**

A special meeting of the Cochise County Board of Supervisors was held on Wednesday, May 26, 2021 at 9:00 a.m. in the Board of Supervisors' Executive Conference Room, 1415 Melody Lane, Building G, Bisbee, Arizona.

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

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

Attendees: Paul Correa, Civil Deputy County Attorney  
Dan Coxworth, Development Services Director  
Christine McLachlan, Planner II

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**

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***ACTION***

**Board of Supervisors**

1. Discussion and possible direction regarding the County's response to the special action lawsuit filed by Plaintiff's Willcox OC, LLC and Kim A. Bennett on May 13, 2021, *Willcox OC, LLC, et al. v. Cochise County Board of Supervisors, et al.*, CV202100270.

*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 its attorneys regarding the public body's position in pending litigation.*

Supervisor Crosby made a motion to go into Executive Session for discussion and possible direction regarding the County's response to the special action lawsuit filed by Plaintiff's Willcox OC, LLC and Kim A. Bennett on May 13, 2021, *Willcox OC, LLC, et al. v. Cochise County Board of Supervisors, et al.*, CV202100270. Vice-Chairman Judd seconded the motion and it carried unanimously.

The Board moved into Executive Session at 9:01 a.m.

The Board came out of Executive Session at 9:27 a.m.

Supervisor Crosby made a motion to reconsider the appeal of Apple Annie's for the Special Use Application Permit for Willcox OC, LLC. Vice-Chairman Judd seconded the motion and it carried unanimously.

In response to Mr. Coxworth, Ms. Roberts confirmed that the appeal will still need to be reheard if Apple Annie's drops the appeal.

Chairman English adjourned the meeting at 9:31 a.m.

APPROVED:

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Ann English, Chairman

ATTEST:

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Tim Mattix, Deputy Clerk of the Board