

**EAGAR TOWN COUNCIL  
LEGAL ACTIONS  
MAY 17, 2011**

UNFINISHED BUSINESS

**DISCUSSION AND CONSIDERATION TO SUPPORT THE WHITE MOUNTAIN FOREST RESTORATION PARTNERSHIP IN THE AMOUNT OF \$400**

Councilor Steve Erhart moved to contribute \$400 to the White Mountain Forest Restoration Partnership Fund. Councilor Byron Smith seconded; six were in favor, Councilor Gary Finch was opposed, motion carried. 6-1

NEW BUSINESS

**DISCUSSION AND CONSIDERATION OF REQUEST TO APPEAL MINOR LAND SPLIT DENIAL**

Councilor Tim Rasmussen excused himself from this item claiming a conflict of interest.

Councilor Gary Finch moved to approve the appeal. Councilor Steve Erhart seconded. Two are in favor of the motion; Councilor Debbie Rogers, Byron Smith, Vice-Mayor James Nelson, Jr., and Mayor Kim Holaway were opposed, motion fails. 2-4

**DISCUSSION AND CONSIDERATION OF A STAFF RECOMMENDATION TO APPOINT PATRICIA HARTMAN TO THE EAGAR UTILITIES BOARD OR OTHER NOMINATION FROM COUNCIL**

Vice-Mayor James Nelson, Jr. moved to appoint Patricia Hartman to the Eagar Utilities Board. Councilor Steve Erhart seconded; all were in favor, motion carried unanimously. 7-0

**DISCUSSION AND CONSIDERATION TO ACCEPT THE LOWEST RESPONSIBLE BID RECEIVED FOR PIPE AND FITTINGS FOR COMMUNITY DEVELOPMENT BLOCK GRANT PROJECT – FOOTHILLS SUBDIVISION (BROWN AND HAMBLIN SEWER / ROAD PROJECT)**

Vice-Mayor James Nelson, Jr. moved to accept the lowest responsible bid received for pipe and fittings for the Community Development Block Grant Project Foothills Subdivision Project to Canyon Pipe and Supply in the amount of \$41,144.62. Councilor Debbie Rogers second; all were in favor, motion carried unanimously. 7-0

**DISCUSSION AND CONSIDERATION TO ACCEPT THE ONLY BID RECEIVED FOR MANHOLE COVERS FOR COMMUNITY DEVELOPMENT BLOCK GRANT PROJECT – FOOTHILLS SUBDIVISION (BROWN AND HAMBLIN SEWER / ROAD PROJECT)**

Councilor Gary Finch moved to accept the only bid received for manhole covers for the Community Development Block Grant Project Foothills Subdivision Project to Perkins Precast

in the amount of \$19,310.70. Councilor Steve Erhart seconded; all were in favor, motion carried unanimously. 7-0

**DISCUSSION AND CONSIDERATION OF RESOLUTION 2011-19 DESIGNATING A NO PARKING ZONE ON THE WEST SIDE OF SOUTH ALTA VISTA DRIVE BETWEEN 5<sup>TH</sup> AND 6<sup>TH</sup> AVENUES**

Vice-Mayor James Nelson, Jr. moved Resolution 2011-19 designating a no parking zone on the west side of South Alta Vista Drive between 5<sup>th</sup> and 6<sup>th</sup> Avenues. Councilor Gary Finch seconded; all were in favor, motion carried unanimously. 7-0

**EXECUTIVE SESSION**

**EXECUTIVE SESSION AS ALLOWED BY A.R.S. § 38-431.03.A.1. - DISCUSSION OR CONSIDERATION OF EMPLOYMENT, ASSIGNMENT, APPOINTMENT, PROMOTION, DEMOTION, DISMISSAL, SALARIES, DISCIPLINING OR RESIGNATION OF A PUBLIC OFFICER, APPOINTEE OR EMPLOYEE OF ANY PUBLIC BODY, EXCEPT THAT, WITH THE EXCEPTION OF SALARY DISCUSSIONS, AN OFFICER, APPOINTEE OR EMPLOYEE MAY DEMAND THAT THE DISCUSSION OR CONSIDERATION OCCUR AT A PUBLIC MEETING – TOWN MANAGER PERFORMANCE EVALUATION**

Councilor Steve Erhart moved to convene into Executive Session at 9:40 p.m. Councilor Byron Smith seconded; all were in favor, motion carried unanimously. 7-0

**RECONVENE INTO REGULAR SESSION**

**(IF NEEDED) DISCUSSION AND CONSIDERATION OF ANY ACTION DEEMED NECESSARY FROM THE EXECUTIVE SESSION IN REGARDS TO THE PERSONNEL ISSUE**

Councilor Steve Erhart moved to reconvene into Regular Session at 10:55 p.m. Councilor Gary Finch seconded; all were in favor, motion carried unanimously. 7-0

No action was taken.