

**EAGAR TOWN COUNCIL  
LEGAL ACTIONS  
SEPTEMBER 6, 2011**

CONSENT AGENDA

APPROVAL OF MINUTES OF EAGAR TOWN COUNCIL MEETINGS HELD AUGUST 2011

APPROVAL OF JULY 2011 BANK TRANSMITTALS 1-23 NATIONAL BANK OF AZ CHECKS WRITTEN FROM 30510-30738, PAYROLL DIRECT DEPOSIT VOUCHERS 7141101-7281134, CARD MEMBER SERVICE CREDIT CARD PURCHASES

Councilor Steve Erhart moved to approve the Consent Agenda as presented. Vice-Mayor James Nelson, Jr. seconded; all were in favor, motion carried unanimously. 6-0

NEW BUSINESS

DISCUSSION AND CONSIDERATION TO ENTER INTO A CONTRACT WITH ESI FOR EMPLOYEE CONTRACTING SERVICES FOR BRUCE RAY, COMMUNITY DEVELOPMENT DIRECTOR

Vice-Mayor James Nelson, Jr. moved to enter into a contract with Educational Services Incorporated (ESI) for employee contracting services for Bruce Ray, Community Development Director with the proposed salary as submitted by Bill Greenwood. Councilor Steve Erhart seconded; all were in favor, motion carried unanimously. 6-0

DISCUSSION AND CONSIDERATION TO APPROVE RESOLUTION 2011-28 TO APPROVE A LEASE AGREEMENT FOR THE BOYS AND GIRLS CLUB OF ROUND VALLEY FOR THE SWIMMING POOL BUILDING

Councilor Steve Erhart moved to approve Resolution 2011-28 to approve a Lease Agreement for the Boys and Girls Club of Round Valley for the swimming pool building as amended. Councilor Byron Smith seconded; all were in favor, motion carried unanimously. 6-0

DISCUSSION AND CONSIDERATION TO REFINANCE THE KENNEDY WELL

Vice-Mayor James Nelson, Jr. moved to direct staff to move forward with the refinancing of the Kennedy Well. Councilor Steve Erhart seconded; all were in favor, motion carried unanimously. 7-0

DISCUSSION AND CONSIDERATION TO REFINANCE OR PAYOFF NOTEWORLD FINANCING (DAVID PULSIPHER PROPERTY SOUTHEAST CORNER OF 3<sup>RD</sup> AVENUE AND BUTLER STREET)

Vice-Mayor James Nelson, Jr. moved to pay off Noteworld financing (David Pulsipher property on the southeast corner of 3<sup>rd</sup> Avenue and Butler Street). Councilor Byron Smith seconded; all were in favor, motion carried unanimously. 7-0

DISCUSSION AND CONSIDERATION TO CONSENT TO MAYOR HOLAWAY'S  
ABSENCE FROM THE TOWN FOR A PERIOD GREATER THAN FIFTEEN DAYS

Councilor Debbie Rogers moved to consent to Mayor Holaway's absence from the Town for a period of possibly greater than fifteen days. Councilor Byron Smith seconded; Mayor Holaway abstained, motion carried. 6-1

DISCUSSION AND CONSIDERATION OF RESOLUTION 2011-27 RESOLVING TO  
ELIMINATE IMPACT FEES (DEVELOPMENT FEES) FOR ALL NEW CONSTRUCTION  
IN THE TOWN OF EAGAR

Vice-Mayor James Nelson, Jr. moved to approve Resolution 2011-27 resolving to eliminate Impact Fees (Development Fees) for all new construction in the Town of Eagar. 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.3 – DISCUSSION OR  
CONSULTATION FOR LEGAL ADVICE WITH THE ATTORNEY OR ATTORNEYS OF  
THE PUBLIC BODY

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

Councilor Gary Finch moved to go into Executive Session at 9:07 p.m. Councilor Debbie Rogers seconded; all were in favor, motion carried unanimously. 7-0

RECONVENE INTO REGULAR SESSION

Councilor Steve Erhart moved to reconvene into Regular Session at 9:54 p.m. Councilor Debbie Rogers seconded; all were in favor, motion carried unanimously. 7-0

DISCUSSION AND CONSIDERATION OF ANY ACTION DEEMED NECESSARY FROM  
THE EXECUTIVE SESSION

None.

\*Note – Councilor Rogers attended the meeting late, therefore, some items received six votes and others had seven.

