

**LEGAL ACTIONS
EAGAR TOWN COUNCIL
SPECIAL MEETING
22 W. 2nd St., Eagar, AZ
February 26, 2020 - 7:00 P.M.**

Mayor Bryce Hamblin called the Special Council Meeting to order and welcomed those present. Mayor Hamblin requested the record show that all Councilmembers are present except Councilor Winslow McNeill.

COUNCIL PRESENT: Bryce Hamblin, Mayor
Debra Seeley
Reece Hadlock
Steve Erhart, Vice Mayor
John O. Phelps
Marsha Tucker

COUNCIL ABSENT: Winslow McNeill

STAFF PRESENT: Terry Hinton, Town Manager
Kate Brady, Town Clerk /Finance Manager
Jessica Vaughan, Deputy Clerk/Events Coordinator
Aaron Arnson, Attorney [via phone]

ITEM #3: EXECUTIVE SESSION

A. EXECUTIVE SESSION AS ALLOWED BY A.R.S. § 38-431.03.A1 AND § 38-431.03.A4. - 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. THE PUBLIC BODY SHALL PROVIDE THE OFFICER, APPOINTEE OR EMPLOYEE WITH WRITTEN NOTICE OF THE EXECUTIVE SESSION AS IS APPROPRIATE BUT NOT LESS THAN TWENTY FOUR HOURS FOR THE OFFICER, APPOINTEE OR EMPLOYEE TO DETERMINE WHETHER THE DISCUSSION OR CONSIDERATION SHOULD OCCUR AT A PUBLIC MEETING – TOWN MANAGER EMPLOYMENT / CONTRACT

DISCUSSION OR CONSULTATION WITH THE ATTORNEYS OF THE PUBLIC BODY IN ORDER TO CONSIDER ITS POSITION AND INSTRUCT ITS ATTORNEYS REGARDING THE PUBLIC BODY'S POSITION REGARDING CONTRACTS THAT ARE THE SUBJECT OF NEGOTIATIONS, IN PENDING OR CONTEMPLATED

LITIGATION OR IN SETTLEMENT DISCUSSIONS CONDUCTED IN ORDER TO
AVOID OR RESOLVE LITIGATION – TOWN MANAGER CONTRACT

Mayor Hamblin stated that Mr. Hinton requested that his employment and contract be discussed in public.

Vice-Mayor Steve Erhart made a motion we convene into Executive Session [at 7:01 p.m.] Mayor Bryce Hamblin seconded; all were in favor, motion carried unanimously. 6-0

Vote: Ayes: Bryce Hamblin
Steve Erhart
Marsha Tucker
Reece Hadlock
Debra Seeley
John Phelps

Vice-Mayor Steve Erhart made a motion to reconvene into the Special Meeting [at 7:14 p.m.] Councilor Reece Hadlock seconded; all were in favor, motion carried unanimously. 6-0

Vote: Ayes: Bryce Hamblin
Steve Erhart
Marsha Tucker
Reece Hadlock
Debra Seeley
John Phelps

ITEM #4: NEW BUSINESS

A. DISCUSSION OF TOWN MANAGER TERRY HINTON EMPLOYMENT AND CONTRACT

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

Mayor Hamblin made a motion to terminate the amended employment agreement without cause, pursuant to section 5.A. effective immediately. Vice-Mayor Steve Erhart seconded; motion carried. 5-1

Vote: Ayes: Bryce Hamblin
Steve Erhart
Marsha Tucker
Debra Seeley
John Phelps

Nays: Reece Hadlock

ITEM #6: ADJOURNMENT

Councilor Allen Reece Hadlock made a motion to adjourn at [7:15 p.m.] Councilor Debra Seeley seconded; all were in favor, motion carried unanimously. 6-0

Vote: Ayes: Bryce Hamblin
Steve Erhart
Marsha Tucker
Reece Hadlock
Debra Seeley
John Phelps