

**Special Meeting Minutes
Friday, August 22, 2008
Meeting Scheduled Start Time: 10:00 AM**

**BOARD OF SUPERVISORS
Maricopa County, Arizona
(and the Boards of Directors of the Flood Control
District, Library District, Stadium District, Improvement
Districts, and/or Board of Deposit)**



"The mission of Maricopa County is to provide regional leadership and fiscally responsible, necessary public services to its residents so they can enjoy living in healthy and safe communities"

Board Members

Andrew Kunasek, District 3, Chairman
Max Wilson, District 4, Vice Chairman
Fulton Brock, District 1
Don Stapley, District 2
Mary Rose Wilcox, District 5

County Manager

David Smith

Clerk of the Board

Fran McCarroll

Meeting Location

Sullivan Conference Room
301 W. Jefferson, 10th Floor
Phoenix, AZ 85003

BOARD OF SUPERVISORS

The Board of Supervisors of Maricopa County Arizona convened in Special Session at 10:00 AM on Friday, August 22, 2008, in the Sullivan Conference Room with the following members present: Andrew Kunasek, Chairman, District 3; Fulton Brock, District 1; Don Stapley, District 2; Max Wilson, District 4; Mary Rose Wilcox, District 5. Also present: Fran McCarroll, Clerk of the Board; Shirley Million, Minutes Coordinator; David Smith, County Manager; Victoria Mangiapane, Deputy County Attorney.

~ Supervisor Brock attended this meeting telephonically ~

Elections

1. DESIGNATE FIRE DISTRICTS WHICH QUALIFY FOR ALTERNATE PROCEDURE FOR ELECTING BOARD MEMBERS/OFFICERS.

Designate fire districts within Maricopa County which qualify for alternate procedure for electing fire district board members/officers for terms beginning December 1, 2008. Cancel the November 4, 2008, elections for fire district board member/officers in those qualifying districts.

The Arizona Legislature offers an alternate procedure for electing fire district officers and members of fire district governing boards (A.R.S. § 48-802D). When only one person, or if no person, has filed a nomination petition for each office to be elected at the General Election, the County Board of Supervisors is authorized to cancel the election. The Board of Supervisors is also authorized to appoint persons who filed a nomination petition to serve as board member/officer for the respective four or two year terms as of August 6, 2008. In addition, as of August 20, 2008, the filing deadline for fire district write in nomination papers (A.R.S. § 16-311), several fire districts in Maricopa County qualified for this action, as reflected on the 2008 List of Fire Districts Qualifying for Alternate Election Procedures which is on file with the Clerk of the Board of Supervisors and included in the board materials.

The November 4, 2008, nonpartisan election for fire district governing board members and officers in these fire districts is canceled. In November, 2008, the board of supervisors will

appoint those candidates who filed nomination petitions or write in nomination papers on or before August 20, 2008, to serve the specified terms as fire district board members and officers in these districts, terms to begin December 1, 2008.

Motion to continue this item to the September 12, 2008, meeting at the request of the Elections Department. by: Supervisor Stapley, Seconded by: Supervisor Wilcox
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

Superintendent of Schools

2. CANCELLATION OF SCHOOL DISTRICT GOVERNING BOARD ELECTIONS

Pursuant to A.R.S. §15-424(D), cancel the elections for the attached list of governing board positions in which only one person filed a nomination petition or a nomination paper as a write-in candidate. Also, declare vacant the governing board positions listed on the attachment for which no person filed nominating petitions and allow the Maricopa County Superintendent of Schools (MCSOS) to appoint in accordance with A.R.S. §15-302(A).

Per A.R.S. §15-424 (D), if only one person files or no person files a nominating petition or nomination paper for a write-in candidate for an election to fill a district office, the Board of Supervisors no earlier than seventy-five days before the election may cancel the election for the position and appoint the person who filed the nominating petition to fill the position. If no person files a nominating petition for an election to fill a district office, the Board of Supervisors no earlier than seventy-five days before the election may cancel the election for that office and that office is deemed vacant and shall be filled as provided in A.R.S. §15-302.

Several school district elections in Maricopa County qualify for this action, as reflected on the 2008 List of Requested Governing Board Election Cancellations which is on file with the Clerk of the Board of Supervisors and included in the board materials. A person who is appointed pursuant to this subsection is fully vested with the powers and duties of the office as if elected to that office. In November, 2008, the Board of Supervisors will appoint those candidates who filed nomination petitions or write in nomination papers on or before August 20, 2008, to serve the specified terms as school district governing board members in these districts, terms to begin January 1, 2008.

Motion to continue this item to the September 12, 2008, meeting at the request of the Elections Department. by: Supervisor Stapley, Seconded by: Supervisor Wilcox
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

3. EXECUTIVE SESSION

Vote to convene in Executive Session to consider the items on the Special Executive Agenda dated August 22, 2008, Special Meeting Minutes, pursuant to the statutory authority listed for each item.

Motion to approve by: Supervisor Stapley, Seconded by: Supervisor Wilcox
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

EXECUTIVE SESSION

**E-1. LEGAL ADVICE - §ARS 38-431.03(A)(3) PENDING OR CONTEMPLATED LITIGATION
- §ARS 38-431.03(A)(4)**

Legal advice regarding Treasurer's request for additional FY 2008-09 funding for tax statements (E-06-09-005-9-00)

Wade Swanson, Outside Counsel
Tom Irvine, Outside Counsel
Rebekah Francis, Outside Counsel
Sandi Wilson, Deputy County Attorney
Brian Hushek, Deputy Budget Director
Lee Ann Bohn, Deputy Budget Director
Elizabeth Yaquinto, Director, Workforce Management and Development
Chiefs of Staff Bloom, Isham, Leija, Candland

**E-2. LEGAL ADVICE - §ARS 38-431.03(A)(3) PENDING OR CONTEMPLATED LITIGATION
- §ARS 38-431.03(A)(4)**

Legal advice regarding Treasurer Information Technology (IT) services and agenda item C-49-08-018-8-00. (E-19-09-019-9-00)

Wade Swanson, Outside Counsel
Tom Irvine, Outside Counsel
Rebekah Francis, Outside Counsel
Sandi Wilson, Outside Counsel
Brian Hushek, Deputy Budget Director
Lee Ann Bohn, Deputy Budget Director
Elizabeth Yaquinto, Director, Workforce Management and Development
Chiefs of Staff Bloom, Isham, Leija, Candland

MEETING ADJOURNED

Following discussion on the above items and there being no further business to come before the Board, the meeting was adjourned at 11:05 a.m.

Andrew Kunasek, Chairman of the Board

ATTEST:

Fran McCarroll, Clerk of the Board