

**NOTICE – This is provided for public information only. This document is not an approved set of minutes, only a staff summary of actions taken. The approved minutes will contain the official action taken.**



**NOTICE OF A SPECIAL MEETING AND POSSIBLE EXECUTIVE SESSION OF THE COMMON COUNCIL OF THE TOWN OF CLARKDALE**

Tuesday, May 26, 2009 at 2:00 P.M.  
Administration Building Conference Room

PURSUANT TO A.R.S. §38-431.02, NOTICE IS HEREBY GIVEN to the members of the Common Council of the Town of Clarkdale and to the general public that the Town of Clarkdale Common Council will hold a Special Meeting open to the public on **Tuesday, May 26, 2009, at 2:00 p.m. at Administration Building Conference Room, 39 N. Ninth Street, Clarkdale, Arizona.** Pursuant to A.R.S. §38-431.03, the Council may vote to recess the meeting and move into Executive Session on any item, which will be held immediately after the vote and will not be open to the public. Upon completion of Executive Session, the Council may resume the meeting, open to the public, to address any remaining items on the agenda.

Dated this 20<sup>th</sup> day of May, 2009.

BY

WALT GOOD  
DEPUTY CLERK

The agenda for the meeting is as follows:

**1. CALL TO ORDER - Meeting was called to order by Mayor Von Gausig at 2:00 P.M.**

Town Council:

Mayor Doug Von Gausig  
Vice Mayor Jerry Wiley

Councilmember Patricia Williams  
Councilmember Curtiss Bohall  
Councilmember Richard Dehnert

Town Staff:

Town Manager Gayle Mabery  
Town Clerk Kathy Bainbridge  
Community Development Director Sherry Bailey

Town Attorney Rob Pecharich

**2. PUBLIC COMMENT** – The Town Council invites the public to provide comments at this time. Members of the Council may not discuss items that are not specifically identified on the agenda. Therefore, pursuant to A.R.S. §38-431.01(G), action taken as a result of public comment will be limited to directing staff to study the matter, responding to any criticism or

scheduling the matter for further consideration and decision at a later date. Persons interested in making a comment on a specific agenda item are asked to complete a brief form and submit it to the Town Clerk during the meeting. Each speaker is asked to limit their comments to five minutes. [There was no public comment.](#)

**3. EXECUTIVE SESSION** - The Council may vote to discuss the following matters in executive session pursuant to A.R.S. § 38-431.03(A) (3) discussion or consultation for legal advice with the attorney of the public body; and (4) 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. The Executive Session will be held immediately after the vote and will not be open to the public.

[Without opposition, the Council recessed to Executive Session at 2:05 P.M.](#)

- A) LEGAL ADVICE ON CITY OF COTTONWOOD FORESTLAND ANNEXATION**  
– Discussion and consultation with the Attorney for legal advice regarding the City of Cottonwood proposed forestland annexation.
- B) LEGAL ADVICE ON MINGUS SHADOWS APPEAL** - Discussion and consultation with the Attorney for legal advice regarding the Mingus Shadows Unit 3, Tract O lawsuit.
- C) LEGAL ADVICE ON MOUNTAIN GATE SUBDIVISION SAFEGUARD BOND LITIGATION** - Discussion and consultation with the Attorney for legal advice regarding the possibility of litigation with Safeguard Bond for bonds pertaining to Mountain Gate Subdivision.

**4. ADJOURNMENT** [Without opposition, the Council adjourned the Executive Session at 3:00 p.m. Without any further business, the Council adjourned the Special Session at 3:01 p.m.](#)

Persons with a disability may request reasonable accommodations by contacting the Town Hall at 639-2400 (TTY: 1-800-367-8939) at least 72 hours in advance of the meeting.