RESOLUTION NO. 1324

FORMALIZING POLICY FOR RATIFICATION OF ITEMS APPROVED IN EMERGENCY SESSION

WHEREAS, A.R.S. §38-431.02 provides authority for the Board of Supervisors to hold an emergency meeting, including an executive session, in cases of actual emergency; and

WHEREAS, on January 16, 1996, the Board of Supervisors approved establishing a policy to ratify actions taken in emergency meetings at the next regular Board of Supervisors' meeting, as evidenced in Exhibit "A", attached hereto; and

WHEREAS, said policy is found only in the minutes of the January 16, 1996, Board of Supervisors' meeting and it is appropriate to formalize and clarify policy regarding emergency meetings.

NOW, THEREFORE, BE IT RESOLVED that:

(1) Emergency meetings of the Board of Supervisors shall be held only when an actual emergency exists, in accordance with A.R.S. §38-431.02; and

(2) Notice of emergency meetings shall be provided in accordance with A.R.S. §38-431.02; and

(3) Any action taken by the Board of Supervisors in an emergency meeting shall be ratified at the next regular meeting of the Board of Supervisors, with such ratification to be placed on the agenda as a Consent Agenda item.

APPROVED this 4th day of February, 2002.

Lorna D. Street
Chairman, Board of Supervisors

ATTEST:

Clerk of the Board

EXHIBIT A

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(Official pages
636-642)

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Gray portions are official minutes &
White portions are unofficial minutes

participated in discussion of this item. Chairman Camp reminded those present that the Board had just rescinded action it had taken in emergency session on January 4, 1996, to lift the hiring freeze in the Recorder's office. Supervisor Brownlow moved to lift the hiring freeze in the Recorder's office. Chairman Camp seconded the motion, saying that the Board would look at this issue again in a few months during the budget process. Chairman Camp called for comments from the public. There were none, whereupon he called for the vote. Chairman Camp and Supervisor Brownlow voted in favor of the motion. Supervisor Feldmeier voted "No." The motion carried by a 2-to-1 vote. Mr. Holst said that with regard to the issues with which Board had just dealt regarding County microfilming, that as the budget process moves forward, he would be looking at how to best manage County microfilming in the future.
CO. DEPT: RECORDER

The Board considered establishment of a Board policy to ratify actions taken in any future emergency meetings at the next regularly scheduled Board meeting. Chairman Camp said he believed this was a good policy. He said he appreciated Elections Director/Assistant Clerk of the Board Sharon Keene-Wright's having brought to the Board's attention the fact that the Navajo County Board of Supervisors routinely ratifies any actions taken in emergency session. Saying he also believed this was a good policy, Supervisor Brownlow moved to approve establishing a policy to ratify actions taken in any future emergency meetings at the next regularly scheduled Board meeting. Supervisor Feldmeier seconded the motion. Chairman Camp called for comments from the public, and hearing none, called for the vote, which carried unanimously. Supervisor Feldmeier said he wanted to say that he fully agreed with the idea that the Board agrees and disagrees, but moves on together as a unit. He said he knew that for his part, the issues the Board had just discussed regarding the emergency meeting and positions in the Recorder's office were finished. He said he might not agree with the outcome, but that the Board would move on. He said he simply felt strongly that questions needed to be asked so that the Board and the public would have the information to which they were entitled. Chairman Camp said that these particular issues had concerned him greatly over the last seven to 10 days, and that he did not believe there had been another issue during his tenure on the Board which had left him so concerned about the unity of the Board. He told Supervisor Feldmeier that he appreciated his comments.
CO. DEPT: BOS

The Board resolved into the Board of Directors of the Yavapai County Flood Control District. Upon completion of this Flood Control District business, it reconvened as the Board of Supervisors.

Public Works Director Richard Straub appeared before the Board to request approval of an intergovernmental agreement with the Arizona Department of Transportation for replacement of Dry Beaver Creek Bridge, and to request approval to transfer $50,000 from the Half-Cent Sales Tax Contingency/Administration to cover the increased match. Mr. Straub told the Board that the bridge had been under design for several years, and that the County now had an intergovernmental agreement with Arizona Department of Transportation to construct the bridge. He said that the cost of the bridge had increased, and that the final cost would be determined by construction. He said he had asked for an increase to $185,000 under the half-cent sales tax program in order to cover the County's share of construction and right-of-way costs. Supervisor Brownlow moved to approve the request. Supervisor Feldmeier seconded the motion, which in the absence of comments from the public, carried by unanimous vote.
CO. DEPT: PUBLIC WORKS, REGIONAL ROAD CONSTRUCTION PROGRAM

The Board considered adding Camino Real to the City of Cottonwood's Half-Cent Sales Tax Project (FY 95-96) at no additional cost to the original fund allocation. Public Works Director Richard Straub participated in discussion of this item. Supervisor Feldmeier asked if Camino Real served as a regional road. Mr. Straub said that it did and that it was, in fact, an extension of Old Highway 279. Supervisor Feldmeier moved to approve this request. Supervisor Brownlow seconded the motion, which, in the absence of comments from the public, carried by unanimous vote.