

MARICOPA COUNTY FLOOD CONTROL DISTRICT BOARD OF DIRECTORS MINUTE BOOK

**SPECIAL SESSION
January 17, 2006**

The Board of Directors of the Flood Control District of Maricopa County, Arizona, convened in Special Session at 10:30 a.m., January 17, 2006, in the Tom Sullivan Conference Room, 301 W. Jefferson, Phoenix, Arizona, with the following members present: Don Stapley, Chairman, District 2; Fulton Brock, Vice Chairman, District 1, Max W. Wilson, District 4 and Mary Rose Wilcox, District 5. Absent: Andrew Kunasek, District 3. Also present: Fran McCarroll, Clerk of the Board; Shirley Million, Administrative Coordinator; David Smith, County Manager and Paul Golab, Deputy County Attorney. Votes of the Members will be recorded as follows: aye-nay-absent-abstain.

EXECUTIVE SESSION CALLED

Pursuant to A.R.S. §38-431.03, et.al., motion was made by Director Wilcox, seconded by Director Brock, and unanimously carried (4-0-1) to recess into Executive Session for the purpose of reviewing matters listed below pursuant to the listed statutory references. All members remained in session when the meeting reconvened.

LEGAL ADVICE and SETTLEMENT DISCUSSIONS CONDUCTED IN ORDER TO AVOID OR RESOLVE LITIGATION – ARS §38-431.03(A)(3) and (4)

Smith v. Winkleman, CV 2004-020078 and Arizona State Land Department – easement dispute

Tim Phillips, Chief Engineer and General Manager, FCDMC
Julie Lemmon, General Counsel, FCDMC
Mike Frazelle, Special Counsel for FCDMC
Jean Rice, Deputy County Attorney, Civil Division

MEETING ADJOURNED

After considering the above matter, and there being no further business to come before the Board, the meeting was adjourned.

Don Stapley, Chairman of the Board

ATTEST:

Fran McCarroll, Clerk of the Board