

**Special Meeting Minutes**  
**Monday, September 22, 2008**  
**Meeting Scheduled Start Time: 1:00 PM**

**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**

Tom Sullivan Conference Room  
301 W Jefferson, 10th Fl  
Phoenix, AZ

## **BOARD OF SUPERVISORS**

The Board of Supervisors of Maricopa County Arizona convened in Special Session at 1:00 PM on Monday, September 22, 2008, in the Tom Sullivan Conference Room with the following members present: Andrew Kunasek, Chairman, District 3; Fulton Brock, District 1 (entered late), 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; Chris Keller, Chief Counsel, Civil Division.

### **1. EXECUTIVE SESSION**

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

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

**~ Supervisor Brock entered Executive Session immediately after it was convened. ~**

## **EXECUTIVE SESSION**

### **Legal advice on Open Meeting Law implications of the Board's September 17, 2008 meeting (E-19 09-039-9-00)**

Christopher Keller, Chief Counsel  
Victoria Mangiapane, Deputy County Attorney  
Richard De Uriarte – Communications Director  
Rick Bohan, Government Relations  
Chiefs of Staff Bloom, Latto, Candland, Isham, Leija, present to provide for constituent interaction

**NOTE:** Chris Keller and Victoria Mangiapane left the meeting at 2:30 p.m. and Dean Wolcott entered the meeting as Outside Counsel to the Board for the following two agenda items.

**~ Supervisor Brock left the meeting ~**

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

**Charles Hoskins v. Maricopa County Board of Supervisors, CV2008-022513 (E-06-09-010-3-00)**

Wade Swanson, Outside Counsel  
Tom Irvine, Outside Counsel  
Rebekah Francis, Outside Counsel  
Sandi Wilson, Deputy County Manager,  
Brian Hushek, Deputy Budget Director, **did not attend**  
Lee Ann Bohn, Deputy Budget Director  
Elizabeth Yaquinto, Director, Workforce Management and Development  
Steve Wetzel, Chief Information Officer, Enterprise Technology  
Richard De Uriarte – Communications Director  
Rick Bohan, Government Relations  
Dean Wolcott, Outside Counsel to the Board  
Chiefs of Staff Bloom, Latto, Candland, Isham, Leija, present to provide for constituent interaction

**~ Supervisor Brock returned to the meeting ~**

**RECESS EXECUTIVE SESSION AND RECONVENE OPEN SESSION**

**OPEN SESSION**

**Office of Management and Budget**

**2. MARICOPA COUNTY TREASURER V. MARICOPA COUNTY BOARD OF SUPERVISORS**

Direct staff as to litigation - CV2008-022513 regarding Maricopa County Treasurer v. Maricopa County Board of Supervisors, as discuss in Executive Session on September 22, 2008. (C-49-09-023-M-00)

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

**~ Supervisor Wilcox left the meeting and would not return ~**

**RECONVENE EXECUTIVE SESSION**

Chairman Kunasek reconvened Executive Session to consider the following item at 3:10 p.m.

**EXECUTIVE SESSION**

**LEGAL ADVICE - §ARS 38-431.03(A)(3) PENDING OR CONTEMPLATED LITIGATION - §ARS 38-431.03(A)(4) CONTRACTS SUBJECT TO NEGOTIATION - §ARS 38-431.03(A)(4) PURCHASE, SALE OR LEASE OF REAL PROPERTY - §ARS 38-431.03(A)(7)**

**Flach v. the Maricopa County Board of Supervisors, CV2006-052611, Counterclaim and Third Party Claim in consolidated case CV2006-014285 (Hoskins v. Flach) (including related appeals); and Maricopa County v. Sandra E Dowling and Dennis R Dowling; CV2006-011451; District 509 v. Maricopa County Treasurer; CV2008-017959 (E-06-09-011-9-00)**

Tom Irvine, Outside Counsel  
Rebekah Francis, Outside Counsel  
Sandi Wilson, Deputy County Manager  
Tom Manos, Chief Financial Officer  
Shelby Scharbach, Deputy Financial Officer, **did not attend**  
Brian Hushek, Deputy Budget Director, **did not attend**  
Lee Ann Bohn, Deputy Budget Director  
Dennis Lindsey, Real Estate Manager  
Richard De Uriarte – Communications Director  
Rick Bohan, Government Relations  
Dean Wolcott, Outside Counsel to the Board  
Chiefs of Staff Bloom, Latto, Candland, Isham, Leija, present to provide for constituent interaction

**MEETING ADJOURNED**

Following discussion on the above items and there being no further business to bring before the Board, the meeting was adjourned.

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Andrew Kunasek, Chairman of the Board

ATTEST:

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Fran McCarroll, Clerk of the Board