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TOWN COUNCIL REGULAR MEETING MINUTES

Wednesday, November 16, 2022 at 6:00 pm
Springerville Town Council Chambers - 418 E. Main St.
Springerville, AZ 85938

Pursuant to A.R.S. Section 38-431.02, notice is hereby given to the members of the Springerville Town Council and to the general public that the Council will hold a meeting open to the public at the Springerville Town Hall, 418 East Main Street, Springerville, Arizona. The Town Council reserves the right to adjourn into Executive Session in accordance with Arizona Revised Statutes Section 38-431.03 (A)(1)(3)(4) and (7) for legal consultation on any of the following agenda items.

1. **CALL MEETING TO ORDER AND PLEDGE OF ALLEGIANCE:**

Mayor Hanson called the meeting to order at 6:00 p.m. Shelly Reidhead led the pledge of allegiance.

2. **ROLL CALL:**

Members of the Town Council or Legal Counsel that are unable to be present in person at a scheduled Council meeting, may participate in the meeting by telephone or video conference.

Present: Phil Hanson, Mayor; Robert MacKenzie, Vice-Mayor; Richard Davis, Councilor; Douglas Henderson, Councilor; Donald Scott, Councilor

Staff Present: Town Manager Chris Collopy; Town Clerk Kelsi Miller; Town Attorney Tosca Henry; Community Development Director Megan McRae; Chief of Police Dayson Merrill

3. **PUBLIC PARTICIPATION:**

This portion of the agenda is set aside for the public to address the Council regarding items, whether they are listed on the agenda for discussion or not. However, the Council cannot engage in discussion regarding any item that is not officially listed on the agenda for discussion and/or action (A.R.S. §38-431.02(H).) Comments are limited to a 3 minute time period.

Pastor Luke Gallagher with the Life in Christ Fellowship in Eagar. He quoted Mahatma Gandhi in admiring your Christ but not your Christians. He next quoted Matthews chapter 6 in the bible briefing when your time on earth is done and lead us not to temptation. As a

pastor he has checked with his entire congregation and has not found anyone in favor of dispensaries. He respects his people and the Council and wants them to protect our children.

Maria Nugent expressed that she feels like the wishes of the community were ignored when Council passed the Ordinance. She feels Council has welcomed the drug cartel to our community. She next stated that Springerville owes the Town of Eagar an apology. She would like Springerville to do their due diligence, take their time, and hold additional public meetings before a Conditional Use Permit is granted.

Monica Boehning of Eagar but a 40-year resident of Round Valley stated she would like to make five quick points. Point one, she feels Serenity Smokes application should be disqualified for non-compliance of Town Code 17.84.060 C and her application was not complete. Point two, Apache County Dispensary withheld or overlooked the names and locations of the cultivators or suppliers they intend to use the first year while their cultivation site gets built and comes into production, if it gets built at all. Point three, the Town has multiple lawsuits currently against it and or threats to sue from marijuana businesses. She does not want Town leadership to approve any dispensary until the issues with those other parties are resolved. Point four, allowing the applicants to supply additional information now makes for different permit content, and she feels this does not give the Town Officials or the public time to study or comment on. She stated both companies have attorneys that should have ensured applications were complete before submission. Point five, both permits should be denied or a public hearing should be held.

Julianne Madrid a resident of Eagar who shops, worships, and banks in Springerville stated she is from New York. Her family enjoys the slower pace here raising their six children. Her family has roots in our community. She feels those who have come here to open recreation marijuana dispensaries have no roots in our town. They are here to cash in on business, she feels they do not care about the communities want, or researched the dangers of the product. She stated just because this has passed as a law it does not make it right. She does not want a recreational marijuana dispensary in our valley. She asked Council to not consider the financial benefits but to consider the cost of effect of marijuana on lives, and health and community safety. It is not worth it and will not compensate on the negative affects. She would like Council to have the courage to challenge the laws.

Kay Dyson of Springerville asked Council to uphold the decision of Planning and Zoning of the denial of the two CUP's. She next asked that they stop accepting dispensary applications until a better process is in place similar to the process for choosing who paves roads and going out to bid for it. She feels we are inviting dispensaries into this town to sell mind-altering drug and all we ask them to do is fill out a 2 or 3 page checklist. She wants Council to protect the health, safety, and welfare of residents and address all lawsuits from White Mountains Flower and Robbie and Chris, prior to a decision. She would like us to spend that money on roads and water systems. She stated they voted no on prop 207, stopped the construction of a cultivation farm, ran a recall with over 130 names, and voted against pro pot candidates. She does not want cannabis sold or grown here, she wants to be cannabis free in 2023. Lastly she said if anyone needs the product for medical reasons give her a call and she can help get them a ride to Show Low.

Steve Konorasky of Eagar stated money is the root of all evil. He feels this is not an on the table business. You can not get it from Western drug, it is an all cash business as a result the numbers can be fudged as they wish,

Angi Kelley of Eagar but a High School teacher in St. Johns addressed the Mayor and Council. She looks at kids daily without a good example to follow. It is not the parents

responsibility. She tries to tell them that smoking marijuana does not allow further development of the brains. She feels when we have dispensaries and smoke shops we are telling its okay to smoke marijuana. She read a quote from the book of Matthew regarding children sinning.

Pat Kelley of Eagar, he notices the sign coming into town that says Gateway to the White Mountain, he asked if we plan to change that sign to Gateway to recreational drugs and pot. He called Coucil crazy.

Mike Campbell stated he is a community leader for the non-profit work he does in this community from Chrome in the Dome to benefit the kids. Having a dispensary in town does not give the right message. He feels we can all give a thousand reasons to not have one. But Council only needs one reason and that reason is coming from the Planning and Zoning Commission. He feels one was deceitful and the other simply just did not address that question. So please uphold the ruling of the Planning and Zoning.

Ginger Harding stated that the members of the community have been consistent and vocal with their opposition of marijuana businesses in Springerville. Southern Apache County embodies a strong family value. She believes if this business model was truly in the best interest of the community the votes would have approved the proposition, local business owners would have been interested in opening a pot shop. Residents, educators, healthcare workers, and community leaders would be supportive of a new business and they are not. She feels they only want to take the money out of the pockets of the local residents, she is unaware of any wealthy person in this community that uses recreational marijuana. Therefore, she feels these businesses are targeting those who can not afford to buy. The talk about charity and employment are great talking points but way down the list of reasons they want to be here. She feels they see our town as ill equip, and she does not believe they will bring economic stability to our area. Profits will be sent to the company headquarters out of town. She asked Council to please deny both CUPs for many legal reasons, she believes there is a third party negotiating with the town for another dispensary based on former agendas for E-session. She would like this matter resolved first and clear debts before the town gets in another legal dispute.

Bob Dyson of Springerville voiced that if you look at this agenda and last few agendas we have been talking about cannabis for a while, possibly a couple of years when the Council did not opt out. As a resident and tax payer he is tired of paying for the expense of having to deal with this. He asked them to deny the permits tonight, they have no business doing this in town. He asked Council to put a strategy together to stop doing this.

Terry Shove of Springerville voiced that one of the reasons for moving here is because this is a loving community and we need to get along. She stated she is part of a group, the Coalition for Family Values made up of different churches, non profits, and other groups to help the community. She wanted to remind everyone of the Community Thanksgiving service this Sunday, you can also donate or bring canned foods to help Round Valley Cares. Next she updated on the Reason for the Season Choir.concert. It is December 5th at the High School Auditorium, these events are to feel good and be part of the community. Little League Basketball registration will start in the middle of November, games will start in January.

Michelle Madrid has lived in Springerville for 20 years and has been a nurse for 15 years. She has been dedicated to improving the health of the community. She feels a marijuana dispensary goes against everything she has done. She wants this to be a healthy and safe place to live and feels she is not the only one who wants that. She shared some statistics from a Yale and Harvard University study on lessons learned from state marijuana

legislation including dispensaries being disproportional for rural areas. She feels this is because these groups target rural areas due to poverty, lack of education, and higher mental illness. She continued that these companies prey to profit on these communities. If we allow this we will have a higher rate of marijuana fatalities, illegal sales, hospital visits, lucrative markets, and labor shortages. She explained she plans to see a family member this week whom she has not seen in 25 years because he has been in and out of prison due to drugs, and he started with marijuana.

Kathy Ware of Springerville explained she was a neighbor of the former dispensary. When the dispensary was open all the foot traffic stayed on the north side of the street, people did not want to walk past the store. When the dispensary closed people started walking on that side of the road again. Another issue she had with being near the dispensary was with their security system. The system beeped constantly when the shop was closed, it was disturbing to her sleep.

Malena Hannah of St. Johns discussed that she has worked for Terrapin as a consultant. She has respect for their leadership and integrity. She further explained that although she is not pro-recreational cannabis she is pro-economic development. The tax revenues would stay in Springerville and be able to be used at the discretion of the Council. One point she shared was that if you look at Springerville and Eagar there are 13 locations alcohol can be purchased at not including special events permits. We don't usually see opposition to those types of permits. She explained there are many statistics warranting the detrimental effects of alcohol. If we include the areas of St. Johns, Vernon, and Concho the number of alcohol establishments jumps to 21. In most of those a person under 21 can walk past that product shopping for something else, there is no posted security in any of those 21 locations. She said we are only talking about 1 cannabis dispensary with 24-hour security. She feels that is an important point to bring up along with the fact that the age of use is 21. No one is aloud in that establishment unless that is met. She reminded them that there is an Ordinance and these companies are trying to apply within perimeters of the Ordinance.

Shannon Latham explained she hears the discussion on alcohol, but they go into the Middle School and have discussions about tobacco and alcohol. She doesn't feel we can compare this to those things. They work with High School students that have violations of the Alcohol and Drug Policy. Every time it is marijuana. She explained these kids are devastated and already dependent on the substance either psychological or physical. She explained on a personal note she has seen it in her own family. They got medical cards to help with their mental health. They used marijuana for treatment and she saw him decline to the point of being institutionalized and losing his family. She expressed this is not harmless similar to tobacco and the history learned. She asked they back the Planning and Zoning Committee.

Henry Lever of Eagar the Vice-Chair of the Apache County Libertarian party expressed he is here in the interest of Freedom. He asked they think first of liberty and ignore the talk of money, jobs, economic development, and minutia of the application. He expressed more importantly they need to ignore the concerns of safety and the will of the majority as these are distractions to the higher ideal of liberty. Every right, liberty, and freedom that we have is built on the foundation of respect for private property. The businesses applying for these permits are legitimate users of these properties. He believes the urge to control the lives of others is the spirit that tyranny is born. It is no business of anyone here what these businesses or customers do. He further explained he does not use marijuana, but imposing your will on those that do you are violating their rights. If you are worried about the example that this will set to children, consider teaching them to have the bravery to defend freedom even freedom to take human action opposed to the madness of the crowd.

Written comments received prior to 2:00 p.m., today, November 16th will not be read individually out loud due to the volume and will be summarized as followed. We received approximately 536 letters regarding agenda items 9 through 11. This is broken down as approximately 279 letters of opposition to both Conditional Use Permit applications and 257 letters of support for the Conditional Use Permit application for Serenity Smoke at proposed location 279 S. Mountain Avenue. Examples of these letters are attached. All of the original letters submitted will be filed with the official minutes from this meeting to be retained as official record. [Example letters for public participation](#)

4. **COUNCIL, MANAGER AND STAFF REPORTS:**

Summary reports will be given on the items listed and no action will be taken on any matters mentioned in the summary unless listed in the agenda. (A.R.S. 38.431.02(k))

Manager Collopy updated that we held interviews for the Police Department Administrative Assistant position. We found a qualified candidate that will start at the first of 2023. He next updated on the Veterans Day event and the Council Christmas Tree in the heritage center. He reminded them of the staff and Council Christmas party on December 8th.

STAFF REPORTS:

PLANNING AND ZONING REPORT TO COUNCIL:

Per Town Code, if the Commission denies a Conditional Use Permit, it shall report its actions to the Council at its next regular meeting.

Chairperson Shove gave an update on behalf of the Planning and Zoning Commission. She stated the commission spent hours reviewing the applications for the Conditional Use Permits. Both CUP Permits were denied on the base Town Code 17.64.030 (17.68.030) Section V 1 (a) V.

Marijuana Dispensary (no cultivation), subject to the following conditions and limitations: Applicant shall provide: The name(s) and location(s) of the offsite marijuana cultivation operation associated with the dispensary. They feel that neither applicant fulfilled that requirement. As a commission, their job is to look at all applications and follow a list to make sure they meet every requirement. She next read the comments provided by another Commissioner, this is summarized as follows: The Commissioner reiterated the need to abide by 17.68.030 providing the name of the offsite cultivation operation. The key word is in the code is operation, she defines the operation as the performance of practical work and being functional. Serenity Smoke failed to acknowledge any cultivation operation associated with them, failing to meet that requirement. Apache County Dispensary listed a name and location site located in La Paz County, this location is a raw piece of land with no structures. Therefore, this application also fails to meet the requirements. They are well aware that the Ordinance in place makes it very likely the Town of Springerville will have a dispensary. They express their issue is the validity and legality of these two applications. They remind the Council of the Oath of Office they have taken. Ms. Shove expressed they feel they will find the right dispensary that meets all the requirements, that is the law and we have to follow that.

5. **PUBLIC HEARING:**

- a. Discussion and possible action to enter into a public hearing to take Council and Public comments on the use of FY 23 CDBG funds.

Manager Collopy stated we have postponed this Public Hearing for December 12th at 4:00 p.m.

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6. CONSENT ITEMS:

Discussion and possible action to adopt consent items 6a and 6b as presented:

Motioned by Vice-Mayor Robert MacKenzie, seconded by Councilor Richard Davis to approve consent items 6a and 6b as presented.

DISCUSSION: None

AYE: Mayor Phil Hanson, Vice-Mayor Robert MacKenzie, Councilor Richard Davis,
Councilor Douglas Henderson, Councilor Donald Scott

5 - 0 Passed - Unanimously

[a. Consider approval of the October 19, 2022 Regular Council Meeting Minutes.](#)

[b. Consider ratification and approval of the accounts payable register from 10/12/2022 - 11/07/2022.](#)

OLD BUSINESS**7. ORDINANCE 2022-005:**

[An Ordinance putting age limits on manufactured and mobile homes being moved in and within the Town of Springerville limits.](#)

[a. Possible second reading.](#)

[AN ORDINANCE OF THE TOWN OF SPRINGERVILLE, APACHE COUNTY ARIZONA, AMENDING THE TOWN CODE TITLE 17 CHAPTER 17.28 SECTION 17.28.180 "MOBILE HOMES OR MANUFACTURED HOMES" RELATED TO AGE OF HOMES, PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES, AND ESTABLISHING AN EFFECTIVE DATE.](#)

[b. Discussion and possible action on Ordinance 2022-005.](#)

a. Mayor Hanson completed the second reading of Ordinance 2022-005.

Motioned by Councilor Douglas Henderson, seconded by Vice-Mayor Robert MacKenzie to approve Ordinance 2022-005, regarding age limits on manufactured and mobile homes being moved in and within Springerville Town limits.

AYE: Mayor Phil Hanson, Vice-Mayor Robert MacKenzie, Councilor Richard Davis,
Councilor Douglas Henderson, Councilor Donald Scott

5 - 0 Passed - Unanimously

NEW BUSINESS**8. AWARDS OF APPRECIATION:**

[Manager Collopy will be presenting some awards of appreciation.](#)

[Manager Collopy presented employee Dennis Gilliam with an award of appreciation. Dennis has been reassigned from the Police Department to the Public Works department. He has](#)

been with the Police Department for 22 years serving the Town of Springerville and citizens.

Manager Collopy presented Mayor Hanson with an award of appreciation. Mayor Hanson has served on the Planning and Zoning Commission, Fire Department, Airport Advisory Committee, Town Council, and the Mayor for 4 years. He was thanked for his service to the Town.

Manager Collopy presented Vice-Mayor MacKenzie with an award of appreciation. Mr. MacKenzie served for 5 years on the Planning and Zoning Commission and 10 years on the Town Council. He was thanked for his service to the Town.

9. **AMENDED 11/10/22**

PRESENTATION OF APPEAL BY APACHE COUNTY DISPENSARY:

Apache County Dispensary is appealing the denial of a Conditional Use Permit for a marijuana dispensary proposed to be located at 900 E Main St. They may have no more than 10 minutes to present their appeal.

Skip Becker with Apache County Dispensary wanted to let Council know who they are and how they understand our community and rural Arizona. He gave the history of being elected into the Arizona Association of Economic Development. He served as the Chair, traveled the state and learned to understand the challenges of rural Arizona. He ran a nonprofit in La Paz County. Over the past 11 months, he has been working in Apache County. Terrapin is currently a member of the Springerville Eagar Chamber of Commerce and have donated to the Ag Cooperative Extension Office Today, Terrapin has given almost \$1 million dollars to the areas they operate in. He briefed on job creation at their facility in Lock Haven, PA. He explained Terrapin chose 900 E Main St. as it offered a much more costly ground up build, and adding a beautiful new building to Springerville without demolition of the current building. He has development experience and is confident they will find a good use for the former Los Dos Molinos building. They plan to creat 6-10 well paying jobs with benefits packages. They work with Veterans to provide security throughout the US. Currently, they estimate they will contribute \$30,000 quarterly to the Town of Springerville.

Peter Marcus with Terrapin explained they have 13 years of experience in this industry. They have experience in always being compliant, are members of all Chambers, the Better Business Bureau, and have veterans as security. He explained all products are tested, and there is no way for microbials or impurities. Today they packed 100 lunches for the local food bank. He stated teen use declines where marijuana is legal and scholarships are offered.

Fae Sowders spoke on behalf of Terrapin. She pointed out the Planning and Zoning Commission reviewed the application and found it met all requirements except one. The requirement that the cultivation site be operational now not operational in the future. She explained the term operation in the ordinance does not mean operational as a status. Based on this, she is showing how Terrapin complies with all requirements. It is in the ideal location on the edge of town zoned C-1 Commercial. They are investing in the community by building a brand-new building using local contractors and supplies. It will add additional commercial square footage to Springerville. They hope to use the Los Dos building in the future to benefit the town. She showed the conceptual drawing for the new building including meeting the requirements of the code and how it will fit into the community. Since the last meeting, although a survey is not a requirement, they did have one completed to make ensure separation requirements have been met. The building will be 233 feet from residential and more than 3 times the distance requirement for schools and places of worship. She feels all the information required by the Ordinance was provided in the application as well as compliance. There was confusion on the interpretation of the code, she read the section of the code to the Council stating applicants shall provide name(s) and location(s) of the offsite

marijuana cultivation operation associated with the dispensary. The Commission's interpretation of the word operation creates a legal impossibility, it is contrary to state law that a cultivation site be built prior to the dispensary site. She explained that can not happen. She again reiterated the application is complete and complies.

10. **AMENDED 11/10/22**

PRESENTATION OF APPEAL BY SERENITY SMOKE LLC:

Serenity Smoke LLC is appealing the denial of a Conditional Use Permit for a marijuana dispensary proposed to be located at 279 E Main St.. They may have no more than 10 minutes to present their appeal.

Lindsey Shube legally representing Serenity Smoke LLC and owner Terri Candelaria addressed the Mayor and Council. She gave the history of the passage of Prop 207 in 2020 and Terri Candelaria's April 2021 award of one of the two cannabis licenses in Apache County. The application was filed under Serenity Smoke and the registration certificate is under Springerville Smoke she clarified Terri owns both of these. They will be transferring the name once a CUP is approved. She pointed out that regardless, they are both Terri Candelaria. She told the Council they may know Terri, she is the owner of a small business in Springerville that is regulated by AZDHS the same as the marijuana program. Terri is also an accomplished businesswoman with a master's degree in business development. She gave Terri's background in business, development, and real estate and her current position. More important she is a grandmother and mother with long-standing ties to Springerville including grandchildren going to school here. Lindsey stated the CUP application was complete, the code states applicant shall provide the name(s) and location(s) of the offsite marijuana cultivation operation associated with the dispensary. They correctly responded to that with the vertical integration as stated by the other applicant. It is legally impermissible by state law as she stated in her appeal letter. The zoning ordinance did not mandate they be contracted with a cultivator. Once they understood that was the intent of the code, they now have an established relationship with a cultivation operator in Arizona.

Don Fletcher spoke on behalf of Nature's Medicine. He understands there is a lot of opposition to this, however, he wants to take a minute to talk about the law. Sometimes we like the laws and sometimes we do not like them, regardless it is the rule of law. The voters decided to allow 2 dispensaries in Apache County. He gave a history of his knowledge and experience of the law from his schooling and former employers. He stated if we do not follow the laws the fabric of our communities starts to unravel. He has represented Nature's Medicine for over 6 years. The founders are men of integrity that follow the law. In Arizona, we have a very heavily regulated industry, the rules that must be followed are set by AZDHS. He assisted them in acquiring three dispensaries, most recently the one in Show Low. He has worked with them through this process and making sure they follow every law. He has also assisted them with their grow facility in Amado Arizona. It is a large facility that can supply all the cannabis needs for Terri's dispensary. He has helped them in multiple states. Everywhere that Natures Medicine goes they are good members of the community. They support and participate in the community. One of the founders of Natures Medicine was a pharmacist, he understands the medical side of this process. Another founder is a successful businessman in marketing. They believe if we are going to have a dispensary we should have someone local and established in Arizona understanding the AZ laws.

Lindsay Shube again took the podium stating she wanted to look at the two properties, hers being 279 South Mountain Ave with the Council. She feels it meets the requirements and intent of the Ordinance. There is physical and visual separation between the proposed use and protected uses for her property, and she feels 900 E Main St. is surrounded by churches and within 200 feet of residential properties. She pointed out Apache County Dispensary license has changed hands many times, it is not against the law, but Terri's has not changed

hands. Regarding the site in La Paz County, she said it is zoned properly, but it does not have a conditional use permit or other applications and permits. Terri is committed to Apache County, she only applied for a dispensary license here. They have 250 letters of support.

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11. **AMENDED 11/10/22**
Appeals of denied Conditional Use Permits for Apache County Dispensary 900 E Main St. and Serenity Smoke LLC 279 S Mountain Ave:

Discussion and consideration of the appeals of the decision of the Springerville Planning and Zoning Commission to deny the Conditional Use Permits applied for by Apache County Dispensary proposed to locate at 900 E Main St and Serenity Smoke LLC proposed to locate at 279 S Mountain Ave.

DISCUSSION: Town Attorney Henry explained to Council the procedure outlined in the code allows for Council to accept or deny the recommendation made by Planning and Zoning, or they may set this out for a public hearing. Following a public hearing Council may approve or deny or make a new finding. As there were two tandem applications at the planning and zoning meeting, staff wanted to allow both applicants the opportunity to fully address the Council. We're trying to make it fair. If Council wishes to discuss these now would be the time.

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Motioned by Vice-Mayor Robert MacKenzie, seconded by Councilor Richard Davis to go into executive session for legal advice.

AYE: Mayor Phil Hanson, Vice-Mayor Robert MacKenzie, Councilor Richard Davis, Councilor Douglas Henderson, Councilor Donald Scott

5 - 0 Passed - Unanimously

Motioned by Vice-Mayor Robert MacKenzie, seconded by Councilor Richard Davis to leave the executive session and enter back into the regular session.

AYE: Mayor Phil Hanson, Vice-Mayor Robert MacKenzie, Councilor Richard Davis, Councilor Douglas Henderson, Councilor Donald Scott

5 - 0 Passed - Unanimously

Motioned by Vice-Mayor Robert MacKenzie, seconded by Councilor Donald Scott to overturn the determination of the Planning and Zoning Commission for Apache County Dispensary.

AYE: Mayor Phil Hanson, Vice-Mayor Robert MacKenzie, Councilor Donald Scott

NAY: Councilor Richard Davis, Councilor Douglas Henderson

3 - 2 Passed

Motioned by Vice-Mayor Robert MacKenzie, seconded by Councilor Donald Scott to uphold the determination of the Planning and Zoning Commission recommendation regarding Serenity Smoke.

AYE: Mayor Phil Hanson, Vice-Mayor Robert MacKenzie, Councilor Douglas Henderson, Councilor Donald Scott

NAY: Councilor Richard Davis

4 - 1 Passed**12. EXECUTIVE SESSION:****Discussion and possible action to enter into executive session for the below items:****S. LANEY:**

Discussion or consultation with the attorneys of the public body in order to consider its position regarding claims against the Town by S. Laney and instruct its attorneys regarding the Town's position regarding contracts that are the subject of negotiations, in pending or contemplated litigation or in settlement discussions conducted in order to avoid or resolve litigation, Update and consultation with the Town Attorney pursuant to ARS § 38-431.03 (A)(3)(4).

SAGUARO HEALTH CENTER LLC:

Discussion or consultation with the attorneys of the public body in order to consider its position regarding Saguario Health Center LLC and instruct its attorneys regarding the Town's position regarding contracts that are the subject of negotiations, in pending or contemplated litigation or in settlement discussions conducted in order to avoid or resolve litigation, Update and consultation with the Town Attorney pursuant to ARS § 38-431.03 (A)(3)(4).

White Mountain Flower LLC:

Discussion or consultation with the attorneys of the public body in order to consider its position regarding White Mountain Flower LLC and instruct its attorneys regarding the Town's position regarding contracts that are the subject of negotiations, in pending or contemplated litigation or in settlement discussions conducted in order to avoid or resolve litigation, Update and consultation with the Town Attorney pursuant to ARS § 38-431.03 (A)(3)(4).

TOWN OF EAGAR:

Discussion or consultation for legal advice with the attorney or attorneys of the public body regarding potential contracts for intergovernmental agreements with the Town of Eagar pursuant to ARS § 38-431.03 (A)(3)(4).

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Motioned by Vice-Mayor Robert MacKenzie, seconded by Councilor Donald Scott to go into executive session regarding S. Laney, Saguario Health Center LLC, White Mountain Flower LLC, and Town of Eagar.

AYE: Mayor Phil Hanson, Vice-Mayor Robert MacKenzie, Councilor Richard Davis, Councilor Douglas Henderson, Councilor Donald Scott

5 - 0 Passed - Unanimously

Motioned by Vice-Mayor Robert MacKenzie, seconded by Councilor Richard Davis to leave executive session and enter back into regular session.

AYE: Mayor Phil Hanson, Vice-Mayor Robert MacKenzie, Councilor Richard Davis, Councilor Douglas Henderson, Councilor Donald Scott

5 - 0 Passed - Unanimously**13. ADJOURNMENT:**

Motioned by Vice-Mayor Robert MacKenzie, seconded by Councilor Richard Davis to adjourn.

AYE: Mayor Phil Hanson, Vice-Mayor Robert MacKenzie, Councilor Richard Davis, Councilor Douglas Henderson, Councilor Donald Scott

5 - 0 Passed - Unanimously

Shelly Reidhead, Jr., Mayor

ATTEST:

Kelsi Miller, Town Clerk

I hereby certify that the foregoing is a true copy of the minutes of the Springerville Town Council in a Regular Meeting on _____. I further certify that the meeting was duly called and a quorum was present.

Dated this _____ day of _____, 20____.

Kelsi Miller, Town Clerk

Americans with Disabilities Act (A.D.A.): The Town of Springerville intends to comply with A.D.A. If you are physically challenged or disabled and need special accommodations to participate in this town meeting, please contact the Town Clerk at (928) 333-2656 ext. 224 forty-eight (48) hours prior to the meeting to arrange necessary accommodations.

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