



Minutes
Work Study Session
Queen Creek Town Council
Queen Creek Town Hall, 22350 S. Ellsworth Road
Council Chambers
July 16, 2008
5:30 pm

1. Call to Order

The meeting was called to order at 5:34pm.

2. Roll Call (one or more members of the Council may participate by telephone)

Council Members present: Barnes; Brown; Hildebrandt; Mortensen; Vice Mayor Barney and Mayor Sanders. Council Member Wootten was absent.

3. Motion to adjourn to Executive Session for the following purposes:

A. Discussion and consultation with the Town Attorneys and designated representatives of the public body in order to consider its position and instruct its representatives regarding possible property acquisitions (Qucex settlement; Albertson Family Trust (Hunt Hwy); Queen Creek 10, Inc.(Hunt Hwy) A.R.S. §38-431.03(A)(7).

B. Discussion and consultation for legal advice and to consider the Town's position and instruct its attorneys regarding a potential buyout of the Queen Creek Water Company lease. (A.R.S. §38-431.03(A)(3) & (4).

C. Discussion and consultation with the Town Attorney for legal advice and to consider the Town position and instruct its attorney regarding possible litigation against UPRR. A.R.S. 38-431.03(A)(3) and (4).

D. Discussion and consultation for legal advice and to consider the Town's position and instruct its attorneys regarding: Option to Purchase Agreement with the Postal Service (A.R.S. §38-431.03(A) (3) & (4).

Motion to adjourn to Executive Session at 5:34pm (Mortensen/Barnes/Unanimous)

The Work Study Session reconvened at 6:15pm.

ITEMS FOR DISCUSSION These items are for Council discussion only and no action will be taken. In general, no public comment will be taken.

4. Council training on Open Meeting Law, public records and conflicts of interest.

Town Attorney Fredda Bisman gave a brief overview of the Open Meeting Laws including notice of meetings/agendas, Call to the Public, Executive Sessions and violations of the Open Meeting Laws. She also explained how the agenda is set by the Town Manager/Mayor and other Council Members.

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Ms. Bisman also gave an overview of the Public Records laws including what is considered a public record regardless of whether produced on a personal computer or Town –owned computer. She also explained how confidential information may be redacted from some public records.

Council asked Ms. Bisman if she had issued a legal opinion about e-mail from a personal address or Town address. Ms. Bisman advised Council to use the Town e-mail address and said that the Attorney General’s office could subpoena records or e-mail from a private computer.

Council also asked about the standard response time. Ms. Bisman replied that responses for public records need to be responded to in a timely fashion and as soon as possible. Town Manager Kross added that there is a standing request from the newspaper for Council and Department Head e-mail.

Ms. Bisman finished her presentation with an overview of Conflicts of Interest. Council asked if one declared a conflict of interest if it was required to leave the room. Ms. Bisman responded that leaving the dais would be the minimum requirement but leaving the room would be up to the Council Member. She added that when in doubt about a possible conflict, to ask for a written opinion from the Town Attorney as it would offer protection to the Council Member.

5. Community Crime Prevention update including the crime free multi-housing program.

No discussion.

6. Adjournment

Motion to adjourn the Work Study Session at 6:50pm (Mortensen/Barney/Unanimous)

TOWN OF QUEEN CREEK

Arthur M. Sanders, Mayor

Attest:

Jennifer F. Robinson, CMC

I, Jennifer F. Robinson, do hereby certify that, to the best of my knowledge and belief, the foregoing Minutes are a true and correct copy of the Minutes of the July 16, 2008 Work Study Session of the Queen Creek Town Council. I further certify that the meeting was duly called and that a quorum was present

Jennifer F. Robinson, CMC

Passed and approved on August 6, 2008.