

**TOWN OF PRESCOTT VALLEY  
SPECIAL COUNCIL MEETING  
MINUTES  
October 16, 2014**

Library Auditorium  
7401 E. Civic Circle  
Prescott Valley, Arizona 86314

1. CALL TO ORDER

Mayor Skoog called the meeting to order at 5:30 p.m.

2. PLEDGE OF ALLEGIANCE

Council member Rick Anderson led in the recitation of the Pledge of Allegiance.

3. ROLL CALL

Present: Council Member Grossman, Council Member Marshall, Council Member Whiting, Council Member Mallory, Council Member Anderson, Vice Mayor Nye, and Mayor Skoog.

4. NEW BUSINESS (FOR REVIEW, COMMENT, AND/OR POSSIBLE ACTION)

a. Consideration of approving the Settlement Agreement which ratifies the earlier approval of the case settlement terms by the Town's legal counsel (Event Center)

Town Attorney Ivan Legler said the final documents [Settlement Agreement] are in hand. Some of the paragraphs are lengthy to make sure that nothing could ever again be filed in relation to the charges or issues raised in the litigation. Council has the opportunity to ratify the decision that was made on September 15, 2014 to commit to those terms so that the Judge could vacate the trial that was scheduled for the next day. Legler expressed appreciation for the work done by our outside counsel who did a lot of things for the Fain interests, the Hocking folks, Allstate and Wells Fargo. They have done a good job pulling the document together. Related to that is a judgment and bar order that will be presented to Judge Snow once Council has ratified the document. It will then be sent to the bond holders for review and their decision as to whether they want to object or not. If they agree with it, the Judge will undoubtedly accept it and it will be in place in several more weeks.

Mayor Skoog said he didn't see anything in there that they hadn't studied and asked if Council had any questions. No questions were forthcoming.

Legler commented that he thinks it is a good solid document that reflects the discussed outline. A lot of effort has been made to be very careful in the crafting of the document. The bar order and judgment are still being discussed by the parties to be placed in front of the Judge. One of the arguments is whether the bar order needs to be more detailed or less detailed. There is also the possibility that the defendants may fuss back and forth with each other. Council was asked not to be surprised or concerned if someone appeals the bar order back to the 9<sup>th</sup> Circuit [Court].

Vice Mayor Nye made the MOTION, seconded by Council Member Grossman, to approve the Settlement Agreement which ratifies the earlier approval of the case settlement terms by the Town's legal counsel, by electronic vote. MOTION carried with 7 ayes and 0 nays.

5. COMMENTS FROM THE PUBLIC

No comments were forthcoming.

6. ADJOURNMENT

Council Member Mallory made the MOTION, seconded by Council Member Grossman, to adjourn this Special Council meeting at 5:35 p.m., by electronic vote. MOTION carried with 7 ayes and 0 nays.

ATTEST:

APPROVED:

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Diane Russell, Town Clerk

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Harvey Skoog, Mayor

STATE OF ARIZONA)  
COUNTY OF YAVAPAI) ss:  
TOWN OF PRESCOTT VALLEY)

CERTIFICATE OF COUNCIL MINUTES

I, Diane Russell, Town Clerk of the Town of Prescott Valley, Arizona, hereby certify that the foregoing minutes are a true and correct copy of the Minutes of the Special Meeting of the Town Council of the Town of Prescott Valley, held on Thursday, October 16, 2014.

I further certify that the meeting was duly called and held and that a quorum was present.

Dated this October 20, 2014

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Diane Russell, Town Clerk