



**RESOLUTION NO. 13-11-07**

**A RESOLUTION OF THE BOARD OF SUPERVISORS OF GILA COUNTY, ARIZONA, ACCEPTING THE RESIGNATIONS OF FIVE (5) GOVERNING BOARD MEMBERS OF THE PINE STRAWBERRY WATER IMPROVEMENT DISTRICT (PSWID); REVOKING THE AUTHORITY OF THE PSWID; NAMING THE GILA COUNTY BOARD OF SUPERVISORS AS THE BOARD OF DIRECTORS FOR THE PSWID; AND RESERVING THE AUTHORITY TO CALL FOR NEW ELECTIONS FOR THE PSWID.**

**WHEREAS**, the Board of Supervisors has been made aware that five (5) of the seven (7) board members of the Pine Strawberry Water Improvement District (hereinafter PSWID) have resigned their positions on the PSWID Board; and

**WHEREAS**, these five (5) board members are: Ray Pugel, Gary Lovetro, Richard Dickinson, Ron Calderon and Michael Claxton; and

**WHEREAS**, the PSWID Board will be unable to make a quorum of its board with its two (2) remaining board members; and

**WHEREAS**, without being able to make a quorum, the PSWID Board will be unable to appoint new members to its board and will therefore be unable to conduct business now or in the future; and

**WHEREAS**, the PSWID has and will have business that can only be conducted by a board and that without action by the Gila County Board of Supervisors, the PSWID will be unable to conduct its business that must be handled by a board; and

**WHEREAS**, A.R.S. § 48-1016 authorizes that the Gila County Board of Supervisors "may at any time revoke the authority of an elected board of directors in order to protect the residents of the district;" and

**WHEREAS**, the Gila County Board of Supervisors finds that due to the PSWID Board's inability to make a quorum and thereby perform the responsibilities of the PSWID Board, it is necessary to revoke the authority of the PSWID Board; and

**WHEREAS**, pursuant to A.R.S. §§ 48-1016 and 48-908, the Gila County Board of Supervisors has authority to revoke the power of the PSWID Board and to govern the PSWID as its Board of Directors; and



**WHEREAS**, pursuant to A.R.S. § 48-1016 the Gila County Board of Supervisors acting as the PSWID Board has “the option of calling for new elections for the district board of directors.”

**THEREFORE; BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF GILA COUNTY, ARIZONA:**

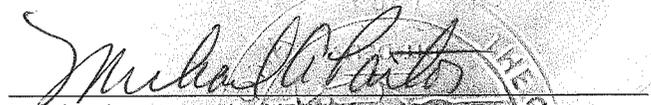
1. That the Gila County Board of Supervisors accepts the resignations of Ray Pugel, Gary Lovetro, Richard Dickinson, Ron Calderon and Michael Claxton of the PSWID Board;
2. That pursuant to A.R.S. § 48-1016, the Gila County Board of Supervisors revokes the authority of the PSWID Board;
3. That pursuant to A.R.S. §§ 48-1016 and 48-908 the Gila County Board of Supervisors hereby assumes the authority to govern the PSWID as its Board of Directors; and
4. That the Gila County Board of Supervisors reserves its authority pursuant to A.R.S. § 48-1016 to call for new elections for the PSWID Board of Directors.

**PASSED AND ADOPTED** this 26<sup>th</sup> day of November 2013.

**Attest:**

**GILA COUNTY BOARD OF SUPERVISORS**

  
Marian Sheppard, Clerk

  
Michael A. Pastor, Chairman of the Board

**Approved as to form:**

  
Bryan Chambers  
Deputy Attorney Principal

