



RESOLUTION NO. 16-03-02

A RESOLUTION OF THE BOARD OF SUPERVISORS OF GILA COUNTY, ARIZONA, ORDERING THE CANCELLATION OF THE SOLITUDE TRAILS DOMESTIC WATER IMPROVEMENT DISTRICT (STDWID) SPECIAL ELECTION; AND, APPOINTING MEMBERS TO THE STDWID BOARD OF DIRECTORS.

WHEREAS, the Board of Supervisors scheduled a Special Election to be held on May 17, 2016, for the election of members to the Board of Directors of the STDWID; and

WHEREAS, Arizona Revised Statute (A.R.S.) §16-410 (A) states, “ *Notwithstanding any other law, in any election that is to be held pursuant to title 15, title 48 or section 16-822, if the total of the number of persons who file a nomination petition for a candidate and the number of persons who file a nomination paper for a write-in candidate as prescribed by chapter 3, articles 2 and 3 of this title is less than or equal to the number of positions to be filled at the election for which the nomination petition or nomination paper is filed, the county board of supervisors may cancel the election no earlier than seventy-five days before the election and appoint the person or persons who filed the nomination petition or nomination paper to fill the position for the term of office for which the candidate was nominated by the qualified electors.*”; and

WHEREAS, A.R.S. §48-1012 (E) states, “ *If only one person files or no person files a nominating petition for election to fill a position on the board of directors of the district, the county board of supervisors, by resolution, may cancel the election for that office and appoint the person who filed the nominating petition to fill that position...*”; and

WHEREAS, in accordance with the above-referenced statutes, the Board of Supervisors may cancel the May 17, 2016, Special Election of the STDWID and appoint persons to the STDWID Board of Directors who filed a nomination or a write-in nomination paper for the STDWID governing Board of Directors; and

WHEREAS, each person to be appointed pursuant to the aforementioned Arizona Revised Statute will be fully vested with the powers and duties of the office as if elected to that office.

NOW, THEREFORE, BE IT HEREBY RESOLVED that the Gila County Board of Supervisors does hereby order the cancellation of the May 17, 2016, Special Election of the STDWID and appoints the following persons to serve as members of the STDWID Board of Directors: Robert Bever, Roger Miotto and Stephen Wetherell.

PASSED AND ADOPTED this 4th day of March 2016, at Globe, Gila County, Arizona

Attest:

GILA COUNTY BOARD OF SUPERVISORS

for Raunie J. Kline, Deputy
Marian Sheppard
Clerk of the Board

Michael A. Pastor
Michael A. Pastor
Chairman

Approved as to form:

Jefferson R. Dalton
Jefferson R. Dalton
Deputy Gila County Attorney
Civil Bureau Chief