

OFFICE OF THE COCONINO COUNTY BOARD OF SUPERVISORS  
COCONINO COUNTY, FLAGSTAFF, ARIZONA  
TUESDAY, MAY 1, 2012

The Board of Supervisors met in Special Session on Tuesday, May 1, 2012, at 1:15 p.m. in the Board of Supervisors Meeting Room, First Floor, Administrative Center, 219 E. Cherry Avenue, Flagstaff, Arizona.

**Roll Call:**

**Present:** Chairman Carl Taylor, Vice Chairwoman Elizabeth Archuleta, Supervisor Matt Ryan, and Supervisor Mandy Metzger

**Absent/Excused:** Supervisor Lena Fowler

**Also Present:** Interim Manager Mike Townsend, Sr. Civil Deputy County Attorney Jean Wilcox, Assistant County Manager/Government Affairs Director Joanne Keene, Public Works Director/Assistant County Manager Andy Bertelsen, and Clerk of the Board Wendy Escoffier.

**Call to Order**

Chairman Taylor called the Special Session to order at 1:19 pm

**1. Uranium litigation update and consideration of intervening. The board may vote to go into executive session to receive legal advice pursuant to A.R.S. 38-431.03A (3). Senior Civil Deputy County Attorney Jean Wilcox**

**Handouts:** Memo titled *Status of cases challenging the mining ban in Northern Arizona*  
Map titled *Case 3:11-cv-08171-FJM, Document 15-1 Filed 03/12/12 Page 22 of 156*

Senior Civil Deputy County Attorney Jean Wilcox provided the history and an update on Secretary of the Interior Ken Salazar's decision to withdraw approximately one million acres in Northern Arizona from mining. She reviewed specific lawsuits challenging the withdrawal; Gregory Yount v. Ken Salazar and Bureau of Land Management, CV 11-08171 – PCT- FJM; National Mining Association and Nuclear Energy Institute v. Salazar, BLM and USFS, CV128038 PCT GMS; Northwest Mining Association v. Salazar, BLM, and USFS, CV 3:12-CV-08042 DGC; Quaterra Alaska, Inc. and Mohave County Board of Supervisors v. Salazar and BLM, CV12-8075 PCT JAT. She provided the progress of each case and suggested the Board wait before discussing whether or not to intervene. She discussed whether or not the individual cases would be consolidated.

She stated that if the motion to intervene is granted, the County would have to be prepared to explain why the County believes Secretary Salazar did not consider the

environmental impacts. She suggested areas of expert and scientific evidence the County would need to obtain and present in court.

The Board discussed what could be considered economic development.

Chairman Taylor expressed his belief that the issue is about the mining industry protecting 1872 mining laws and the precedent set by Secretary Salazar. Chairman Taylor cited potentially threatening issues to the mining industry.

Attorney Wilcox stated the County would have to articulate its own points separate from the government case. The Board discussed the timing of an executive session.

Supervisor Ryan acknowledged that the Board needed to wait, but suggested that the Board evaluate the cost of intervening.

There being no further business, Chairman Taylor adjourned the Special Session at 1:50 pm.

**COCONINO COUNTY BOARD OF SUPERVISORS**

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Carl Taylor, Chairman

**ATTEST:**

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Wendy Escoffier, Clerk of the Board

(SEAL)