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November 1, 2016

The Honorable Paul Boyer  
State Representative, District 20  
Arizona House of Representatives  
1700 West Washington Street  
Phoenix, Arizona 85007-2890

Re: Closing Your 8/11/2016 Request for Investigation Under A.R.S. § 41-194.01

Dear Representative Boyer:

As you are aware, the Attorney General's Office ("the Office") performed an investigation into official action by the Town of Snowflake ("Town") Council pursuant to your request under A.R.S. § 41-194.01. The Office issued a report of its findings and conclusions on September 9, 2016, which determined the Town Council may have violated Arizona law when it approved "Facilities Agreements" with Copperstate Farms, LLC and Mountain Time Management, LLC that provided for quarterly cash payments to the Town under individually negotiated "license fee" schedules.

As noted in the September 9 report, the Town fully cooperated with the Office's investigation. And since the issuance of that report, the Town has continued to provide additional information and updates. Recently, the Office received confirmation that both Facilities Agreements were amended to eliminate the individual license fee schedules and instead provide for payment of a future, uniformly imposed fee. Because those amendments eliminated the provisions that the Office concluded may violate Arizona law, the question of their legality is moot, and it is no longer appropriate to seek review at the Arizona Supreme Court. This letter is to inform you that the Office has therefore closed its file for your request, and no further action will be taken at this time.

Sincerely,

Brunn ("Beau") W. Roysden III  
Assistant Attorney General

cc: The Hon. Doug Ducey  
The Hon. Andy Biggs  
The Hon. David Gowan  
The Hon. Michele Reagan  
Town of Snowflake

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