MINUTES OF THE REGULAR COUNCIL MEETING OF THE TOWN COUNCIL OF THE TOWN OF CHINO VALLEY

Tuesday, May 22, 2012
6:00 P.M.

The Town Council of the Town of Chino Valley, Arizona met for a Regular Meeting in the Chino Valley Council Chambers, located at 202 N. State Route 89, Chino Valley, Arizona, on Tuesday, May 22, 2012.

Mayor Marley called the meeting to order at 6:06 p.m.

Councilmember Lon Turner attended the executive sessions only by conference phone, starting at 8:03 p.m. (item 8a).

Present:	Mayor Chris Marley; Vice-Mayor Carl Tenney; Councilmember Mike Best; Councilmember Darryl Croft; Councilmember Dean Echols; Councilmember Linda Hatch
Absent:	Councilmember Lon Turner
Staff Present:	Interim Town Manager Robert Smith; Town Attorney Tom Kack; Interim Police Chief Chuck Wynn; Magistrate John Walker; Utilities Supervisor Chris Bartels; Building Official Dan Trout; Town Clerk Assistant Liz Hart; Town Clerk Jami Lewis (recorder)

Vice-Mayor Tenney asked for a moment of silence in honor of the Town's former Assistant Library Director Julia Diener who recently passed away. He then gave the invocation, followed by Mayor Marley leading the Pledge of Allegiance.

2) INTRODUCTIONS, PRESENTATIONS, AND PROCLAMATIONS

a) Proclamation declaring May 25-26, 2012 as "Poppy Days," sponsored by the Chino Valley American Legion Auxiliary.

Mayor Marley read the proclamation and presented it to Liz Piper, Auxiliary President and Poppy Days Chair, who spoke about Poppy money staying in this area 100 percent.

b) Presentation of a patriotic award by Luke Sefton, Northern Arizona Chair of Employers in Support of the Guard and Reserves, to Town Engineer Ron Grittman and Utilities Supervisor Chris Bartels in recognition of their cooperation with Utilities Tech Roger Strader, a staff member in the National Guard and Military Reserves.

Mr. Sefton introduced Bob Bell, ESGR's Quad City Area Representative, and commended the Town for its record of taking care of its service members during their time of service. He and Staff Sgt. Roger Strader recognized and presented awards to Town Engineer Ron Grittman and Utilities Supervisor Chris Bartels for their support during Sgt. Strader's service in the National Guard.

3) CALL TO THE PUBLIC

Harvey Jones, resident, thanked Dean Echols with the Windmill House for hosting the Town's annual SpringFest event.

4) RESPONSE TO THE PUBLIC

Vice-Mayor Tenney stated that there was nothing to report from the previous meeting.

5) CURRENT EVENT SUMMARIES AND REPORTS

Councilmember Hatch reported that the Town Magistrate issued an Order with regard to covering Court operations in case of his disability or incapacity.

Mayor Marley reported that the governor signed HB 2826 relative to consolidated elections into law on May 14, 2012; staff will brief Council at the next meeting. Also, through his continuing series in the newspaper on achieving economic stability in town, he was seeing that it was becoming increasingly important to bring the Town's financial condition and proposed solutions to the public's attention.

a) Status report regarding Resolution No. 12-981, which temporarily reduced impact fees to $0 and was scheduled to automatically terminate on July 10, 2012. (Mayor Marley and Vice-Mayor Tenney)

Mayor Marley reported that the temporary moratorium on impact fees would terminate on July 10. Extending the moratorium would cause the Town to give up a needed revenue source; however, although reinstating them could dampen building enthusiasm, he hoped the Town's lower property rates would offset that.

6) CONSENT AGENDA

MOVED by Vice-Mayor Carl Tenney, seconded by Councilmember Linda Hatch to approve Consent Agenda items 6a, 6b and 6c.

Vote: 6 - 0 PASSED - Unanimously

a) Consideration and possible action to approve April 24, 2012 Regular Meeting minutes. (Jami Lewis, Town Clerk)

b) Consideration and possible action to approve Resolution No. 12-992, approving the proposed statements and estimates of expenses of the Town of Chino Valley Street Lighting Improvement Districts for fiscal year 2012/2013, pursuant to Section 48-616, Arizona Revised Statutes, as amended; setting a date for public hearing on the proposed statements and estimates as approved; and providing for notice of the hearing and publication of the proposed statements and estimates of the expenses of the district which shall be provided for by the levy and collection of ad valorem taxes on the assessed value of all the real and personal property in the districts. This action will create a levy to pay for street lighting within street lighting improvement districts in Town. (Robert Smith, Interim Town Manager)

c) Consideration and possible action to accept Dedication of Public Drainage Way from Dewey J. and Maribel Levie for roadway and drainage improvements for a portion of Assessor's Parcel No. 306-24-777C located at Road 2 North and the Santa Cruz Wash, for the amount of $4,000. Funds to come from the carryover revenues within the Roads Impact Fee Fund. (Ron Grittman, Town Engineer)

7) ACTION ITEMS

a) Consideration and possible action to approve Resolution No. 12-993 adopting a Tentative Budget for the fiscal year 2012-2013, and proposed expenditure limitation for the same year, in the amount of $15,260,552. Adoption of this item establishes a tentative budget for the expenditure authorization for the FY 2012-2013. (Robert Smith, Interim Town Manager)

Pat Walker with Pat Walker Consulting, Inc., reported that the Tentative Budget was reached after many discussions with Council and the Council Finance Committee. Once adopted, this total budget amount represented the maximum allowable limit. Council could reduce the limit and transfer within line items, but not raise it. Key elements of the FY 2012-2013 budget were as follows:

2012-2013 Proposed Budget

- Total budget: $15.2 million, a ½% increase over the prior year.
- Revenue sources: General Fund (local taxes and fees, and intergovernmental revs), utility charges, and fund balance transfers.
- Expenses: The majority went to public safety and general government, which covered a lot of the Town's administrative responsibilities.

General Fund

- Budget: $6.8 million.
- GF revenues: Intergovernmental (41%), local taxes and fees (38%), other services and charges (9%), fund balances forward (6%), and transfers in (6%).
- Major revenue categories: Local sales tax, state shared revenues, SBA tower lease, transfer from 1% sales tax, and fund balance.
- Local sales taxes: $2.3 million were projected, a slight increase over last year. Major tax categories were retail, restaurant/bar, hotel/motel, and utilities.
- State shared revenues: $2.6 million were projected. Sales taxes and income taxes were increasing, while auto lieu tax was a bit lower.
- Interfund transfers: $418,000 from capital improvement fund, and $11,500 from police impound fund.
- Expense categories: Public safety (34%), general government (38%), community services (17%), contingency and reserves (5%), development services (5%), and transfers out (1%).
- Total expenditures: $6.8 million, which also included the salary market study, some personnel cost savings, transfers out for lease payments and grant match, and contingency reserve.
- Overview: Revenues and expenditures were balanced, but the budget was borrowing $387,000 from carryforward and transfers in.

Special Revenue Funds

- Special revenue funds: $762,000 for HURF; $860,000 for grants, including CDBG and miscellaneous grants, which included a large amount for transit; $17,000 for Court Fund, and fund balances.
- Expenses: Less than $100,000 in street improvement funds, $313,000 for CDBG grants, and $545,000 for miscellaneous grants. The Town will need to look at street improvement funds for the future, as that fund used to carry $1 million.

Capital Project Funds

- Revenues: Impact fee funds, and capital improvement funds, including a miscellaneous $2 million in the event the Town would need to issue any debt, and $1.4 million in 1% sales tax.
- Expenses: $200,000 for three Police positions, $219,000 for Aquatic Center, $363,000 transfer to Water Operating Fund, and $577,000 to debt service.
- Issues: Starting with FY 2015, there were issues with the amount of transfers coming into this fund and debt service increases.

Enterprise Funds (Water and Sewer)

- Water fund: Transfers in from the capital improvement fund and some fund balance forward were funding a deficit; the budget included no payback on the interfund loan from the GF; and this fund will need a revenue increase to support expenses.
- Sewer fund: Carry forward funds and some transfers in were funding a deficit, and debt service was increasing.

Street Lighting Improvement Districts.

Staff was setting the levy at about $4,000, which was generated from the ad valorum tax from within those districts.

Next Steps

- Tonight: Adopting the tentative budget and SLIDs will set the Town's maximum expenditure limit.
- June 26, 2012: Public hearing and adoption of budget.
- July 2012: Approve SLID levy resolution, which Council cannot approve until 14 days after final budget approval.

Council asked about possible inaccuracies with the salary survey study process with regard to Court personnel and funding positions for which no salary was determined or if a salary was changed after the budget was adopted. Mr. Smith reported that he spoke with the consultant about the process and ensured that the resulting report was accurate. He reviewed the general process that was followed by Town staff and the consultant. Regarding the Court positions, at the time questionnaires were circulated to staff, one employee was moving from part time to full time with a new title. Staff submitted revised questionnaires and the consultant conducted phone interviews with the Court supervisor, collected further data, and changed the job titles for the three Court positions. Some confusion also arose as the applicant hired for the Deputy Clerk position was already a town employee earning a higher wage than the higher level Senior Clerk position. Ms. Walker added that Council could transfer additional funds needed from contingency or make adjustments before adopting the final budget.

Council asked about a change to the senior nutrition line item, a significant increase under charges for services revenues, the budgeted amount for fines and forfeitures being realistic, and increases in special revenue funds for miscellaneous grants, animal control, facilities maintenance, and asset replacement. Mr. Smith related that:

- Last year, food expenses were charged from a grant line, whereas next year, staff will spend the money first and then get reimbursed.
- This line included the SBA tower lease.
- He would follow up with the Magistrate on fines and forfeitures.
- Hiring the Resource Development person would result in increased grant revenues. The position's part-time salary was significantly lower than the projected grant amounts.
- He would follow up on animal control and facilities maintenance increases.
- Staff had previously earmarked certain monies for various asset replacements.

Vice-Mayor Tenney stated for the public's benefit that the Town's debt picture was getting serious: being $437,000 last year, $850,000 next year, and increasing to $1 million after that. Fund balances, debt service funds, and capital improvement funds were going down, and the enterprise funds went down a lot in the past year. The Town was still in the black, but was dipping into savings. In the next several years, a $1 million fund balance would be needed and the Town's whole general fund was only $6 million. Council had two choices: increase revenues or decrease expenses. As this could include increased sales taxes and/or enacting a property tax, they desired to engage the community in discussions.

Public comment:

Joe Iaccarino, resident, questioned the recent purchase of a boom truck in Texas for $45,000, as he believed staff could have purchased two such trucks for the same amount in Arizona. Mr. Smith reported that the Town Engineer went through the procurement process to find the best possible equipment for the best price. As the Town Engineer was out of the office this week, staff could ask him to provide that information. Regarding funding, Councilmember Hatch stated that when the Town obtained a loan to purchase the South Campus facility and later obtained the facility in a trade, the Town was unable to return the loan money and some of it was earmarked for capital vehicle expenditures.

Craig Brown asked if this budget would be on line. Ms. Walker stated that the budget Resolution and exhibit auditor general forms were already online.

MOVED by Vice-Mayor Carl Tenney, seconded by Councilmember Linda Hatch to approve Resolution No. 12-993, adopting a Tentative Budget for the fiscal year 2012-2013, and proposed expenditure limitation for the same year, in the amount of $15,260,552.

Vote: 6 - 0 PASSED - Unanimously

8) EXECUTIVE SESSION

a) Council may vote to hold an executive session pursuant to A.R.S. § 38-431.03(A)(1) and (A)(4) for discussion or consideration of employment, appointment, or salary for the position of Town Magistrate, and for discussion or consultation with its attorneys in order to consider its position and instruct its attorneys regarding the Town's position regarding the negotiation of a contract for the same. (Mayor Marley and Vice-Mayor Tenney)

MOVED by Vice-Mayor Carl Tenney, seconded by Councilmember Linda Hatch to consider item 8a at 6:59 p.m.

Vote: 6 - 0 PASSED - Unanimously

Mayor Mayor Marley reconvened the meeting into open session at 8:40 p.m.

b) Consideration and possible action regarding employment, appointment, or salary for the position of Town Magistrate.

Mayor Marley reported that Council was entering into negotiations with the current Town Magistrate for a three-year contract. Further details will be available in late June.

c) Council may vote to hold an executive session pursuant to A.R.S. § 38-431.03(A)(1) and (A)(4) for evaluation of the Interim Town Manager, and for discussion or consideration of employment, appointment, or salary for the position of Town Manager, and for discussion or consultation with its attorneys in order to consider its position and instruct its attorneys regarding the Town's position regarding the negotiation of a contract for the same. (Mayor Marley and Vice-Mayor Tenney)

MOVED by Vice-Mayor Carl Tenney, seconded by Councilmember Darryl Croft to consider item 8c at 8:41 p.m.

Vote: 7 - 0 PASSED - Unanimously

Mayor Marley reconvened the meeting into open session at 9:46 p.m.

d) Consideration and possible action regarding employment, appointment, or salary for the position of Town Manager.

Mayor Marley reported that Council was entering into negotiations with the current Interim Town Manager for a three-year contract.

e) Council may vote to hold an executive session pursuant to A.R.S. § 38-431.03(A)(3) and (A)(4) to obtain legal advice and consider its position and instruct its attorneys regarding issues on water transportation/pipeline taxes due to the Town from the City of Prescott and negotiations to settle issues regarding the same. (Mayor Marley and Vice-Mayor Tenney)

MOVED by Vice-Mayor Carl Tenney, seconded by Councilmember Dean Echols to consider item 8e at 9:48 p.m.

Vote: 6 - 0 PASSED - Unanimously

Mayor Marley reconvened the meeting at 10:47 p.m.

f) Consideration and possible action regarding issues on water transportation/pipeline taxes due to the Town from the City of Prescott and negotiations to settle issues regarding the same.

Mayor Marley reported that Council had instructed its attorney regarding the water tax matter with Prescott.

9) ADJOURNMENT

MOVED by Vice-Mayor Carl Tenney, seconded by Councilmember Linda Hatch to adjourn the meeting at 10:48 p.m.

Vote: 6 - 0 PASSED - Unanimously

Chris Marley, Mayor

ATTEST:

Jami C. Lewis, Town Clerk

CERTIFICATION:

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Regular Meeting of the Town Council of the Town of Chino Valley, Arizona held on the 22nd day of May, 2012. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 10th day of July, 2012.

Jami C. Lewis, Town Clerk

RESOLUTION NO. 12-996

A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF CHINO VALLEY, YAVAPAI COUNTY, ARIZONA, ORDERING THAT AN AD VALOREM TAX BE FIXED, LEVIED AND ASSESSED ON THE ASSESSED VALUE OF ALL THE REAL AND PERSONAL PROPERTY WITHIN THE BOUNDARIES OF THE CHINO VALLEY STREET LIGHTING IMPROVEMENT DISTRICTS IN AMOUNTS SPECIFIED IN THE APPROVED STATEMENTS AND ESTIMATES FOR FISCAL YEAR 2012-2013 FOR THE TOWN OF CHINO VALLEY STREET LIGHTING IMPROVEMENT DISTRICTS

WHEREAS, the provisions of A.R.S. § 48-616 require the governing body to levy taxes upon all property in a municipal street lighting improvement district necessary to pay the annual expenses of said districts; and

WHEREAS, the Mayor and Council of the Town of Chino Valley, having adopted annual statements and estimates of expenses of municipal Street Lighting Improvement Districts as the final budget for each district for fiscal year 2012-2013, after a public hearing on the statements and estimates was held on June 26, 2012; and

WHEREAS, the County of Yavapai is the assessing and collecting authority for the Town of Chino Valley, the Town is required to transmit a certified copy of this Resolution to the Assessor and Board of Supervisors of Yavapai County, Arizona by the third Monday in August;

NOW, THEREFORE, BE IT RESOLVED that for each street lighting improvement district listed on the attached Schedule of Estimated Assessments, a tax rate sufficient to provide funds for the annual expenses of each street lighting improvement district within the Town of Chino Valley, as listed in the attached Schedule, is hereby levied on all property, both real and personal, within the boundaries of said districts, except such property which is, by law, exempt from taxation.

BE IT FURTHER RESOLVED that certified copies of this Resolution shall be delivered to the Yavapai County Board of Supervisors and to the Arizona Department of Revenue before the third Monday in August.

BE IT FURTHER RESOLVED that all resolutions and parts of resolutions in conflict with the provisions of this Resolution or any part of the Code adopted herein by reference, are hereby repealed.

BE IT FURTHER RESOLVED if any section, subsection, sentence, clause, phrase or portion of this Resolution or any part of the Code adopted herein by reference, is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions thereof.

PASSED AND ADOPTED by the Mayor and Common Council of the Town of Chino Valley, Arizona this 10th day of July, 2012.

Chris Marley, Mayor

ATTEST:

Jami C. Lewis, Town Clerk

APPROVED AS TO FORM:

Musgrove Drutz & Kack, PC
Town Attorney

EXHIBIT "A"

TOWN OF CHINO VALLEY, ARIZONA
Street Lighting Improvement Districts

Schedule of Estimated Assessments

Fiscal Year – 2012/2013

			A	B	C	D	E
Co. Dist. No.	Town ID No.	Town ID Name	2011/2012 Estimated Actual Expenses	2011/2012 Levy Request	2011/2012 Difference on Expenses vs. Levy	2012/2013 Projected Expenses	2012/2013 Levy Request
13004	CVSLID1	Chino Valley, Arizona, CVSLID #1 Lighting Improvement District	$2,042	$2,031	$11	$1,992	$2,003
13005	CVSLID2	Chino Valley, Arizona, CVSLID #2 Lighting Improvement District	$1,048	$1,050	($2)	$1,024	$1,022
13006	CVSLID3A	Chino Valley, Arizona, CVSLID #3A Lighting Improvement District	$ 954	$ 951	$3	$ 930	$ 933

RESOLUTION NO. 12-997

A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF CHINO VALLEY, COUNTY OF YAVAPAI, ARIZONA, FORMALLY ESTABLISHING A PUBLIC SAFETY RETIREMENT BOARD

WHEREAS, establishing a Public Safety Retirement Board is mandated by Arizona Revised Statute 38-847;

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COMMON COUNCIL OF THE TOWN OF CHINO VALLEY, COUNTY OF YAVAPAI, ARIZONA, THAT THE TOWN COUNCIL FORMALLY SUPPORTS THE FORMATION OF A LOCAL PUBLIC SAFETY RETIREMENT BOARD AS FOLLOWS:

1. Membership of the Board shall consist of the mayor or his/her designee to serve as Chairman, with two members elected from the Association by secret ballot, and two members of the public.

2. The Board shall consist of five (5) members, initially one member from the public and one association member serving two-year terms and one member from the public and one from the association serving four-year terms. Thereafter terms shall be four years each and shall be appointed by the Mayor and the Common Council on July 1 of even-numbered years. The Chairman shall be the Mayor or the Mayor's designee and be approved by the respective governing board, to serve a four-year term.

3. The local board will meet at a minimum twice annually, with authority and power to discharge the following duties:

- To decide all questions of eligibility and service credits and determine the amounts, manner and time of payment of any benefits under the system;
- To prescribe procedures to be followed by claimants in filing applications for benefits;
- To make a determination as to the right of any claimant to a benefit and to afford any claimant or the board of trustees, or both, a right to a rehearing on the original determination;
- To request and receive from the employers and from members such information as is necessary for the proper administration of the system and action on claims for benefits and to forward such information to the board of trustees;

- To distribute, in such a manner as the local board determines to be appropriate, information explaining the system received from the board of trustees;
- To furnish the employer, the board of trustees and the legislature, on request, with such annual reports with respect to the administration of the system as are reasonable and appropriate;
- To receive and review reports of the financial condition and of the receipts and disbursements of the fund from the board of trustees;
- To appoint medical boards as provided in section 38-859;
- To sue and be sued to effectuate the duties and responsibilities set forth in this statute.

PASSED AND ADOPTED by the Mayor and Common Council of the Town of Chino Valley, Arizona this 10th day of July, 2012.

Chris Marley, Mayor

ATTEST:

Jami C. Lewis, Town Clerk

APPROVED AS TO FORM:

Musgrove Drutz & Kack, PC
Town Attorney

RESOLUTION NO. 12-998

A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF CHINO VALLEY, COUNTY OF YAVAPAI AND STATE OF ARIZONA, AMENDING RESOLUTION NO. 11-976 RELATING TO THE CHINO VALLEY ROADS AND STREETS COMMITTEE BY AMENDING SECTION 3 "MEMBERSHIP," SECTION 4 "QUORUM," SECTION 5 "MEETINGS OF THE COMMITTEE," SECTION 8 "MEETING AGENDA," AND SECTION 9 "STANDING RULES"

WHEREAS, on August 27, 2009, the Town Council adopted Resolution No. 09-915 creating a Roads and Streets Advisory Board and setting forth its duties, responsibilities, and Rules of Procedures; and

WHEREAS, on December 31, 2011, at the recommendation of the Roads and Streets Advisory Board, the Town Council adopted Resolution No. 11-976, renaming the Roads and Streets Advisory Board as the Roads and Streets Committee and further amending Section 3: Membership; and

WHEREAS, on July 10, 2012, at the recommendation of the Roads and Streets Committee ("Committee"), the Town Council discussed reducing the membership of the Committee and elected to make certain amendments to the provisions relating to Committee membership;

NOW THEREFORE BE IT RESOLVED by the Mayor and Common Council of the Town of Chino Valley, County of Yavapai, State of Arizona, that Resolution No. 11-976 is hereby amended to amend Sections 3, 4, 5, 8 and 9 relating to membership of the Roads and Streets Committee as follows:

Section 1: TITLE OF PUBLIC BODY

The Roads and Streets Advisory Board shall henceforth be called the Roads and Streets Committee.

Section 2: PURPOSE OF ROADS AND STREETS COMMITTEE

The purpose of the Chino Valley Roads and Streets Committee ("Committee") is as follows:

A. To advise the Mayor and Common Council regarding policies relating to Roads and Streets, their service, function, purpose, and for the enhancement of long term road development, geometrics, intersection configuration, planning and prioritizing based on current and future roadway demands.

B. To establish criteria for the ranking and prioritizing of roadways and intersections to be improved.

C. To establish roadway maintenance strategies and policies based on the best management practices of the industry and funding levels of the Town.

D. To make recommendations to the Mayor and Common Council regarding Roads and Streets budget matters and potential funding mechanisms.

E. To present to the Mayor and Common Council during a regularly scheduled Town Council meeting, in sufficient time to allow Council to incorporate any budget necessary item, an Annual Report describing the accomplishments of the Committee in the previous year and plans for the next year.

Section 3: MEMBERSHIP

A. The Committee shall consist of ~~nine (9)~~ SEVEN (7) members ~~appointed by the Mayor and Common Council at the first appropriate regular Common Council meeting held after this Resolution becomes operative.~~ ~~Thereafter, u~~Upon expiration of each Committee member's term, the members of the Committee shall be appointed by the Mayor and Common Council at a Common Council meeting in June. Each member to serve for a term of two (2) years, with ~~four (4)~~ THREE (3) terms expiring on June 30 of even-numbered years and ~~five (5)~~ FOUR (4) terms expiring on June 30 of odd-numbered years. Appointments to fill un-expired terms shall be for the remainder of the term.

B. UP TO three (3) Council Members shall be appointed to the Committee and ~~a maximum of five (5)~~ IF THEY ARE AVAILABLE AND QUALIFY, UP TO THREE (3) members of the Committee ~~must~~ SHOULD have a background in Civil Engineering, Public Works Construction, Transportation System Planning, or some combination of practical experience relating to roadways and transportation systems.

C. The staff liaison shall make recommendations to the Council Appointments Committee for appointments to fill expired terms or vacancies on the Committee. The Council Appointments Committee shall review the applications and make a recommendation to the Mayor and Common Council for such appointment(s). A person may be appointed to serve as a Committee member for an unlimited number of terms.

D. Members of the Committee shall serve at the pleasure of the Council.

E. Persons eligible to serve as Committee members shall live within the Town limits, except three (3) members who may reside outside Town limits in Yavapai County and in an area normally served by the Town's transportation system.

F. Full and part-time Town employees are not eligible to serve as voting Committee members. An individual who works for the Town in the capacity of a temporary employee is not eligible to serve as a Committee member. The Public Works Director/Town Engineer shall serve as the primary staff liaison to the Committee in a non-voting status.

<u>Section 4:</u> QUORUM

A majority of the Committee, ~~five (5)~~ <u>FOUR (4)</u> members, shall constitute a quorum.

<u>Section 5:</u> MEETINGS OF THE COMMITTEE

A. The Committee shall meet monthly, or as needed; the day, time and place of such meetings to be determined by the members of the Committee.

B. The Chair may call special meetings at least forty-eight (48) hours in advance of such meetings, or a meeting may be called at the request of ~~four (4)~~ <u>THREE (3)</u> members of the Committee, or, additional meetings may be established prior to the end of a regular scheduled meeting.

C. The Committee shall adhere to all relevant provisions of Arizona Revised Statutes, the Chino Valley Town Code of Ordinances and this Resolution. For rules of procedure not otherwise set forth, Robert's Rules of Order, Newly Revised shall govern the proceedings of the Committee.

<u>Section 6:</u> OFFICERS

A. Officers of the Committee shall be a Chair, Vice-Chair and Secretary. These Officers shall also serve as the Executive Committee.

B. In the event that the term of a Committee member serving as an Officer expires and said Committee member is re-appointed to the Committee by Mayor and Council, said Committee member shall not automatically resume his previous position and duties. All appointments to serve as an Officer of the Committee must be filled by election at the annual July meeting. If an Officer position becomes vacant during the term, an election shall be conducted at the next scheduled Committee meeting to fill the position for the remainder of the term.

C. The Chair shall:

1. Set the agenda for meetings of the Committee and advise the Secretary no less than one week prior to the regular meeting.

2. Preside at all meetings of the Committee.

3. Call special meetings of the Committee, unless an additional meeting is determined during a regular meeting.

4. Make reasonable best efforts to mediate any problems arising among Committee members.

5. Present both written and verbal reports to the Mayor and Council, in a sufficient time to allow Council to incorporate any necessary budget items, as to the progress of the Committee.

D. In the absence of the Chair, the Vice-Chair shall assume the duties of the Chair.

E. The Secretary, or designee, shall:

1. Post copies of meeting agendas no less than twenty-four (24) hours prior to a meeting of the Committee.

2. Mail or deliver meeting minutes, agenda, and appropriate attachments to all members of the Committee no less than five (5) days prior to the regular meeting. The distribution of information is to include the Town Manager, for distribution to the Mayor and Council.

3. Keep a true and accurate account and minutes of all proceedings of the Committee and its meetings

4. Provide copies of the minutes of any regular or special meeting to all Committee members and to the Town Manager and, after Committee approval, to the Town Clerk. Upon request, minutes from meetings may be presented to the public and comply with the provisions of Arizona law regarding public meetings, including, without limitation, A.R.S. Sections 38-431 and 38-431.01.

<u>Section 7:</u> SUBCOMMITTEES

A. The Committee shall create such Special Subcommittees as it deems necessary. These may include, but are not limited to: Speed Limit Review; Right of Way Acquisition; Construction/Specifications, Maintenance, Studies and Finance relating to the funding of roadways.

B. At the annual July meeting, the Chair of the Committee shall appoint a Chair for each of the Subcommittees. The term for all Subcommittee Chair positions shall be for one year.

C. Any Special Subcommittee may be disbanded after said Subcommittee has made its final report to the Committee.

<u>Section 8:</u> MEETING AGENDA

A. Any agenda request shall be presented to the Chair or Secretary at least one (1) week prior to a Committee meeting.

B. The Chair shall determine the items to be placed on the agenda.

C. Meeting agendas shall be posted as required by state law.

D. ~~The format of the agenda for Committee meetings may be as follows~~ <u>EACH COMMITTEE MEETING SHOULD INCLUDE THE FOLLOWING AGENDA ITEMS IF APPLICABLE:</u>

1. CALL TO ORDER
2. ROLL CALL
3. APPROVAL OF MINUTES
4. PUBLIC WORKS/TOWN ENGINEER'S REPORT
5. COMMITTEE CHAIR REPORTS
6. CALL TO THE PUBLIC
7. CORRESPONDENCE
8. OLD BUSINESS
9. NEW BUSINESS
10. FUTURE AGENDA SUGGESTIONS
11. ADJOURNMENT

<u>Section 9:</u> STANDING RULES

The Committee may draft Standing Rules to govern procedures so long as they are not in conflict with the provisions of this Resolution. Such Rules shall be adopted by an affirmative vote of two-thirds majority (~~6~~ <u>5</u>) of the members of the Committee.

Section 10: ABSENCES; REMOVAL FOR UN-EXCUSED ABSENCES

A. Except in emergencies, a Committee member shall notify the Chair or the Secretary of any intended absence from a Committee meeting not less than twenty-four (24) hours prior to that meeting.

B. In the event that a Committee member misses three (3) consecutive meetings without being excused by the Chair or Secretary, or in the event that a Committee member misses five (5) regular meetings without being excused by the Chair or Secretary within a twelve (12) month period, the Committee shall forward a recommendation to the Town Manager for consideration by the Council of removal of said Committee member.

Section 11: RESIGNATIONS

A. A Committee member who wishes to resign shall submit the resignation in writing to the Chair stating the effective date of the resignation.

B. The Chair shall immediately forward the resignation to the Town Manager for Council action.

Section 12: COMMITTEE MEMBERS SHALL COMPLY WITH THE LAW

Committee members shall be bound by the Town Code of Ordinances, Chapter 35; Code of Ethics, and by all other provisions of applicable law.

PASSED AND ADOPTED by the Mayor and Common Council of the Town of Chino Valley, Arizona, this 24th day of July, 2012.

Chris Marley, Mayor

ATTEST:

Jami C. Lewis, Town Clerk

APPROVED AS TO FORM:

Musgrove, Drutz & Kack, PC
Town Attorney