

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

**TUESDAY, JUNE 28, 2022
6:00 P.M.**

**CHINO VALLEY COUNCIL CHAMBERS
202 N. STATE ROUTE 89, CHINO VALLEY, AZ**

Present: Mayor Jack Miller; Vice-Mayor Annie Perkins; Councilmember Tom Armstrong; Councilmember Eric Granillo; Councilmember Cloyce Kelly; Councilmember John McCafferty; Councilmember Lon Turner

Staff Present: Town Manager Cindy Blackmore; Town Attorney Andrew McGuire; Assistant to the Town Manager Terri Denemy; Administrative Services Director Joe Duffy; Human Resources Director Laura Kyriakakis; Police Chief Chuck Wynn; Lieutenant Randy Chapman (Sgt at Arms); Public Works Director/Town Engineer Frank Marbury; Development Services Director Laurie Lineberry; Senior Planner Will Dingee; Planner Bethan Heng; Community Services Manager Cyndi Thomas; Recreation Coordinator Hailey Byrd; Audio Visual Technician Lawrence Digges; Deputy Town Clerk Sara Burchill; Town Clerk Erin N. Deskins

1) CALL TO ORDER, PLEDGE OF ALLEGIANCE; ROLL CALL

Mayor Miller called the meeting to order at 6:00 p.m. and led the Pledge of Allegiance.

2) INTRODUCTIONS, PRESENTATIONS, AND PROCLAMATIONS

3) CALL TO THE PUBLIC- Individuals requesting to speak, please complete a Speaker Comment Card and return to the Clerk.

Call to the Public is an opportunity for the public to address the Council on any issue within the jurisdiction of the Council that is not on the agenda. Public comment is encouraged. Individuals are limited to speak for three (3) minutes. The total time for Call to the Public may be up to 30 minutes per meeting. Council action taken as a result of public comment will be limited to directing staff to study the matter, scheduling the matter for further consideration and decision at a later date, or responding to criticism.

- Cathy Middlested – Thanked the Council for changing the venue in anticipation of a larger crowd and for their support.
- Rachelle Fernow – Thanked the Council for the change of venue. She did not think it should have taken the amount of protests that it did to get there, but she was appreciative. She thought that they should make it a regular thing, so everyone had a place to sit, despite the acoustics. She had been thinking about the meeting for three months and now that the item had become victorious for them, she wanted to take the time to talk about the organization created because of it. The Chino Alliance for Responsible Growth

Organization was not going to go away, and they would continue to show up at meetings. She wanted to address Councilmember Kelly's comments made to the Review and some misconceptions. They thought the Town could use an RV Park, but they thought it should be put in the proper place, which was not in a residential neighborhood. Their organization had been called NIMBY (not in my backyard), but he needed to understand that she was not an immigrant to Town. She grew up there, and the entire valley was her backyard. She would advocate for the entire valley and everyone in it against misappropriated zoning and irresponsible decisions in government. They may think it was a little group of 15 people, but this was not her full-time job. She felt like she had done more in the last five months to advocate for the community than the Council had in the last five years. For Councilmember Kelly to state in the paper that the only reason he did not want to run was because he did not want to obtain the 158 signatures spoke volumes to the effort he had put forward as a Councilmember. She wished him well. For those remaining, she hoped they could work together, and for the incumbents running and to whomever ended up there in January, she planned on wanting to work very closely with them. She thought it was important that the Town had an advocacy group like theirs. They would help any neighborhood fight something that they thought was inappropriate or irresponsible. She would appreciate if they could continue with like respect going forward for what they had built in a short amount of time.

4) CURRENT EVENT SUMMARIES AND REPORTS

This item is for information only. The Mayor, any Councilmember, or Town Manager may present a brief summary or report of current events. If listed below, there may also be a presentation on information requested by the Mayor and Council and questions may be answered. No action will be taken.

- a)** Status reports by Mayor and Council regarding current events.

Councilmember Armstrong had gone to the grand opening of a new computer store Idea Karma. Anyone that needed computer work should stop by.

- b)** Status report by Town Manager Cindy Blackmore regarding Town accomplishments, and current or upcoming projects.

Town Manager Blackmore reminded everyone that Town Hall would be closed July 4, 2022 for the Independence Day Celebration.

5) CONSENT AGENDA

All those items listed below are considered to be routine and may be enacted by one motion. Any Councilmember may request to remove an item from the Consent Agenda to be considered and discussed separately.

Item 5(d) was pulled to be discussed individually.

MOVED by Vice-Mayor Annie Perkins, seconded by Councilmember Cloyce Kelly to approve Consent Agenda Items a, b, c, e, f, g, h, i, j, k, l, m, and n as written.

AYE: Mayor Jack Miller, Vice-Mayor Annie Perkins, Councilmember Tom Armstrong, Councilmember Eric Granillo, Councilmember Cloyce Kelly, Councilmember John McCafferty, Councilmember Lon Turner

7 - 0 PASSED - Unanimously

- a) Consideration and possible action to approve Resolution No. 2022-1214 authorizing the use of \$400,000 out of the Town's General Fund Contingency Account to reduce the Public Safety Personnel Retirement System (PSPRS) unfunded liability amount. (Joe Duffy, Administrative Services Director)
- b) Consideration and possible action to approve the Cooperative Purchasing Agreement with Level 3 Audio Visual to provide audio/visual hardware, installation, and training services for the new Chino Valley Police Department facility in an amount not to exceed \$66,881.66. (Spencer Guest, IT Manager)
- c) Consideration and possible action to adopt Resolution No. 2022-1215, designating Joe Duffy as Chief Fiscal Officer for officially submitting the Fiscal Year 21/22 and Fiscal Year 22/23, Expenditure Limitation Report to the Arizona Auditor General. (Joe Duffy, Administrative Services Director)
- d) Consideration and possible action to approve Resolution No. 2022-1213, authorization to submit a Grant Application to the US Bureau of Reclamation WaterSMART Drought Response Projects FY22/23, Funding Opportunity No R23AS00005, to fund a Water Rate Study, and if the grant is awarded, authorization to adjust the revenue and expenditure budgets, and authorization for the Mayor to sign the funding agreement. (Joe Duffy, Administrative Services Director)

Terri Denemy, Assistant to the Town Manager, presented the following:

- The item was being offered by the US Department of Interior Reclamation Water and Resources Planning Office for projects that would increase the reliability of water supply or improve water management.
- It required a 50% cost share.
- The Town currently had \$30,000 budgeted in the FY22/23 for a rate study. The grant would expand that, and the total amount of the project would be \$88,203. 50% of that was a cost share. The breakdown for Town funds was \$31,698. The Town would be using \$12,401 in in-kind services (staff time).
- Should they get the grant, the total increase in budget would be \$1,698. This was part of the resolution if they were awarded the grant.
- The grant would expand what the Town typically did with their water rate study, allowing them to evaluate rate tools and better address water demand. Specifically, it would increase water efficiency and reduce outdoor water use.
- 60% of all water use was outdoors, which was not collected by the sewer system to be returned to the aquifer through the Town's reclamation facility. Reducing the amount of outdoor water usage would result in a higher percentage of water being returned to the aquifer.
- As part of the Prescott AMA, they were in severe and sustained drought conditions. It

was experiencing limited and over drafted groundwater. It was their only available source of water for the residents of the Town.

- They were doing whatever they could to build strong drought resiliency measures and it was crucial to mitigating drought impacts.
- They had several letters of support, which showed regional support and collaboration.
- Staff was requesting authorization to submit the grant application, acceptance of grant funds if awarded, authorization of adjustment to the revenue and expenditure funds to receive the grant funds and increase the rate study budget, and authorization of the execution of the final documents.

Cindy Blackmore, Town Manager, presented the following:

- The grant application took a huge amount of effort to put together. It took a lot of staff time and collaboration but would make a big difference for the Town.
- Staff members Joe Duffy, Mark Holmes, and Terri Denemy were recognized for their work.

Council and staff discussed the following:

- The Town would own the data and could use it for a drought contingency plan.
- The study was unique to the Town and would expand on their current rate study. It would look at ways to put conservation into place that would help through the rate study.
- A Member thought it was important to give a presentation on the item to show the water situation and some of the measures the Town was taking to address water issues.

MOVED by Vice-Mayor Annie Perkins, seconded by Councilmember Cloyce Kelly to approve Consent Agenda Item 5(d), consideration and possible action to approve Resolution No. 2022-1213, authorization to submit a Grant Application to the US Bureau of Reclamation WaterSMART Drought Response Projects FY22/23, Funding Opportunity No R23AS00005, to fund a Water Rate Study, and if the grant is awarded, authorization to adjust the revenue and expenditure budgets, and authorization for the Mayor to sign the funding agreement.

AYE: Mayor Jack Miller, Vice-Mayor Annie Perkins, Councilmember Tom Armstrong, Councilmember Eric Granillo, Councilmember Cloyce Kelly, Councilmember John McCafferty, Councilmember Lon Turner

7 - 0 PASSED - Unanimously

- e) Consideration and possible action to approve the Memorandum of Understanding between the Town of Chino Valley and the Chino Valley Police Officers Association. (Laura Kyriakakis, Human Resources Director)
- f) Consideration and possible action to approve an Arizona Public Service Company (APS) 8' utility easement to serve the new Police Facility at the Town Hall property. (Frank Marbury, Public Works Director / Town Engineer)

- g) Consideration and possible action to approve the Equestrian Facility Lease with Chino Valley Equestrian Association for an initial term of July 1, 2022 - December 31, 2026, with up to four consecutive five-year renewal options, for property located at Old Home Manor in the amount of \$10.00 per year. (Terri Denemy, Assistant to the Town Manager)
- h) Consideration and possible action to approve the Service Contract with PrimeGov for agenda management software in the amount of \$31,572.00 for the first year of implementation. (Erin Deskins, Town Clerk)
- i) Consideration and possible action to appoint applicants to the Roads and Streets Committee, Board of Adjustment, and Public Safety Retirement Board, per recommendation of the Appointments Subcommittee. (Erin Deskins, Town Clerk)
- j) Consideration and possible action to approve the May 10, 2022, study session meeting minutes. (Erin N. Deskins, Town Clerk)
- k) Consideration and possible action to approve the May 10, 2022, regular meeting minutes. (Erin N. Deskins, Town Clerk)
- l) Consideration and possible action to approve the May 17, 2022, special meeting and study session minutes. (Erin N. Deskins, Town Clerk)
- m) Consideration and possible action to approve the May 24, 2022, study session minutes. (Erin N. Deskins, Town Clerk)
- n) Consideration and possible action to approve the May 24, 2022, regular meeting minutes. (Erin N. Deskins, Town Clerk)

6) ACTION ITEMS

The Council may vote to recess the public meeting and hold an Executive Session on any item on this agenda pursuant to A.R.S. § 38-431.03(A)(3) for the purpose of discussion or consultation for legal advice with the Town Attorney. Executive sessions are not open to the public and no action may be taken in executive session.

- a) Update on withdraw of application filed by Jeremy Bach, to rezone approximately 30.15 acres of real property from AR-5 (Agricultural Residential 5-Acre Minimum) to CH/PAD (Commercial Heavy with a Planned Area Development Overlay), for the property located south of 2820 N Road 1 East, Chino Valley, Arizona, APN 306-14-026A. (Will Dingee, Senior Planner).

Recommended Action: No action required.

Will Dingee, Senior Planner, presented the following:

- The original request for a zoning change for a 151 unit RV Park, had since been withdrawn by the applicant.
- It had been continued from a meeting in March and was officially withdrawn on June 14, 2022.

- b) Public hearing, consideration, and possible action to approve Ordinance No. 2022-919 amending the Town of Chino Valley Unified Development Ordinance, section 4.21.10, Sunset Provision. (Will Dingee, Senior Planner)

Recommended Action:

- (i) Hold Public Hearing
- (ii) Approve Ordinance No. 2022-919 regarding text amendment T-2022-08 as reflected in Attachment A, subject to the staff report and information provided during this hearing.

Will Dingee, Senior Planner, presented the following:

- The item was a text amendment to remove the Sunset Clause as part of the updated sign code amendment that had been enacted in 2020.
- Clearing the Sunset Clause would allow the auxiliary signs to continue to be used as they had since 2020.
- Staff was forwarding a recommendation that a public hearing be opened for the item, and subsequently the Planning and Zoning Commission was forwarding a recommendation of approval.

Mayor Miller opened the Public Hearing.

- Tom Payne – He had been working on this with the Town since 2009. He wanted to take the opportunity to thank the Council and staff, on behalf of the local businesses and himself.
- Councilmember Turner thought this was a good example of everyone and the businesses in the Town being responsible. From the beginning, it was an experiment, and everyone was to be accountable for their own signs and keeping them in good shape. It had been done. It was a good thing for all the businesses to show that they can work together and be responsible to get something that they wanted.

Mayor Miller closed the Public Hearing.

MOVED by Vice-Mayor Annie Perkins, seconded by Councilmember Cloyce Kelly to approve Ordinance No. 2022-919 regarding text Amendment T-2022-08 as reflected in Attachment A, subject to the staff report and information provided during this hearing.

AYE: Mayor Jack Miller, Vice-Mayor Annie Perkins, Councilmember Tom Armstrong, Councilmember Eric Granillo, Councilmember Cloyce Kelly, Councilmember John McCafferty, Councilmember Lon Turner

7 - 0 PASSED - Unanimously

- c) Public Hearing regarding Resolution No. 2022-1202, relating to the Town's Final Budget for Fiscal Year 2022/2023 and the proposed expenditure limitation for the same year, in the amount of \$46,544,100. (Joe Duffy, Finance Director)

Recommended Action: Hold the Public Hearing.

Joe Duffy, Finance Director, presented the following:

- The Town was in the final steps of adopting the budget. Staff started the process in January of each year. It was almost a six-month process to develop a budget for the next fiscal year.
- The budget had increased from the previous year, with a total amount of \$46,544,100.
- The Council had given strategic priorities that had to be incorporated into the budget document. These included:
 - The General Plan
 - Pavement Management Program
 - Sewer Expansion
 - Get projects done
 - Increase spending on IT
 - Improve communications with residents
 - Accelerate road maintenance
 - Increase facility maintenance
 - Obtain water providers
 - Begin new Town Hall complex planning
- The Town had a strategically balanced budget, meaning they did not spend more on their ongoing expenses than they had in their ongoing revenues.
- The Town was dipping into their excess reserves, while still keeping their required reserves. The excess reserves could be used year after year. The Town's revenues had increased the previous year, so they did not need to dip into their reserves.
- They were aggressively using money to do road work.
- The HURF Fund also had excess reserves, which would be used for more road work.
- More capital would be spent than what was brought in for the Water Enterprise Fund. They would catch up by the end of next fiscal year.
- Staff was concerned about the Sewer Enterprise Fund because the expenses were large. They would be okay in the budget year.
- Major projects the Town would be doing: completion of the Police Department facility and equipment, asbestos removal in Old Home Manor trailers, General Plan, pool replaster and deck resurfacing, and Senior Center kitchen replacement.
- Covid State and Federal Recovery Funds combined with EPA funds would cover \$5.6 million in projects to include Perkinsville/89 water and sewer extension and the Peavine waterline extension.
- There would be approximately \$4 million in road construction completed.
- They would get the backup generators at the water treatment plant, north campus, and the Yavapai County well, water tanks, a pole barn (half), and a new fill station.
- Sewer projects included completion of the screw press, construction of the equalization basin, turbine blower, pole barn (half), a sewer line down Road 1 East, and plant expansion engineering.

Mayor Miller opened the public hearing.

- John Garden – The budget had gone up approximately 60% over the last three or four years. He questioned where most of the new revenue came from. Staff explained that the

major contributor to revenue was the sales tax revenue, which had been growing about 10% to 15%. The State Share Revenues had also been increasing. They had also received federal funding to include \$2 million in CARES Act funding and an additional \$4 million in Covid Recovery money. They also received federal grants.

- Rachelle Fernow – She had been part of the Planning and Zoning study session. They had discussed solar projects coming in and she had an idea that she was not able to bring up at the study session. The pool was a huge draw on the community. She thought they should ask some of the solar companies, like APS, to do something for the community. If APS wanted to come in and have a 400-acre solar field to then sell the power to other people, they should ask them to put solar on the pool, so they could extend their season and build revenue for the Town. They could be open longer and expand classes. \$300,000 to replaster a pool that was only used for eight weeks seemed silly to her. She thought it was a misappropriated cost considering how long it would take to bring back that revenue.

Mayor Miller closed the public hearing.

- d) Public Hearing regarding (i) Resolution No. 2022-1203, relating to the Statements and Estimates of Expenses of the Town of Chino Valley Street Lighting Improvement Districts for Fiscal Year 2022/2023, which shall constitute the budgets of the Districts for fiscal year 2022/2023 and (ii) the tax levy anticipated in conjunction with the budgets of the Districts. (Joe Duffy, Finance Director)

Recommended Action: Hold the Public Hearing.

Joe Duffy, Finance Director, presented the following:

- The Town administered the Street Lighting Improvement District for the streetlights at the Bright Star Subdivision. There were three districts.
- The property owners were assessed the levy the Council would adopt at the meeting.
- They would be adopting a total of \$3,900 for all the streetlights for the entire year.
- The County taxed each property owner in the subdivision and then sent the Town the money, and the Town then paid the power bill.
- It averaged \$10 to \$12 per resident.

Council and Staff discussed the following:

- There was not an increase from the previous year.
- The Town had been administering the fund since the Bright Star subdivision was built.

Mayor Miller opened the public hearing. Hearing no comments, the public hearing was closed.

7) **ADJOURNMENT**

MOVED by Councilmember Lon Turner, seconded by Councilmember Cloyce Kelly to adjourn the regular meeting at 6:37 p.m.

AYE: Mayor Jack Miller, Vice-Mayor Annie Perkins, Councilmember Tom Armstrong, Councilmember Eric Granillo, Councilmember Cloyce Kelly, Councilmember John McCafferty, Councilmember Lon Turner

7 - 0 PASSED - Unanimously

**SPECIAL MEETING
TUESDAY, JUNE 28, 2022
6:05 P.M.**

**Senior Center
1021 W. Butterfield Road
Chino Valley, Arizona**

AGENDA

a) CALL TO ORDER; ROLL CALL

Mayor Miller called the meeting to order at 6:37 p.m.

b) Consideration and possible action to approve Resolution No. 2022-1202, relating to the Town's Final Budget for Fiscal Year 2022/2023 and the proposed expenditure limitation for the same year, in the amount of \$46,544,100. (Joe Duffy, Administrative Services Director)

Recommended Action: Approve Resolution 2022-1202, adopting the FY 2022-23 Final Budget and establishing the FY 2022-23 expenditure limitation.

MOVED by Vice-Mayor Annie Perkins, seconded by Councilmember Tom Armstrong to approve Resolution No. 2022-1202, adopting the FY 2022-23 Final Budget and establishing the FY 2022-23 expenditure limitation.

AYE: Mayor Jack Miller, Vice-Mayor Annie Perkins, Councilmember Tom Armstrong, Councilmember Eric Granillo, Councilmember Cloyce Kelly, Councilmember John McCafferty, Councilmember Lon Turner

7 - 0 PASSED - Unanimously

c) Consideration and possible action to approve Resolution No. 2022-1203, relating to the Statements and Estimates of Expenses of the Town of Chino Valley Street Lighting Improvement Districts for Fiscal Year 2022/2023, which shall constitute and are approved as the final budgets of the Districts for fiscal year 2022/2023. (Joe Duffy, Finance Director)

Recommended Action: Approve Resolution No. 2022-1203, relating to the Statements and Estimates of Expenses of the Town of Chino Valley Street Lighting Improvement Districts for Fiscal Year 2022/2023, which shall constitute and are approved as the final budgets of the Districts for fiscal year 2022/2023.

MOVED by Vice-Mayor Annie Perkins, seconded by Councilmember Tom Armstrong to approve Resolution No. 2022-1203 relating to the Statement of Estimates of Expenses of the Town of Chino Valley Street Lighting Improvement District for Fiscal Year 2022/2023, which shall constitute and are approved as the final budget of the Districts for the fiscal year 2022/2023.

AYE: Mayor Jack Miller, Vice-Mayor Annie Perkins, Councilmember Tom Armstrong, Councilmember Eric Granillo, Councilmember Cloyce Kelly, Councilmember John McCafferty, Councilmember Lon Turner

7 - 0 PASSED - Unanimously

d) ADJOURNMENT

MOVED by Councilmember Lon Turner, seconded by Councilmember Tom Armstrong to adjourn at 6:39 p.m.

AYE: Mayor Jack Miller, Vice-Mayor Annie Perkins, Councilmember Tom Armstrong, Councilmember Eric Granillo, Councilmember Cloyce Kelly, Councilmember John McCafferty, Councilmember Lon Turner

7 - 0 PASSED - Unanimously

**EXECUTIVE SESSION
TUESDAY, JUNE 28, 2022
6:30 P.M.**

**Senior Center
1021 W. Butterfield Road
Chino Valley, Arizona**

AGENDA

1) CALL TO ORDER; ROLL CALL

- 2)** An executive session pursuant to A.R.S. §38-431.03 (a)(3) for discussion or consultation for legal advice with the Town Attorney regarding potential threatened litigation and A.R.S. §38-431.03 (a)(4) for discussion or consultation with the Town Attorney regarding a potential contract negotiation. (Andrew McGuire, Town Attorney)

3) ADJOURNMENT



A blue ink signature of Jack W. Miller, Mayor.

Jack W. Miller, Mayor

ATTEST:

Erin N. Deskins

Erin N. Deskins, 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 28th day of June, 2022. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 23rd day of August, 2022.

Erin N. Deskins

Erin N. Deskins, Town Clerk

BLUINK

CERTIFICATE OF EVIDENCE



CREATED: 2022-08-24 18:49:19 UTC

CREATED BY:

Erin Deskins

SIGNER:

Jack Miller

Phone:

Email: miataatak@gmail.com

ADDITIONAL SIGNERS:

Erin Deskins

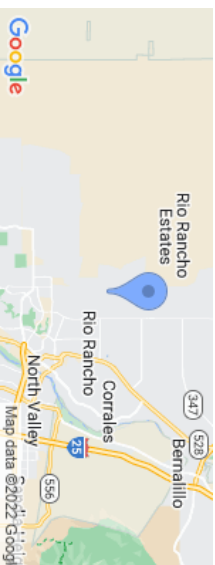
AUTHENTIFICATIONS

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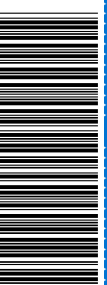
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CERTIFICATE OF EVIDENCE



CREATED: 2022-08-24 18:49:49 UTC

CREATED BY:
Erin Deskins

SIGNER:

Erin Deskins
Phone:
Email: edeskins@chinoaz.net

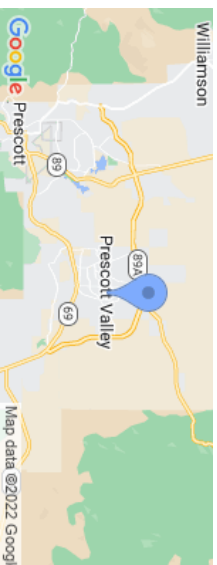
ADDITIONAL SIGNERS:

Jack Miller

AUTHENTICATIONS

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Erin N. Deskins



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Document Submitted by
Erin Deskins