

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

**Tuesday, July 10, 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, July 10, 2012.

Present: Mayor Chris Marley; Vice-Mayor Carl Tenney; Councilmember Mike Best; Councilmember Darryl Croft; Councilmember Dean Echols; Councilmember Linda Hatch; Councilmember Lon Turner

Staff Present: Interim Town Manager Robert Smith; General Services Director Cecilia Watts; Town Attorney Tom Kack; Police Commander Mark Garcia; Town Engineer/Public Works Director Ron Gritman; Town Clerk Assistant Liz Hart; Town Clerk Jami Lewis (recorder)

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

Mayor Marley called the meeting to order at 6:02 p.m.

Vice-Mayor Tenney gave the invocation and Mayor Marley led the Pledge of Allegiance.

2) INTRODUCTIONS, PRESENTATIONS, AND PROCLAMATIONS

- a) Proclamation declaring the years of 2012-2015 the "Bicentennial Years of the War of 1812," sponsored by the Arizona State Society of United States Daughters of 1812. (Mayor Marley)

Mayor Marley read the proclamation.

- b) Presentation by Mary Mallory, Prescott Valley Council Member, regarding the 9/11 Ceremony Healing Field of Northern Arizona. (Mayor Marley)

Ms. Mallory showed a video about the 9/11 Healing Field program and spoke about Prescott Valley sponsoring a Healing Field, for which the goal was to place 3,000 American flags in a certain location every year to commemorate 9/11 and Patriot Day. She invited the Town and public to participate in the event, volunteer for set up, and/or sponsor a flag.

- c) Annual Report by Ab Jackson, CEO, Chino Valley Area Chamber of Commerce. (Mayor & Council)

Ab Jackson, CEO, Chino Valley Area Chamber of Commerce, presented the Chamber's End-of-Year Report. Key components included:

- Acknowledgements of outgoing and incoming members of the Chamber's Board of Directors; Chamber staff, volunteers, and greeters; and 2011 Business of the Year, Drake Cement.
- Introduction of Chamber brand "PANE:" Promote, Advocate, Network, Economy.
- Promotion of community through Talk of the Town, ribbon cuttings, reports from Town entities, high school scholarships, Citizens Academy, and Casino Night event.
- Networking opportunities through luncheons, Business of the Month program, mixers, and membership.
- Contract with the Town for visitor center, destination marketing, business retention, and preventing business leakage.
- Publications and events for destination marketing, business retention, and business leakage, including Health and Business Expo, SpringFest, Pumpkin Festival, and Hometown Christmas.
- Chamber participation in Greater Prescott Regional Economic Partnership, Prescott Area Leadership, Central Arizona Partners, and Yavapai County Education Foundation; membership in Prescott Valley Economic Development Foundation and Northern Arizona Council of Governments sector strategies; and civic involvement in Rotary and Lions Clubs.

3) CALL TO THE PUBLIC

Kathryn Young, resident, spoke about the Town's noise ordinance, and she and many other citizens wanting the Town to take stronger enforcement measures, especially with regard to boom boxes.

4) RESPONSE TO THE PUBLIC

Mayor Marley related that there was nothing to report.

5) CURRENT EVENT SUMMARIES AND REPORTS

Councilmember Best reported that the Council Public Safety Committee held a public discussion regarding revisions to the Town's animal control ordinance, with several persons representing various canine organizations participating. The Committee will hold another meeting to go over the revisions discussed.

- a)** Report regarding vacancies on several of the Town's boards and committees. (Jami Lewis, Town Clerk)

Mrs. Lewis reported that the Council Appointments Committee had asked her and public body staff liaisons to speak about public body vacancies at a public meeting to hopefully generate more interest. She spoke about the purpose of and requirements for applying for positions on the Board of Adjustment, Municipal Property Corporation, Roads and Street Committee, and Senior Center Advisory Board; and General Services Director Cecilia Watts spoke specifically about the Parks and Recreation Advisory Board.

- b)** Report regarding a candidates forum for District #4 Yavapai County Supervisor, to be moderated by the League of Women Voters. (Jami Lewis, Town Clerk)

Mrs. Lewis reported on a candidate's forum for District #4 County Supervisor to be held on July 30 and moderated by the League of Women Voters.

Council asked staff to look into televising the forum.

Craig Brown, candidate for Supervisor, asked when he would be informed of this. Ms. Lewis stated that the League was to send out invitations very soon.

- c) Report by Mayor Chris Marley regarding the formation of an Ad Hoc Revenue Options Committee. (Mayor Marley)

Mayor Marley reported that, as he and Council had received a lot of input from the public regarding the Town's budget challenges, he intended to propose at the next meeting that Council approve the formation of an ad hoc committee, consisting of Town business persons, to help the Town identify various revenue options other than sales or property taxes.

6) **CONSENT AGENDA**

MOVED by Vice-Mayor Carl Tenney, seconded by Councilmember Darryl Croft to accept Consent Agenda items 6a, 6b and 6c.

Vote: 7 - 0 PASSED - Unanimously

- a) Consideration and possible action to approve Resolution No. 12-996 ordering that an ad valorem tax be fixed, levied and assessed on the assessed value of all 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. (Robert Smith, Interim Town Manager)
- b) Consideration and possible action to approve annual Intergovernmental Agreement (IGA) between the Town of Chino Valley and Yavapai County for emergency management services; and authorize payment of the annual dues of \$4,651.00. Funds to come from non-departmental fund line item for Yavapai County Emergency Management IGA for Fiscal Year 2012/2013. (Chuck Wynn, Interim Police Chief)
- c) Consideration and possible action to adopt Resolution No. 12-997, formally adopting a local Public Safety Retirement Board. (Cecilia Watts, General Services Director)

7) **ACTION ITEMS**

- a) Presentation by Robin Sobatta, PhD, Chairman of the Department of Business, Embry-Riddle University, and consideration and possible action to approve a Letter of Support regarding the Northern Arizona Unmanned Aircraft System (UAS) activities in support of the State of Arizona UAS Initiative. (Mayor Marley)

Robin Sobotta, Ph.D., Commissioner, Arizona Aerospace and Defense Commission and Chair, Department of Business, Embry-Riddle Aeronautical University ("ERAU"), introduced Dr. Frank Ayres, Executive Vice-President, ERAU, and presented information about Northern Arizona's response to the State's Request For Information with regard to Arizona's Test and Training Center Solicitation for Arizona Unmanned Aircraft Systems ("UAS") test ranges. Key points were:

- The FAA Modernization and Reform Act of 2012 required full integration of UAS 'drones' into national airspace by 2015, with a comprehensive integration plan to include six UAS test sites to be identified by December.
- Congress intended for these aircraft to be used; however, in light of public concerns about safety and privacy, the FAA created an Industry Code of Conduct. ERAU acknowledged the importance of security.
- The FAA had issued requests for and received public comments, and was to issue their RFP in July. Congress will establish a program for six UAS test sites, which were to be selected in December and operational in 2013.
- The State of Arizona had determined to complete for a test site location. Its UAS vision was to have main training spokes in the center of the state with outer nodes, with the Town being in the northern node.
- UAS testing in Arizona was not new, having been done for over a decade in Fort Huachuca.
- Supporting stakeholders included ERAU, Northern Arizona University, City of Prescott and Prescott Municipal Airport, Kingman Airport Authority, FAA Prescott, Army Reserve Officer Training Corps, Air Force Reserve Officer Training Corps, Casa de Aero Remote Control Modelers Association, Chino Valley Model Aviators, Yavapai Community College, Town of Chino Valley, and Congressman Paul Gosar.
- Northern node goals were to help facilitate safe and efficient integration of UAS by 2015; seek to gain safe and convenient access to limited physical UAS airspace for student and industry education, testing, and training; seek to increase Arizona academic involvement to better compete for available funding; seek to reasonably increase airport and aviation economic development activity; generate small stream of new funding for minor facility maintenance, and promote additional educational training and research opportunities.
- Flights would be done at ERAU, Chino Valley Model Aviator's ("Club") facility at Old Home Manor, and Prescott Municipal Airport, including a one-half mile-wide corridor between the Prescott Airport and the Club's site following Granite Creek Wash. There would be one to two operations per day for 2.8 miles total, no more than 400 feet line of sight over the top of Perkinsville Road, and no flights over parks, populated areas, or occupied structures. ERAU would serve as range manager, and the Club would need to produce evidence of \$1 million liability with the Town named as additional insured. ERAU would post flight schedules for the public.

Council asked about this fitting into ERAU's curriculum, the Club's insurance issues being addressed separately with Council, ERAU needing a facility at Old Home Manor, future expansion, and infrared filming. Dr. Sobotta related that:

- ERAU had an unmanned systems minor, and recently two students placed eighth in the nation in unmanned systems target recognition. The subject could also be included in courses related to global security, safety data, safety science, business and technology commercialization, and engineering. They believed this would bring an economic benefit and give students internship opportunities. ERAU could have gone through this process without community input, but they wanted to be good neighbors.
- Insurance issues with the Club would be addressed separately with the Council.

- They could use the corridor, or truck the drones to OHM, and they would coordinate all that with the Club. They were also interested in collaboration with Yavapai Community College and Northern Arizona University.
- They only intended to fly the small drones. If any changes were made, or expansions considered, they would come back to Council.
- Infrared filming was not permitted by the FAA and the proposed activities were only for training and testing.

Public members asked about safety in case of a crash and alerting the Chino Valley Fire District; the corridor including the Club's land; and if ERAU had conversed with Yavapai County regarding Granite Creek Wash, specifically with regard to privacy matters. Dr. Sobotta stated that:

- The potential for fire was reduced since the drones were electric, but a safety committee was making plans, and they would inspect the area for fire indication. They also intended to post a schedule of every operation, which they could make available to the Fire District.
- ERAU could not use the Club's land without the Club's permission and the FAA's authority.
- Yavapai County was aware of the proposal and was holding off on collaboration until after the upcoming election, although they may not yet be aware of the corridor concept.

Public comment:

Craig Brown told Council that he believed this would be good for the Club and Town of Chino Valley.

Jay Riddle, President, Chino Valley Model Aviators, stated that they had concerns about risk, as their insurance might not cover this activity. While they supported this effort, the Club and ERAU needed to review more details.

Ab Jackson, CEO, Chino Valley Area Chamber of Commerce, hoped that ERAU would support the Chamber and enter into a partnership. Dr. Ayres stated that he could commit to supporting the Chamber right now, as they wanted the area to be a leader in this program and see a greater economic impact to the Town.

Rick Nichols, Secretary/Treasurer, Chino Valley Model Aviators, stated that there was a lot to work out, such as frequency uses, participation by members of applicable organizations, and runway condition. As they had aided ERAU students over the years, they would appreciate seeing some return on their investment.

Council discussion: While Council was generally supportive, they expressed some concern about liability to the Town and possible conflicts with the Club's land that they leased from the Town; and needing to be very careful while working out the details between the Town, the Club, and ERAU. They also noted that right now, only ERAU would use the corridor, but they could permit another entity to use it if said entity produced the appropriate liability.

Dr. Sobotta stated that there was a similar liability situation with a test range in New Mexico, so procedures and requirements were developed for all users. Yuma Proving Ground was instrumental in assisting with that and their insurer recommended \$1 million coverage.

Mayor Marley read a draft letter of support and Council suggested the following changes:

- Paragraph 1: After “strongly support” insert “the concept proposed in...”
- Paragraph 2: No changes.
- Paragraph 3: Add “solely to that of safe, lawful and ethical...”
- Paragraph 4: After club usage insert “and as approved by the club...” Also, add “regularly” before “occupied structures.”
- Paragraph 5: No changes.

MOVED by Vice-Mayor Carl Tenney, seconded by Councilmember Linda Hatch to accept paragraph 1 as amended.

Vote: 7 - 0 PASSED - Unanimously

MOVED by Vice-Mayor Carl Tenney, seconded by Councilmember Darryl Croft to accept paragraph 2 as presented.

Vote: 7 - 0 PASSED - Unanimously

MOVED by Vice-Mayor Carl Tenney, seconded by Councilmember Linda Hatch to accept paragraph 3 as amended.

Vote: 7 - 0 PASSED - Unanimously

MOVED by Vice-Mayor Carl Tenney, seconded by Councilmember Linda Hatch to approve para 4 as amended.

Vote: 7 - 0 PASSED - Unanimously

MOVED by Vice-Mayor Carl Tenney, seconded by Councilmember Dean Echols to accept paragraph 5 as presented.

Vote: 7 - 0 PASSED - Unanimously

MOVED by Vice-Mayor Carl Tenney, seconded by Councilmember Darryl Croft to approve the letter of support regarding the Northern Arizona Unmanned Aircraft System (UAS) activities in support of the State of Arizona UAS Initiative, and have the mayor sign the letter.

Vote: 7 - 0 PASSED - Unanimously

- b) Presentation and discussion regarding the Town's March 2013 election and the Alternative Expenditure Limitation (Home Rule Option) ballot measure. (Jami Lewis, Town Clerk)

Mrs. Lewis presented an overview of the Alternative Expenditure Limitation (Home Rule Option), the Town's Home Rule election history, the 2013 Home Rule election timeline, and possible educational outreach methods.

Council suggested contacting Ab Jackson to add his Talk of the Town radio show to the educational outreach plan.

- c) Discussion and possible action regarding an amendment to the membership of the Roads and Streets Committee. (Council Appointments Committee)

Councilmember Hatch reported that at a recent Appointments Committee meeting, Vice-Mayor Tenney suggested that Council consider reducing the number of members on the Roads and Street Committee from nine to seven, as it was proving difficult to fill the seats. Councilmember Croft advised that the Committee's by-laws would need to be revised.

Councilmembers suggested:

- Reducing the number of professionals from five to "up to three."
- Amending the number of Councilmembers on the Committee from three to "up to three."
- That staff bring back revised by-laws and keep recruiting members.

MOVED by Vice-Mayor Carl Tenney, seconded by Councilmember Darryl Croft to amend the bylaws of the Roads and Street Committee to provide for a total of seven members, up to three councilmembers, and up to three with engineering backgrounds.

Vote: 7 - 0 PASSED - Unanimously

- d) Consideration and possible action to approve the May 22, 2012 Regular Meeting minutes. (Absent: Councilmember Turner) (Jami Lewis, Town Clerk)

Councilmember Hatch requested an amendment to item 7a under public comment, separating statements made by herself and the interim town manager.

MOVED by Vice-Mayor Carl Tenney, seconded by Councilmember Linda Hatch to approve the May 22, 2012 Regular Meeting minutes as amended. Councilmember Turner abstained.

Vote: 7 - 0 PASSED - Unanimously

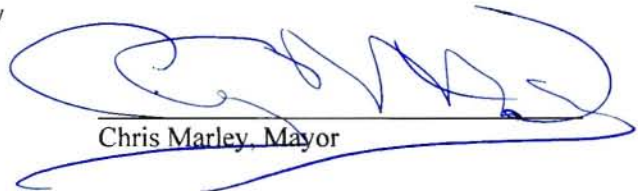
8) EXECUTIVE SESSION

Council held no executive sessions.

9) ADJOURNMENT

MOVED by Vice-Mayor Carl Tenney, seconded by Councilmember Linda Hatch to adjourn the meeting at 8:22 p.m.

Vote: 7 - 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 10th day of July, 2012. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 11th day of September, 2012.



Jami C. Lewis, Town Clerk