

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

**TUESDAY, OCTOBER 7, 2014
6:00 P.M.**

The Town Council of the Town of Chino Valley, Arizona, met for a Special Meeting in the Chino Valley Public Library Community Room, located at 1020 W. Palomino Road, Chino Valley, Arizona, on Tuesday, October 7, 2014.

Present: Mayor Chris Marley; Vice-Mayor Darryl Croft; Councilmember Mike Best; Councilmember Lon Turner

Absent: Councilmember Linda Hatch; Councilmember Pat McKee; Councilmember Don Wojcik

Staff Present: Town Manager Robert Smith; General Services Director Cecilia Grittmann; Town Attorney William Sullivan; Finance Director Joe Duffy; Town Engineer/Public Works Director Ron Grittmann; Lien & Collections Technician Mike Bovée; Town Clerk Jami Lewis (recorder)

1) CALL TO ORDER; ROLL CALL

Mayor Marley called the meeting to order at 6:01 p.m.

Councilmember Turner and Town Attorney Sullivan participated via conference phone.

- 2)** An executive session pursuant to A.R.S. § 38-431.03(A)(4) for discussion or consultation with the Town Attorney in order to consider its position and instruct the Town Attorney regarding the Town's position regarding a Settlement and Release Agreement AND ADDENDUM NO. 1 that is the subject of negotiations related to the Construction Manager at Risk Contract between the Town of Chino Valley and Fann Contracting, Inc. dated June 12, 2003 and all amendments thereto. (Robert Smith, Town Manager)

MOVED by Vice-Mayor Darryl Croft, seconded by Councilmember Mike Best to go into executive session at 6:04 p.m.

Vote: 4 - 0 PASSED

Mayor Marley reconvened the special meeting at 6:18 p.m.

- 3)** Consideration and possible approval of the Settlement and Release Agreement AND ADDENDUM NO. 1 that is the subject of negotiations related to the Construction Manager at Risk Contract between the Town of Chino Valley and Fann Contracting, Inc. dated June 12, 2003 and all amendments thereto. (Robert Smith, Town Manager)

Council asked Finance Director Duffy about any concerns and Lien and Collections Technician Bovée about his intent to review the plant's logs and maintenance records.

Mr. Duffy stated that he had no outstanding concerns about the agreement.

Mr. Bovée stated that he spent several hours at the plant this morning reviewing said records.

MOVED by Vice-Mayor Darryl Croft, seconded by Councilmember Mike Best to approve the Settlement and Release Agreement that is the subject of negotiations related to the Construction Manager at Risk Contract between the Town of Chino Valley and Fann Contracting, Inc. dated June 12, 2003 and all amendments thereto.

Vote: 4 - 0 PASSED

MOVED by Vice-Mayor Darryl Croft, seconded by Councilmember Mike Best to approve Addendum No. 1 that is the subject of negotiations related to the Construction Manager at Risk Contract between the Town of Chino Valley and Fann Contracting, Inc. dated June 12, 2003 and all amendments thereto.

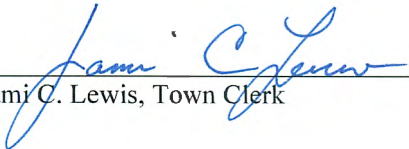
Vote: 4 - 0 PASSED

4) ADJOURNMENT

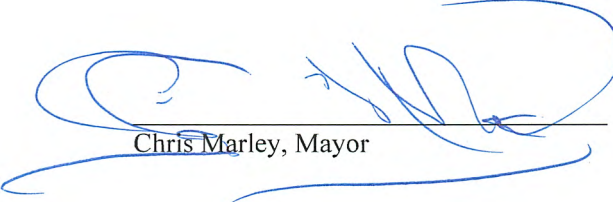
MOVED by Councilmember Mike Best, seconded by Councilmember Lon Turner to adjourn the meeting at 6:22 p.m.

Vote: 4 - 0 PASSED

ATTEST:



Jami C. Lewis, Town Clerk

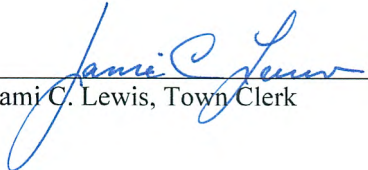


Chris Marley, Mayor

CERTIFICATION:

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Special Meeting of the Town Council of the Town of Chino Valley, Arizona held on the 7th day of October, 2014. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 18th day of November, 2014.



Jami C. Lewis, Town Clerk