

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

**TUESDAY, DECEMBER 11, 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, December 11, 2012.

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

Absent: Councilmember Darryl Croft

Staff Town Manager Robert Smith; General Services Director Cecilia Watts; Town Attorney

Present: Sharon Sargent-Flack; Finance Director Joe Duffy; Police Chief Chuck Wynn; Town Engineer/Public Works Director Ron Gritman; Town Clerk Assistant Liz Hart; Town Clerk Jami Lewis (recorder)

Attendees: Police Detective Brian Sanders

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

Mayor Marley called the meeting to order at 6:00 p.m.

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

2) INTRODUCTIONS, PRESENTATIONS, AND PROCLAMATIONS

3) CALL TO THE PUBLIC

Call to the Public is an opportunity for the public to address the Council concerning a subject 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 speaker remarks.

Ron Romley spoke about the 5th Annual Chino Hometown Christmas being held December 14-15.

Tom Payne, representing the Chino Valley Area Chamber of Commerce, spoke about the business luncheon being held on December 12.

4) RESPONSE TO THE PUBLIC

Response to the Public is an opportunity for the Mayor to inform the public about how Town officials addressed matters raised during Call to the Public at a previous meeting.

Mayor Marley had nothing to report.

5) 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, or ask a staff member to provide the same. Presentation on information requested by the Mayor and Council will be made and questions answered. No action will be taken.

Councilmember Best recognized the Public Safety Committee for their work on the dog ordinance and those who were assisting the Food Bank with their new building.

Councilmember Hatch reported on recent activities of the Northern Arizona Council of Governments Economic Development Committee (EDC) and the EDC's new Broadband Subcommittee.

Vice-Mayor Tenney reported on an upcoming Groundwater Users Advisory Council meeting on December 18.

Mayor Marley read the Monthly Mayor's Report, which presented an overview of the Home Rule proposal.

- a) Status update on grant applications and letters of inquiry by Stephen Whisenhunt, Director of Development.

Mr. Whisenhunt reported that:

- Currently, there were 17 inquiries or applications in process, with seven being due in December and six being due in January.
- Grants were being sought for the Skate Park, Library, Police, Senior Center, and Parks and Trails, as well as economic development and jobs creation.
- The Town had been invited to apply for four of the grants, and one for \$30,000 had been approved for the library expansion.

Mayor Marley noted that Drake Cement had offered to help with materials if the Town received the Tony Hawke skate park grant.

- b) Year-end Transit System report by Ed Steinback, Transit Manager.

Mayor Marley reported that Mr. Steinback was not available tonight.

- c) General overview of Town projects by Robert Smith, Town Manager.

Mr. Smith reported that on several occasions, he had received requests from the public to provide a general overview of what the Town was doing. He intended to do that tonight and once a month hereafter. Current projects included:

- Public Works Projects – State Route 89 widening south of Town; flood control projects; Library expansion and renovating of the old Town Hall; and Community Development Block Grant funding application for paving in Chino Meadows.
- Senior Center – Advisory Board was developing a non-profit status.
- Legal – Working to resolve some long-standing conflicts with Bright Star, Fann, and certain pre-annexation development agreements; working with Prescott to resolve outstanding issues with water transportation tax.
- Finance/Budget – Lots of financial planning; developing a strategic plan, evaluating utilities, reviewing new ways to budget funds and deliver services, and initiating a new budget process; and using feedback from the citizen survey to guide staff review of programmatic costs.
- Economic Development – Established business support resources center in Development Services office; working on creating industrial park at Old Home Manor; Town to get involved with Prescott Valley Economic Development Foundation and Yavapai Community College Foundation.
- Planning – General Plan update process was going well and staff will report in January.
- Facilities – Working with Police, Fire District and Yavapai College on creating training facilities at Old Home Manor.

- d) Presentation regarding the preliminary results of the recent citizen survey by Cecilia Watts, General Services Director.

Ms. Watts reported on the final results of the survey:

- On August 6, 2012, Council expressed an interest in receiving feedback from the public regarding services the Town provided and options they might consider for generating revenue.
- A citizen survey was prepared and mailed to Chino Valley's 5,775 registered voters on November 6 and surveys were accepted until November 30.
- The Town received 1,319 surveys, equating to a 22.8% response rate; only one to two percent of the surveys were submitted online.
- The Library was listed as the most used facility, followed by Recreation, Trails, Pool, and Senior Center; Transit and Municipal Court were the least used.
- Public Safety ranked as the most important department, followed by Public Works and General Government; Aquatic Center and Recreation were ranked as least important.
- Sales tax ranked highest for enhancement options, followed by a combination of sales tax and property tax, and property tax alone.
- Public safety ranked highest in support for funding by an alternative revenue source, followed by community services, services identified per Council discretion, and utilities.
- 49% supported bonding to extend utilities infrastructure and 33% supported bonding to develop an industrial park at Old Home Manor.

6) 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.

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

Vote: 6 - 0 PASSED

Other: Councilmember Darryl Croft (ABSENT)

- a) Consideration and possible action to approve the September 11, 2012 regular meeting minutes. (Jami Lewis, Town Clerk)
- b) Consideration and possible action to approve the September 25, 2012 regular meeting minutes. (Jami Lewis, Town Clerk)
- c) Consideration and possible action to approve Monthly Financial Report for Month Ended October 31, 2012. (Joe Duffy, Finance Director)
- d) Consideration and possible action to accept the dedication of public right-of-way from Sun Edison Origination 3, Inc. for the alignment of Road 4 South from State Route 89 easterly along Road 4 South at Section 2 Township 15 North Range 2 West. (Ron Grittman, Town Engineer)
- e) Consideration and possible action to approve Intergovernmental Agreement (IGA) Regarding Gang & Immigration Intelligence Team Enforcement Mission (GITEM) State Gang Task Force, between the Arizona Department of Public Safety and the Town of Chino Valley. As the Town anticipates using the saving from this IGA to bring the existing part time officer to full time, the net cost to the Town should be zero. (Chuck Wynn, Police Chief)
- f) Consideration and possible action to approve Change Order Number 1 to agreement with Civil Tec Engineering in the amount of \$960 for additional construction management services for the CDBG Project located at Center Street between Railroad and Cottonwood Lanes. Funds to come from Engineering professional services line. (Ron Grittman, Town Engineer)
- g) Consideration and possible action to approve Change Orders 1, 2, and 3 to contract with N.L. Booth Construction for the roadway widening project at Road 2 North and the Santa Cruz Wash in an amount not to exceed \$15,979.84. Funds to come from Roads Impact Fee Funds. (Ron Grittman, Town Engineer)

7) ACTION ITEMS

- a) Consideration and possible action regarding discussions held at the December 6, 2012 study session relating to sales taxes, property taxes, and possible revenue options. (Council Finance Committee)

Acronym used in this item:

FY (Fiscal Year)

Finance Director Joe Duffy presented an overview of the Town's progress on the Strategic Financial Plan ("Plan") that was initiated in August 2012. Key points were:

- Council initiated the strategic financial planning process to address a structural deficit in the general fund, resulting from dramatic revenue decreases created by the population decrease in the 2010 census and the economic downturn. If the Town took no action, it will run out of funds in FY 2014/2015.
- Since 2007, staff reduced staffing, general fund expenditures by 25%, wages by 10%, and departmental budgets by 29%.
- With the assistance of several committees, the Plan was being developed to address the deficit and keep it from happening in the future.
- The Council Finance Committee reviewed user fees, citizen survey, water and sewer rate study, revenue enhancement options, and debt restructuring.
- The Program Review Committee reviewed the 'net costs' of providing programs and services for 13 service areas.
- The Council Economic Development Committee reviewed the Town's long-term vision and action items for economic diversity and sustainability.
- The Mayor's Ad Hoc Revenue Options Committee was to review ideas for enhancing existing revenues or creating new revenue streams. As the committee did not officially form, the Mayor met with business owners in the community.
- The Survey Committee developed the recent citizen survey.
- The community had been engaged through the survey, numerous public discussions, soliciting input from the business community, and through the Town website.
- Achieving financial stability and sustainability will include updating the Town's fiscal policies and exploring revenue enhancements and/or expenditure reductions. Two options for revenue enhancement in the short term were a primary property tax or sales tax increase.
- Per the survey results, the respondents preferred a sales tax increase that could go toward public safety. A 1% sales tax would generate \$1,146,000, and postpone the Town's fiscal cliff until FY 2016/2017 and give the Town time to develop long term solutions.
- The Town was currently seeing small increases in revenues, but not enough to make a difference. The recent intent to raise utility rates will hopefully give some relief to the general fund, which currently subsidized the utility funds by \$350,000.

Town Manager Robert Smith added that Town officials needed to have a long term view. The Town's first effort in stewardship will be to create a financial policy and prove to the community that its was operating responsibly and sustainably, then re-evaluate in the hopes of reducing the public's burden.

Council Comments:

- Although many survey respondents preferred department and wage cuts to new taxes, the Town had already taken those measures, and as the largest budget items were indicated as the respondents' priorities, the money to fund those had to come from somewhere.
- A sales tax increase would help for a couple years, boost the Town's economic engine, and seemed more fair as it would spread the burden among more people.

- Although the public feared that a higher sales tax would drive businesses away, they needed to be aware of the severity of the situation.
- Council could consider adding a provision to the Ordinance adopting a sales tax increase that would allow for a decrease in the tax should the Town meet some other revenue goal, although the Town still needed to prove that it could operate in the black and maintain reserves before reducing taxes.
- The Finance Committee should start reviewing the financial policies in January.
- As the survey response percentage was fairly low, Council still needed to know where the public's priorities were.

Public Comment:

Herbert Schuermann, Chino Meadows resident, spoke about the many residents struggling to pay for sewer service in the Chino Meadows area and the number of residents leaving as a result. Council spoke about what they hoped to do to alleviate that in the future and there being time for more citizens to bring these matters to Council before the upcoming rate increase public hearing.

Tom Payne, representing the Chamber of Commerce, preferred a combination of sales and property taxes, as sales tax increases alone would put Town businesses at a disadvantage with its neighbors, and make the Chamber's efforts toward business retention more difficult. Mayor Marley stated that when he talked with business owners, they all asked the Town to cut costs, along with their other suggestions. The Town had cut costs and was continuing to review expenses, and he passed their suggestions on to the town manager.

Gary Warren, business owner, also preferred the combination approach, as a sales tax increase would cause the Town to appear to be anti-business, and at some point, the Town's citizens needed to take responsibility for their own town.

Donna Armstrong believed that survey respondents preferred sales tax increases because they did not shop here, but if the Town and County would construct a road through to Williamson Valley, the Town would get a lot more shoppers.

Mssrs. Duffy and Smith stated that if the people approved a property tax in May 2013, the Town would not receive that revenue until November 2013. There was little time to adequately educate the public on a property tax between now and May, but it could possibly be done in May 2014.

Council discussed a need to protect the Town's revenue stream and balance the budget; needing new revenue, unless the citizens wanted a reduction in services; exploring the option of adopting a new sales tax right away and reducing it if a subsequent property tax passed; and imposing a 1% sales tax to be effective June 1, 2013.

MOVED by Vice-Mayor Carl Tenney, seconded by Councilmember Mike Best to signal the intent of Council to impose a 1% sales tax, effective June 1, and instruct staff to post the necessary notice on the Town's website and other appropriate venues.

Vote: 6 - 0 PASSED

Other: Councilmember Darryl Croft (ABSENT)

- b) Consideration and possible action to approve Professional Services Agreement with Civil Tec Engineering for the design of roadways and box culverts, including a Letter of Map Revision (LOMR) at Center Street and the Santa Cruz Wash, in an amount not to exceed \$198,894. Funds to come from Road Impact Fees Funds; although this Item was not in the Fiscal Year 2012/2013 Budget, sufficient Road Impact Fee Funds are available. (Ron Grittmann, Town Engineer)

Acronym used in this item:

FEMA (Federal Emergency Management Agency)

Mr. Grittmann reported that:

- Over the past years, the Town had been attempting to extend Road 4 South from State Route 89 easterly to the Peavine Trail. As part of the Sun Edison Project, Road 4 South had been extended one mile from its previous terminus, leaving only one mile necessary to complete this extension.
- The subject scope of work proposed a 30% design for five miles of roadway by extending Road 4 South to the Peavine Trail, then continuing a two-lane roadway from Road 4 South to Center Street within the right-of-way of the Peavine. This would provide for better circulation in the southeast portion of Town in accordance with the Town's 2007 Small Area Transportation Plan. The design will also include a box culvert along the existing right-of-way of Center Street at the Santa Cruz Wash to provide a potential third access from the Chino Meadows area to the intersection of State Route 89 and Center Street.
- The Peavine Trail's approximately 200 foot width will accommodate both a 50-foot right-of-way for a roadway and the existing hiking trail.
- Civil Tec will provide the necessary construction documents that will allow the Town to bid out certain aspects of the project, such as the box culvert at Center Street, and utilize innovative construction techniques to deliver the remainder of the roadways. Public Works crews will be utilized on portions of the project, and contractor services will be utilized on other portions of the project depending on funding restrictions.
- Staff proposed to use roads impact fee funds, which could only be used for system capacity expansion; it would take the entire fund of \$1.1 million for the project. The roadway would initially be built to dirt road standards, then topped with millings.
- As the project involved a FEMA floodplain, FEMA would also require a Letter of Map revision, which would take six to twelve months to accomplish.
- Previous discussions regarding a box culvert for a cattle crossing underneath Road 4 South, related to the Town's agreement with Deep Well Ranch, was not in the subject scope of work, as staff was hoping to find a better, less expensive way to address that.

Town Attorney Sharon Sargent-Flack asked about some possible overlap in the scope of work, phase 3, with some title research already done by the Town. Mr. Grittmann stated that the title search found that the Peavine was acquired by fee title, not through the "Rails to Trails" program, and CivilTec will not redo that title search.

MOVED by Vice-Mayor Carl Tenney, seconded by Councilmember Dean Echols to approve the Professional Services Agreement with Civil Tec Engineering for the design of the E. Center Street-Peavine Trail / E. Road 4 South loop road, including a Letter of Map Revision at Center Street and the Santa Cruz Wash, in an amount not to exceed \$198,894.

Vote: 6 - 0 PASSED

Other: Councilmember Darryl Croft (ABSENT)

- c) Consideration and possible action to approve the Professional Services Agreement with Civil Tec Engineering for design of the tactical 360 degree police shooting range at Old Home Manor in the vicinity of the Chino Valley Shooting Facility in an amount not to exceed \$10,960. Funds to come from grants obtained by the Police Department. (Ron Gritman, Town Engineer)

Mr. Gritman reported that:

- The Town had constructed two shooting ranges at Old Home Manor and various law enforcement agencies had expressed significant interest in a tactical facility.
- The Police Department had obtained grant funding in the amount of \$100,000 from Davidson Guns, AZ POST, Yavapai County Sheriff's Department, and others, for construction of a tactical 360 degree shooting facility for use only by various law enforcement personnel.
- The subject contract will develop the necessary construction documents to allow the Town to take the project to public bid. Because of the current workload, Public Works crews were not available to assist in construction; therefore, the project will be built through standard construction practices.
- The proposed facility will be located about 1,000 feet to southeast of the Model Aviators airstrip and have burms as high as 24 feet; weapons use will be restricted and no actual bullets will be used.

MOVED by Vice-Mayor Carl Tenney, seconded by Councilmember Mike Best to approve the Professional Services Agreement with Civil Tec Engineering for the design of the tactical 360 degree police shooting range at Old Home Manor in the vicinity of the Chino Valley Shooting Facility in an amount not to exceed \$10,960.

Vote: 6 - 0 PASSED

Other: Councilmember Darryl Croft (ABSENT)

- d) Consideration and possible action to adopt Resolution No. 12-999, declaring the "Chino Valley Town Code Chapter 90: Animals" as a public record and adopt Ordinance No. 12-762 repealing the Chino Valley Town Code Title IX: General Regulations, Chapter 90: Animals, and adopting the new "Chino Valley Town Code Chapter 90: Animals" by reference. (Chuck Wynn, Police Chief)

Chief Wynn reported that:

- Several months ago, the Mayor asked the Public Safety Committee to review the Town's present Animal Control Ordinance after an animal attack on two young boys. Police Department staff reviewed the current Ordinance and forwarded their recommended revisions to the Committee.
- The Committee held several meetings to review the proposed revisions with the public, as well as dog owners, breeders, and rescuers, resulting in further changes to the Ordinance.
- The proposed Ordinance contains the final recommendations from Police staff, town attorney, and the Committee.

Public Comment:

Debbie Pomeroy questioned language related to fowl, rabies vaccines, rabies control fund, and nuisance barking that had been changed since the last Committee meeting. Councilmember Best and Chief Wynn stated that:

- The reference to "fowl" should have been removed.
- Reference to the rabies control fund had been removed as the monies referenced would go to the general fund.
- As excessive barking was hard to define, and to be consistent with state statute, Police staff preferred to leave the matter up to the Animal Control Officer and the victim, rather than set a time limit in the Ordinance. Police staff will still investigate any calls regarding excessive barking.

Dr. Leonda Armstrong, business owner, expressed concern about requiring rabies vaccines at three months of age; she recommended four months, as there were health concerns at the younger age. Chief Wynn stated that three months was the Department of Health's standard, but the Town had never cited dog owners for not vaccinating a puppy.

Council suggested clarifications to the licensing fees and dogs-at-large sections. They also discussed the issues raised by the public and generally agreed with removing the reference to fowl, the rabies control fund monies going to the general fund, and following the Police recommendation with regard to nuisance barking.

Town Attorney Sharon Flack suggested that the confusion in the "Dog-At-Large" definition could be resolved by referencing the the definition of "Under Control" therein.

MOVED by Vice-Mayor Carl Tenney, seconded by Councilmember Mike Best to adopt Resolution No. 12-999, declaring the "Chino Valley Town Code Chapter 90: Animals" as a public record and adopt Ordinance No. 12-762 repealing the Chino Valley Town Code Title IX: General Regulations, Chapter 90: Animals, and adopting the new "Chino Valley Town Code Chapter 90: Animals" by reference, with the following amendments: (i) §90.02 item 5, take out the words "physically restrained" and add in "Under Control;" (ii) §90.02, item 15, take out "or fowl;" (iii) §90.08(A), change the second sentence for license fees to be set at the discretion of Council; and (iv) where the document references "three months," substitute "four months."

Vote: 6 - 0 PASSED

Other: Councilmember Darryl Croft (ABSENT)

- e) *Continued from December 6, 2012:* Consideration and possible action to fund abatement of properties within the Town of Chino Valley. Funding source to be determined per December 6, 2012 study session discussion. (Chuck Wynn, Police Chief)

Chief Wynn stated that nothing had changed since staff presented this matter to Council on December 6.

Mayor Marley explained for the public that several abandoned properties in Town had caused a financial drain on the Code Enforcement Division to remove weeds and trash. The condition of these properties also presented health and fire hazards. He asked staff if there was \$10,000 in contingency to abate these properties. Town Manager Robert Smith stated that there was. He added that if the Town chose to pay the back taxes and clean up any of

these properties, it would seek repayment from anyone who attempted to pay the back taxes later.

MOVED by Vice-Mayor Carl Tenney, seconded by Councilmember Linda Hatch to set aside \$10,000 from contingency fund for the purpose of cleaning up properties as directed by the Town [LISTEN 8:45 p.m.]

Vote: 6 - 0 PASSED

Other: Councilmember Darryl Croft (ABSENT)

- f) Consideration and possible action to amend Article 4: Hours of Work/Working Conditions of the Memorandum of Understanding Between the Town of Chino Valley, Arizona and the Chino Valley Police Officers Association.

Acronym used in this item:

MOU (Memorandum of Understanding)

POA (Chino Valley Police Officers Association)

POA President Brian Sanders reported that:

- The current MOU adopted by Council on July 8, 2010 remained in effect year-by-year until a new MOU was approved by all parties pursuant to the meet and confer Ordinance No. 08-705.
- The subject amendment will allow greater flexibility for Police administration in scheduling manpower on a 24 hour, 7 day per week basis. Currently, administration was required to schedule sworn police officers based upon a mandated 40 hour work week. A current change to Arizona Revised Statute § 23-392 allowed sworn officers to work a schedule based upon a 80 hour pay period, and it required the employer's and staff's consent prior to being enacted.
- The members of the POA voted to authorize POA leadership to amend the MOU with town management.
- Should Council approve the amendment, it will affect only sworn personnel and not other police department employees.

Police Chief Chuck Wynn added that under federal law, public safety employees could work over a 28 day period, but Arizona put officers on the same work cycle as other workers, so he often ended up with days having too many or not enough bodies. This change will allow him to provide better coverage and the Town may save some money over time.

Town Attorney Sharon Flack reported that she made one change to the amendment to clarify that it applied only to sworn personnel, and she also placed the amendment language into the proper format, tethering it to the original MOU.

MOVED by Vice-Mayor Carl Tenney, seconded by Councilmember Linda Hatch to approve amendment of Article 4 of the Memorandum of Understanding Between the Town of Chino Valley, Arizona and the Chino Valley Police Officers Association as corrected by the town attorney between the Town of Chino Valley and Chino Valley Police Officers Association.

Vote: 6 - 0 PASSED

Other: Councilmember Darryl Croft (ABSENT)

- g) Consideration and possible action to approve the July 2, 2012 special meeting minutes.
(Absent: Councilmember Turner) (Jami Lewis, Town Clerk)

MOVED by Vice-Mayor Carl Tenney, seconded by Councilmember Linda Hatch to approve the September 6, 2012 study session minutes.

Vote: 5 - 0 PASSED

Other: Councilmember Darryl Croft (ABSENT)
Councilmember Lon Turner (ABSTAIN)

8) **EXECUTIVE SESSION**

Council may vote to go into executive session, which will not be open to the public, for legal advice and discussion with the Town's attorneys on any of the above agenda items pursuant to A.R.S. § 38-431.03(A)(3).

MOVED by Vice-Mayor Carl Tenney, seconded by Councilmember Linda Hatch to go into executive session for items 8a and 8c at 8:51 p.m.

Vote: 6 - 0 PASSED

Other: Councilmember Darryl Croft (ABSENT)

- a) Council may vote to hold an executive session pursuant to Arizona Revised Statutes § 38-431.01(A)(3), discussion or consultation for legal advice with the attorney or attorneys of the public body, and/or § 38-431.01(A)(4), discussion or consultation with the attorneys of the public body in order to consider its position and instruct its attorneys regarding the public body's position regarding a pre-annexation development agreement that is the subject of pending litigation, *Cortez Enterprises v. Town of Chino Valley*, CV 2006-1407, Yavapai County Superior Court, including but not limited to the October 10, 2012 mediation. (Mayor Marley)
- b) Consideration and possible action regarding pre-annexation agreement that is the subject of pending litigation, *Cortez Enterprises v. Town of Chino Valley*, CV 2006-1407, Yavapai County Superior Court, including but not limited to the October 10, 2012 mediation.
- c) Council may vote to hold an executive session pursuant to Arizona Revised Statutes § 38-431.01(A)(3), discussion or consultation for legal advice with the attorney or attorneys of the public body, and/or § 38-431.01(A)(4), discussion or consultation with the attorneys of the public body in order to consider its position and instruct its attorneys regarding the public body's position regarding issues concerning water transportation/pipeline transaction privilege taxes due to the Town from the City of Prescott, including but not limited to *City of Prescott v. Town of Chino Valley*, Case No. CV 46161, Yavapai County Superior Court, Order Confirming Apportionment Formula and Apportionment Schedule filed June 21, 1996, and negotiations to settle disputes regarding the same. (Mayor Marley)

- d) Consideration and possible action regarding issues concerning water transportation/pipeline transaction privilege taxes due to the Town from the City of Prescott, including but not limited to City of Prescott v. Town of Chino Valley, Case No. CV 46161, Yavapai County Superior Court, Order Confirming Apportionment Formula and Apportionment Schedule filed June 21, 1996, and negotiations to settle disputes regarding the same.

Mayor Marley reconvened the meeting into open session at 10:19 p.m.

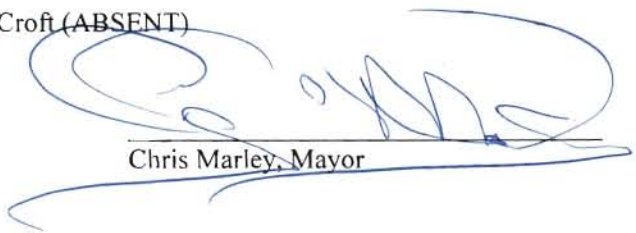
Council took no action on items 8b and 8d.

9) **ADJOURNMENT**

MOVED by Councilmember Mike Best, seconded by Councilmember Lon Turner to adjourn the meeting at 10:20 p.m.

Vote: 6 - 0 PASSED

Other: Councilmember Darryl Croft (ABSENT)



Chris Marley, Mayor

ATTEST:

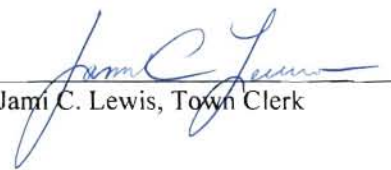


Jami C. Lewis, Town Clerk

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 11th day of December, 2012. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 22nd day of January, 2013.



Jami C. Lewis, Town Clerk