

**MINUTES OF THE REGULAR MEETING
OF THE MAGISTRATE EVALUATION SUBCOMMITTEE
OF THE TOWN OF CHINO VALLEY**

**Wednesday, November 19, 2013
1:00 P.M.**

The Magistrate Evaluation Subcommittee of the Town of Chino Valley, Arizona, convened for a regular meeting in the Chino Valley Magistrate Court, located at 1988 N. Road 1 West, Chino Valley, Arizona.

Councilmember Linda Hatch called the meeting to order at 1:25 P.M.

Members present: Councilmember Linda Hatch (Chair), Councilmember Pat McKee, Mayor Chris Marley

Staff present: Magistrate John Walker, Court Administrator Ronda Apolinar

3. APPROVAL OF MINUTES

3a. Consideration and possible action to approve the October 30, 2013 meeting minutes.

Councilmember McKee moved, seconded by Mayor Marley to approve the October 30, 2013 meeting minutes and passed.

4. CALL TO THE PUBLIC – No public comments.

5. OLD BUSINESS – No old business.

6. NEW BUSINESS

6a. Proposed financial policies for the magistrate court as relates to the Town of Chino Valley.

Councilmember Hatch presented the current court practices submitted by Finance Director Joe Duffy.

The committee reviewed court deposit practices.

Judge Walker explained the difficulty of taking deposits and keeping the separation of accountability when the court is short staffed. He reported on the following items:

- The court's requirement by Minimum Accounting Standards (MAS) to deposit monies by the next open business day. Court options deposit with local treasure or with the bank.
- Not meeting the MAS due to the fact the court does not receive a funds receipt/deposit slip on the same day when he sends the money to the finance department
- The courier signing for a locked moneybag without verifying the amount included.

A suggestion was made to have a court person deliver to the finance department or having a finance person come to the court for exact money reckoning.

The committee discussed the word treasurer, which is found in the Town code 31.26 paragraph "D"; the finance director shall hold the office of Town treasurer.

Mayor Marley clarified the chain of funds within the court.

1. The window clerk takes the payments, excluding on line payments.
2. The court administrator prepares deposit and records all anomalies, which the judge signs off.
3. The funds leave the court and goes to finance department.
4. That cash shows as an immediately deposit while credit cards and checks show as pending.

Mayor Marley expressed the following concerns

- The court and the finance department agreeing on the same procedures
- The Town remaining above reproach in the eyes of the community.

Mayor Marley advised finance director should be at the meeting and the policy should be determined between the judge and the finance director. Magistrate Evaluation Committee should not forge policy on chain of possession.

Councilmember Hatch asked about the reason for the bank deposit change. Ms. Apolinar explained for separation of duties.

The committee reviewed court daily fee book, and documenting the fact, while not required by law, the court would provide a daily fee book.

The committee reviewed disbursement procedures and insuring that the finance follows State statutes. Ms. Apolinar signs the restitution and bond checks. This item was reviewed in the last meeting and should be re-addressed with the finance director. Judge Walker expressed concerns on having the finance department sign a receipt for the month-end fee book acknowledging possession.

The court does not have a compilation of court policy and procedures and in the process of developing these policy and procedures. Judge Walker presented drafts addressing the financial aspects of the court.

6b. Review of the state standards for magistrate courts.

The committee members received a copy of the State standards for magistrate courts. Annually the court completes a required checklist and submits to the Supreme Court, which reports on the courts compliance or lack of compliance with these standards. There is an additional outside firm Town accounting audit, an in-house Town wide audit, and a ten-year audit from the Arizona Offices of the Court (AOC).

6c. Discussion of meeting notices and posting rules on the Town's website. Including Town home page, Calendar, Public meeting page – MEC and Agenda.

Councilmember Hatch explained how the Town complies with open meeting law posting rules and information on the Town's website.

6d. Discussion regarding sending a thank you note to William Sutton, retired Judge.

The committee agreed there was not a need to send a formal thank you note to Judge Sutton.

6e. Presentation by Magistrate John Walker on the "State of the Court".

Judge Walker had no further information to add regarding the state of the court

- 6f.** Discussion of magistrate evaluation plans to include type of evaluation and calendar timetable for the Magistrate Evaluation.

The committee discussed preparing a timetable for Magistrate contract evaluation and Council presentation, and future planning. The committee agreed to meet on January 20 at 3:30 p.m. at the court house.

- 6g.** Summary of topics for the next MEC meeting.

7. ADJOURN

Mayor Marley moved, seconded by Councilmember McKee to adjourn, passed at 2:10 p.m.

Submitted this 29th day of January, 2014

By: Liz Hart, Town Clerk Assistant Clerk Assistant