

**MINUTES OF THE REGULAR MEETING OF THE
TOWN COUNCIL OF THE TOWN OF CHINO VALLEY
TUESDAY, OCTOBER 28, 2025
6:00 PM
COUNCIL CHAMBERS | 202 N. STATE ROUTE 89 | CHINO VALLEY,
ARIZONA 86323**

1. CALL TO ORDER; PLEDGE OF ALLEGIANCE; ROLL CALL

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

Present: Mayor Tom Armstrong, Vice-Mayor Eric Granillo, Councilmember John McCafferty, Councilmember Sherri Phillips, Councilmember Robert Schacherer (left at 7:45 and returned at 7:50 p.m.), Councilmember Larry Holt, Councilmember Robert Switzer

Absent:

Staff Present: Town Manager Terri Denemy, Town Attorney Andrew McGuire, Officer Evan Moody (Sgt. at Arms), Executive Analyst Jessi Sorteberg, Human Resources Director Laura Kyriakakis, Development Services Director Laurie Lineberry, Assistant Development Services Director Will Dingee (left at 6:24 p.m.), Finance Director Katie Pehl, Public Works Director/Town Engineer Frank Marbury, Community Services Director Cyndi Thomas, IT Manager Spencer Guest, IT Support Technician Matt Widner, Senior Records Specialist Lisa Nottebaum, Administrative Technician Lillian Acosta, Deputy Town Clerk Sara Burchill, Town Clerk Erin N. Deskins

2. INTRODUCTIONS, PRESENTATIONS, AND PROCLAMATIONS

- a. Discussion and update from Arizona Department of Environmental Quality (ADEQ) regarding the Circle K Store fuel release remediation.

Chris Marks, Senior Environmental Scientist for ADEQ, presented the following:

- He was joined by Leigh Padgitt and Joey Kiker.
- Gave a brief history of what has been reported to ADEQ and what has transpired since the release was detected in January 2024.
- Discussed the site investigation activities including boring, monitoring wells, well samples, and soil gas surveys.
- Provided details on the extent of the release and subsurface conditions, including the geologic profile and contamination levels.
- Discussed the possible public health exposures or threats resulting from the release. There were no findings suggesting health threats to the public.
- Provided details on continuing site remediation activities to treat the contaminated subsurface soil.
- Gave a brief overview of next steps and potential closure of the case.
- Provided details of ADEQ's assessment of the source and cause of the release as reported by Circle K versus the reported environmental conditions.

Council and Mr. Marks discussed the following:

- Councilmember Switzer inquired about the elevated fuel-type contaminant levels that were found in water and what those numbers were doing.
 - Mr. Marks stated they investigated the septic system on site as a potential contributor to those numbers, but they were not able to say that it was. Furthermore, they have not been able to duplicate those results or find the presence of toluene again.
 - Councilmember Switzer stated that at some point the sump was not water tight and, with the question about exactly how much fuel was released, inquired if this was a longer-term release than originally suspected.
 - Mr. Marks stated the answer was difficult to pinpoint. All other parts of the tanks were tested and shown to be working within the regulations of the law both by ADEQ and the manufacturer of the testing method. Drilling around these systems can be difficult, and if there is contamination directly under them, it may not be detected until after those systems are permanently removed and a site assessment is conducted.
 - Councilmember Switzer inquired if this situation warranted a more in-depth investigation for long-term leakage.
 - Mr. Marks stated that ADEQ is bound by statutes establishing that ADEQ cannot be more stringent than federal requirements. In this instance, with the limited data they are able to gather, it is difficult to determine exactly why this happened. Circle K was asked to assess the situation for things like theft, but have exhausted the limit of their regulatory authority to assess the source and cause.
 - Councilmember Switzer inquired if the data was sent to the federal level to get their opinion.
 - Mr. Marks stated that they consulted EPA even from the beginning.
 - Mayor Armstrong requested a presentation from Circle K within 60 days.
- b. Presentation of Proclamation by Mayor Tom Armstrong to Agape House declaring November 2025, Homelessness Awareness Month.

Mayor Armstrong read and presented the proclamation to Agape House.

Becky Mitchell, Agape House Director, presented the following:

- She thanked Council for making affordable housing in Chino Valley.
 - Her organization has served 57 families in the last 10 years.
 - Many of the families come from tents, sheds, and garages and end up in Chino Valley. The organization also works closely with the Chino Valley Unified School District where they have 200 students every year doubled up with other families.
 - Discussed some of the services Agape House provides.
- c. Presentation of Proclamation by Mayor Tom Armstrong declaring November 1, 2025, Extra Mile Day.

Mayor Armstrong read and presented the proclamation.

d. Presentation and discussion on East Road 4 South Sewer Extension Project Phase II.

Frank Marbury, Public Works Director, presented the following:

- Gave an overview of the project for a new fuel station/convenience store on Highway 89 and Road 4 South.
- Gave a brief history of the original extension completed in October 2023 and a further extension that was completed in July 2024.
- Provided details on the suggested extensions to get utilities to the proposed Circle K establishment.
- Listed the Town's options regarding utilities for the proposed Circle K establishment.

Council and staff discussed the following:

- Councilmember Schacherer inquired if the nearby grow facility would be required to hook up to utilities also.
 - Staff stated they have a dryline in now so that they could eventually connect. However, there is a gap between properties. Staff stated they believed they would as it would reach their property line.
- Councilmember Schacherer inquired what the connection fee for Circle K would be.
 - Staff stated that it would be based on fixture units and would depend on the amount of toilets, sinks, etc, and staff does not have those numbers yet.
 - Staff felt that sewer would offer more options to Circle K such as car wash features. However, staff did not know of plans to do so.
- Councilmember Holt inquired about the lower southeast corner and if they would be supplied by this line.
 - Staff stated that it would not.
- Councilmember Switzer asked for clarification as he thought that Phase 1 was meant to go to the corner of Road 4 South.
 - Councilmember Schacherer stated that Council had made a mistake in assuming that, but it was never presented that way.
- Councilmember Switzer inquired about Phase 2 and if grow facility would be mandated to hookup.
 - Staff stated they would double check that, but believed the code stated that any commercial property was required to hook up once it reached the property line.
- Councilmember Switzer inquired who provides water to the grow facility.
 - Staff stated they are on a well.
- Councilmember McCafferty asked for clarification on where the lot line is for Circle K's property as he was under the assumption it was all one parcel.
 - Staff stated there was an illegal lot split, and they were working with Circle K on that issue. Regardless, they cannot be forced to connect now that their lot line is further south in a different location.
 - Further discussion ensued regarding the timing of the lot split and what bearing it had on the project.
- Staff stated their intent for today was to determine if Council had an appetite to extend the utilities and put together a development agreement, or just allow them to put in septic.
- Vice-Mayor Granillo inquired if Circle K would have to connect if their septic went bad.

- Staff stated they would connect when it reached the property line. Town Code specifies that for non-residential properties, they must connect to sewer and abandon any septic systems when they reach the property line.
 - Councilmember Switzer stated that things might change once the illegal lot split was settled.
 - Staff stated that it would not impact whether they had to connect to sewer.
- e. Presentation and update from Erin Deskins, Town Clerk, and staff, on functions of the Town Clerk's Office.

Erin Deskins, Town Clerk, presented the following:

- Provided the Town Clerk Department's office hours and mission statement.

Sara Burchill, Deputy Town Clerk, presented the following:

- Gave a brief breakdown of job duties and tasks performed in the execution of the position of Deputy Town Clerk including production of agendas and minutes, processing contracts, ordinances, resolutions, etc. approved by Council, Bingo and Liquor Licenses, notary services, etc.

Lisa Nottebaum, Records Specialist, presented the following:

- Provided details about her position including records management, business license issuance and maintenance, public records requests, etc.

Lillian Acosta, Administrative Specialist, presented the following:

- Listed the duties assigned to the administrative specialist including customer service, assisting with records management, utility payments, communication, and general office support.

Erin Deskins, Town Clerk, presented the following:

- The Clerk's position is outlined in Town Code §31.21.
- Briefly reviewed her job duties including administering business transacted by the Council, membership of all public bodies, and overseeing the issuance of licenses and the records retention program. She also administers and maintains the department budget and support to Council's budget, notary services, and administers all town-wide elections.
- Presented information on the upcoming Potential Candidate Information Session.

Mayor Armstrong praised the Clerk's office for helping the Town run.

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. Public comment is at the discretion of the Council and not required by

law. Individuals are limited to speak for three (3) minutes, yielding of time will not be permitted. 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 on items not on the agenda 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. Public comment is invited and encouraged, however, personal attacks on individuals is not appropriate. Disrespectful behavior will not be tolerated; this includes loud outbursts, profanity, and disruptive discussions among our audience.

There were no requests to speak.

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 Holt presented the following:

- Praised staff for a great job with the Trick-or-Treating event in Memory Park.

Mayor Armstrong presented the following:

- Stated that Trick-or-Treating was great and told an amusing story about a child wearing a 6-7 costume based on a currently popular meme.

- b. Status report by Town Manager Terri Denemy regarding Town accomplishments, and current or upcoming projects.

Terri Denemy, Town Manager, presented the following:

- Echoed the sentiments about the Trick-or-Treat event and thanked staff for their work on it. Also thanked Council for participating in handing out candy. It was the largest vendor group they have had thus far.
- Recognized Michelle Codega at the courthouse for reaching 30 years of service with the Town.

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.

MOVED by Vice-Mayor Eric Granillo, seconded by Councilmember Robert Schacherer to approve Consent Agenda items a, b, c, and d.

AYE: Mayor Tom Armstrong, Vice-Mayor Eric Granillo, Councilmember John McCafferty, Councilmember Sherri Phillips, Councilmember Robert Schacherer, Councilmember Larry

Holt, Councilmember Robert Switzer

NAY: None

7 - 0 Passed - Unanimously

- a. Consideration and possible action to approve the Accountability Contract with Yavapai Regional Transit in the amount of \$17,000 to help supplement the cost of local transportation.
- b. Consideration and possible action to accept a Utility Easement from Meurs Country West, LLC, for the maintenance and operation of a new 8-inch water main.
- c. Consideration and possible action to approve the Groundwater Extinguishment Credits Purchase Agreement with Rose Miserentino for 258.75 acre-feet of extinguishment credits in the amount of \$62,100.00 plus administrative fees.
- d. Consideration and possible action to approve the October 14, 2025, study session and regular meeting minutes.

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. Public hearing, consideration, and possible action to approve Resolution No. 2025-1294 for the construction of a freestanding Electronic Message Center Sign for Living Waters Church.

Recommended Action: i) Hold a Public Hearing
ii) Approve Resolution No. 2025-1294

Laurie Lineberry, Development Services Director, presented the following:

- Provided the location of the church and where the sign would be placed.
- Reviewed all steps completed by the applicant including a pre-application meeting, planning commission recommendation, and meeting all Town Code requirements.

Council and staff discussed the following:

- Councilmember Schacherer stated that most signs in town are eight feet high.
 - Staff stated that this type of sign can go up to 14 feet, and they're at 13 feet.

Council, staff, and Chuck Ray, applicant, discussed the following:

- Councilmember Schacherer stated that the conditions state "any deviation from the approved sign plan or failure to comply with the conditions of this Conditional Use Permit shall render the CUP null and void" and stated that the sign was already constructed.
 - The applicant stated that is the old sign.

- Councilmember Schacherer stated that the map shows the sign in the place it is now, and the staff report doesn't say that it will be replacing a sign.
 - The applicant stated that it would be moving about four feet to the north. There is also a mini storage sign nearby which would also be removed.
 - Staff stated that it didn't state that it would be replacing an existing sign because it's a different type of sign. Staff stated they would ensure clarity in the future.

Mayor Armstrong opened the Public Hearing.

There were no requests to speak.

Mayor Armstrong closed the Public Hearing.

MOVED by Vice-Mayor Eric Granillo, seconded by Councilmember Larry Holt to approve Resolution No. 2025-1294.

AYE: Mayor Tom Armstrong, Vice-Mayor Eric Granillo, Councilmember John McCafferty, Councilmember Sherri Phillips, Councilmember Robert Schacherer, Councilmember Larry Holt, Councilmember Robert Switzer

NAY: None

7 - 0 Passed - Unanimously

- b. Public hearing, consideration, and possible action on Ordinance No. 2025-957 regarding right-of-way frontage maintenance.

Recommended Action: i) Hold a Public Hearing
ii) Approve Ordinance No. 2025-957

Laurie Lineberry, Development Services Director, presented the following:

- Staff presented this matter to Council at the September 23, 2025, study session.
- This was to rectify an unintended removal of code language regarding frontage maintenance.

Council and staff discussed the following:

- Vice-Mayor Granillo stated that if a tree was on a homeowner's fence line and is growing over onto the street, the homeowner would be responsible for maintenance as it's their tree. He asked who would be responsible if it was on the easement.
 - Staff stated it would depend on the wording of the easement when it was recorded. It could be a Town easement or an easement between property owners.

Mayor Armstrong opened the Public Hearing.

There were no requests to speak.

Mayor Armstrong closed the Public Hearing.

MOVED by Vice-Mayor Eric Granillo, seconded by Councilmember John McCafferty to approve Ordinance No. 2025-957 regarding right-of-way frontage maintenance.

AYE: Mayor Tom Armstrong, Vice-Mayor Eric Granillo, Councilmember John McCafferty, Councilmember Sherri Phillips, Councilmember Robert Switzer

NAY: Councilmember Larry Holt

ABSTAIN: Councilmember Robert Schacherer (he was absent for the vote)

5 - 1 Passed

- c. Consideration and possible action to accept conveyance of a Special Warranty Deed for real property situated in Yavapai County from the Chino Valley Cemetery Association to the Town of Chino Valley.

Recommended Action: Accept conveyance of a Special Warranty Deed for real property situated in Yavapai County from the Chino Valley Cemetery Association to the Town of Chino Valley.

Terri Denemy, Town Manager, presented the following:

- Gave a brief history and facts of the cemetery, and the steps the Town has taken until now to acquire the cemetery.
- As the projected time of capacity is five to six years, staff anticipates the cemetery becoming an historical site once capacity is achieved.
- Thanked John Ginn, Grant Turley, and former Mayor Jack Miller for their work on this project.
- Thanked staff for their work on this project. Several departments were involved.

Council and staff discussed the following:

- Vice-Mayor Granillo inquired how many plots were left.
 - Staff stated there were 550 plots left and about 300 cremation spots.

MOVED by Vice-Mayor Eric Granillo, seconded by Councilmember Sherri Phillips to accept conveyance of the Special Warranty Deed for real property situated in Yavapai County from the Chino Valley Cemetery Association to the Town of Chino Valley.

AYE: Mayor Tom Armstrong, Vice-Mayor Eric Granillo, Councilmember John McCafferty, Councilmember Sherri Phillips, Councilmember Robert Schacherer, Councilmember Larry Holt, Councilmember Robert Switzer

NAY: None

7 - 0 Passed - Unanimously

- d. Consideration and possible action to approve Ordinance No. 2025-954 amending Town Code Chapter 91 regarding the Chino Valley Cemetery.

Recommended Action: Approve Ordinance No. 2025-954 amending Town Code Chapter 91 regarding the Chino Valley Cemetery.

MOVED by Vice-Mayor Eric Granillo, seconded by Councilmember Robert Switzer to approve Ordinance No. 2025-954 amending Town Code Chapter 91 regarding the Chino Valley Cemetery.

AYE: Mayor Tom Armstrong, Vice-Mayor Eric Granillo, Councilmember John McCafferty, Councilmember Sherri Phillips, Councilmember Robert Schacherer, Councilmember Larry Holt, Councilmember Robert Switzer

NAY: None

7 - 0 Passed - Unanimously

7. ADJOURNMENT

MOVED by Councilmember Sherri Phillips, seconded by Vice-Mayor Eric Granillo to adjourn at 7:55 p.m.

AYE: Mayor Tom Armstrong, Vice-Mayor Eric Granillo, Councilmember John McCafferty, Councilmember Sherri Phillips, Councilmember Robert Schacherer, Councilmember Larry Holt, Councilmember Robert Switzer

NAY: None

7 - 0 Passed - Unanimously

ATTEST:



Erin N. Deskins

Erin N. Deskins, Town Clerk

A handwritten signature in blue ink, reading "Tom Armstrong".

Tom Armstrong, Mayor

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 October, 2025. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 18th day of November, 2025.

Erin N. Deskins

Erin N. Deskins, Town Clerk