

**MINUTES OF THE REGULAR MEETING
OF THE TOWN COUNCIL OF THE TOWN OF CHINO VALLEY
TUESDAY, FEBRUARY 27, 2024
6:00 PM
COUNCIL CHAMBERS | 202 N. STATE ROUTE 89 | CHINO VALLEY,
ARIZONA 86323**

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

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

Present: Mayor Jack Miller, Vice-Mayor Tom Armstrong, Councilmember Annie Perkins, Councilmember Eric Granillo, Councilmember John McCafferty, Councilmember Sherri Phillips, Councilmember Robert Schacherer

Absent:

Staff Present: Town Manager Cindy Blackmore; Town Attorney Andrew McGuire; Officer Steve Sellers (Sgt. at Arms); Assistant to the Town Manager Terri Denemy; Finance Director Kathryn Pehl; Development Services Director; Laurie Lineberry; Water Consultant Mark Holmes (remote); Community Services Director Cyndi Thomas; Public Works Director/Town Engineer Frank Marbury; Lieutenant Randy Chapman; Audio Visual Technician Lawrence Digges; Deputy Town Clerk Sara Burchill; Town Clerk Erin N. Deskins

2. INTRODUCTIONS, PRESENTATIONS, AND PROCLAMATIONS

- a. Presentation by David Seigler with United Way regarding the Town's successful United Way campaign.

David Seigler, Executive Director and CEO of United Way of Yavapai County, presented the following:

- United Way funded about 45 non-profit programs in Yavapai County via paycheck deductions. This had been done in Yavapai County for over 30 years.
- In looking for new leadership, United Way created the Campaign Cabinet on which Mayor Miller served.
- Cindy Blackmore and Town staff supported the effort by running an employee-driven campaign chaired by Cyndi Thomas and Terri Denemy.
- The Town raised about \$7,500 for the community in three weeks.
- Due to its success, United Way shared the campaign with other municipalities across the county as the example of Best Practices.
- United Way awarded Chino Valley the Best New Campaign in the County.
- United Way awarded Mayor Miller with the Trailblazer award for carving out new territory.

Thanked the Council for its leadership and staff for their dedication to the community.

- b. Presentation and discussion regarding an update on the Parks & Recreation Advisory Board.

Cyndi Thomas, Community Services Director, presented the following:

- Last year, the Council approved the restructuring of the Parks & Recreation Advisory Board bylaws which enabled them to appoint new members..
- The new members were a very focused group with varying backgrounds and were eager to make Parks & Recreation the best around.
- Early July was their first meeting where they got an idea of what each member's vision was for Parks & Recreation.
 - The Board decided to do a community-wide survey which was published at the end of October until the end of November.
 - The survey received 1,000 responses.
 - The Board met again in January to review the results where they determined that the questions were not specific enough. The Board specified and refined some of the questions and put out another survey that would be out for about another month.
 - Once completed the Board would come back together to discuss the updated results.
- The questions included demographics, more specifics surrounding the types of activities and events residents wanted to see, and whether people would be willing to help with various events.
- Once the survey was closed the Board would come back to Council to give the results and make recommendations.
- The results of the last survey were not being made public until they had received clarification on the vague questions.

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 that is not on the agenda. 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 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. Disrespectful behavior will not be tolerated; this includes loud outbursts, profanity, and disruptive discussions among our audience.

Cathy Middlested presented the following:

- She lived at 380 Lauren Lane. She wanted to talk to the Council about impact fees. 385 and 435 Lauren Lane was in the process of grading and laying foundation for two homes. As a result Lauren Lane had been significantly damaged. She didn't feel that the citizens should bear the cost of fixing the road and it needed to be put on developer. If impact fees were not charged to the developer she wanted to see the building department hold up the Certificate of Occupancy until the road was fixed. The damage would continue until the building was complete. She provided pictures of the damaged road to Council.

Mayor Miller requested the Town Manager look into the matter.

Larry Holt presented the following:

- Regarding Lauren Lane, he counted 30 trucks in one afternoon and it went on for two weeks. The road was just redone by the Town less than three years ago. He hoped there was some way to make the developer responsible for the damages.

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.

Mayor Miller presented the following:

- Wished a happy 10th anniversary to Councilmember Annie Perkins.
- Wished a happy 3rd anniversary to Town Manager Cindy Blackmore.

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

Cindy Blackmore, Town Manager, presented the following:

- The Town was accepting applications for the 2024 Citizen's Academy. It would be seven sessions once per week from 5:30 – 7:30 p.m. Wednesday, March 27 – May 8th. There were 20 spaces available.
- Coffee with Cops would be held tomorrow at 8:00 a.m. at the Senior Center.
- Luck of the Irish Family Bingo would be held on March 2nd at 6:00 p.m. at the Senior Center.
- Dr. Seuss Movie Night on March 2nd at 5:30 p.m. at the Community Center.

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.

Councilmember Perkins requested to pull item 5(c) from the Consent Agenda.

Councilmember McCafferty requested to remove item 5(d) from the Consent Agenda.

MOVED by Vice-Mayor Tom Armstrong, seconded by Councilmember John McCafferty to approve the remaining Consent Agenda items as presented.

AYE: Mayor Jack Miller, Vice-Mayor Tom Armstrong, Councilmember Annie Perkins, Councilmember Eric Granillo, Councilmember John McCafferty, Councilmember Sherri Phillips,

Councilmember Robert Schacherer

7 - 0 PASSED - Unanimously

- a. Consideration and possible action to approve amendments to the Town's Organizational Chart.
- b. Consideration and possible action to approve Ordinance 2024-939 amending the Town Code relating to Chapter 31 - Town Organizational Chart.
- c. Consideration and possible action to approve an amendment to the Amended Lease Agreement between the Town of Chino Valley and Yavapai County Community College District to extend the current lease for an additional ten-year term, through April 18, 2035.

Councilmember Perkins presented the following:

- She appreciated the college but had concerns about renewing the lease agreement concerning section 4.1.3 which stated the Town would not operate any motor vehicle sports. She wanted to discuss it with Council at a later time. They still had a year before needing to extend the lease.

Council and staff discussed the following:

- Councilmembers inquired if the request was to table or continue the item.
 - Andrew McGuire, Town Attorney, stated that either motion would work. As it was not a public hearing, they could continue with no specific date or table.

No objections were presented by the Council.

MOVED by Councilmember Annie Perkins, seconded by Councilmember John McCafferty to table item 5c until staff and Yavapai College could communicate.

AYE: Mayor Jack Miller, Vice-Mayor Tom Armstrong, Councilmember Annie Perkins, Councilmember Eric Granillo, Councilmember John McCafferty, Councilmember Sherri Phillips, Councilmember Robert Schacherer

7 - 0 Passed - Unanimously

- d. Consideration and possible action to approve a Professional Services Agreement with Montgomery & Associates for the Underground Storage Facility Permit Renewal.

Councilmember McCafferty pulled this item to allow Mr. Holmes to explain in greater to the Council and public as this was a once in a 20-year operation and was a key component to the Town's water management and he felt it would be good to disclose more to the public about it.

Mark Holmes, Water Consultant, presented the following:

- This item was dealing with Town's underground recharge facility permit renewal.
- Provided a copy of what the permit looks like. It would expire March 3, 2025, and must be renewed every 20 years.
- The current permit was for the location at Old Home Manor, which could recharge up to 1,120 acre feet per year. The Town was currently recharging 350-acre feet per year.
- The permit allowed for the construction of up to 12 one-acre recharge basins which could be further enhanced with 100-foot vadose wells that would allow enhanced percolation of the effluent coming from the reclamation facility.
- The permit renewal would require a groundwater model to be created, and model the current and future projected amount of reclaimed water to be recharged at the facility.
- The facility allowed for recycled water to be recharged and stored underground, helping with banking long term storage credits of the recycled water for future use. The recycled water could then be recovered through the Town's recovery well permits and then put back into the distribution system. Part of the water supply is left underground and monitored by the State as part of meeting safe yield requirements.
- The Town had five active basins and three inactive basins.
- Gave a brief history of steps leading up to the renewal projects regarding the underground storage facility permit.
- Staff was recommending approval of the Professional Services Agreement with Montgomery & Associates in the amount of \$80,000.

MOVED by Vice-Mayor Tom Armstrong, seconded by Councilmember Annie Perkins to approve a Professional Services Agreement with Montgomery & Associates in the amount of \$80,000 for the Underground Storage Facility Permit Renewal for the Old Home Manor recharge project.

AYE: Mayor Jack Miller, Vice-Mayor Tom Armstrong, Councilmember Annie Perkins, Councilmember Eric Granillo, Councilmember John McCafferty, Councilmember Sherri Phillips, Councilmember Robert Schacherer

7 - 0 PASSED - Unanimously

- e. Consideration and possible action to approve a Professional Services Agreement with Lyon Engineering for the design of the planned reconstruction of Reed Road between Road 1 North and Road 3 North for the amount of \$49,785.
- f. Consideration and possible action to authorize the Police Department to apply for and approve expenditure of funds for a \$47,430.01 Government of Highway Safety grant.
- g. Consideration and possible action to approve Resolution No. 2024-1246 amending the previously approved Call of Election Resolution.
- h. Consideration and possible action to approve the January 23, 2024, study session minutes.

- i. Consideration and possible action to approve the January 23, 2024, 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. Consideration and possible action to accept the Annual Comprehensive Financial Report for Fiscal Year ending June 30, 2023.

Recommended Action: Accept the Annual Comprehensive Audited Financial Report and the Annual Expenditure Limitation Report for fiscal year ending June 30, 2023, as prepared by Henry & Horne, LLP, Certified Public Accountants.

Kathryn Pehl, Finance Director, presented the following:

- The audit results were being presented by Brian Hemmerle from Baker Tilly. The Town contracted with them as an external auditing firm to review the Town's financial statements to maintain transparency and fiscal integrity.

Brian Hemmerle, presented the following:

- The external audit was required by State statute.
- The audit was finished in the fall of 2023 and the report was issued on December 11, 2023.
- The Town was issued an unmodified/unqualified opinion, which meant the Town had a clean opinion on its financial statements.
- Regarding the Compliance Report, there were no instances of noncompliance or other matters and there were no identified material weaknesses.
- The company provided reasonable assurance that the financial statements were free from material misstatement, but they do not provide absolute assurance as that would require testing every transaction. Various controls were used to conduct the audit.
- There were no unusual transactions identified and no difficulties or disagreements with management.
- There was no fraud or potential fraud identified.
- The report contained a management discussion analysis which was prepared by the managers, not the auditors. The auditors do not provide an opinion on it, however, they do read through it to make sure there wasn't anything that was completely off base with what the financial statements already presented. The auditors had no issue with what management had provided.
- The Expenditure Limitation Report was required by the State of Arizona, and the Town was well under its expenditure limit by \$20.7 million.
- Provided a brief summary of the Town's expenditures.

MOVED by Vice-Mayor Tom Armstrong, seconded by Councilmember John McCafferty to accept the Annual Comprehensive Financial Report for Fiscal Year ending June 30, 2023.

AYE: Mayor Jack Miller, Vice-Mayor Tom Armstrong, Councilmember Annie Perkins, Councilmember Eric Granillo, Councilmember John McCafferty, Councilmember Sherri Phillips, Councilmember Robert Schacherer

7 - 0 Passed - Unanimously

7. ADJOURNMENT

MOVED by Councilmember Sherri Phillips, seconded by Vice-Mayor Tom Armstrong to adjourn the meeting at 6:32 p.m.

AYE: Mayor Jack Miller, Vice-Mayor Tom Armstrong, Councilmember Annie Perkins, Councilmember Eric Granillo, Councilmember John McCafferty, Councilmember Sherri Phillips, Councilmember Robert Schacherer

7 - 0 Passed - Unanimously

ATTEST:



Erin N. Deskins

Erin N. Deskins, Town Clerk

A blue ink signature of Jack W. Miller, consisting of a stylized 'J' followed by a wavy line.

Jack W. Miller, 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 27th day of February, 2024. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 26th day of March, 2024.

Erin N. Deskins

Erin N. Deskins, Town Clerk