

**MINUTES OF THE REGULAR MEETING
OF THE TOWN COUNCIL OF THE TOWN OF CHINO VALLEY
TUESDAY, MARCH 12, 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 6:01 p.m. and led the Pledge of Allegiance.

Present: Mayor Jack Miller, Vice-Mayor Tom Armstrong - remote, Councilmember Annie Perkins, Councilmember Eric Granillo - remote, Councilmember John McCafferty - arrived at 6:14 p.m., 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 Katie Pehl; Public Works Director/Town Engineer Frank Marbury; Town Water Consultant Mark Holmes; Audio Visual Technician Lawrence Digges; Deputy Town Clerk Sara Burchill; Town Clerk Erin N. Deskins

2. INTRODUCTIONS, PRESENTATIONS, AND PROCLAMATIONS

- a. Presentation and update from Vinny Gallegos with Central Yavapai Metropolitan Planning Organization (CYMPO) regarding updates on current projects and regional priorities.

Vinny Gallegos, Central Yavapai Metropolitan Planning Organization, presented the following:

- CYMPO's vision was to promote and maintain a regional coordinated transportation system for safe and efficient movement by using regional leadership to plan and promote a comprehensive, multi-modal transportation system.
- Metropolitan Planning Organizations (MPO) were federally mandated upon a population threshold, to ensure regional cooperation in transportation planning.
 - There were approximately 420 MPO's in the US, nine being in Arizona.
- Presented a map of CYMPO's planning area which included 401 square miles.
- Listed the representatives sitting on the CYMPO Executive Board of which Vice-Mayor Armstrong was a member.
- CYMPO worked with state legislators to identify projects.
 - The State was currently looking at making cuts, which might make it difficult to receive money this year. The state-wide request was for \$400 million. CYMPO requested \$33 million with \$13 million being planned for improvements on Highway 89 in Chino Valley.

Bryn Stotler, CYMPO Planner, presented the following:

- She described CYMPO's role which was to facilitate regional partnership and collaboration.
- Current roadway planning included the Sundog Connector, bike transportation, and the State Route 69 Corridor Master Plan.
- The Sundog Connector project two year planning process had been completed but was ultimately shelved due to political will not existing for the road improvement.
- CYMPO would continue to focus on the State Route 69 Corridor Master Plan which had nine segments over 17 miles, from Dewey-Humboldt to Prescott.
- CYMPO would also be focusing on their ACT-UP Active Transportation Plan increasing bicycle and pedestrian facilities, connections to transit and increasing transportation choices.
- Shared ways for the Town and public to join the conversation via email and social media.
- CYMPO was getting ready to kick off their 2025-2026 Regional Transportation Plan.

Leslie Contreras, CYMPO planner, presented the following:

- CYMPO was focusing on getting community input and feedback regarding what CYMPO was working on. Instagram and FB were CYMPO's main social media channels. They would also be utilizing flyers and newsletters for those who didn't use social media.
- Yavapai Regional Transit (YRT) was also partnering with CYMPO in their marketing efforts.

Michael Lamar, Regional Development Manager, presented the following:

- Being a regional organization, CYMPO was focused on issues that transcended jurisdictions.
- They were concentrating efforts on environmental initiatives and transit including:
 - Del Rio Springs Planning
 - Trails Plan
 - Wildlife Corridor Plans
 - Ecotourism Plan
 - There were a lot of assets in this region and working across jurisdictions to promote and market them made a lot of sense.
- CYMPO was working to link people to places and increase local ridership to improve access to jobs, education, medical facilities, shopping, etc, while reducing emissions.
 - The benefits of this included economic, quality of life, safety, reduced traffic, etc.
- Partnerships included Yavapai, YRT, and Yavapai-Apache. CYMPO was looking for more partnerships.
- CYMPO was working on building on YRT's golden and green routes and link services with Yavapai under CYMPO as the umbrella agency.

Pedro Rodriguez, Transit Manager, presented the following:

- The Yavaline (or Yav Connect) microtransit system had performed about 33,000 trips in they year and a half since it began. CYMPO forecasted that system to provide 50,000 to 60,000 trips this year.
 - There were 12 microtransit systems throughout Arizona.
- Microtransit was similar to a dial-a-ride system but was more data driven. The system provided wheelchair accessible vans that serviced short distances (approximately three miles). The service ran Monday through Friday from 6:00 a.m. to 8:00 p.m. and was \$2/ride. It was run per demand so there was no fixed route or schedule. Riders could also connect with YRT at the Courthouse Plaza.
 - The line began operation on March 4, 2024

Vinny Gallegos, presented the following:

- CYMPO would be hosting 25th annual Rural Transportation Summit October 16, through October 18, 2024 at the Prescott Resort.

Council and CYMPO staff discussed the following:

- Council inquired about weekends for the Yav Connect.
 - Staff stated they did not offer weekends at this time. The goal was for the system to evolve toward a single regional system. They wanted to be able to serve as much as possible. They recognized that YRT did not offer weekends either. The lines were largely utilized for jobs.
 - Council inquired about discounts for veterans?
 - CYMPO staff stated that veterans received a 50% discount and rides were only \$1.
 - Council inquired about any of the transit companies losing identity by going under an umbrella.
 - CYMPO stated that was not the case. It was a true regional partnership and they would be working with YRT to understand what their needs were. They were working to identify partnerships that would benefit all parties.
- b. Presentation and update from Mark Holmes, the Town's Water Resource Consultant, on the results of the Town's drinking water PFAS assessment.

Mark Holmes, Water Consultant, presented the following:

- ADEQ discovered the presence of PFAS chemicals when conducting water quality testing in August of 2023.
 - The Town then began its own PFAS water quality sampling in September of 2023.
- The EPA maximum contaminate levels were currently set at four parts per trillion (ppt) with a Health Index of one. One part per trillion was comparable to one drop in 20 volume Olympic sized pools, or one milliliter in 13.2 million gallons, or ¾ of a teaspoon in Watson Lake when it is at full capacity.
- PFAS was detected in concentrations ranging from 7.21 ppt to 8.94 ppt at the Bright Star and Country West wells, the Fill Station, and the Chino Meadows II Water

Company.

- Provided a map of where the PFAS concentrations were detected.
- Samples from the Water Reclamation Facility was showing levels of PFOA at 6.7 ppt and several others that would be put the Town above the allowed Health Index.
- The Town brought on PFAS experts who were also working with ADEQ and did an assessment of everything in the Town to determine alternative solutions for the Town to meet safe drinking water standards.
 - The consultants provided several options including:
 - Alternative 1 - Installation of PFAS treatment systems at the Town's main production wells. This would include ion exchange and granular activated carbon to treat the water.
 - Alternative 2 - Equip one of the Town's existing wells as a replacement or supplemental source for the Bright Star well.
- Showed a rendered map with potential real estate needed for installation of a wellhead treatment system (approximately a quarter acre).
- Reviewed three additional alternatives building off Alternative 2 including:
 - 2A – Pump from a newly equipped well straight into the system to supplement production from Country West.
 - 2B – Construct a fill line from a newly equipped well to the Bright Star facility for replacement of the Bright Star well.
 - 2C – Build a tank and booster for a newly equipped well to deliver directly into the water system.
 - Staff determined that 2C was the best option.
- The cost estimate for Alternative 1 was \$5.1 million and Alternative 2C was \$10.2 million.
- ADEQ had been great to partner with. They were progressive and taking on the leadership role as a state regulator over safe drinking water. They were evaluating the options with Chino Valley as a disadvantaged utility provider. The goal was to pay for the treatment completely. ADEQ had \$45 million and Chino Valley was on the top of their priority list.
- Provided a map to show what Alternative 2C would look like in execution.
- Staff was continuing to work to find solutions to alternative 2C as they are concerned about the health and safety of the Chino Meadows 2 Water Company which serviced 2,000 Chino Valley residents. If left untreated the constituents would end up in the Town's sewer system, reclamation facility, and recharged into the aquifer. It was also a concern as it was not included in the Town's Capital Improvement Plan (CIP), Integrated Water Master Plan (IWMP), or adopted rate study.
- The Water Reclamation Facility was also impacted, and staff was negotiating with a consultant to modify the plant and look at a PFAS assessment. It would be a pilot level study to optimize removal of PFAS as those chemicals were also present in consumer products being discharged into the sewer system. Staff would be looking at grants and funding for that scope of work as well.

Council and staff discussed the following:

- Council inquired if there was any chance of the EPA levels being moved up?
 - Staff stated that they had been coming down for years and would probably be set at 4ppt as the chemicals were classified as carcinogens.

- Council inquired about an Old Home Master Plan that Mr. Holmes had referred to in his presentation.
 - Mr. Holmes stated that he was referring to Phase 1 of the IWMP which had a CIP component and misstated by calling it an Old Home Manor Master Plan.
- Council inquired if there was a limitation to the amount of constituent a system would be able to filter.
 - Staff stated that higher concentrations may require more frequent replacement of the filtering media. Larger vessels were also an option.
- Council inquired if staff had evidence of PFAS in recharge fluids as a result of what might be going into the sewer system.
 - Staff stated that they had done some additional sampling, but have not yet received the results from the lab.
 - Staff shared, anecdotally, that the highest concentrations were found in areas that had experienced a violation of the Clean Water Act for nitrates where there were six to eight septic systems per acre of land. There had not been PFAS industrial complex uses in this area such as is used at the Prescott airport. Staff reiterated that this explanation was purely speculation.
- Council asked for an example of what products contains these chemicals.
 - Staff stated they were present in food containers, toilet paper, cosmetics, etc.

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.

Mark Bonacquist, Chino Valley resident, presented the following:

- Four years ago he had applied for a second home permit but was denied stating that UDO Code 2-1 was not in effect because the manufactured home was not 400 sq. ft.
- The matter went to court where the judge ordered the Town to measure the building. It measured larger than 400 square feet, but Mr. Bonacquist was then told that the State of Arizona Manufactured Housing Division would not permit the home as it was a “park model.”
- Further litigation ensued and discovery revealed correspondence from the Town Manager to Cody Johnson suggesting that the State would permit the home.
- Mr. Bonacquist was asking for the correspondence between the Town Manager and the State stating that fact, but had been told that it was attorney/client privileged. He was requesting that the Town Manager release the documents from the State of Arizona Manufactured Housing Division stating that they would permit the home and subsequently receive a permit for the home.

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

Cindy Blackmore, Town Manager, presented the following:

- Staff was currently accepting applications for the 2024 Citizen's Academy. It was a great way to learn more about the Town. It would be held from 5:30 – 7:30 p.m. March 27th – May 8th.

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 Councilmember John McCafferty, seconded by Councilmember Annie Perkins to approve Consent Agenda item 5(a) 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

NAY: None

7 - 0 Passed – Unanimously

- a. Consideration and possible action to approve a First Amendment to the Professional Services Agreement with Duke's Root Control, Inc., to study inflow and infiltration, increasing the total compensation by \$23,500, and extending the contract term from July 10, 2024, to July 10, 2025.

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. First public hearing regarding Resolution No. 2024-1243, proposing an extension to the Alternative Expenditure Limitation - Home Rule option.

Recommended Action: Hold first public hearing on Resolution No. 2024-1243.

Katie Pehl, Finance Director, presented the following:

- The Town presented the Home Rule Option to voters every four years.
- State law required governments to limit spending based on a formula that was calculated on factors from 1879-1980 as a baseline.
- The State acknowledged that the formula did not always allow communities to meet the needs of its constituents and required services and offered options such as Home Rule.
- This is the first Public Hearing. The second would be held on March 26, 2024. After that Council would call a Special Meeting to approve the measure being put on the ballot.
- 40 Arizona municipalities use the Home Rule option, 43 use a permanent base adjustment, and eight use the state limitation.
- If the measure were put on the ballot and failed it would result in Chino Valley using the 1980 baseline meaning a reduction in about 54% of town services bringing the budget from \$28.6 million down to \$13.2 million.
- The Home Rule Option would not give the Town the ability to spend whatever it wanted.
 - Council would continue to set the budget every year through budget hearings where they would make decisions on how to spend Town revenues.

Mayor Miller opened the Public Hearing.

There were no requests to speak.

Mayor Miller closed the Public Hearing.

- b. Consideration and possible action to award a construction contract for the Perkinsville Road Improvements - Phase 1, to Earth Resources Corporation for \$1,359,664.

Recommended Action: Award a construction contract for the Perkinsville Road Improvements - Phase 1, to Earth Resources Corporation for \$1,359,664.

Frank Marbury, Town Engineer, presented the following:

- This was part of the Town's Capital Improvement Program which had gone out to bid. This project was to get the water and sewer lines to the highway with the ultimate goal of getting them to the west of the highway towards Angus Place and the South to the dead end to service the future Hawksnest development.
- This would allow gravity feed of the sewer, and create a loop system.
- Staff received six bids with the low bid being from Earth Resources Corporation for \$1,359,664.
- The budget for the project was \$2.1 million putting the Town well under budget.

Council and staff discussed the following:

- Council inquired if the project was for water and sewer.

- Staff stated that the project was for the extension of a 12-inch water line and an 18-inch sewer line.
- Council inquired if the 12-inch line could be used in the future to expand further west.
 - Staff stated their consultant engineer group looked at the zoning in that area and the 12-inch line is what they came up with as being efficient. The sewer line was a little oversized. The current IWMP that was being developed would further answer such questions. Furthermore, the line currently in Perkinsville Road was a 12-inch line.

MOVED by Councilmember Annie Perkins, seconded by Councilmember John McCafferty to award a construction contract for the Perkinsville Road Improvements - Phase 1, to Earth Resources Corporation for \$1,359,664.

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

NAY: None

7 - 0 Passed – Unanimously

7. ADJOURNMENT

MOVED by Mayor Jack Miller, seconded by Councilmember Annie Perkins to adjourn the regular meeting at 7:14 p.m. and move into Executive Session.

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

NAY: None

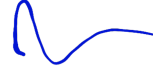
7 - 0 Passed – Unanimously

8. EXECUTIVE SESSION

- a. ~~An executive session pursuant to A.R.S. § 38-431.03(A)(3) and (4) for discussion or consultation with the Town Attorney for legal advice and to consider the Town's position regarding an Arizona Department of Environmental Quality contract concerning the technical, managerial, and financial capacity of public water systems.~~
- b. *An executive session pursuant to A.R.S. § 38-431.03(A)(4) for discussion or consultation with the Town Attorney regarding the contract related to Yavapai College.*
- c. *An executive session pursuant to A.R.S. § 38-431.03(A)(1) for discussion or consideration of*

employment, assignment, appointment, promotion, demotion, dismissal, resignation, or salary of Cindy Blackmore, Town Manager.

9. ADJOURNMENT



Jack W. Miller, Mayor

ATTEST:



Erin N. Deskins

Erin N. Deskins, 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 12th day of March, 2024. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 9th day of April, 2024.

Erin N. Deskins

Erin N. Deskins, Town Clerk