

**MINUTES  
EAGAR TOWN COUNCIL  
REGULAR MEETING  
22 W. 2<sup>nd</sup> St., Eagar, AZ  
January 4, 2011 – 7:00 P.M.**

Mayor Kim Holaway called the regular council meeting to order and welcomed those present. Mayor Holaway said to let the record show that all council members are present. Mayor Holaway led the Pledge of Allegiance and offered the invocation.

COUNCIL PRESENT:        Kim Holaway, Mayor  
                                 James Nelson, Jr., Vice-Mayor  
                                 Byron Smith  
                                 Gary Finch  
                                 Steve Erhart  
                                 Tim Rasmussen  
                                 Debbie Rogers

STAFF PRESENT:         Bill Greenwood, Town Manager  
                                 Bruce Ray, Community Development Director  
                                 Eva Wilson, Town Clerk  
                                 Katie Wood, Finance Administrator  
                                 Howard Carlson, Fire Chief  
                                 Mike Hogan, Police Chief  
                                 Doug Brown, Town Attorney

**ITEM #5: SUMMARY OF CURRENT EVENTS**

A. MAYOR

Mayor Kim Holaway reported that the Safe Routes to School Grant has been submitted electronically and via mail and met the submittal deadline.

On Wednesday, January 12, 2011 from 8:30 a.m. – 3:00 p.m. the Round Valley High School (RVHS) is conducting a follow up to the Rachel’s Challenge Program “Chain Reaction”. RVHS is looking for volunteers to facilitate discussion with high school students and move into the breakout sessions. This is a joint venture with the Apache County Drug Free Alliance sponsoring the program. Mayor Holaway has additional information for those interested in volunteering or they may contact Becky Parks.

The League of Arizona Cities and Towns (The League) has submitted a Resolution for the upcoming legislative session calling for collaboration between Arizona’s cities and towns and governor and state legislature in dealing with budget issues in the 2011 legislative session.

B. COUNCIL

Councilor Tim Rasmussen reported that the Pitch In-Clean Up Committee met this afternoon and they have revised the Main Street participation letter and it should go out by the end of this month.

Councilor Debbie Rogers reported that she attended the special meeting the Round Valley School Board had called regarding the fiscal situation and budget cuts. In regards to bussing, the school is only reimbursed for children that are bussed more than two miles from the schools. The Safe Routes to School Grant will assist with getting the children to school safely. The entire community is meeting fiscal challenges and all the government entities, health care services, and other organizations rely on each other and collaboration will become an important aspect in getting through these tough economic times.

C. STAFF

None.

**ITEM #6: OPEN CALL TO THE PUBLIC**

None.

**ITEM #7: PRESENTATIONS**

A. PRESENTATION TO JANUARY 2011 "SHINING STARS" COMMUNITY HONOREES

Councilor Debbie Rogers announced that this month's "Shining Stars" is a group of individuals that have played an integral part in the Town with their volunteerism. The Council wants to recognize the Eagar Volunteer Fire Department. The Council expresses their sincere appreciation for what the fire department does. The volunteers were recognized by their years of service:

Chris Nelson	27 years	Howard Carlson	26 years
Mike Norman	25 years	Tom Subirge	24 years
Patrick Beard	23 years	Mary Nuttall	17 years
Mike Nuttall	16 years	Albert Pena	14 years
Armando Irigoyen	12 years	Tom Beddow	10 years
Frank Adams	10 years	Steve Collins	9 years
Dino Walker	8 years	Darrel Craig	5 years
Alma Leithead	5 years	Daniel Metzger	4 years

Less than four years of service:

Gilbert Barraza	Ronnie Beard	Lea Beckman	Thomas Brown
RJ Carnright	Chris Goldsmith	Levi McDowell	Mike Meacham
Mike Tadlock	Larry Vickers		

B. PRESENTATION FROM THE LITTLE COLORADO WEED MANAGEMENT ASSOCIATION

Frank Adams introduced Denise as the presenter of this item. A handout was distributed that listed many invasive and noxious weeds found in Arizona. The handout also outlined the mission of the Little Colorado Weed Management Association (WMA) which is to protect the health of northeast Arizona's natural and agricultural resources and economy from invasive and noxious plants on both public and private lands by a mix of public education, cooperative interaction, and assistance to landowners with weed inventory or treatment.

The WMA is sponsored by the Little Colorado River Plateau RC&D as a cooperative group of government agencies, non-profits, and interested individuals. Most funding comes from the USDA Forest Service RAC grants and grants from the State of Arizona.

The WMA can help with weed inventory or treatment by:

- Sponsorship of a weed applicators license certification workshop.
- Tuition expenses for weed control licensing.
- Pre-treatment and treatment efforts within six miles of the Apache-Sitgreaves National Forest.
- Help community groups identify weeds.
- All WMA efforts require a 50/50 match from other non-federal sources.

The WMA offers public education by:

- Weed display booth at community events.
- Demonstration projects.
- Host workshops.
- Send community representative to weed education seminar.
- Education events can be anywhere within Apache or Navajo Counties.
- Website <http://www.littlecolorado.net>.
- Provide publication "Field Guide to Noxious and Invasive Weeds ...on the Apache Sitgreaves National Forest" and it is available on CD by request from Clay Van Deren, WMA Project Manager.

Depending on funding and priority the WMA could give advice to citizens on how to identify, treat, or eliminate invasive or noxious weeds on their property.

## **ITEM #8: CONSENT AGENDA**

### APPROVAL OF MINUTES OF EAGAR TOWN COUNCIL MEETINGS HELD DECEMBER 2010

Councilor Byron Smith moved to approve the Consent Agenda. Councilor Steve Erhart seconded; all were in favor, motion carried unanimously. 7-0

## **ITEM #9: UNFINISHED BUSINESS**

### A. DISCUSSION AND CONSIDERATION OF NOVEMBER FINANCIAL REPORT, AND THE TOWN'S SALES TAX REVENUE REPORT

Finance Administrator Katie Wood explained that she has made a correction to the financial report. The summary page for grant actuals is correct in that there is \$314,450 difference between the revenue and expenditures; \$230,000 was brought in from savings and that number continues to grow. As of November the Town was waiting on grant revenue in the amount of \$166,000 including WIFA, School Resource Officer, Community Development Block Grant, Energy Grant, and DUI Grant; however much of that has been received since November.

Town Manager, Bill Greenwood did not have a November sales tax revenue report. Mayor Holaway stated that she spoke to Bashas' and they reported brisk sales for the month.

**B. DISCUSSION, CONSIDERATION AND SECOND READING OF ORDINANCE 2010-08 ADDING TITLE 8.60 TO THE EAGAR TOWN CODE - FIREWORKS**

Mayor Holaway stated that there had been an amendment to Ordinance 2010-08 since the first reading adding, that if the Fourth of July or New Years Eve falls on a Sunday, the use and discharge of consumer fireworks may be used as stated in Section 8.60.20.1.1 on the Saturday prior to the Fourth of July and New Years Eve.

Vice-Mayor James Nelson, Jr. moved to approve Ordinance 2010-08 adding Title 8.60 to the Eagar Town Code – Fireworks with the noted change to Section 8.60.20.1.1.A1. Councilor Steve Erhart seconded; all were in favor, motion carried unanimously. 7-0

**ITEM #10: NEW BUSINESS**

**A. DISCUSSION AND CONSIDERATION OF RESOLUTION 2011-01 AMENDING THE PERSONNEL POLICY TO INCLUDE A STATEMENT OF ETHICS FOR TOWN EMPLOYEES**

Town Clerk Eva Wilson reported that administrators were in agreement that the personnel policy lacked an ethics policy for town employees. After administrators reviews several templates, they chose to have an ethics policy that was simple and to-the-point so that employees would be more inclined to read the policy.

Vice-Mayor James Nelson, Jr. asked if the ethics policy were violated, what type of discipline would be involved because infractions of the policy could range from minor to severe – rude comments to citizens to felonious activity. Ms. Wilson replied that the personnel policy states that the town manager has the ultimate responsibility for disciplinary action of employees.

Town Attorney Doug Brown suggested that some wording in the policy be revised so that the policy is not so definite, and is more of a document that employees should “strive” or use “best efforts” to comply with.

Vice-Mayor Nelson asked that this item be brought back to the council after Mr. Brown, Mr. Greenwood, and Ms. Wilson have a chance to meet and discuss revision

of the policy so that the policy is not so vague and the policy does not place an undue burden on town employees or administrators – i.e. employees should be able to defend themselves from undue insults from the public; yet discipline is necessary when severe violations have occurred.

**B. DISCUSSION AND CONSIDERATION OF QUOTES FOR TWO THERMAL IMAGERY CAMERAS FUNDED BY HOMELAND SECURITY GRANT**

Fire Chief Howard Carlson would like approval to purchase two thermal imagery cameras through the Homeland Security Grant. The fire department was awarded \$19,000 under this grant. After obtaining three quotes, Chief Carlson asks that he be allowed to purchase the ISI XTP for \$19,756.70. This was not the lowest quote, however, this model of camera has a video capture capability up to four hours that can be downloaded to a computer for training and after action review of incidents. The lowest quote on the Scott 320 has a video transmitter option that would require additional purchase of a laptop and software for their programs. The ISI XTP is a sole source item and is from the same company that the fire department purchases their SCBA's from and Chief Carlson reported that he has received excellent service from this company. The grant is one hundred percent funded and if the Town does not expend it on these cameras, the money must be turned back to Homeland Security.

Vice Mayor James Nelson, Jr. moved to purchase two ISI XTP Thermal Imagery Cameras for \$19,756.70. Councilor Byron Smith seconded; all were in favor, motion carried unanimously. 7-0

**C. DISCUSSION AND CONSIDERATION OF COUNCIL MONTHLY STIPEND**

Mayor Holaway brought this item back to Council half way through the fiscal year as was agreed at the beginning of the fiscal year, and because there are new council members that may have intentions for their stipend that they have currently foregone. The money from the stipend is still in the budget.

Mayor Holaway stressed that any council member should feel free to make whatever decision they comfortably want to make and not feel there is any obligation, or feel any pressure from the rest of the council.

Councilor Steve Erhart recalled that the council members did not have to accept the stipend themselves and the budgeted stipends that have not been expended could be expended in a lump sum as a community donation. One of the areas of need that has come up in the community is the elimination of high school spring sports unless the baseball/softball programs can raise some funds. The Council had also mentioned providing additional assistance to the senior center, Main Street gazebo project, an electronic sign, or firework events.

Mayor Holaway stated that her stipend has already been dedicated to the economic development line item. Councilor Rasmussen added that he wanted to donate his stipend to

the Main Street Committee because many members of that committee are expending their own funds for decorations and Main Street beautification projects.

There is approximately \$7,200 worth of stipend that has been unexpended. Councilor Erhart wasn't sure that the \$7,200 would cover spring sports – baseball and softball both have to be funded or neither can operate; spring sports also included track and field.

After much discussion, the council could break up the donations to several organizations, yet the donation should not be broken up so much that the donation was not much assistance in light of funding needed. It was also decided that the wording of the agenda item did not allow the council to make any donations with their stipends as the public did not have sufficient knowledge of the possibility of donations being awarded.

Ms. Wood stated that issuing multiple checks from the stipend line item is wholly possible without significant burden with budget amendments that need to be made.

Vice-Mayor Nelson suggested that the council bring this item back as a work session item, and Mayor Holaway agreed that this item could not move forward. She asked councilors to think about this item and a similar item will be brought back in a future agenda.

D. DISCUSSION AND CONSIDERATION OF COUNCIL LIAISONS TO DEPARTMENT HEADS

As new councilors have just started their relationships with their department heads, Mayor Holaway asked if councilors were ready to rotate liaisons. After some discussion, the council would rather change liaisons in June on an annual basis and after newly elected have been seated.

E. DISCUSSION AND CONSIDERATION OF RESOLUTION NO. 2011-02 APPROVING THE COOPERATIVE AGREEMENT BETWEEN THE ARIZONA GAME AND FISH COMMISSION AND TOWN OF EAGAR

Town Manager Bill Greenwood introduced the strike through copy of the agreement that the Town may pursue with the Arizona Game and Fish Commission. The gist of the agreement is that the Arizona Game and Fish Department would supply the land and necessary environmental, hydrology, engineering studies, and fish for a recreational fishing pond, and that the Town would supply the water and related facilities on the site. One strike through item was that the Town would supply utilities; however when the Town places facilities or lighting on the site it would heavily consider solar power.

The Town could budget short and long-term for improvements on the site for improvements such as picnic areas, restrooms, and landscaping.

The fishing pond would utilize water from irrigation and Town water systems; unless there is a drought and then the Town of Eagar must furnish water to its citizens first and only after the citizens have domestic water will water be provided to the pond. The Town currently

owns one and a half hours of irrigation and the LDS Church as four or five hours of irrigation they would be willing to rent. There may be private landowners that may also want to rent some of their irrigation hours.

The pond would also utilize storm water. There was discussion on how to prevent the pond from filling with silt from storm run-off and it is understood that a catch basin would be necessary and that Game and Fish would be willing to pay for the initial canal and catch basin and the Town of Eagar would maintain this system. Use of storm water would significantly help prevent overflow and flooding from Big Ditch.

It was also requested by the Council to add to the agreement that the Town of Eagar would have the right to name the fishing pond.

Councilor Steve Erhart moved to accept Resolution 2011-02 approving the amended cooperative agreement between the Arizona Game and Fish Commission and Town of Eagar. Councilor Gary Finch seconded; all were in favor, motion carried unanimously. 7-0

F. DISCUSSION AND CONSIDERATION OF REAPPOINTING MELISSA WEBB AND ERIC HAMBLIN TO A THREE YEAR TERM ON THE PLANNING & ZONING COMMISSION

Community Development Director Bruce Ray requested that Melissa Webb and Eric Hamblin be reappointed as their terms are expired.

Vice-Mayor James Nelson, Jr. moved to reappoint Melissa Webb and Eric Hamblin to three-year terms on the Planning and Zoning commission. Councilor Byron Smith seconded; all were in favor, motion carried unanimously. 7-0

G. DISCUSSION AND CONSIDERATION OF A GRANT PURCHASE FOR EAGAR POLICE DEPARTMENT EXCEEDING \$10,000.00 FOR MOBILE LED EMERGENCY SIGNS

Police Chief Mike Hogan notified the Council that his department received an Arizona Homeland Security, no match grant, to purchase mobile, LED emergency signs in the amount of \$42,005.34 including shipping, handling, and State Sales Tax. Chief Hogan corrects his information given to the Council in that the SMART Variable Message Sign is not under State Contract. Kustom Signals is a sole distributor of this sign. These signs are exactly like the signs the Town of Springerville currently use, thus ensuring compatibility, minimal training and ease of use by both police departments if needed.

Mayor Holaway added that the signs can be used for emergency or non-emergency use and will be a valuable tool to keep the citizens informed of events that affect them.

Vice-Mayor James Nelson, Jr. moved to approve the purchase of two SMART mobile LED emergency signs under Homeland Security Grant funding. Councilor Steve Erhart seconded; all were in favor, motion carried unanimously. 7-0

H. DISCUSSION AND CONSIDERATION OF RESOLUTION NO. 2011-03 APPROVING A GRANT APPLICATION FOR A FLOOD CONTROL PROJECT ON SCHOOL BUS ROAD AND SAFARI DRIVE

Mr. Greenwood reported that after successfully acquiring a grant to fix drainage problems on LeSueur and Amity Drive, Rob Toy inquired into other storm water problems in Eagar. School Bus Road, 12<sup>th</sup> Street, and Safari drive were recognized as having storm water problems. Mr. Toy has found possible funding to correct these problems. The resolution states that if the Town gets funded, the Town will provide some labor as an in-kind match, that the Town will maintain the structure, and appoint Mr. Toy as Project Manager and Designated Applicant Agent to apply for the grant and work with the federal agencies as needed.

Although this project will require some match from the Town, the administrative fees and other labor the Town will charge for, more than offsets the match. The project will provide a positive cash flow to the Town during construction. If approved, the project probably won't be ready for construction for another year, which allows time to complete the LeSueur Drainage and Hamblin/Brown Street CDBG projects. This project also shows local cooperation between the county and state and thus allows for the rest of funding to come from federal sources. The time frame also allows for the Town to budget the project for fiscal year 2011-2012 or 2012-2013.

Councilor Debbie Rogers' concerns included FEMA ability to affect flood insurance for citizens. For a period of two or three months, FEMA shut down any kind of funding for flood insurance, it was just not available, and they can apply the restrictions again, thus flood control is an urgent issue.

Vice-Mayor Nelson asked that the project consider one hundred percent build out for areas that are not now considered for growth. Mr. Greenwood assured him that build out is considered in this project. This project could also incorporate plans for the fishing pond, so that the storm water could be diverted to the pond with protective structures included to prevent overflow of the pond (fish leaving the pond and getting into the Little Colorado River), and reduce sediment filling in the pond. The Town will just need to ensure that the storm water path is maintained; therefore, the Council would like to ensure that maintenance would be reasonably easy.

Vice-Mayor James Nelson, Jr. moved to accept Resolution 2011-03 approving a grant application for a flood control project affecting School Bus Road and Safari Drive as amended. Councilor Steve Erhart seconded; all were in favor, motion carried unanimously.  
7-0

I. DISCUSSION AND CONSIDERATION TO APPROVE RESOLUTION NO. 2011-04 AN INTERAGENCY AGREEMENT WITH SPRINGVILLE POLICE DEPARTMENT, APACHE COUNTY SHERIFF DEPARTMENT, ARIZONA DEPARTMENT OF PUBLIC SAFETY, APACHE COUNTY ADULT/JUVENILE PROBATION DEPARTMENTS,

ARIZONA GAME AND FISH DEPARTMENT, AND THE ST. JOHNS POLICE  
DEPARTMENT FOR THE USE OF THE EPD SHOOTING RANGE

Chief Hogan stated that several law enforcement agencies use the Eagar Shooting Range. This is an Interagency Agreement that the Council approved last year with rules that the other agencies needed to abide by. Chief Hogan would like to make some changes to the agreement making the term of the agreement five years instead of one year; that the guest agency provide an annual Certificate of Insurance, and shall provide an annual report with the Eagar Police Department about the use of the range as required by the AZPOST grant.

There has been one minor injury occur on the range, a sprained ankle, and the county accepted the workers compensation claim for that injury to a county employee. Councilor Rogers stated that a \$1,000,000 Certificate of Insurance is an industry standard. Chief Hogan is taking on the responsibility himself to collect the annual Certificate of Insurance.

Vice-Mayor James Nelson, Jr. moved to accept Resolution 2011-04 an interagency agreement with Springerville Police Department, Apache County Sheriff Department, Arizona Department of Public Safety, Apache County Adult/Juvenile Probation Departments, Arizona Game and Fish Department, and the St. Johns Police Department for the use of the Eagar Police Department Shooting Range. Councilor Steve Erhart seconded; all were in favor, motion carried unanimously. 7-0

**ITEM #11: SIGNING OF DOCUMENTS**

Mayor and Council signed the Minutes of December 2010. Ordinance 2010-08; and Resolutions 2011-02, 2011-03 and 2011-04.

**ITEM #12: ADJOURNMENT**

Councilor Gary Finch moved to adjourn the meeting at 8:40 p.m. Councilor Debbie Rogers seconded; all were in favor and the motion carried unanimously. 7-0

Attest: \_\_\_\_\_

Mayor: \_\_\_\_\_

Vice-Mayor: \_\_\_\_\_

Council: \_\_\_\_\_

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Eagar Council Regular Session  
January 4, 2011

CERTIFICATION OF COUNCIL MINUTES

I hereby certify that the foregoing minutes are true and correct copy of the minutes of the regular session of the Town of Eagar, Arizona held on January 4, 2011. I further certify that the meeting was duly called and held and that a quorum was present.

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Eva M. Wilson, Town Clerk