

**MINUTES  
EAGAR TOWN COUNCIL  
REGULAR MEETING  
22 W. 2<sup>nd</sup> St., Eagar, AZ  
October 4, 2016 - 7:00 P.M.**

Mayor Bryce Hamblin called the Regular Council Meeting to order and welcomed those present. Mayor Hamblin requested that the record show that all Councilmembers are present. Mayor Hamblin led the Pledge of Allegiance and Winslow McNeill offered the invocation.

COUNCIL PRESENT: Bryce Hamblin, Mayor  
James Nelson, Jr., Vice Mayor  
Debra Seeley  
Steve Erhart  
John O. Phelps  
Winslow McNeill  
Allen Browning

STAFF PRESENT: Tami Ryall, Town Manager  
Katie Brady, Finance Manager  
Eva Wilson, Town Clerk  
Frank Adams, Fire Chief  
Mike Sweetser, Interim Police Chief

**ITEM #5: UNFINISHED BUSINESS**

A. DISCUSSION AND CONSIDERATION OF TOWN MANAGER TAMI RYALL  
EMPLOYMENT AND CONTRACT

Mayor Bryce Hamblin advised Council that the Town was contacted by an attorney representing Ms. Ryall and wanted to discuss a possible severance package.

The Town is being represented by an attorney from the Town risk pool and that attorney has requested the Town have a meeting with him possibly this week before an action is decided upon.

Mayor Bryce Hamblin moved that Manager Tami Ryall be placed on paid administrative leave indefinitely to give the Town time to meet with its attorney. Councilor Steve Erhart seconded; six council members were in favor of the motion, Vice-Mayor James Nelson, Jr. was opposed, motion carried. 6-1

**ITEM #6: SUMMARY OF CURRENT EVENTS**

A. MAYOR

None.

B. COUNCIL

None.

C. STAFF

None.

**ITEM #7: OPEN CALL TO THE PUBLIC**

None.

**ITEM #8: PRESENTATIONS**

A. UPDATE TO THE TOWN COUNCIL AND PUBLIC ON BIOMASS RESOURCES AND INDUSTRY IN APACHE COUNTY

Doyel Shamley was unable to attend the meeting and had asked Councilor Debra Seeley to give an overview of a recent land summit meeting which was hosted in Springerville.

Councilor Seeley reported on September 23, 2016 Mr. Shamley hosted a multiagency land meeting of which attendees were two state legislators, representatives from Bureau of Land Management, Arizona Game and Fish, National Recourse Conservation Service, Forest Service, Arizona State Land, Concord Blue and others for a total of approximately 30 attendees.

The meeting centered on the need for these multiple agencies to work together for the good of the region and how they can work through their rules cohesively to ensure that the public lands are maintained in a responsible manner and how those lands can be used for economic development. Some of the economic development ideas are the wood chip technologies for energy and mulch, and natural grocers/food production, particularly meat production.

Councilor Seeley stated there was a lot of valuable information shared and Councilor Seeley asked that Mr. Shamley be placed on the next council agenda.

Councilor John Phelps added this month Salt River Project will be using wood chips added to their coal in order to evaluate the value of using chips and also how it affects emissions.

Councilor Steve Erhart added that Navopache Electric has been approached by Concord Blue for an extension to their contract to be on line by April 30, 2018.

B. PRESENTATION OF GENERAL FUND AND UTILITIES FUND CAPITAL IMPROVEMENT PLANS

Finance Manager Katie Brady presented an overview of the General Fund and Utility Fund Capital Improvement Plan (CIP) for next year and the current status of projects budgeted this fiscal year. A presentation of the streets and roads CIP will be presented at the next regular council meeting. Revenue streaming will be gauged after the entire CIP has been discussed and considered.

2016 current project status update is as follows:

- October – Municipal Property Corporation parking lot seal and stripe budgeted at \$14,000.
- Currently – town hall repairs with painting and flooring budgeted at \$13,000.
- June – 12<sup>th</sup> Street Trailhead parking area through an intergovernmental agreement with the forest service through grant funding and town in-kind.
- Currently – computer hardware with mobility hardware for police department budgeted at \$45,000.
- Completed – chip seal at Grandview and Benny Jay subdivisions budgeted at \$85,600.
- May – chip seal Chiricahua and other small streets budgeted at \$90,600.
- East 1<sup>st</sup> Avenue/Butler Street to Renea sewer line to coincide with a street project in that area, (re-programming east 6<sup>th</sup> Street/Butler east sewer line project) budgeted at \$16,140.
- October/January – north Harless sewer line design in October with construction in January budgeted at \$65,500.
- November – Udall Street, Central to 2<sup>nd</sup> Avenue water line budgeted at \$32,600.
- October – State Land Recreation Center purchase budgeted at \$60,000.

Mayor Hamblin asked if the balance took into account credit that the Town may be receiving for the lease payments made to State Land. Ms. Brady stated the Town has paid for some fees associated with the sale which are reimbursable since the Town has made the improvements and is the applicant/owner and the balance takes into account those credits.

Mayor Hamblin questioned the \$46,582.60 after the payment of \$21,800 due on the date of auction. Mayor Hamblin was to understand that the Town would receive credit for lease payments made during the negotiation process. Ms. Brady stated she would look into this matter and communicate her findings.

Ms. Brady continued with CIP projects as follows:

- Scanning and electronic filing system of town documents for searchable data for staff and permanent archiving with the State budgeted at \$8,000.
- Bashas' roof repair – staff is currently seeking contractors that can perform the work with bids being sought budgeted at \$40,000.
- Bashas' parking lot light poles and fixtures – six more fixtures planned with the platforms and wiring already installed budgeted at \$6,400.
- Public Works fleet building heat replacement budgeted at \$6,100.
- 12<sup>th</sup> Street water tank rehabilitation \$175,000 in the revenue stream last year with hopes of receiving grant or partial grant funding.

Councilor Erhart asked when the Town could expect an award date on the water tank grant funding. Ms. Brady stated it could be up to a year for a funding cycle and that Community Development Director Jeremiah Loyd is working on the grant. At this time it could be cash funded, however, grant funding is probable, pushing this project out another fiscal year.

- Udall Street water line replacement from Central to 2<sup>nd</sup> Avenue budgeted for \$21,400.
- School Bus drainage project funded through Federal Emergency Management Agency grant with the Town's in-kind contribution of approximately \$164,000 in equipment and manpower.
- Fire hydrants remediation (six per year) for water flow and hydrant access budgeted annually for five years at \$18,000.
- Fire station exterior painting to be performed by inmates budgeted for \$5,000.

Ms. Brady added that the following items are not listed and do not have a place holder on the CIP and are up for discussion to be placed on future CIP.

- Batting cages, splash pad, and Frisbee golf at Ramsey Park.
- Single Frisbee golf basket at River Run retention basin.
- Type 3 Brush truck to replace the state-owned Type 3 truck used on loan.

Mayor Hamblin asked Fire Chief Frank Adams to email Council members more information on the pros and cons of the Town purchasing its own type 3 brush truck.

Ms. Brady advised the Town received \$70,000 from the Gila River Indian Tribe to replace self-contained breathing apparatus (SCBA) for the fire department for a partial purchase.

Councilor John Phelps asked how long SCBAs last. Chief Adams replied they are usually dated for expiration of approximately 15 years.

Ms. Brady stated a street inventory, condition and pavement management plan with 194 street segments has been created to be discussed at the next regular council meeting.

C. PRESENTATION OF CONCERN BY CITIZEN RELATED TO DRAINAGE ON WEST SCHOOL BUS ROAD

Citizen Jim Finch, Jr. has a concern with the hill directly south of his mother's home on West School Bus Road. He stated the hill is sloughing off with the big ditch running through the area; in the past several years the hill has gone from 100 feet to 60 feet from the big ditch. The Town is regularly removing dirt between the roadway and the hill giving the hill more opportunity to slough off. In the event of a bad storm it is possible that the ditch will bust loose and flood the homes below the hill. His concern is for the homes below the hill and the amount of water that could potentially go through them, as well as the damage to a major ditch.

Mr. Finch is asking that the Town quit removing the dirt along the bottom of the hill and to place a barrier to the area to redirect any flooding. Mr. Finch with staff from the Town have

assessed the situation; some staff agree it's a problem with others thinking it will never be a problem. Mr. Finch believes that it will be a problem and is concerned about the liability to the homes, and the loss of the big ditch.

Councilor Erhart suggested having the public works director talk to a civil engineer to look at it and to give a professional appraisal of the situation so ultimately the Town can make an educated decision.

Mr. Finch was in agreement and asked that the situation be taken care of quickly.

Councilor Seeley stated that a bar ditch is necessary at the bottom of the hill to prevent the dirt build up and water running across the road. Councilor Seeley and two board members of the Pioneer Irrigation Company heard the same concern from Gary Finch and walked the big ditch to check for weaknesses. They found the ditch is solid and they have committed to walking that area of the ditch annually. The drainage pipe which comes off the hill has helped dramatically with the water overflow from Elk Crest subdivision.

Mayor Hamblin thanked Mr. Finch for bringing the situation to the Council's attention and the Town will have an engineer assess the area. Mr. Finch asked to be kept informed of any outcome and decisions.

#### **ITEM #9: CONSENT AGENDA**

- A. APPROVAL OF MINUTES OF EAGAR TOWN COUNCIL MEETING(S) HELD SEPTEMBER 2016
- B. APPROVAL OF AUGUST 2016 NATIONAL BANK OF ARIZONA TRANSMITTALS, CHECKS WRITTEN, PAYROLL DIRECT DEPOSIT VOUCHERS, AND CREDIT CARD PURCHASES
- C. ACCEPTANCE OF AUGUST 2016 FINANCIAL REPORT AND SALES TAX REPORT
- D. AUTHORIZATION TO REQUEST A HEALTH INSURANCE PREMIUM HOLIDAY FROM THE RURAL ARIZONA GROUP HEALTH TRUST IN THE AMOUNT OF \$37,307
- E. APPROVAL TO DONATE A TOWN OF EAGAR 2000 FORD CROWN VICTORIA USED POLICE VEHICLE TO NORTHEAST TRAINING CENTER FOR THEIR USE FOR THE EMERGENCY SERVICES TRAINING PROGRAM
- F. AUTHORIZATION FOR THE TOWN TO SUBMIT A BID FOR THE PURCHASE OF THE ROUND VALLEY RECREATION CENTER PROPERTY FROM ARIZONA STATE LAND DEPARTMENT IN THE AMOUNT OF \$65,000
- G. ACCEPTANCE OF AN ARIZONA DEPARTMENT OF HOMELAND SECURITY GRANT IN THE AMOUNT OF \$15,000 TO BE DISTRIBUTED BETWEEN THE EAGAR,

SPRINGVILLE AND GREER FIRE DEPARTMENTS TO PURCHASE HANDHELD  
RADIOS

- H. ACCEPTANCE OF RESOLUTION 2016-16 APPROVING THE SUBMISSION OF  
PROJECTS FOR THE FISCAL YEAR 2017 ARIZONA GOVERNOR'S OFFICE OF  
HIGHWAY SAFETY PLAN CONTRACT NO. 2017-405D-007 ACCEPTING THE NO  
MATCH GRANT FUNDING, AND APPROVAL OF PURCHASING IN ACCORDANCE  
WITH THIS GRANT BY INTERIM CHIEF MIKE SWEETSER
- I. ACCEPTANCE OF RESOLUTION 2016-17 APPROVING THE SUBMISSION OF  
PROJECTS FOR THE FISCAL YEAR 2017 ARIZONA GOVERNOR'S OFFICE OF  
HIGHWAY SAFETY PLAN CONTRACT NO. 2017-PT-015 ACCEPTING THE NO  
MATCH GRANT FUNDING, AND APPROVAL OF PURCHASING IN ACCORDANCE  
WITH THIS GRANT BY INTERIM CHIEF MIKE SWEETSER
- J. APPROVAL TO ENTER INTO AN INTERGOVERNMENTAL AGREEMENT WITH THE  
FOREST SERVICE FOR THE FLATTOP TRAIL HEAD / 12<sup>TH</sup> STREET PARKING LOT

Mayor Hamblin stated there was a request to remove Items B, E, and F from the Consent Agenda, and asked for a motion to approve the remaining Consent Agenda items.

Councilor Winslow McNeill moved to approve the Consent Agenda with the exception of Items B, E, and F. Councilor Steve Erhart seconded; all were in favor, motion carried unanimously. 7-0

**DISCUSSION AND CONSIDERATION OF:**

- B. APPROVAL OF AUGUST 2016 NATIONAL BANK OF ARIZONA TRANSMITTALS,  
CHECKS WRITTEN, PAYROLL DIRECT DEPOSIT VOUCHERS, AND CREDIT CARD  
PURCHASES

Mayor Hamblin stated there were payments under Highway Users Revenue Fund to two persons in the amount of \$3,500 each for the purchase of easements. Mayor Hamblin asked for clarification of the purchase. Ms. Brady didn't have information regarding the purchase other than it was an easement purchase for a road, the parcel number and legal description.

Mayor Hamblin asked how the amount was arrived at. Ms. Brady stated the deed is on file with the clerk's office. Ms. Wilson stated it was in connection with School Bus Road drainage.

Councilor Erhart asked if there was a contract associated with the purchase. Ms. Wilson stated there was only a deed on file.

Councilor Erhart and Mayor Hamblin asked that the item be tabled until Public Works Director Bruce Ray is present to clarify where the location is and how the amount was arrived at for two easement purchases in the amount of \$3,500.00 each.

E. APPROVAL TO DONATE A TOWN OF EAGAR 2000 FORD CROWN VICTORIA USED POLICE VEHICLE TO NORTHEAST TRAINING CENTER FOR THEIR USE FOR THE EMERGENCY SERVICES TRAINING PROGRAM

Councilor Erhart asked for the value of the proposed donation. Interim Police Chief Mike Sweetser stated the vehicle has 150,000 miles with an approximate value of \$300-\$1,000 according to the surplus auction site the Town uses. The vehicle was not blue booked and due to the low asking price, it is being asked of the Town to donate the vehicle to the Northeast Arizona Training Center located in Snowflake.

The vehicles are used for the police academy driver training and when it's worn out it will be used for extrication training for the fire academy. Councilor Erhart asked if the Town sends its cadets to this academy. Interim Chief Sweetser responded the training center holds a police academy twice a year and if the department's hiring coincides with the schedule, we would send cadets there. We have sent officers to their driving courses.

Councilor Erhart stated he would like to approve the donation but wanted to add that the vehicle or proceeds from the vehicle; first it needs to be decided if a donation is going to be made; and secondly to who. There are a lot of organizations in town to service our citizens, who provide our revenue that we could consider giving a donation first.

Councilor Steve Erhart moved to approve. Councilor John Phelps seconded; all were in favor, motion carried unanimously. 7-0

F. AUTHORIZATION FOR THE TOWN TO SUBMIT A BID FOR THE PURCHASE OF THE ROUND VALLEY RECREATION CENTER PROPERTY FROM ARIZONA STATE LAND DEPARTMENT IN THE AMOUNT OF \$65,000

Mayor Hamblin stated the auction date is coming up before the next regularly scheduled council meeting and it has always been conveyed by Ms. Ryall that the final price would be \$21,800 because of the credits the Town would receive as the applicant/owner.

The agenda item indicates the price is \$65,000 and the memo submitted by Ms. Ryall indicates the price after the \$21,800 would be an additional \$45,000. There was a brief discussion assuming the price and as there was no definite determination Mayor Hamblin asked Ms. Brady to check with the State Land Department on the exact amount and to report back to Council.

Mayor Hamblin asked that the item be tabled until clarification on exact price is determined and that Council will be holding another meeting before the auction date.

**ITEM #10: NEW BUSINESS**

A. DISCUSSION AND FIRST READING OF ORDINANCE 2016-06 AMENDING THE TOWN CODE TITLE 13.60 – CEMETERY

Ms. Wilson reported that in the process of reviewing the fee schedule it had come to light that revisions were needed in the cemetery code. The Eagar Cemetery Committee has reviewed the proposed revisions and added some additional minor revisions.

Specifically revisions are centered on:

- Eliminating double-depth plots and fees thereof;
- Create flexibility to waive the transfer of ownership fee;
- Establishment of perpetual fund fee; and
- General cleanup to eliminate duplicate language.

The Town does not have the proper equipment to excavate to the depths needed on double-depth plots nor the skilled manpower for that project. There are currently three double-depth plot reservations and the clerk's office is working with those owners to switch to single-depth. If the owners do not want the change to single-depth plots, the Town will honor the double-depth plots. The Town is not accepting any more double-depth plot reservations.

The cemetery is 5/6ths full and once all the plots are sold there will longer be any funds going into the maintenance of the cemetery. Creation of a perpetual fund fee will provide funds for the future care of the cemetery. The fees would be specifically earmarked for that purpose and would be separate from the general fund. The Council will decide how those funds are to be collected.

Mayor Hamblin asked if there has been discussion on the discretion of how the transfer of ownership fee will be charge. If the transfer fee is passed by a will, intestate succession, or family members there is no fee, or if the plot is sold there is a fee. Ms. Wilson stated the intention is for family members to transfer plots between family members with no transfer fee charged, and sales of plots to other parties would be charged the fee. Direction could be outlined with the fee schedule.

Councilor Seeley asked if interment fees were different on weekends or holidays. Ms. Wilson stated it is a flat fee of \$360 no matter the day. Councilor Seeley asked if the cemetery was posted about dogs in the cemetery. Ms. Wilson stated not at this time.

Councilor Phelps asked how deep the first person would be interred in a double-depth plot. Ms. Wilson explained it will be well over the depth needed for two coffins. Councilor Erhart added that it is beyond the digging depth of an extend-a-hoe. It is highly likely an outside contractor would have to perform the excavation and major safety precautions such as shoring would have to be made.

**B. DISCUSSION AND FIRST READING OF ORDINANCE 2016-07 AMENDING THE EAGAR TOWN CODE BY ELIMINATING TITLE 18 (SECTIONS 18.20.050, 18.24.050, 18.28.050, 18.32.050, 18.36.050, 18.40.050, 18.44.050, 18.48.060, AND 18.52.050) ZONING, GENERAL PROVISIONS PERTAINING TO FIVE OR MORE DOG PERMIT; AND REVISING TITLE 6 – ANIMALS**

Mayor Hamblin proposes before a first reading is undertaken, that two or three council members meet with the police and community development departments to review the proposed changes to these two titles.

Interim Police Chief Mike Sweetser was in agreement. Mayor Hamblin asked that any council members interested in serving on this review team notify him for the appointment to prepare the first reading for November 1, 2016 council meeting.

Councilors Phelps and Seeley volunteered to serve on the review team.

**C. DISCUSSION AND CONSIDERATION TO ENTER INTO AN EMPLOYEE ASSISTANCE PROGRAM SERVICES AGREEMENT WITH EAP PREFERRED AND TO ADJUST THE COST IN THE FISCAL YEAR 2016-2017 BUDGET**

Ms. Wilson stated at this time this is an unbudgeted item for fiscal year 2017. An Employee Assistance Program (EAP) is a voluntary, work-based program that offers short-term counseling, referrals, and follow-up services to employees who have personal and/or work-related problems. Our county has a gap in reliable behavioral health services for its citizens, and specifically Town employees because the only local behavioral health center in Round Valley does not accept the town employee health insurance.

In searching for an EAP, this service is generally offered in conjunction with an insurance health plan and Rural Arizona Group Health Trust does not provide this as a benefit. Ms. Wilson researched those EAP providers that offer the service as a standalone. In comparing apples-to-apples the following information was collected:

- The Holman Group is not accepting any new clients.
- Total Care EAP offers three face-to-face counseling visits, plus employee assistance and work-life services and is headquartered in Massachusetts. Total Care EAP cost quote is \$5.64 per employee per month for a total of \$2,500 annually.
- EAP Preferred offers six face-to-face counseling visits, plus employee assistance and work-life services and is headquartered in Arizona. EAP Preferred cost quote is \$4.25 per employee per month for an annual cost of \$1,887. This price is guaranteed for two years.

Ms. Wilson stated in her experience she has had a difficult time finding employees behavioral health assistance that will accept the Town's health insurance, provide services needed in Round Valley, and employee's ability to arrive to an appointment out of the local area. Emergency services personnel are sent to a provider in Show Low. However, this leaves the vast majority of our employees with little to no option when they are struggling

with family, financial, or substance abuse issues. Other employers have found that proactive, preventative efforts to help employees identify and resolve personal issues before they have serious consequences save money in the long-term by enhancing employee and workplace effectiveness and reducing absenteeism.

It is recommended that the Town of Eagar enter into a contract with EAP Preferred because they offer the best service package with the lowest cost. All the services employees will have access to via their telephones and an informative website are included in this packet for your review.

Mayor Hamblin asked if Little Colorado Behavioral Health Center was willing to enter into a contractual program with the Town. His understanding is the only insurance they accept is AHCCCS. Councilor Browning agreed with the difficulty of finding local services.

Councilor James Nelson, Jr. moved to enter into an Employee Assistance Program Agreement with EAP Preferred and to adjust the cost in the fiscal year 2016-2017 budget. Councilor Allen Browning seconded; all were in favor, motion carried unanimously. 7-0

**ITEM #11: SIGNING OF DOCUMENTS**

Necessary signatures were obtained for the Minutes of September 2016; Resolutions 2016-16 and 2016-17; Intergovernmental Agreement with the U.S. Forest Service; and EAP Preferred Agreement.

**ITEM #12: ADJOURNMENT**

Councilor Steve Erhart moved to adjourn the meeting [at 8:08 p.m.] Councilor Winslow McNeill seconded; all were in favor, motion carried unanimously. 7-0

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

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

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

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

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CERTIFICATION OF COUNCIL MINUTES

I hereby certify that the foregoing minutes is a true and correct copy of the minutes of the Regular Council Meeting of the Town of Eagar, Arizona held on October 4, 2016.  
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