

**MINUTES**  
**TOWN OF QUARTZSITE**  
**SPECIAL MEETING OF THE**  
**AD HOC ETHICS COMMITTEE**  
at the Town Hall  
**TUESDAY, AUGUST 12, 2014, 5:00 PM**

**CALL TO ORDER:**      5:03 p.m.

**ROLL CALL:**

Committee Member: Vice Mayor Mike Jewitt, present  
Committee Member: Council Member Carol Kelley, present  
Committee Member: Council Member Norma Crooks, present

**STAFF PRESENT:** Skylor Miller, Town Manager; Kelly Schwab, Town Attorney;  
Tina Abriani, Town Clerk

**BUSINESS:**

1. **COMPLAINT AGAINST MAYOR FOSTER** – Discussion and possible action related to a complaint of violation of the Town’s Ethics Code and Town Code against Mayor Foster, including possible disciplinary action.

Town Attorney Schwab stated the Committee defines its procedure.

Town Manager Miller read the complaint letter sent to Vice Mayor Jewitt by Council Member Kelley aloud. There were six items noted.

1. The repeated use of Town letterhead, after having been censured, in violation of Town Code Chapter 11, Offenses, Section 11-1-4, Unauthorized Use of Letterhead. This violation is listed as a Class One Misdemeanor in the Arizona Revised Statutes.
2. Mayor Foster continues to act in excess of his office and that is a civil violation. Mayor Foster acts outside of the scope of his office using the term ‘Mayor’ when he should not. He has spoken at functions as if representing the Town.
3. Violating Executive Meeting rules and admonishments. After the meeting discussing the Cadre Money settlement, Mayor Foster told Jeff Gilbert how the Town worked out the settlement and all details.
4. Violating Town Code Chapter 2, Mayor and Council, Section 2-2-6, Failure to Sign Documents. He has refused to sign minutes and other official

documents with the five day timeframe. The Emergency Loan Documents of December 2013 were noted.

5. The Mayor's Message posted after the June 20, 2014 Council Meeting, attacks several people in writing and was distributed to the public. This violates the Town Council's Procedure Policy Manual, Section IX, Legal and Ethical Standards of Conduct, Item #4, Conduct, A & H.
6. The Mayor's Message posted after the June 20, 2014 Council Meeting attacks Council Members and the public using his title as Mayor in the signature. This violates the Town Council's Procedure Policy Manual, Section V, Legal and Ethical Standards of Conduct, Item #5, Conflict of Interest, H.

Vice Mayor Jewitt pointed out that there have been a couple of preliminary meetings with himself, Council Member Kelley, the Town Manager and the Town Attorney; but, not at the same time.

Town Manager Miller stated this was first brought to his attention by Vice Mayor Jewitt and Council Member Kelley, at the same time. Town Manager Miller accepted the documents and stated he would raise the issues with the Town Attorneys. He then scheduled a follow-up meeting with Susan Goodwin, as Town Attorney, the Vice Mayor and the Town Manager, which is per the Council's Procedure Policy Manual. The purpose of the meeting was to review the charges and determine whether or not those allegations warranted calling an Ad Hoc Ethics Committee.

**Council Member Crooks moved** to go into executive session as per the notice on the agenda. **Council Member Kelley seconded** the motion. The vote was unanimous. **Motion Passed.**

Adjournment to Executive Session at 5:10 p.m.

2. **EXECUTIVE SESSION** – An executive session pursuant to A.R.S. § 38-431.03(A)(3) for discussion or consultation for legal advice with the Town Attorney regarding procedures to be followed related to the complaint filed against Mayor Foster and regarding legal issues related to the complaint, and pursuant to A.R.S. § 38-431.03(A)(1) for discussion or consideration of disciplining Mayor Ed Foster for violation of the Town's Ethics Code and Town Code.

Meeting called back to order at 5:44 p.m.

ROLL CALL: Vice Mayor Jewitt, present; Council Member Kelley, present; Council Member Crooks, present.

Vice Mayor Jewitt stated the Committee is directing the Town Manager to continue the investigations, as set forth in the list of charges. The Town Attorney will assist as needed.

Council Member Crooks stated the direction to the Town Manager is that he contact the Board of Supervisors for some specific minutes and the Sheriff's Office to schedule interviews between Committee Members and Jeff Gilbert; and to bring back the findings to the Committee.

Vice Mayor Jewitt stated the next Ad Hoc Ethics Committee Meeting is scheduled for Tuesday, August 26, 2014 at 5:00 p.m.

**Council Member Crooks moved to adjourn.**

**ADJOURNMENT:** 5:46 p.m.

**CERTIFICATION:**

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Special Meeting of August 12, 2014, of the Ad Hoc Ethics Committee of the Town of Quartzsite, Arizona, held on August 12, 2014.

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

DATED this 26th day of August 2014.

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Tina M. Abriani, Town Clerk

On behalf of the Ad Hoc Ethics Committee

Approved:

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Committee Member Vice Mayor Mike Jewitt