

**MINUTES
TOWN OF QUARTZSITE
PLANNING & ZONING COMMISSION
SPECIAL MEETING
FRIDAY, FEBRUARY 15, 2013 at 2:00 PM**

CALL TO ORDER: 2:01 PM by Vice Chair Violet Kiss

PLEDGE OF ALLEGIANCE: Vice Chair Violet Kiss led the Pledge of Allegiance

Roll Call.

Present: Violet Kiss, Dennis Kuehl, Jim Murphy, Dennis Wall, Starr Bearcat.

Absent: Doug Ross, Barbara Bowman.

Town of Quartzsite staff present: Laura Bruno, Interim Town Manager; Beth Praast, Acting Community Development Services Director; Terry Frausto, Town Clerk and Tina Abriani, clerk

BUSINESS:

Discussion and recasting of advisory ballot for P & Z recommendations to the Town Council for appointment consideration to the P & Z Commission.

Motion: To discuss the Advisory Ballot for the P & Z Recommendations to the Council for appointment consideration to the P & Z Commission and to have the letter from the packet read.

Action: Approve, **Moved by** Starr BearCat, **Seconded by** Jim Murphy.

Beth Praast read the letter from Interim Town Manager Laura Bruno to the members of the Common Council regarding, "Correction of anonymous ballot – P & Z Commission."

Dennis Kuehl asked if the Commission had not before interviewed candidates and submitted a recommendation to Council; why is it being done now?

Answer from Beth was that it was requested by some of the Commissioners and she as the Planning & Zoning Director, after listening to the pros and cons, went ahead and agreed that this would be done for the first time.

Interim Town Manager Laura Bruno said she and Beth Praast tried to find a happy medium of attempting to meet all of the various interests. In the future, the Council plans to take the recommendations at the Council level.

Dennis Wall asked if what needed to be done was to cancel what was done in the vote and have the Town Council decide who they are going to have as Commissioners.

Laura said they are here today for one thing only and that is to cure the anonymous ballot and make it a signed ballot. The Council will now, as well as in the future, appoint the Commissioners directly.

Dennis Wall asked why or who it was that fired them about three weeks ago.

Interim Town Manager Laura Bruno explained that the matter was not listed on the agenda, but she did say that there was no firing that has occurred to date.

Dennis Wall asked if they had been dismissed.

Interim Town Manager Laura Bruno replied that nothing on the agenda provides for the matter being discussed at this meeting.

(at this time Dennis Wall rises from his chair and leaves the building, pausing to return his commissioner's notebook)

Starr BearCat said there is a timeframe for curing an open meeting law violation and that timeframe has long passed and so there is no cure for it. Commissioner BearCat went on to say that the names on the ballot are incorrect; therefore, if the ballots were to be cast again, it would need to be done verbally. In addition, she stated that each individual candidate would need to be interviewed again.

Commissioner BearCat explained that she only had three pieces of paper in her Commissioner's Packet and that she had nothing in her packet to which they were referring.

Interim Town Manager Laura Bruno explained that the cure is to recast the ballots with a signature and if the members of the Planning & Zoning Commission choose not to participate in the recasting or to sign the ballot, then according to Ms. Marquoit, it will be simply seen as an abstention and be recorded as such.

Interim Town Manager Laura Bruno further explained that Ms. Marquoit was very clear that the violation is being cured in a timely manner by appearing on this agenda.

Commissioner BearCat addressed Interim Town Manager Laura Bruno regarding a request for an executive meeting with an attorney to get the issue solved.

Interim Town Manager Laura Bruno restated that her information came from the State's Ombudsman Office for this specific matter.

Commissioner Violet Kiss said she called Ms. Marquoit yesterday. Commissioner Kiss quoted Ms. Marquoit as having stated to Commissioner Kiss that clearly the Interim Town Manager Laura Bruno had something against the Commission.

Commissioner Kiss related that Ms. Marquoit indicated that everyone must take ownership of their votes. Three members were absent during this time and Commissioner Kiss said Ms. Marquoit did not say that it would end up being abstentions; but rather, if anyone did not take ownership of the vote, it is null and void.

Commissioner Dennis Kuehl said the Commission should do what needs to be done and that the Council will make the decision.

Commissioner Kiss said they would like to do that but the votes of the three absent Commissioners cannot be undone from that meeting.

Commissioner Jim Murphy asked about the last Town Meeting. He asked if he was correct in restating the following from that meeting: – Commissioners serve at the will of the Town Council. Commissioner Dennis Kuehl asked how it could be resolved today.

Commissioner Violet Kiss said the one thing Ms. Marquoit said was that if people don't take ownership of the votes and it just sits as it is, it is null and void. At the same time what that means is that the meeting stands as it is and was, as an open meeting law violation.

Vice Chair Violet Kiss directed further speech to Jim Murphy and Dennis Kuehl regarding the necessity of complying with open meeting laws.

Town Clerk Terry Frausto explained and clarified that the only votes to be counted are the signed votes today from the four Commissioners in attendance.

Vice Chair Violet Kiss stated that they are discussing the matter, due to a motion and may not take a vote.

Starr said the problem is they will be voting on incorrect information.

Beth Praast explained that it was exact identical ballot as from the December meeting.

Starr BearCat said then that also applies to having all seven members vote, not just four. Starr stated this was her understanding.

Terry explained that only a quorum is required to vote.

(at this time Vice Chair Violet Kiss left the meeting.)

Laura said she would say at this point that the remaining members could take a vote.

ADJOURNMENT:

Laura called for a vote to adjourn.

Starr Moved to adjourn the meeting, Dennis Kuehl seconded the motion and Starr BearCat called for a vote and then called the meeting adjourned.

CERTIFICATION:

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Special Meeting of February 15, 2013, of the Planning and Zoning Commission of Quartzsite, Arizona.

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

Dated this 16th day of April 2013.



Tina M. Abriani, Clerk