

**AGENDA**  
**TOWN OF QUARTZSITE**  
**465 N. PLYMOUTH AVENUE**  
**QUARTZSITE, ARIZONA**  
**SPECIAL MEETING OF THE COMMON COUNCIL**  
**WEDNESDAY, FEBRUARY 6, 2013 2:00 PM**

**CALL TO ORDER:**

- ▶ Vice Mayor Jewitt

**INVOCATION:**

- ▶ No invocation moment of silence instead

**PLEDGE OF ALLEGIANCE:**

- ▶ Led by Council Member Orgeron and said by all

**ROLL CALL:**

- ▶ Present: Vice Mayor Jewitt, Council Member Anderson, Council Member Kelley, Council Member Crooks, Council Member Workman, Council Member Orgeron.  
Absent: Mayor Foster.

**APPROVAL/AMENDMENT OF AGENDA:**

- ▶ Motion: approve as written, Action: Approve, Moved by Council Member Anderson, Seconded by Council Member Kelley.  
Motion passed unanimously.

**REPORTS & ANNOUNCEMENTS:**

**NEW BUSINESS:**

1. Discussion and possible direction regarding the use of Town Letterhead in a communication written by a member of the Common Council but not authorized or approved by the Town Council.

Council Member Orgeron

- ▶ Agenda item read by Council Member Orgeron.
- ▶ Motion: to direct Mayor Foster to file all previous correspondence sent on Town letterhead with the town clerk for filing; Direct Mayor Foster to bring all written transmissions to be sent on town letterhead before the council for approval before mailing; direct the Interim Town Manager to correspond with each recipient of this transmission and notify them this letter and any subsequent letter not signed by the Council. Is 1. Not approved by the council and does not reflect the views of position of the town; 2. Complete a public record request from each agency to cover the period of October 2012 thru current date, Action: Approve, Moved by Council member Orgeron, Seconded by Council Member Anderson.

- ▶ Motion: amend to include to the Attorney General of the State of Arizona and the Governor, Action: Amend, Moved by Council Member Crooks.
- ▶ Vice Mayor Jewitt asked of Council Member Orgeron would like to amend his motion. Council Member Orgeron made motion to accept motion as amended. Second by Council Member Anderson.
- ▶ Council Member Anderson spoke on the subject. She stated that everyone has the right to the freedom of speech the fact is that this was done without Council approval.
- ▶ Vice Mayor Jewitt spoke on the subject. He stated that Mayor Foster has the right to speak as a private citizen on his own stationary not mentioning the fact that he is Mayor. If he wishes to speak as Mayor he has to get the Council approval.
- ▶ Council Member Kelley spoke on the subject. She stated that this has been done too many times. The law says they have to be kept on file in this office and none of them are. We have no idea where some of them are.
- ▶ Council Member Orgeron spoke on the subject. He said we have the legal responsibility. We have to maintain a copy of all correspondence and we have none that he has made.
- ▶ Motion: Motion to open for public comment, Action: Approve, Moved by Council Member Crooks, Council Member Anderson seconded. Call for the vote. Five (5) in Favor. One (1) opposed. (Workman)

### **Opened to public discussion.**

- ▶ Skip Gallup asked if there are any penalties for this. Council Member Orgeron responded.
- ▶ Laura Bruno read the section of the Ordinance to the Council of the penalties when in violation.
- ▶ Motion reread by Council Member Orgeron.
- ▶ Shannana Rain Goldenbear spoke on the subject.
- ▶ Sondra Gilbert spoke on the subject.
- ▶ Council Member Kelley spoke on the subject. She wanted to know what we are going to do.
- ▶ Council Member Anderson stated she would like advice from the Attorney.
  
- ▶ Special Attorney Susan Goodwin was contacted by phone for advice. Council Member Kelley stated that this has been going on for a long time and we need to do something about this now and wanted to know what to do. Attorney Goodwin advised we take proper steps to establish the violation if any of the ordinance requirement regarding council approval on letterhead. She recommended that we start from today and be sure that you have a process in place to make sure that communication from the council are properly authorized. Take the steps to establish a violation of the ordinance and if the problem is not corrected that you do other steps. Council Member Crooks ask if a time limit could be put on the advisory and give time for compliance. She stated yes. She stated that we should be looking forward from this point. We can go back as far as we want in the request to the agencies for copies of past communications.

▶ Sondra Gilbert made statement to Susan Goodwin.

Council Member Orgeron stated unless we take legal action backwards then what purpose are we serving.

Vice Mayor stated he thought he had been censored on this before.

Council Member Orgeron stated it was a previous term he would rather go for compliance now.

▶ Council Member Crooks stated she would like to direct the Interim Town Manager to create a letter for the agencies.

▶ Motion: to amend the amendment include Mayor return documents by close of business, Thursday, March 7, 2013 and to direct the Interim Town Manager to create a letter for the agencies and that the letter include the sign off of council members, Action: Amend, Moved by Council Member Orgeron, Seconded by Council Member Anderson.

▶ Call for the vote five (5) Yea, 1 Nay (Workman). Motion Passed.

**Adjournment** 3:43 pm



### **CERTIFICATION:**

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Special Meeting held on February 6, 2013, of the Town Council of Quartzsite, Arizona.

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

DATED this 12th day of February, 2013

Terry Frausto, Town Clerk

On behalf of the Common Council

Approved:

Ed Foster, Mayor