

**AGENDA  
TOWN OF QUARTZSITE  
465 N. PLYMOUTH AVENUE  
QUARTZSITE, ARIZONA  
SPECIAL MEETING OF THE COMMON COUNCIL  
WEDNESDAY, FEBRUARY 6, 2013 3:00 PM**

***SPEAKING TO THE COUNCIL***

*If you are interested in speaking to the Council during Public Hearings, Communications from Citizens, or other designated agenda items, you must fill out a speaker card (located on the table inside the front entrance to the Council Chambers) and deliver it to the Town Clerk prior to the convening of the meeting. Each individual will be limited to three (3) minutes for their remarks.*

*All persons attending the Council meeting, whether speaking to the Council or not, are expected to observe the Council Rules, as well as the rules of politeness, propriety, decorum and good conduct. Any person interfering with the meeting in any way, or acting rudely or loudly, will be asked to leave.*

***CELL PHONES AND RECORDING DEVICES***

*As a courtesy to others please turn off or silence all cell phones or pagers. Reporters or others with recording devices need to be staged at the back of the public seating area.*

**CALL TO ORDER:**

**INVOCATION:** *The invocation may be offered by a person of any religion, faith, belief or non-belief. Interested persons should contact the Clerk for further information.*

**PLEDGE OF ALLEGIANCE:**

**ROLL CALL:**

Mayor Foster	Vice Mayor Jewitt
Council Member Anderson	Council Member Kelley
Council Member Crooks	Council Member Workman
Council Member Orgeron	

**APPROVAL/AMENDMENT OF AGENDA:**

**NEW BUSINESS:**

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

Council Member Orgeron

**ADJOURNMENT:**

**PURSUANT TO A.R.S. §38-431.03(A) THE TOWN COUNCIL MAY VOTE TO GO INTO EXECUTIVE SESSION, FOR THE PURPOSE OF DISCUSSION OR RECEIVING LEGAL ADVICE FROM IT'S ATTORNEY RELATED TO ITEMS LISTED ON THE AGENDA.**

**PERSONS WITH DISABILITIES OR THOSE WHO REQUIRE SPECIAL ACCOMMODATIONS PLEASE CONTACT TERRY FRAUSTO AT 928-927-4333 IN ADVANCE OF THE MEETING**

**COUNCIL MAY NOT ACT ON ITEMS NOT ON THE AGENDA**

The undersigned hereby certifies that a copy of the attached notice was duly posted at the following locations: Quartzsite Town Hall, 465 N. Plymouth Ave, Quartzsite, AZ, U.S. Post Office, 80 W. Main Street, Quartzsite, AZ and The Senior Center, 40 Moon Mountain Ave, Quartzsite, AZ, on the \_\_\_\_ day of \_\_\_\_\_, 2013, at \_\_\_\_ a.m./p.m. in accordance with the statement filed by the Town of Quartzsite with the Town Clerk, Town of Quartzsite.

By: \_\_\_\_\_, Town Clerk's Office.



## TOWN OF QUARTZSITE

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### **SPECIAL COUNCIL MEETING**

Wednesday, February 4, 2013

**Agenda Item #1**            **Discussion and possible direction regarding the use of Town letterhead in a communication written by a member of the Town Council but not authorized or approved by action of the Town Council.**

**Summary:**                On or after January 29, 2013, a letter was sent to the Arizona Department of Public Safety, with copies sent to the State Senate Judiciary Committee, the State House Judicial Committee, the Arizona Police Officers Standards and Training Board, and the Federal Bureau of Investigation. The letter is on official Town of Quartzsite letterhead and is signed by a member of the Town Council.

The Quartzsite Town Code requires that [a member of the Town Council] may not use Town letterhead in any correspondence without express approval of a majority of the Common Council. More specifically, Town Code prohibits the Mayor from acting as a separate entity from the Common Council and representing himself as the "Town" by sending correspondence on Town letterhead.

Additionally, according to the State of Arizona's Public Records Retention requirements, municipalities are legally required to maintain a copy of all Town Council correspondence for a period of at least four (4) years (or in certain instances, permanently) following the creation or receipt of such correspondence.

**Responsible Person:**    Mark Orgeron, Council Member

**Attachment:**             Letter to Arizona Department of Public Safety Director Halliday.

**Action Requested:**      Discussion and direction the Town Council regarding next step(s).



## TOWN OF QUARTZSITE

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Arizona Relay Service (928) 927-3762 (TDD)  
we are an equal opportunity employer  
[www.ci.quartzsite.az.us](http://www.ci.quartzsite.az.us)

Director Halliday  
Arizona Department of Public Safety  
P.O. Box 6638  
Phoenix, AZ 85005-6628

Director Halliday

Re: DR 2011-027462

I have some concerns about the investigation conducted by Detective Peter White, 4932 into the activities of Police Chief Jeff Gilbert of the Quartzsite Police Department.

I was told that the department would take the investigation where ever it took them when I filed the complaint in 2010. It would appear that the purpose of the investigation was to go after the officers that filed the complaint against Chief Gilbert.

First the investigation was so incomplete that the Attorney General refused to prosecute, then AZPOST took the charge of false reporting before the board. Had the majority of the officers not found employment with other law enforcement agencies that required pre-employment polygraph examinations they would have lost their certifications and the Chief 's problems would have went away.

Detective White's synopsis of the interviews are far from accurate in depicting what the interviews put forward. If anyone used those synopsis instead of taking the time to listen to the recordings they would have been led to the conclusion that there was no case against Chief Gilbert. Detective White also did not interview any of the elected officials that were supposedly directing the Chief to use his office to go after their political opponents.

One other glaring problem is officer Frakes interview. On Jan. 29, 2013 it came out that the recording of the interview of officer Frakes was missing more than twenty minutes. Officer Frakes recorded his interview and the complete interview is on the web site <http://www.aview.info>. This is another example of what could be construed as a cover-up of the problems in Quartzsite.

Chief Gilbert has bragged that he has friends in both DPS and AZPOST. The course of the investigation thus far would bear this out that his friends might be influencing the outcome of the investigation. As I stated only the fact that the officers were polygraphed stopped the stampede to blame the officers and let Gilbert off. It's time to look behind the scene and find out who is directing the investigation toward this outcome.

Yours,



Ed Foster  
Mayor  
Quartzsite, AZ

Cc:  
Chairman Senate Judiciary Committee  
Rick Murphy  
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Phoenix, AZ 85007

Chairman House Judicial Comm.  
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