

**MINUTES  
TOWN OF QUARTZSITE  
SPECIAL MEETING OF THE COMMON COUNCIL  
TUESDAY, JULY 23, 2013, 9:00 AM**

**CALL TO ORDER:**

Mayor Foster

**INVOCATION:**

Invocation by Pastor Bruce

**PLEDGE OF ALLEGIANCE:**

Led by Vice Mayor Jewitt, said by all.

**ROLL CALL:**

**Present:** Mayor Foster, Vice Mayor Jewitt, Council Member Kelley, Council Member Crooks, Council Member Workman, Council Member Orgeron, Council Member Scott.

**ABSENT:**

**STAFF PRESENT:**

Town Manager- Laura Bruno, Town Clerk – Terry Frausto, Assisting Town Clerk Tina Abriani, Town Attorney – Patricia Ronan,

**APPROVAL/AMENDMENT OF AGENDA:**

**Motion:** to approve the agenda except item five from the consent agenda. **Action:** Approve, Moved by Mayor Foster, Seconded by Council Member Orgeron. All in favor.

**CONSENT AGENDA:**

1. **Ledger of Accounts Paid – Consider approval of check series 35829 – 35895 totaling \$155,502.08**
2. **Minutes – Consider approval of the minutes of the Regular Meeting of July 9, 2013.**
3. **Professional Services Agreement - Consider approval of a Professional Services Agreement addendum for bidding assistance services to be provided by the Town Engineer, Atkins North America.**
4. **Resolution – Consider approval of a resolution adopting a policy related to the use of social media, social networking or the Town's website by Town employees.**

**Motion:** to approve the consent agenda except for item five. Council Member Scott made motion to remove check 35856 from the consent agenda, **Action:** Approve, Moved by Vice Mayor Jewitt, Council Member Scott seconded. Approved by all  
Discussion on Check 35856

**Motion:** to approve check 35856 **Action:** Approve, **Moved by** Council Member Scott, Vice Mayor Jewitt **seconded.**  
Approved by all.

5. **Resolution- Consider approval of a resolution adopting a policy and designating authority for signing bank drafts and checks on behalf of the Town.**

**Motion:** Motion to approve a resolution adopting a policy and designating authority for signing bank drafts and checks on behalf of the Town, **Action:** Approve, **Moved by** Vice Mayor Jewitt, **Seconded by** Council Member Crooks  
The Mayor spoke on how he feels about the signing of checks.

Vice Mayor Jewitt and Council Member Crooks withdrew their motions.

**Motion:** To approve resolution with the addition of one elected alternate designee, **Action:** Approve, **Moved by** Mayor Foster, **Seconded by** Council Member Crooks.

**Vote:** Motion passed (**summary:** Yea = 6, Nay = 1, Abstain = 0).

**Yea:** Vice Mayor Jewitt, Council Member Kelley, Council Member Crooks, Council Member Workman, Council Member Orgeron, Council Member Scott.

**Nay:** Mayor Foster.

#### **PUBLIC HEARING**

6. **Tentative Budget FY 2013-2014- Conduct Hearing regarding the Town of Quartzsite Tentative Budget for Fiscal Year 2013-2014**

Mayor convenes public hearing

Jennifer Jones spoke on the subject

Budget Hearing adjourned

#### **ADMINISTRATIVE ITEMS**

7. **Annual Financial Report – Consider acceptance of the Annual Financial Statements and Independent Auditors’ Report for Fiscal Year 2011-2012.**

**Motion:** Motion to accept the audit report as presented, **Action:** Approve, **Moved by** Vice Mayor Jewitt, **Seconded by** Council Member Crooks.-

Scott Graff, Auditor from Colby and Powell, PLC, spoke on the subject of the Audit for Fiscal Year 2011-2012.

Findings were reviewed by the Auditor.

**Call for the vote -** Motion passed unanimously.

8. **Memorandum of Understanding – Discussion and possible action regarding a modification of the annual lease payments provided by the Memorandum of Understanding between the Town of Quartzsite, AZ and the Educational Options Foundation.**

Council Member Orgeron recused himself from the item because Ed Options is his employer.

Jonathan Owen from Ed Options spoke on the subject.

**Motion:** to modify the lease payment terms of the memorandum of understanding between the Town of Quartzsite and the Educational Options Foundation, for the fiscal year 13/14 to modify the lease payment to \$6,000 and for fiscal year 14/15 considers modifying the lease to \$12000 after review of how the school is doing and a visit from a member to review their financial condition.. **Action:** Approve, **Moved by** Council Member Scott, **Seconded by** Vice Mayor Jewitt.  
Motion passed unanimously.

**9. Nomination – Consider nomination and approval of a Primary Elected Designee and an Alternate Elected Designee for purposes of signing bank drafts and checks on behalf of the Town.**

**Motion:** Motion to nominate one primary Elected Designee and two alternate elected designees for signing checks, **Action:** Approve, **Moved by** Vice Mayor Jewitt, **Seconded by** Council Member Orgeron.

Motion passed unanimously.

**Motion:** Nominate Council Member Carol Kelley as primary with Council Member Pat Workman and Council Member Mark Orgeron as secondary, **Action:** Approve, **Moved by** Vice Mayor Jewitt and Council Member Scott, **Seconded by** Council Member Crooks.

Motion passed unanimously.

**10. Attorney-Client Privilege - Discussion and consideration of waiver of the attorney-client privilege for three designated attorney-client privileged communications.**

**Motion:** to approve waiver of the attorney-client privilege for three memoranda from the Town Attorneys' office informing Council about current issues in municipal law: 1) Prayers at Council Meetings (Memorandum dated 6/7/13), 2) City Hall "Holiday Display" (Memorandum dated 6/20/13), and 3) Preclearance Requirements under the Voting Rights Act (Memorandum dated 6/27/13). **Action:** Approve, **Moved by** Vice Mayor Jewitt and **second by** Council Member Orgeron.

Motion passed unanimously.

**11. Resolution- Consider approval of a Resolution censuring and reprimanding the Mayor for failure to comply with Town Ordinances, Failure to Maintain Decorum in Common Council Meetings, Exceeding the Scope of his Authority, and Failure to Cooperate with the Town Clerk in Complying with Public Records Laws.**

Mayor asked the attorney if this was a legal action.

**Motion:** Motion to approve a resolution censuring and reprimanding Mayor Edward Foster for failure to comply with Town ordinances, failure to maintain decorum in Common Council Town Clerk in complying with public records laws, **Action:** Approve, **Moved by** Council Member Orgeron, **Seconded by** Council Member Crooks.

Motion Passed.

**Executive Session**

**12. An Executive session pursuant to A.R.S. §38-431.03(A)(3) and (4) for discussion or consultation with the Town Attorney for legal advice and to**

consider the Town's position regarding the dissolution of the drug control task force intergovernmental agreement among La Paz County, the Town of Parker, and the Town of Quartzsite.

An Executive Session pursuant to A.R.S. §38-431.03(A)(3) and (4) for legal advice and discussion and consultation with the Town Attorneys regarding the Town's position and to instruct the Town Attorneys regarding possible settlement of the case Al Johnson v. Quartzsite.

**Motion:** to go into executive session as stated, **Action:** Approve, **Moved by** Vice Mayor Jewitt, **Seconded by** Council Member Crooks.  
Motion passed unanimously.

**Adjourned into Executive Session:** 10:29 am

**Reconvened:** 10:46 am

**Roll Call:**

**Present:** Mayor Foster, Vice Mayor Jewitt, Council Member Kelley, Council Member Crooks, Council Member Workman, Council Member Orgeron, Council Member Scott.

**COMMUNICATIONS:**

**Announcements and Reports from the Mayor on current events.**

No announcements from the Mayor.

**Announcements and Reports from the Council on current events.**

No Announcements from the Council.

**Reports from the Town Manager to the Council.**

Town Manager announced we now have our WIFA Loan.

**Communications from Citizens**

Jennifer Jones spoke on the subject of the Censure of Mayor Foster.

She also spoke on Council Member Pat Workman, Council Member Mark Orgeron and former Council Member Patricia Anderson.

Shanana Rain GoldenBear spoke on the subject of the social media policy, and the Town's Website.

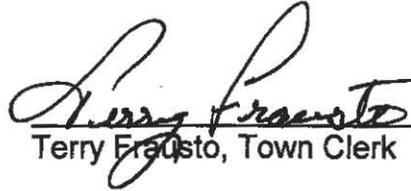
**ADJOURNMENT:** 10:54 am

**CERTIFICATION:**

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Regular Meeting of July 23, 2013, of the Town Council of Quartzsite, Arizona, held on July 23<sup>th</sup>, 2013.

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

DATED this 13<sup>th</sup> day of August, 2013

  
Terry Frausto, Town Clerk

On behalf of the Common Council

Approved:

  
Ed Foster, Mayor