

**MINUTES**  
**TOWN OF QUARTZSITE**  
**SPECIAL MEETING OF THE COMMON COUNCIL**  
**THURSDAY, MAY 7, 2015, 3:30 PM**

**CALL TO ORDER:** 3:30 p.m.

**INVOCATION:** None

**PLEDGE OF ALLEGIANCE:** Vice Mayor Simpson

**ROLL CALL:**

**Present:** Mayor Foster, Vice Mayor Simpson, Council Member Warner, Council Member Orgeron, Council Member Davidson, Council Member St. Germain

**Absent:** Council Member Kelley

**STAFF PRESENT:** Skylor Miller, Town Manager; Susan Goodwin, Town Attorney, appeared telephonically; Tina Abriani, Town Clerk

**ADMINISTRATIVE ITEMS:**

- 1. EXECUTIVE SESSION - An executive session pursuant to A.R.S. § 38-431.03(A)(1) for discussion or consideration of employment and salary of Pam Shirley as the Town of Quartzsite Town Magistrate and A.R.S. § 38-431.03(A)(4) for discussion or consultation with the Town Attorney in order to consider its position and instruct the Town Attorney regarding the Town's position regarding an employment contract with Pam Shirley as the Quartzsite's Town Magistrate.**

The Mayor said to let the record show that Council Member Kelley said by phone that she would arrive in five minutes.

**Council Member Orgeron moved to adjourn to executive session and Council Member Davidson seconded the motion. The vote was unanimous. The motion passed at 3:32 p.m.**

**MEETING ADJOURNED TO EXECUTIVE SESSION: 3:32 p.m.**

**RETURN TO OPEN SESSION: 4:12 p.m.**

**ROLL CALL:**

**Present:** Mayor Foster, Vice Mayor Simpson, Council Member Kelley, Council Member Warner, Council Member Orgeron, Council Member Davidson, Council Member St. Germain.

## **2. MAGISTRATE COURT – Discussion and possible action to appoint a Town Magistrate.**

The Mayor asked the Town Manager why the Town has only one candidate for Town Magistrate right now and not pursuing this in the public venue.

Town Manager Miller said when this was last discussed with the Council, he was directed to provide Council with information and interest from Ms. Shirley because she was the acting pro tem. He stated he followed that direction to the letter. He said he had not been instructed to advertise the position.

The Mayor said the discussion wasn't about hiring Ms. Shirley as the permanent Magistrate and he stated the Council needed to discuss whether or not it should be put out to the public for other interested parties before a contract is signed.

Council Member Orgeron said the initial discussion was that the Mayor wanted to attempt to contract with the Quartzsite Magistrate Court. Council Member Orgeron went on to say, the direction, failing that attempt, was to look within, where a qualified candidate was working as a pro tem.

Town Manager Miller said Council Member Warner raised the initial direction to get a statement of interest and information from Ms. Shirley for the permanent appointment.

The Mayor said he misunderstood because he thought the Council was only going as far as pro tem at the time.

Council Member Warner said she thinks that if the Town can promote from within and get someone that is familiar with the courts the way they are conducted here with experience in the Town's environment, then that is worth a lot in consideration of a candidate for the position.

There was discussion of members of the public having expressed interest in the position.

**Council Member Orgeron moved to appoint Ms. Pamela Shirley as the Town Magistrate and Vice Mayor Simpson seconded the motion. The vote was unanimous. Motion Passed.**

## **3. TRANSIT BUDGET – Presentation and initial review of preliminary Transit Budget. Comparison of 5310 and 5311 transit service programs.**

Town Manager Miller gave a presentation of the preliminary Transit Budget with which to incorporate Council's direction to build a tentative budget. He said there are some complications with the Transit Budget.

Town Manager Miller advised the Town has the option of moving forward with the 5310 and or the 5311 programs which is something that will come from the planning process that will most likely occur through the summer.

Town Manager Miller stated he is providing two Transit Budgets for Council's review. One is a 5310 Transit System Draft Budget moving the 5310 Transit System forward, status quo, with some minor changes. The other is a 5311 Transit System Draft Budget.

There a brief overview of the comparison of the 5310 and the 5311. Line items were reviewed for fiscal years 2012, 2013, 2014, 2015.

The Mayor asked about the training and travel noting it doubles for 5311 from the 5310.

The Mayor noted the increase in Workers' Comp. and insurance.

Council Member Warner noted the salaries doubled.

Town Manager Miller said three additional drivers will be added to the 5311 Transit Program to cover the routes.

Town Manager Miller explained the premiums were raised due to the number of the claims made in the past three years.

Town Manager Miller explained that if the Council wants to stay with a 5310 Transit Program only, there would be significant cuts in days and hours of operation. This would have to be discussed with ADOT because there is a possibility the Town could lose its supplemental funding and the transit vehicles.

The Mayor asked if mandatory fares caused reduced ridership, where might the Town get into difficulty with ADOT.

Town Manager Miller said he did not know.

Council Member Orgeron explained the route would still run would but ridership may decline.

Town Manager Miller reviewed the Draft Budget for the 2015 – 2016 5311 Transit Program.

Council Member Orgeron asked about the other supplies why it is different for 5310 and 5311.

Town Manager Miller explained some office supplies and printing fall under other supplies.

Council Member Orgeron asked about doubling training with the 5311 Transit Program.

Town Manager Miller explained it is all administration, the bulk of which will be reimbursed.

Printing and advertising were increased in the 5311 budget for promotional expenses.

Janet Collier, Transit Coordinator, spoke regarding the planning study. She stated the planning study will involve a series of public meetings that will invite everyone to attend.

The 5310 Capital expenditure is zero as the Town has all the necessary vehicles and will make no infrastructure changes.

Town Manager Miller explained that with the 5311, it was part of the 2014 grant to move to 5311. He explained there was a purchase of an additional 14 passenger bus. Signage for the additional bus stops, branding costs and maintenance are included in capital.

Town Manager Miller stated the preliminary budget total for 5310 is just over \$106,000. The total preliminary budget total for 5311 is \$261,382. He said this a significant increase to the budget; however, it is also a significant increase in the support the Town will receive in Federal Transit Authority grants from the Arizona Department of Transportation.

Town Manager Miller said the Town is looking at a year to year support of its transit program. He said the grant would provide an eighty percent and a twenty percent split for administrative costs with ADOT paying the eighty percent; the operational costs would be split fifty-eight percent and forty-two percent, with fifty-eight percent being paid by ADOT; and any capital needs would be, for this first year, a ninety percent and ten percent split, but in the future the Town should expect an eighty – twenty percent split.

Town Manager Miller stated, in order for the Town to be compliant with ADOT, transit funds are to be in a restricted fund and fares received by the Town should be labeled as restricted funds.

Town Manager Miller advised the Council that as the Town moves forward with the 5310 Transit Program, the Town sourced funds that the Town will need to provide in order to run the program as is would be just over \$91,000 in addition to a \$15,000 grant from ADOT.

Town Manager Miller advised the Council that the 5311 Transit Program would require just under \$51,000 in Town sourced funds and right at \$105,000 in grant funds. The split is almost one to three, but ADOT stated the split will go up.

Town Manager Miller explained that at the end of Fiscal Year 2013-2014 the Town applied for a 5311 Transit Program Grant for Fiscal Year 2014-2015. ADOT wants the 2014-2015 operational dollars to be rolled into the 2015-2016 award.

#### **4. INTERGOVERNMENTAL AGREEMENT WITH ARIZONA DEPARTMENT OF TRANSPORTATION – Review of IGA with ADOT for paving of Moon Mountain Ave W Main Street - W Quail Trail Street (IGA/JPA 15-0005166-I).**

The Mayor said some of the public may not be informed regarding this project. He said he had spoken with Vice Mayor Simpson, not as the Vice Mayor, but as the owner of Quail Mountain Café. Mr. Simpson shared his concern of the impact of this plan on his business.

The Mayor said he discussed with the Town Manager the idea of putting out public boards at the Senior Center, the Food Bank and Mr. Simpson's restaurant to explain to the neighborhood what is being planned for Moon Mountain.

The Mayor said he wants to give the people a chance to speak regarding this plan. He said he did not want to hear complaints after the fact. He asked if the Town is prepared to execute the IGA or if the Town wants to make sure it has firm public acceptance of the plan before executing the IGA.

Town Manager Miller said ADOT is looking to take action this week.

Council Member Orgeron suggested putting this off to the next regular meeting. Council Member Orgeron asked how many construction projects go as planned.

The Mayor said he looked at the agreement and asked if ADOT makes the Town assume all liabilities. He asked if Town Attorney Goodwin reviewed the document.

Town Manager Miller said Town Attorney Goodwin had reviewed the IGA and was not happy with the indemnification clauses, but also stated there is nothing the Town can do about it. She said if the Town wants the 94.3% grant for a half of a million dollars in projects, the Town must agree to their language. ADOT will not change the language.

Council Member Davidson asked what would be the effect if this waited until the next Council meeting.

Town Manager Miller said he would have to give ADOT a call.

Vice Mayor Simpson asked when the work would take place.

Town Manager Miller stated most likely the project will finish early season, sometime in November. The start should be sometime in September or October.

Council Member Warner asked if the full length of Moon Mountain and Quail Trail are to be part of the plan.

Town Manager Miller read portions of the work to be done from a map.

The Mayor asked Town Manager Miller if Emmett could get the boards out as soon as possible. Town Manager Miller said an open house could be held to help the citizens to understand the plan.

Council Member Kelley stated her concern that Moon Mountain is in such poor condition that if the Town has to pay the difference from the estimated costs, it will be difficult for the Town to pay the extra costs.

Town Manager Miller said these are engineered estimates that provide for contingency dollars and inflate some of the costs.

The Mayor stated Moon Mountain has many elderly people walking in the gravel which is unsafe. The Mayor said Mr. Simpson asked how it will impact his business and he didn't know.

Town Manager Miller said the Town will post the plans on the Town's website.

The Mayor said it is agreed to delay this item to the next meeting and make some attempt to get the message out to the community as to what the plans are.

**Council Member Orgeron moved to table Item 4 until the next regular Council Meeting and Council Member Warner seconded the motion. The vote was unanimous. Motion Passed.**

**Council Member Orgeron moved to adjourn and Council Member Warner seconded the motion. The vote was unanimous. Motion Passed.**

**ADJOURNMENT:** 5:07 p.m.

**CERTIFICATION:**

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Special Meeting of May 7, 2015, of the Town Council of Quartzsite, Arizona, held on May 7, 2015.

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

DATED this 26<sup>th</sup> day of May 2015

  
Tina M. Abriani, Town Clerk

On behalf of the Common Council

Approved:

  
Ed Foster, Mayor