

MINUTES
TOWN OF QUARTZSITE
REGULAR MEETING OF THE COMMON COUNCIL
MONDAY, AUGUST 22, 2016, 7:00 PM

CALL TO ORDER: 7:01 p.m.

INVOCATION: By Norm Simpson.

PLEDGE OF ALLEGIANCE: Led by Council Member Kelley.

Present: Mayor Foster, Council Member Kelley, Council Member Warner, Council Member Orgeron, and Council Member St. Germain attended by phone.

Absent: Vice Mayor Davidson

STAFF PRESENT: Jim Ferguson, Interim Town Manager; Susan Goodwin, Town Attorney; Tina Abriani, Town Clerk

ANNOUNCEMENTS:

None

CALL TO THE PUBLIC AND COMMUNICATIONS FROM CITIZENS:

Starr BearCat spoke about the damage from the flood. She said that for many years, the Town has tried to work with the BLM to get them to do their flood mitigation, and they refuse. She said she thought it was time the Town started digging in its heels and getting the BLM to be good neighbors. She said she would like to see the BLM work with the Town to lessen the flooding that comes off the BLM LTV areas. She explained that the massive amount of water that came from across the BLM was what caused the flood in Quartzsite. Starr BearCat suggested that the Town either go to court to get a court order to force BLM to take care of the problem, or find a diplomatic way to get it done. She said the Town needs to get it done because the issue has affected many businesses in Town, including the Rice Ranch area. She said the mud went clear down to the bank, across the freeway and stopped the traffic in both directions. She also said the water was two feet high in these areas and moved storage sheds and trailers.

Monica Timberlake, Quartzsite resident and school board member, announced that Quartzsite Elementary School would be having its Open House on August 30, 2016, at 5:00 p.m. She invited the Council and the community to attend.

Mr. Philip Cushman stated he was going to represent three perspectives concerning the recent flood that devastated Rice Ranch and other local businesses. He said he surveyed the damage and met with several people doing their best to salvage what remains of their livelihood. He said, as President of the Chamber of Commerce, he represents the business community. He said, "We are very interested in how the Town of Quartzsite will assist in getting these businesses operational before the next winter season." He spoke

of concerns about unaddressed drainage problems and how the Town will prepare for disasters that are more consequential. He said it is anticipated that Tyson Wash will overflow its bank and devastate the entire Town one day.

Mr. Cushman next spoke from his second perspective, as a retired Marine Officer with considerable experience in planning and operations involving disaster response and humanitarian assistance. He said the problem could be solved by getting the following agencies involved: Bureau of Land Management, Arizona Department of Transportation, Federal Emergency Management Agency, and U.S. Army Corps of Engineers. Mr. Cushman said the Town's elected officials need to hold the aforementioned agencies accountable for solving the issue before it happens again.

Mr. Cushman presented next from his final perspective, that of CEO of United Analysts, a National Security Consultancy firm that provides confidential advice to senior executives on issues that reside at the intersection of strategy, policy, diplomacy, intelligence, and specialized operations. Mr. Cushman spoke of his previous attempts to work with the Town in preparation for a flood. He said he was told that the flooding issue would be dealt with internally and that the services of his company would not be needed. He said that as a Quartzsite native he cares more about having a disaster plan in place, and that flood mitigation measures are implemented than who is compensated.

Mr. Cushman asked, "So where is this plan?" Mr. Cushman said he asked the question on behalf of the people who waited in their trailers as flood waters came into their living rooms, while their sheds drifted across property lines, while mud infiltrated everything they own - again for the third time in just a few years. He said ignorance is one thing, but failure to use all available resources, people, expertise, and perspectives to solve a predictable, preventable, and knowable event is a failure of leadership.

Shanana Rain BearCat announced that the Town's celebration of Labor Day would be held on Monday, September 5, at 5:00 p.m. at the baseball field. She said there would be games, waterslides for the children, food, and the introduction of the Kindness Rock Project. She asked that anyone interested in playing in a softball game should contact Monica Timberlake.

PROCLAMATIONS:

- 1. PROCLAMATION – Grandfamily / Kinship Care Month, September 2016.**

The Mayor read the proclamation aloud for all to hear.

PUBLIC HEARING:

- 2. LIQUOR LICENSE EXTENSION OF PREMISES/PATIO PERMIT APPLICATION - Discussion and possible action to recommend approval of an Arizona Department of Liquor Licenses and Control Application for a Permanent Extension of Premises/Patio Permit for the Quartzsite Yacht Club located at 1090 W. Main Street, Quartzsite, AZ.**

The Mayor asked if anyone wished to address the Council regarding the public hearing matter.

Mr. Dennis Kuehl stood at the lectern and addressed the Council. He said he was there to represent Ms. Selleck, the Manager of the Yacht Club, and should the Council have any questions, he would do his best to answer them.

Council Member Orgeron asked for the existing square footage of the patio.

Mr. Kuehl said he believed the total patio covered 1300 square feet. He explained that the original liquor license application did not include the existing patio. He said Ms. Selleck did receive her liquor license, but in order to serve alcoholic beverages on the patio premises, the extension of the license is required.

There was a discussion highlighting the fact that the application is for an extension of service - to include the patio, and that the patio dimensions would not change.

The Mayor asked if there were any questions from the audience. There was no reply.

Council Member Orgeron moved to recommend the approval of the Arizona Department of Liquor License and Control Application for a Permanent Extension of Premises/Patio Permit for the Quartzsite Yacht Club, and **Council Member Warner seconded** the motion. The vote was unanimous. **Motion Passed.**

ADMINISTRATIVE ITEMS:

- 3. LEDGER OF ACCOUNTS PAID – Consider approval of check 40562, check series 40566-40583 and 40592-40651 totaling \$105,136.20.**

The Mayor asked if there was more information about check number 40562 that was pulled from the last meeting.

Council Member Orgeron said he received an answer about the purpose of check number 40562 from Finance Manager Kiki Tunnell. He said the Council pays it every year, but it was under a different name in the past. He explained that it is a mandatory insurance that the Town pays. There was a discussion of the cancer policy for which the check was written.

Council Member Orgeron moved to approve the check number 40562, and the series 40566-40583 and 40592-40651, and **Council Member Kelley seconded** the motion. The vote was unanimous. **Motion Passed.**

- 4. MINUTES – Consider approval of the minutes of the Town Council Special Meeting of August 3, 2016, the Regular Meeting of August 9, 2016, and the Special Meeting of August 10, 2016.**

Council Member Orgeron moved to approve the minutes of the Town Council Special Meeting of August 3, 2016, the Regular Meeting of August 9, 2016, and the Special Meeting of August 10, 2016. **Council Member Kelley seconded** the motion. The vote was unanimous. **Motion Passed.**

5. **QUARTERLY FINANCIAL REVIEW (FY16 – Q4) – Council Member Warner will give a Quarterly Financial Review presentation.**

Due to technical difficulties, this agenda item was moved to the latter portion of the meeting.

6. **AMENDMENT #1 TO MEMORANDUM OF UNDERSTANDING WITH WACOG - Review, discussion and consideration of authorization for the Town Manager to sign and enter into an Amended Memorandum of Understanding with the Western Arizona Council of Governments (WACOG) regarding WACOG tickets.**

Interim Town Manager Ferguson apologized that the Transit Manager was unable to attend the meeting because her father had passed away that morning. He reviewed the documents from WACOG aloud and noted that the Amendment to the Memorandum of Understanding clarifies that WACOG will still cover the cost, but the tickets would be credited differently in the Town's accounting system.

Council Member Oregon moved to authorize the Town Manager to sign and enter into an Amended Memorandum of Understanding with WACOG regarding the WACOG tickets. **Council Member Warner seconded** the motion. The vote was unanimous. **Motion Passed.**

7. **5311 TRANSIT PROGRAM TRANSITION PROGRESS REPORT – Consider and discuss the progress report on the Camel Express Transit System Transition from a 5310 Program to a 5311 Program.**

Council Member Kelley moved that in light of Transit Manager Janet Collier's absence, the matter be tabled. **Council Member Warner seconded** the motion. The vote was unanimous. **Motion Passed.**

8. **REMOVE AUTHORIZED CHECK SIGNER – Approve removal of former Town Manager Skylor Miller from the list of authorized bank draft signers.**

The Mayor asked Council Member St. Germain when he would be back in Town and Council Member St. Germain replied, as soon as he could.

There was a discussion regarding the need for two signers and their presence for signatures at the bank. Council Member Warner agreed to be an authorized bank signer.

Council Member Orgeron moved to remove the former Town Manager Skylor Miller and Council Member St. Germain from the list of authorized signers and to add to the

authorized signers Interim Town Manager Jim Ferguson and Council Member Loretta Warner. **Council Member Kelley** seconded the motion. The vote was all in favor. **Motion Passed.**

AGENDA ITEM 5. QUARTERLY FINANCIAL REVIEW (FY16 – Q4) – Council Member Warner will give a Quarterly Financial Review presentation.

Council Member Warner moved to the lectern to present the Fourth Quarter Financial Status Report for the Year-End. She began by noting the review would consist of the Fourth Quarter of Fiscal Year 2015-2016, budget versus actual, and revenue and expenses.

- 2015 - 2016 Budget vs Actual - Revenue

Council Member Warner said that for the General Fund, the Town actually collected 93.9% of the budgeted Revenue. For Wastewater, the Town actually collected 96.9% of the budgeted Revenue; for Water, the Town actually collected 96.2% of the budgeted Revenue; for HURF, the Town actually collected 103.9% of the budgeted Revenue. Council Member Warner said these figures result in an overall actual collection of 97.73% of Revenue, which, she said, is outstanding.

Council Member Warner announced that more Revenue was collected than Expenses were paid. She said the Town was at 97.3% of the budgeted Revenue, again, excellent.

- 2015 - 2016 Budget vs Actual - Expenses

Council Member Warner said she would address four accounts, the General Account, Water Account, Wastewater Account, and H.U.R.F. Account.

Council Member Warner said the General Account includes the Mayor, Council, Library, Cemetery, Parks and Recreation, Planning & Zoning, and the other administrative departments. She said the General Account spent only 81.34% of what was budgeted to be spent for the year.

Council Member Warner said the Wastewater Account Revenue comes from payments for sewer bills. She said that account used only 54.3% of what was budgeted to be expended throughout the year.

Council Member Warner said the Water Account supports itself through revenue brought in through the water portion of water/sewer bills. She noted this low percentage is due in great part to the job reassignments approved by Council. The Water Account actually expended only 35.4%, making it 64.6% below what was budgeted.

Council Member Warner reviewed the HURF Account and said these state funds are the Town's primary source of revenue. Actual expenditures out of the HURF Account were 67.8% of the budgeted amount.

Council Member Warner provided the following recap of the presentation and reports. She stated that the numbers provided for the Fourth Quarter are not final numbers for the Fourth Quarter, but are very close because there are some residuals bills that are being received by the Town for payment. The final numbers would not be available until the Second Quarter of the new year because that is when the Town receives final totals from the auditors.

- Revenue rate of collection - 97.73%
- Expenses well below budget - 57.70%

Council Member Warner explained that the Revenue in excess of expenses would be retained in the bank account. The financial statements would be submitted to the Town's auditing firm for review. Adjustments would be made to the Town's accounting system per the audit report. This year's budget would be used as a guideline for the 2017-2018 budget, and the auditors would present the findings and make suggestions to the Council. The HURF debt would be reduced with the unexpended funds in the bank by the auditors.

Council Member Warner said the current Town Council and the community wanted to express their thanks to the staff for making the Fiscal Year End 2015 – 2016 Financial Status Report such an outstanding success. She said each staff member had taken part in reducing the spending in order to achieve the excellent budget versus actual percentages reflected in the report.

Council Member Warner commended the Town Manager and Department Managers for their creative thinking to reduce the overall budget, for the reassignment of positions so that HURF could be used legally to reduce payroll costs in Water and Wastewater, and for their dedication to ensuring each department stayed well below budget.

9. FUTURE AGENDA ITEMS – Direction to staff regarding future agenda items.

Council Member Kelley asked if the requested report from the Town Prosecutor was received.

The Mayor said that the Town had not received the report, yet.

COMMUNICATIONS:

10. Reports from the MAYOR on current events.

The Mayor said that he and the Interim Town Manager Ferguson had met with ADEQ within the last two weeks. They discussed sewer capacity and the condition of the sewer plant. The ADEQ representatives advised that the Town does currently have adequate sewer capacity for economic development and that the plant is adequate to operate for the foreseeable future.

Mayor Foster and Interim Town Manager Ferguson also met with the Army Corps of Engineers regarding flood management who advised that the Town cannot control flooding, but it could manage it. The Mayor said that he and Mr. Ferguson did learn what the regulations were concerning the changes to the wash system in the Town of Quartzsite. The Mayor said the Town Council is concerned about the future of Quartzsite. He said there should be a combination of effort from the Town, the BLM, and the Corps of Engineers, due to the multijurisdictional characteristic of the issue.

The Mayor said the Army Corps of Engineers had suggested that the Mayor contact Mohave County, which has a flood management district. The Mayor said he had talked to representatives of that flood management district. He said he would be setting up a meeting with the representatives of the Mohave County Flood District and Quartzsite Public Works Director, Emmett Brinkerhoff, to learn how the District was established and how it is managed.

During one of the meetings, said the Mayor, Mr. Brinkerhoff pointed out a big problem by producing aerial photographs of the Town from 1996 on, showing the wash as it goes north through Town, and actually looks like it is turning westward. The Mayor said it is headed toward the northwest corner of Town through the residential area. He said they must find a way to turn it back to the north and keep it moving on out into the desert. Mayor Foster said that section of land north of Tyson and out toward the waste treatment plant is all BLM land, so altering the wash's path could not be done without cooperation from the BLM.

11. Reports from the COUNCIL on current events.

Council Member Warner said she was at the Chamber of Commerce breakfast held the past Thursday with the ADEQ, and that both of the representatives were very informative and that one offered to come to Quartzsite and make a presentation to the Town Council and the community.

Council Member Warner announced that there is a telephone scam taking place in Quartzsite. She said the callers say they are from the IRS, and that the recipient of the call is in imminent danger of an IRS lawsuit for back taxes. Council Member Warner said it is only a scam because the IRS does not call people, they only communicate in writing. She instructed recipients of the calls to hang up on the caller. She suggested calling the IRS if there was any question. She asked that an announcement warning the citizens of Quartzsite be placed on the Town's website.

Council Member Kelley said three Members of the Council would be gone for the rest of the week to the League of Arizona Cities and Towns Annual Conference. She said she learns something every time attends the Conference.

12. Reports from the TOWN MANAGER to the Council.

Interim Town Manager Ferguson said he did not have a specific report, but he wanted to take the opportunity to say thank-you to the citizens, staff, and Council for being extremely

helpful to him during the past weeks. He noted that it is quite valuable for a person in the position of Town Manager to hear from people. He said he wants to hear about the concerns of the community and to hear different perspectives. He invited people with something to say to contact him.

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

ADJOURNMENT: 7:51 p.m.

CERTIFICATION:

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Regular Meeting of August 22, 2016, of the Town Council of Quartzsite, Arizona, held on August 22, 2016.

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

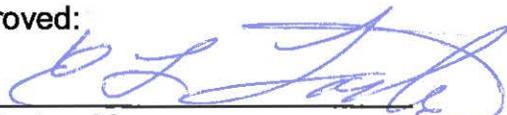
DATED this 13th day of September 2016



Tina M. Abriani, Town Clerk

On behalf of the Common Council

Approved:



Ed Foster, Mayor